If all these mitigation measures are done and the recreational areas are developed by the applicant, this project will not have a significant adverse impact on recreation and parks but instead have a positive impact on the community. 149-255

The EIR must discuss how existing equestrian trails that are designated under the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan will be impacted by this development. The Scenic Preservation Specific Plan describes two types of Equestrian trails. These trails may exist on the property site and may be impacted by the development. Under the Scenic Preservation Plan they are described as,

> **Non-Public Equestrian Trails.** Unimproved trails over private property as shown on Map No. 4 of this Plan in which the public may possibly have a prescriptive easement. 149-256
>
> **Official Equestrian Trail.** Existing trails that are established under legal easement and those that are designated for future dedication as shown on Map No. 3.

The EIR must modify its park proposals to conform with the Community Plan and safety concerns and the Scenic Plan.

Section IV. J.4. PUBLIC SERVICES-LIBRARIES

The local Community Plan outlines the Community Requirements for Libraries. We have included this in our discussion of libraries.

LIBRARIES

The Community Plan area is currently served by the Sunland-Tujunga Branch Library. In 1995, a 10,500 square-foot library was constructed, replacing the existing 4,500 square-foot library. Library area needed for the Community Plan should be approximately 26,000 square feet.

GOAL 7 *ENSURE THAT ADEQUATE LIBRARY FACILITIES ARE PROVIDED FOR THE COMMUNITY'S RESIDENTS.* 149-257

Objective 7-1 To encourage the City's Library Department to provide adequate library service which responds to the needs of the community.

Policies
7-1.1 Provide construction of new libraries when the need is identified and funding is available.

Program: The community and the City have identified the need for a new library in the Lake View Terrace area. Funds are now being identified and several sites are being considered.

7-1.2 Encourage flexibility in siting libraries in mixed-use projects, shopping malls, pedestrian-oriented areas, office buildings, and

similarly accessible facilities.

Program: Through the inclusion of this policy the Plan supports such utilization when the Library Department and decision-makers review and approve sites for new libraries. 149-257

The goal of the Community Plan is that adequate library facilities are provided for the community residents. Policy 7-1.1 of the Community Plan is to provide the construction of new libraries when the need is identified. The addition of 831 residents per the EIR or 1,120 residents as we believe will be added to the area does constitute a need for additional facilities to provide adequate library service for the community. The applicant is not contributing any funds towards the expansion of existing library facilities and the acquisition of additional books. 149-258

The EIR states that "The project's demand for library facilities was calculated using the State of California standards, which are .5 square feet of facility space per resident and two volumes of permanent collection per resident. This was the standard used in the City of Los Angeles General Plan Framework EIR. Based on these standards, the project would generate an additional library need of approximately 415.5 square feet of space and 1,662 volumes of permanent collection." This is a significant adverse impact if these facilities and books are needed and the applicant does nothing to mitigate the impact. 149-259

Also according to the Los Angeles Public Library statement in the EIR, the additional residents generated by the proposed project would adversely affect its ability to maintain its current levels of service. If the CEQA standards for impacts on library services would be significant if the proposed project would result in a substantial adverse physical impact associated with the provision or need of new ***or physically altered libraries,... in order to maintain acceptable service ratios or other performance objectives of the LAPL.*** This has met the standard according to CEQA that this project does cause an adverse impact on the acceptable service ratios and other performance objectives of the Los Angeles Library system. The development has created a need for additional space and additional books which the developer is not mitigating. Therefore, this is a significant and unavoidable adverse impact without mitigation. The EIR consultant must change their findings because the facts do not support the conclusion that they have reached. 149-260

Also, the EIR did not discuss the cumulative impacts of this problem. This must be discussed in the EIR. When you consider the cumulative impacts of all new developments or projects in this community plan area not providing additional library resources or facilities, the overall impact on this area's library service is even more acute. All new developments or projects that bring new residents to this area must contribute to providing additional library resources and library facilities. The level of Library Service worsens with each new development but none of these new developments ever contributes towards providing these services to the community. 149-261

The EIR must recommend as a mitigation measure that the Developer must pay for the expansion of the library building and the acquisition of new volumes. The EIR consultant's conclusion that this development would not have a significant impact on library services is erroneous. This 149-262

impact must be mitigated by the developer. 149-262

The conclusion concerning the impacts of this development on Library Services is incorrect and must be changed, otherwise it is misleading. The EIR must discuss additional areas of impact of this development on Library Services concerning the Community Plan and Cumulative Effects. 149-263

Section IV. J.5. PUBLIC SERVICES-SCHOOLS

The local Community Plan outlines the Community Requirements for Public Schools. We have included this in our discussion of Public Schools.

SCHOOLS

In the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Plan area, public schools are administered by the Los Angeles Unified School District (LAUSD). There are seven elementary schools, one middle school, and one high school.

The Plan encourages shared use of existing school facilities for the general public after hours and on weekends. School grounds should be made available so as to facilitate after hour recreational uses.

GOAL 6- *APPROPRIATE LOCATIONS AND ADEQUATE FACILITIES FOR SCHOOLS TO SERVE THE NEEDS OF THE EXITING AND FUTURE POPULATION.*

Objective 6-1-To site schools in locations complimentary to existing land uses, recreational opportunities and community identity. 149-264

Policies
6-1.1 Encourage compatibility in school location, site layout and architectural design with adjacent land uses and community character and, as appropriate, use schools to create a logical transition and buffer between different uses.

Program: The decision-maker involved in discretionary review of proposed schools should make a finding which supports the application of this policy.

6-1.2 Site schools in a manner which complements existing single family and multiple family residential neighborhoods.

Program: The decision-maker involved in a discretionary review of proposed schools should make a finding which supports the application of this policy.

6-1.3 Proximity to noise sources should be avoided whenever possible or the school design should buffer classrooms from such noise.

Program: Implement appropriate provisions of the City's Noise

Element.

Program: Incorporate noise mitigation measures to reduce adverse environmental impacts in order to comply with CEQA.

149-264

The Goal of the Community Plan concerning public schools is that there are appropriate locations and adequate facilities to serve the needs of the exiting and future population. It is important that all development projects do not compromise this goal

The EIR must discuss the impacts on the local schools when the project is built rather than in 2003. The current EIR does not take into account student population growth at Apperson Street Elementary, Mountain View Elementary, Pinewood Elementary, Vinedale Elementary, Mount Gleason Middle, Sun Valley Middle, Verdugo Hills Senior High and Francis Polytechnic Senior High Schools. The impact on these schools must be projected to when students will actually be attending the schools rather than the impact on the schools in the year 2003.

149-265

The LAUSD letter to the EIR consulting firm indicates that there will be two elementary schools, one middle school, and two high schools that will serve the students from the development. It is not appropriate for the EIR to discuss transferring the education burden of these students to other area schools when it may not be appropriate that they attend the other elementary or middle schools. Residents of the development will most likely want to send their children to the schools closest to where they live. Thus, the EIR must when discussing the impact of this development on the schools, discuss only the schools that the residents are likely to attend.

149-266

Currently, Vinedale Elementary has a capacity of 505 students and has an actual enrollment of 461 students. If a growth rate of 2% compounded for 6 years, the same growth rate used in other parts of the EIR, by the year 2009, the school population at Vinedale will be 516 students. That number of students is 11 students over the school capacity. Any increases in student population from this development would constitute significant adverse impact as the school does not have the capacity to accommodate more students.

149-267

The other elementary school that would serve this area is Pinewood Elementary school. Currently, it has a capacity of 950 students and has an actual enrollment of 783 students. If a growth rate of 2% compounded for 6 years, the same growth rate used in other parts of the EIR, by the year 2009, the school population at Pinewood will be 882 students. The increase in student population that we project is reasonable. In 1995, this school had an enrollment of 697 students. In a period of seven years, the school grew by 86 students. That number of students is 68 students under the school capacity. If the project will only have 61 elementary school students in any year, this would not represent a significant adverse impact on the school. However, we believe that the number of elementary school age child that this project will bring to the LA schools is too low. If the numbers, we believe are actually used, 100 elementary school students, this would constitute an adverse significant impact on the local schools. We discuss the low student ratio later in our discussion of schools.

149-268

Currently, Sun Valley Middle School has a capacity of 3,360 students and has an actual

149-269

enrollment of 3,136 students. If a growth rate of 2% compounded for 6 years, the same growth rate used in other parts of the EIR, by the year 2009, the school population at Sun Valley will be 3,532 students. That number of students is 172 students over the school capacity. Any increases in student population from this development would constitute significant adverse impact as the school does not have the capacity to accommodate more students. So, whether you use the development figure of 30 additional middle school students from this development or 33 as we project, this development will have an adverse impact on the middle school serving this development. 149-269

Currently, Francis Polytechnic High School has a capacity of 3,612 students and has an actual enrollment of 3,956 students. The school is currently over its enrollment capacity by 344 students. Any increase in students from this development would be a significant adverse impact. If a growth rate of 2% compounded for 6 years, the same growth rate used in other parts of the EIR, by the year 2009, the school population at Francis Polytechnic will be 4,455 students. That number of students is 843 students over the school capacity. Any increases in student population from this development would constitute significant adverse impact as the school does not have the capacity to accommodate more students. So, whether you use the development figure of 31 additional high school students from this development or 64 as we project, this development will have an adverse impact on this high school serving this development. 149-270

Currently, Verdugo Hills High School has a capacity of 2,411 students and has an actual enrollment of 2,319 students. If a growth rate of 2% compounded for 6 years, the same growth rate used in other parts of the EIR, by the year 2009, the school population at Verdugo Hills will be 2,612 students. That number of students is 201 students over the school capacity. Any increases in student population from this development would constitute significant adverse impact as the school does not have the capacity to accommodate more students. So, whether you use the development figure of 31 additional high school students from this development or 64 as we project, this development will have an adverse impact on this high school serving this development. It should be noted that in the past 7 years, Verdugo Hills High School had a great increase in it's student population. It grew from 1,920 students in 1995 to 2,319 students in 2002. This is an increase of 399 students in 7 years. 149-271

Use of Los Angeles Unified School District figure of .2161 elementary school students, .1059 middle school students, and .1082 high school students per household understates the students per household in newly built dwellings. The Los Angeles School District figure includes childless senior households, and other childless households that are less likely to buy a large new house of 4,000 square feet with 3-5 bedrooms. Households with students of school age purchasing new houses should be closer to .7 or higher students per household in Southern California. This would mean that each household would add roughly .356 students of elementary school age, .117 students of middle school age, and .227 students of high school age. 149-272

This would mean that the project will generate 100 children that will attend elementary schools, 33 students that will attend the middle school, and 64 students that will attend the high school. It is unknown how much the developer will pay in new school fees to LAUSD as mitigation for 149-273

the impacts on the schools. The developer will pay $3.55 per square foot built but it is unknown at this time how many square feet of residences will be built in the development.

Even in the Duke EIR, the student generation rates were about 2 ½ times higher in that EIR compared to the Canyon Hills EIR. The number of students per household certainly has not fallen in those years. In the Duke EIR, they determined that residential units would produce an elementary school age children at the rate of .5 per household compared with .2161 used in the Canyon Hills EIR. Each house would produce .25 students of middle school age in the Duke EIR compared with .1059 students in Canyon Hills. Similarly, each house would produce .25 students of high school age in the Duke EIR compared with .1059 students in Canyon Hills. 149-272

Though it is not required as a mitigation under state law, it is unknown if the fees that the developer will pay will actually offset any additional school facilities that will be required to be built as a result of this development. Construction costs are between $150 and $200 per square foot for permanent classes and auxiliary classroom support space. Besides classrooms that will have to be built, support facilities and enlargements of libraries, cafeterias, and auditoriums may have to be made. In addition to construction costs, land would be purchased for some of these new facilities and classrooms. 149-273

The developer paid fee for school facilities may not pay for the purchase and construction of all new school facilities to accommodate the Canyon Hills children. The impact after mitigation measures is still significant. But according to state law, the payment of the fee of $3.55 per square foot is all that is required of the developer.

The EIR must discuss other areas about schools that were omitted such as growth rates and discuss the impacts on the schools that will be impacted. Additionally it must have a finding that the level of significance of the impacts of this development on schools will be less than significant after required mitigation is done. As we have discussed it is misleading to believe that this project has less than significant impact on the public schools. 149-274

Section IV. K.1. ENERGY CONSERVATION-ELECTRICITY

We agree that the applicant must pay for the full cost of the proposed connections and the cost of expansion of the electrical distribution systems into the project area. The applicant must pay for these improvements to provide electrical service to the project residents and not Los Angeles taxpayers or citywide users of DWP services. This must be a mitigation measure that is required in the EIR. 149-275

Also, the residences built in the development must be constructed and designed in a way to meet or hopefully exceed both city and state conservation standards. Recent disruptions in the statewide power supply mandate that electrical conservation measures be used in all projects. 149-276

Section IV. K.2. ENERGY CONSERVATION-NATURAL GAS

The applicant must pay for the full cost of the proposed connections and the cost of expansion of the natural gas distribution systems into the project area. The applicant must pay for these improvements to provide natural gas service to the project residents and not the Southern California Gas Company. This must be a mitigation measure that is required in the EIR. 149-277

Also, the residences built in the development must be constructed and designed in a way to meet or hopefully exceed both city and state conservation standards. This in conjunction with electrical conservation measures would include design to minimize the use of gas or electricity in the regulation of dwelling temperatures, lighting, and other appliance use. 149-278

Section IV. L.1. UTILITIES AND SERVICE SYSTEMS-WATER

The applicant must pay for the full cost of the proposed connections and the cost of expansion of the water distribution systems into the project area. This would include the construction of water tanks and all water lines, mains, and hydrants in the development. The applicant must pay for these improvements to provide water service to the project residents and not the Los Angeles Department of Water and Power or citywide users of DWP services. This must be a mitigation measure that is required in the EIR. 149-279

The EIR does not discuss whether the project's use of the 16" DWP water main that is located on La Tuna Canyon Road would impact other users of that line. The EIR must discuss whether the project's use of this water main has any potential to decrease water pressure or impact water service during the construction period or during the operational period of the project. 149-280

The report must discuss how water consumption in the project may be higher than in normal households due to larger than average houses and that these are hillside homes that do require additional watering for plant maintenance. Water usage must be based on consumption in homes of similar size and not the citywide average. We believe that these homes will be 3 to 5 bedrooms, 2 stories, and 4,000 square feet in size. Additionally, water will be needed to maintain the plants that the developer will plant in attempt to mitigate the native plant loss to the area and to maintain landscaped hillside areas. 149-281

The location of the proposed water tanks, waterlines, and water pumps must be discussed in the EIR in this section or other appropriate section. The impact of the location of these tanks and pumps is important. These tanks and pumps depending on their location may have impacts on geology and soils, hydrology and water quality, biological resources, artificial light and glare (if lighted), land use, and aesthetics. The location of all proposed development structures must be clearly noted and discussed in the EIR. Otherwise, this deficiency could constitute a significant impact created by the development in some important area. It is a serious problem that the tank location has not been disclosed in the EIR. This may be another example of how incomplete the project planning is. 149-282

The location of the proposed water tanks, waterlines, and water pumps must be disclosed including if

the applicant plans to site them on the project land or other public or private land. If this infrastructure is located on other public or private lands, those lands must be identified and impacts must be discussed concerning those. 149-282

Also, the residences built in the development must be constructed and designed in a way to meet or hopefully exceed both city and state water conservation standards. 149-283

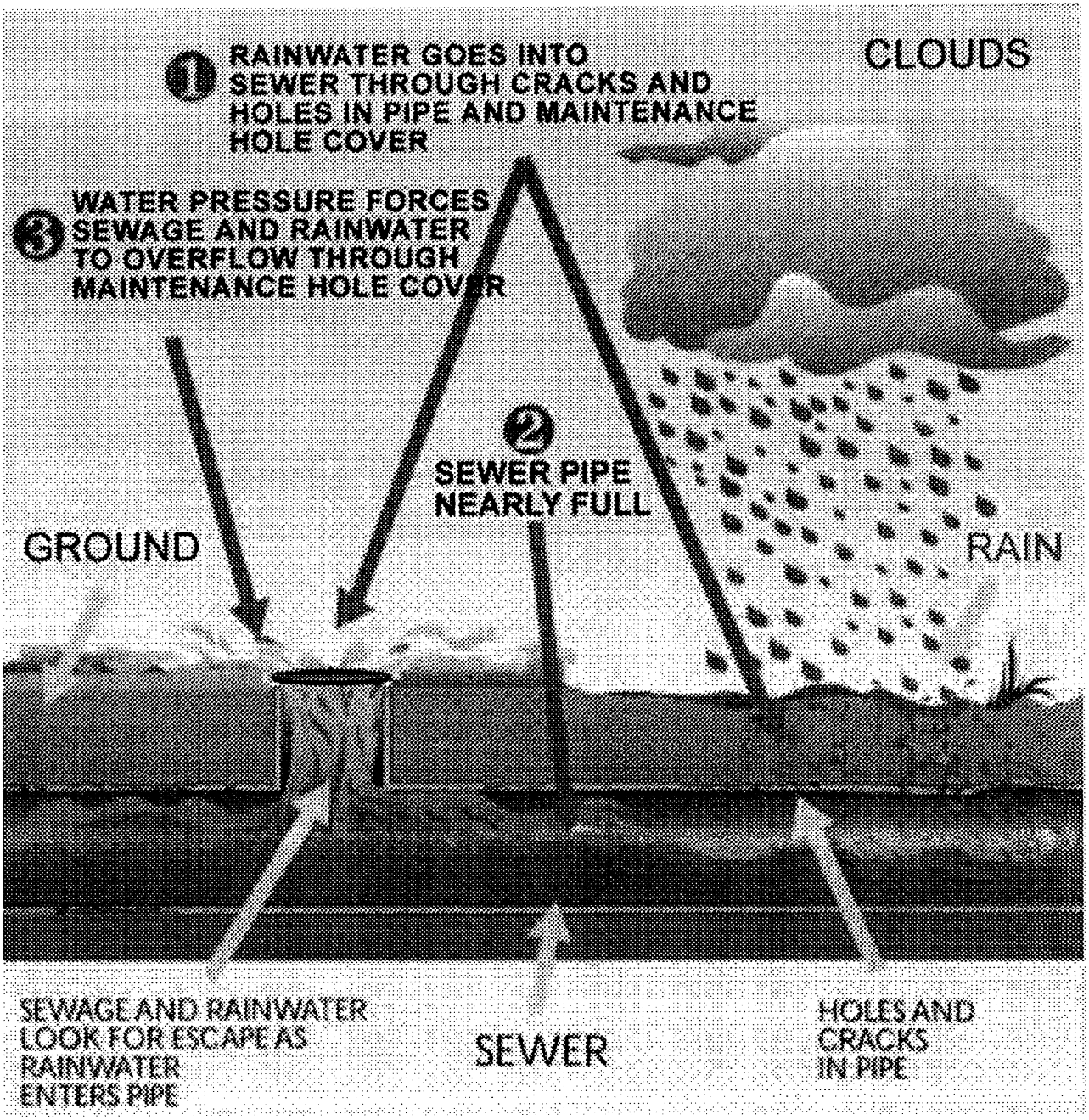
Section IV. L.2. UTILITIES AND SERVICE SYSTEMS-SEWER

The applicant must pay for the cost of installing the sewer system and connections in the development. This must be a condition of the development. 149-284

According to the EIR, the project area is serviced by a sewer line that has a 615,000 gallon per day capacity. This sewer line has a remaining capacity of about 153,750 gallons per day or about a 25% remaining capacity. Currently, the sewer line is being utilized at about 75% of the line capacity. The project is estimated to generate 92,400 gallons per day of sewage which is about 15% of the entire sewer line.

The EIR fails to take into account what would happen to the sewer service during a storm and what the actual capacity may be. The line may have some minor blockage that would allow the current flow of 75% of capacity to be all right without any spills or overflows. The sewer line near the project may be old with insufficient capacity, or have insufficient capacity from grease, roots and debris. Rainwater from a storm can enter the sewer system from manhole covers or cracks or holes in the sewage line. The rainwater seepage in the system can occur off site. When this happens there would be a sewage overflow or spill. Please see the diagram below of how sewage overflows occur during storms. The EIR consultant did not do enough work to know if there would be a problem with the current sewage line. The consultant cannot reach the conclusion that this development would not have a significant adverse impact on the sewage system without further research. 149-285

From the City of Los Angeles Engineering Department Website:



149-285

The EIR consultant has failed to take into account additional usage on the sewage line due to population growth in the area. Even without considering the impacts of storm water, line obstacles, or reduced capacity due to old sewer lines, area growth must be considered. If you assume a 2% growth rate per year in the sewer line usage, in 2003 the usage may be 75% of capacity, but by the year 2009, the usage without the development would be 84.5%.

149-286

This would mean that if you add the development to this sewer line, the usage with the development would be about 100% of the capacity. This alone would represent a significant adverse impact to the sewage system. At this level, there would be sewage spills, overflows or