

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.

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).

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 Division 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?

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).

The development of not one, but two gigantic water tanks to service the proposed project would in itself have devastating environmental impacts, but amazingly 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 DEIR fails to indicate whether one or both of these tanks would be required for any of the alternatives studied in the DEIR. 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 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?

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.

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 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.

## III. THE DRAFT EIR'S DISCUSSION OF 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, environmental, social and technological factors involved.” *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 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

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.” (*Id.* 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.”

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”. The Draft EIR then has the audacity to say 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 worthless for two obvious reasons: 1) the Draft Specific Plan prohibits the grading of prominent ridgelines; and 2) 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 this alternative does not meet CEQA criteria as part of a “range of reasonable alternatives.”

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”.

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.

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.

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 impact. The 87-unit level should have been treated as the maximum level of development for the project alternatives, rather than as 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.

And 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 astonishingly, the "environmentally superior alternative" has the 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!

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 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.

Notably, in undertaking a search for a feasible very low density alternative, the 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.

#### 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.

Very truly yours,

Marc Stirdivant  
Chairman of the Board

L e w S t o n e

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December 19, 2003

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

Dear Ms. Zaitzevsky:

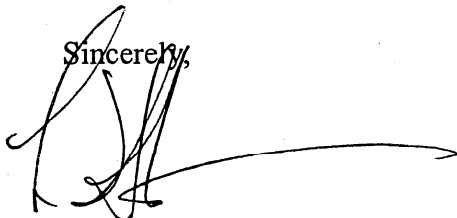
This letter is written in opposition to the conclusions of the Draft EIR for the Canyon Hills Project, specifically those cited in Section IV.I "Transportation." The statement on Page I-42, "Therefore the small increase in traffic on this portion of La Tuna Canyon related to the project should not materially increase the type of accidents that occurred along that stretch of road prior to 1997." This comment is the result of flawed research and historical perspective.

I have been a resident of the neighboring community of Burbank for over 40 years. The Project borders on the city boundary of Burbank. I am an avid road and mountain bike rider. The ride through La Tuna Canyon has always been hazardous. The DEIR fails to discuss the narrow to non-existent shoulders, rendering the road extremely hazardous to bike riders. The report fails to mention the accidents in this category and the fatal accident involving a vehicle vs. bicyclist in the late 1980's. The "small increase in traffic" statement is an insult to anyone with a normal level of intelligence. The threat posed by this residential development will dramatically affect the area's traffic.

A second problem with the DEIR, "Traffic" Section, is the failure to mention the Verdugo Mountain trailheads located along La Tuna Canyon. These trailheads are used by both hikers and mountain bikers. Principally on weekends, there are a significant number of vehicles that park in "turnout" areas and access the Verdugo Mountains (especially the Hostettler Trailhead). With increased traffic, merging onto La Tuna Canyon will undoubtedly be more dangerous. There is absolutely no mention of this within the section. This is a significant oversight.

I urge you to deny this project as currently proposed.

Sincerely,



Lew Stone

CANYON HILLS PROJECT DEIR CASE # ENV-2002 2481  
-EIR REFERENCE # SCH 2002091018

Michèle Stone  
7354 Verdugo Crestline Drive • TUJUNGA CA 91042  
Phone 818-353-2422 • Fax 818-353-1012 • micheledale@earthlink.net

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December 30, 2003

The City of Los Angeles  
Department of City Planning  
Environmental Review Section  
200 North Spring Street, Room 763  
Los Angeles, CA 90012

Attn: Ms. Maya E. Zaitzevsky, Project Coordinator

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

The City of Los Angeles has issued a Draft Environmental Impact Report (DEIR) for the Canyon Hills Project. This is a proposed development on an 887-acre parcel located in the Verdugo Mountains of the northeast San Fernando Valley. I am submitting the following comments in review of this Draft EIR.

### **I. The Project Description is Inadequate, Incomplete and Inaccurate**

Other than a general, vague description there is no quantitative information to locate this property. "The Canyon Hills project site includes approximately 887 acres of land and is located at 8000 West La Tuna Canyon Road in the City of Los Angeles. The project site is located entirely within the Verdugo Mountains in the northeastern San Fernando Valley."

The project description must be complete, accurate, and consistent throughout the DEIR. If the project description is incomplete, inaccurate, confusing, truncated or misleading, the usefulness of the DEIR as a document will be impaired. [*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 729-734; *Kings County Farm Bureau v. City of Handford* (1990) 221 Cal.App.3d 692, 736-738; *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192-193.]

There are no Assessor Parcel Numbers (APN) given to identify this "irregularly-shaped property". Figures III-1 (Site Plan) and III-2 (Site Plan Detail) have no map coordinates or any grid references, thus it is impossible to establish exactly where this property exists. Without all the APNs, the accuracy of the Site Plan is questionable, especially given the shape of project site. Without the APNs it is impossible to determine the property boundaries or if the applicant owns or controls the land discussed in the DEIR.



This is not a theoretical question, since there are several boundary questions concerning this property. The DEIR makes repeated references to a disputed boundary at the southern portion of the project site, adjacent to the proposed equestrian park. In the existing neighborhood located northeast of proposed "Development Area A" a property owner at Reverie Road has determined that the applicant is claiming some of his property as part of their project site.

Additionally, even though the Site Plan is not a reference map it is possible to determine from it that the project site shown is incomplete. The applicant owns or controls additional parcels in the 7400-7500 blocks of Verdugo Crestline Drive that are not included in Figures III-1 or III-2. These parcels are bordering the proposed development and have been omitted from the project site.

The Site Plan and other maps in the DEIR show a cul-de-sac road that is on the Duke Development property. Since the DEIR states that the applicant does not own or control the Duke property, an explanation must be given why this road is included as part of the Canyon Hills project.

The Applicant is not properly identified in the DEIR. It is stated as:

Whitebird, Inc.  
c/o 444 S. Flower Street, Suite 1300  
Los Angeles, California 90071  
Richard Percell

This address is for Consensus Planning Group, a public relation firm and consultant for Whitebird, Inc. The applicant Whitebird, Inc. is listed by the City of Los Angeles Ethics Commission with a location in Arlington, Texas. Further research discloses that Whitebird, Inc is a Nevada Corporation with officers in Arlington, Texas. As of the date of the publication of the DEIR (October 2, 2003) there is no record that this corporation was licensed to conduct business in the State of California.

The applicant's information in the DEIR is incomplete and misleading and must be completely and accurately provided. Why is the applicant apparently unwilling to disclose its identity in this document? It should also be verified that the applicant is legally entitled to proceed with this project otherwise this entire document is a moot point.

Additionally, to satisfy CEQA's requirements, a DEIR "must consider a reasonable range of alternatives to the project, or to the location of the project" [*Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 533, 566] The DEIR states that "Alternative sites were not analyzed because the project applicant does not own or control other property within the City that satisfies the objectives for the proposed project." This is an insufficient and self-serving statement, allowing the applicant to define a project that will only apply to one specific location that they hope to develop. If the applicant owns or controls land that is similar to the project site, such as additional property in the Verdugo or San Gabriel Mountains, this must be presented to comply with CEQA requirements regarding the range of alternative projects.

Off-site alternatives should not be restricted to the City of Los Angeles, especially since this project is virtually at the edge of the LA City limits and is adjacent to the Cities of Glendale and Burbank and unincorporated areas of Los Angeles County.

Due to the above deficiencies:

- The DEIR must list all the APNs for the Canyon Hills project site
- An accurate site map must be provided showing the project's precise location
- A survey must be conducted of the project site to determine the accuracy of the property boundaries
- The applicant must disclose all property that they own or control in the County of Los Angeles that are currently undeveloped and list the APNs of all such additional property holdings.

According to CEQA Guidelines, one of the fundamental purposes of an EIR is to provide public decision-makers with enough meaningful information "to make a decision which intelligently takes into account environmental consequences." The Draft EIR states that it "includes a detailed description of the proposed project" However the cornerstone of this description, the actual proposed parcels lots and related improvements, is again vague, incomplete and inconsistent. This is especially relevant since the applicant is asking for approval of a General Plan Amendment and Zone changes.

The only information describing the Canyon Hills development is:

"The project proposes to cluster all residential development onto approximately 194 acres in the eastern portion of the project site." and "The proposed homes would have lot sizes ranging between approximately 9,000 and 39,000 square feet and would be two stories high" and "approximately 693 acres of the 887-acre project site would be permanently preserved as open space."

Table III-1 shows that the 280 building pads would be Custom (40), 90 x 115 feet (129), 80 x 115 feet (69) and 70 x 115 feet (42).

Table III-3 and Table IV.G-5 (Proposed Zoning Designations) show that there would be 626 acres of A1 Agricultural, 24 acres of A1-K Equestrian, 147 acres of RE9-1-H Estate (9,000 square feet) and 90 acres of RE11-1-H Estate (11,000 square feet).

This is all the information provided and it is unnecessarily cryptic and convoluted. A clear and detailed map must be provided showing the exact locations of each of the proposed RE9, RE11 and A1 lots. A map must also be provided showing the exact locations of each of the proposed 280 building pads and the "steep and winding roads". Without knowing how or where this proposed development is situated it is impossible to properly evaluate other parts of the environmental review such as geologic hazards, water drainage, grading, biological impacts, visual impacts, cultural resources, public health risks and compliance with the Sunland-Tujunga and Sun Valley-La Tuna Canyon Community Plans.

The “permanent preservation” of open space is repeated throughout the DEIR as a justification and benefit of this project. The DEIR frequently states that approximately 693 acres would be permanently preserved as open space without specifying how this would be accomplished. The applicant will also be asking for 237 acres to be re-zoned as RE9 and RE11. If the project site is actually 887 acres and there are no plans to develop the 693 acres that are asserted to be permanent open space, then why does the applicant need 237 acres re-zoned for higher density? It would appear that only 456 acres would not be developed for this project. There is also no guarantee that these 456 (or 693) acres will not be developed in the future.

A straightforward and accurate representation of this project is not provided. Such a fundamental part of the DEIR must be given in clear language with accompanying maps that are understandable to the general public. It shouldn't be necessary to search through multiple sections of a long document with a topographical map, calculator and copy of the LA Municipal Code to understand what is being proposed.

The Project Description alone is seriously deficient and must be rewritten to provide meaningful information for both the public and the decision-makers who will ultimately be deciding the merits of this proposed project.

## **II. The Review of Significant Environmental Impacts is Inadequate and Incomplete**

The following sections have deficiencies that must be corrected:

### **IV.B. AIR QUALITY**

According to CEQA Guidelines, a DEIR needs to disclose and discuss any potential related health problems.

It is known that auto exhaust emissions are a major source of air pollution and prolonged exposure to auto emissions constitutes a serious health hazard. There are at least 20 homes proposed within 500 feet of the centerline of the 210-Freeway [Appendix H, p 9] yet there is no analysis the impact this will have on the future residents of Development Area A or B. In the Air Quality Section it states “Sensitive receptors may warrant additional mitigation. Facilities and structures where sensitive people live or spend considerable amounts of time are known as sensitive receptors.”

The EIR is deficient in this section and must measure the pollution levels from the auto emissions from the freeway and other roads, describe in detail where the proposed building pads are located by the freeway and La Tuna Canyon Road and analyze the health hazards that residents would be exposed to. This is especially important for infants, pregnant women and people with respiratory conditions.

While an entire paragraph in the Air Quality section is devoted to odors resulting from the proposed equestrian park, which only purpose seems to be to restate the assertion that an adjacent property owner has encroached on the project site, it is a serious omission that this section does not even mention the serious public health risk from auto emissions. Since these hazards are not discussed or disclosed, there are no mitigation measures proposed. The DEIR must correct this omission, study this hazard and mitigate if necessary any health threats. This would require scientific measurement and review that is not included in the DEIR.

Even the possible alternative of moving some homes away from the 210-Freeway would still require further scientific analysis to be adequate and ensure that the location of all the proposed homes do not place any residents in jeopardy from air pollution.

#### **IV.C. HYDROLOGY AND WATER QUALITY**

Runoff from both development areas will eventually drain into La Tuna Canyon Wash. The DEIR does not describe the flow capacity of La Tuna Canyon Wash or the historic flooding problems downstream on La Tuna Canyon Road. Storm water runoff from the new impermeable surface areas in Areas A & B (streets, sidewalks, etc) will impact both these areas and needs to be discussed in detail.

Detailed site drainage plans and descriptions of the other drainage and debris control facilities must be included. The storm drain system needs to be specified since "Project site development would result in minor alterations of drainage patterns, due to the construction of a storm drain system." The conclusion that no mitigation is required in this area is impossible to determine without prior review of these plans.

#### **IV.G. LAND USE**

This section has many inadequacies and misrepresentations, many of which are addressed in comments submitted by Canyon Area Preservation, the Sierra Club and other individuals. However, the following inaccuracies should be noted:

The EIR references LAMC regarding equestrian properties. Though RE11 zones permit horse keeping, it requires 17,500 ft sq lots for a horse and 20,000 ft sq lots for a stable. Table IV.G-5 shows that the RE-11-E lots would be 11,000 ft sq, thus these would not be adequate for horse keeping. The description of RE11 zoning regarding horse keeping is misleading in context of the proposed development. The rezoning of these lots is incompatible with the Sunland-Tujunga Community Plan's goal of preserving the equestrian and rural nature of the area.

Verdugo Crestline Drive runs through the project site and the houses at 7675 and 7717 would be cut off from the existing community by a locked gate. The conclusion that there will be no community division is incorrect.

**Consistency with Land Use Plans, Policies and Regulations:** Sunland-Tujunga Community Plan

Table IV.G-4 [*italics* are sections of the Sunland-Tujunga...Community Plan that are omitted]

1-3.3 **Inconsistent** with preserving existing views of hillside and mountainous areas.

- The DEIR states “The majority of the cut pads proposed in the development plan are situated along ridgelines”

- The Draft Specific Plan referred to is unenforceable, has been changed since September 2002 and is not relevant until it becomes an ordinance.

- There are no specifics in the DEIR on how or if the 693 acres would be preserved as permanent open space.

1-5.1 **Inconsistent:** A private gated community of luxury homes does not promote greater individual choice in housing.

Objective 1-6: (To limit residential density and minimize grading in hillside areas) The project is inconsistent with this objective by proposing major changes to existing land-use designations and zoning, with resulting significantly higher density. The project does not provide an alternative that is consistent with the community plan and relevant LA City land-use ordinances.

1-6.3 **Inconsistent:** The proposed road in Drainage Area 4 will significantly impact a sensitive riparian area.

1-7.1 Place a high priority on the preservation of horsekeeping areas. **Inconsistent:** The proposed zone changes to RE-9 & RE-11 would not allow for horsekeeping and would permanently withdraw approximately 200 acres from equestrian usage.

1-8.1 **Inconsistent:** A 3-acre equestrian park with space for two horse trailers doesn't provide much for the community. The proposed residential density is much higher than the surrounding residences.

1-8.2 **Inconsistent:** The proposed project would not be a horsekeeping area, as the land is currently designated.

Objective 5-1: To preserve existing open space resources – the proposed development is inconsistent with all policies of this section.

14-1.1 **Inconsistent:** The proposed bike paths are within a private, gated community and not accessible to the public.

14-2.3 **Inconsistent:** The assertion that both Development Areas are too steep for horsekeeping is incorrect. There are many residential properties in Tujunga and Shadow Hills that have horses, corrals and stables in similar terrain. There are no plans for equestrian trails in Area A.

The statement that the proposed project's land use impacts would be less than significant is obviously an incorrect conclusion. One of the core elements of the Community Plan is to preserve and expand equestrian properties; this project would permanently remove almost 200 acres from such usage. Another principle of the Community Plan is to preserve hillsides and the rural nature of the area: grading ridgelines by 80 feet and creating a development that is “perched on the land” is incompatible with these goals.

The DEIR does not show anywhere how many homes could be built in development areas A & B if the project fully complied with current land use designation, zoning and other elements of the LA Municipal Code such as the Hillside, Slope Density and Oak Tree Ordinances. This information is necessary for the public to evaluate the impacts of the proposed development and is one of the most serious deficiencies of this DEIR.

#### IV.H. POPULATION AND HOUSING

##### **Project Impacts:**

*Direct Growth:* The figure of 0.33 units/acre based on 280 homes on the 887-acre project site is misleading. Since there is no guarantee that the 694 acres will not be developed in the future, the direct growth figure should reflect the actual scope of the currently proposed project. The proposed development is 280 homes on 194 acres, which is 1.44 units/acre. This is one of numerous examples where statistics are manipulated to support a questionable conclusion. The DEIR contains many different figures about housing density and acreage depending on what point is trying to be supported in a particular section.

*Indirect Growth:* The statement that additional roads and infrastructure would not induce growth is incorrect. There are approximately 40 subdivided parcels adjacent to the northern portion of Area "A" on the 7400-7500 blocks of Verdugo Crestline Drive and 9700 block of Viewpoint Drive. These parcels are presently undeveloped, mainly due to the cost of bringing in needed utilities, sewers and other infrastructure. Several of these parcels have changed ownership repeatedly in the past 10 years because of the unforeseen infrastructure expenses involved.

- 25 of these parcels on Verdugo Crestline and Viewpoint Drives are owned by a single party who has expressed an interest in developing these properties if financially profitable. One of the greatest barriers to developing these properties, in addition to the cost of extending the sewer line, is the expense of improving these streets, which are currently substandard, unmaintained dirt roads.
- The sewer line ends on Alene Drive and the existing homes on Verdugo Crestline Drive are all on septic systems. Due to the geology of the area, septic systems for new homes are unable to be installed in compliance with current codes.
- The Southern California Gas line ends at the intersection of Verdugo Crestline Drive and Estaban Way. The homes at 7675 & 7717 are powered by propane and the house at 7600 is electric. The Comcast television cable line also ends at this point and the three residences to the west have been unable get cable service extended to their homes.
- DWP water service (meter) ends at 7451 Verdugo Crestline Drive. The homes at 7600, 7675 & 7717 are responsible for service and maintenance of their water lines.

The conclusion must be made that this development will induce growth in the immediate vicinity. Even if Development Area A was redesigned so the proposed houses and their utilities were not in proximity to these already subdivided parcels, if Verdugo Crestline Drive is ultimately used as the emergency access route for Area A, this alone would induce growth. Currently the City requires a property owner to pave any unimproved dirt road as a condition of developing even a single parcel with one home.