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Location & Boundaries

The boundaries of the Project Site are not adequately disclosed in the DEIR. Therefore, the potential impacts of the applicant's plans, and possible feasible mitigation measures, cannot be adequately discussed in the DEIR. Respecting the fact that the visual maps may have been somewhat time consuming and tedious to prepare, they unfortunately fail to adequately identify the project with the necessary level of specificity relative to not only the grading and construction, but also the specific boundaries of the land proposed as "preserved"; certainly, not to the average layperson. The maps make it difficult, if not impossible to relate the location of proposed grading and building pads to existing landmarks and vista points, while understanding the limits of the project boundaries in relation to same. In other words, the true relationship between the proposed open space areas, modified and disturbed areas, and the area proposed to be built out in specific relation and proximity to the surrounding community. I searched in vain for a map with the combination of sufficient topographic detail, scale, and reference points to enable me to adequately understand the relative positioning of various areas of proposed grading.

The fact that the Assessor's Parcel Numbers ("APN's") are not utilized as a disclosure tool further calls into question the extent and scope of the applicant's intentions relative to this project and possibly additional land in the vicinity not addressed in this DEIR. Viewed in light of public records, the described project site seems to consist of property which is apparently not yet owned by the applicant. If the applicant is addressing contemplated actions in this project relative to property which they do not actually own, but on which they or "related parties" may own options or contracts to purchase, the applicant should also disclose facts relevant to any other property in the vicinity which is either owned or optioned by the applicant or related parties. Related parties can generally be described as one party has the ability to control the other party or exercise significant influence over the other party in making financial and operating decisions. This may include other business entities or corporations with common or similar ownership, relatives of the owners or principals of these entities.

This essential disclosure of land ownership is appropriate and necessary for two reasons:

First, the impacts of this project can only be adequately evaluated when done in light of the entire business plan and/or contemplated actions and related projects. In fact, depending upon the true circumstances, it may have been appropriate for the applicant to have prepared a program EIR as called for under CEQA guidelines 15165 for a phased or multiple projects. CEQA guidelines 15168 describe a Program EIR as follows, some of which may be applicable:

A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- Geographically,

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- Logical parts in the chain of contemplated actions,
- In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
- As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

Use of a program EIR can provide the following advantages. The program EIR can:

- Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,
- Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,
- Avoid duplicative reconsideration of basic policy considerations,
- Allow the Lead Agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and
- Allow reduction in paperwork

It would be most appropriate for the applicant to specifically disclose any contemplated actions in the vicinity with regard to further development activities in order to adequately evaluate the environmental impacts.

Second, CEQA requires that an alternative development site be considered as part of the range of reasonable alternatives.

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ENVIRONMENTAL IMPACTS

It is difficult to ascertain how much of the data is used in order to draw the conclusions of "level of insignificance". Certainly for the average citizen. I understand that there are certain categories where there are established "thresholds of significance" from various regulatory agencies but the DEIR does a poor job of generally helping the reader to understand how the "make the leap" in many categories (this is true in the Air Quality Section regarding PM10 and NOx emissions where they fail to explain how "distance from source" is a meaningful mitigation measure). I do believe much of it is the consultant's own subjective opinion, and it is not demonstrated necessarily how that opinion was drawn. Further, since I do know that the determination of "significance" in many matters if left to the Lead Agency, all the information is to be viewed in making that determination. Simply because a well-connected consultant states an opinion, doesn't mean that that opinion is the ultimate decision factor in the determination of significance. There are many facts and circumstances experienced in the daily lives of the residents of the community about which the consultants are ignorant or indifferent and should not be dismissed lightly by the City as speculation. Unfortunately, the DEIR commenting process may be one of the first real opportunities that ordinary citizens may have to express some of their genuine concerns about the existing conditions within their community or viewed as an alternative method of communication when they feel it's falling otherwise on deaf ears through other channels. In either event, it is generally stemming from the actual conditions within the community which trigger their concerns. Additionally, the consultants use a lot of statistical data without looking behind the data into a finer level of detail that would be more relevant. **Raw data not viewed in context or with other qualifying factors can be misleading.** (This is true in various sections which use the census data to determine population per square mile or assumptions about persons per household).

A. GEOLOGY & SOILS

Most of this section is admittedly technical in nature and difficult for the average layperson to understand, however, there are some common sense questions that come to mind such as:

- They have failed to explore the effect of being in a High Wind Velocity area in terms of erosion control. This will likely result in a sand blasting effect on the homes on the vegetation, homes of the project, and possibly on the existing homes depending upon the direction of the wind gusts and "swirls".
- They have failed to explore how possible failure of the introduced infrastructure such as water lines or the feed lines to the 1.5 million gallon water tanks could cause significant negative impacts in terms of landslides.
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B. AIR QUALITY

*Refer to discussion on pages 33-34
Plus exhibit H1*

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C. HYDROLOGY & WATER QUALITY

- Why didn't they address who will have the responsibility for the maintenance of the debris basins proposed? In the letter from Edmond Yew, Manager Land Development Group, Bureau of Engineering on October 7, 2002, it was stated that it was necessary to establish this responsibility. They should address this and revise the DEIR accordingly.

D. BIOLOGY

- Why did they ignore the recommendation from the County of Los Angeles Department of Regional Planning in the letter dated October 7, 2002 from Daryl Koutnik, Senior Biologist of Impact Analysis division wherein it was recommended "Since the project is located within the Verdugo Mountains SEA, Los Angeles City should consider requesting that Los Angeles County's Significant Ecological Areas Technical Advisory Committee (SEATAC) review the biological resources assessment and the project design for compatibility with the SEA resources. **They should do this and revise the entire Biology section which is sorely inadequate in terms of the extent of their field studies.**
- Cooper's Hawks are observed daily by us hunting in our yard and they always come from the project site as they fly over. We have a healthy population of adults and juveniles, indicating nesting activities. It is amazing to me that they could not be located in the field studies when they are so common. It doesn't speak well for the adequacy of the field studies.
- I also cannot believe they didn't see any squirrels (?)
- Observed/expected species vs recorded species reveals a big discrepancy- Bobcats, mule deer, mountain lions, silvery legless lizards, western toads, cactus wren, peregrine falcon, have been sited in the project site contrary to survey conclusions. No mention of butterflies (which yearly use this corridor for their migrations), spiders and other insects.
- Special-status surveys were limited to proposed development area, but **potential disturbance and destruction not limited to graded areas - affects of disturbance by future residents which will encroach into the ostensibly "preserved" habitat area such as:**
 - Introduction of non-native invasive plant species to overtake native habitat
 - **THEY SHOULD MAKE SPECIAL NOTE OF THE PROHIBITED PLANT SPECIES IN THE SCENIC PRESERVATION PLAN AND TAKE MEASURES TO ENSURE THEY ARE NOT USED.**
 - **The consultants failed to consider increased predation on birds/other wildlife by uncontrolled "pets" and inevitable increased feral cat population**

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- Failed to consider that **future residents will insist on eradication of wildlife due to incompatibility with the new land use** (ie: intolerance for coyotes/bobcats/mountain lions by)
- Some studies may have been done during a low rainfall period and didn't record the abundant plant and animal life in Spring 2003 which responded to a late rainfall

E. NOISE

- **Noise meters should have been sited and the conditions evaluated in "offsite" areas such as the Foothill corridor.** Residents will be impacted by the increased traffic on Foothill Blvd which is completely unbearable at this point. Every incremental increase in the ambient and nuisance levels could be significant. This needs to be evaluated. The community is only just beginning to suffer the terrible noise from the truck traffic running up and down Foothill at all hours to service the new commercial development. There is supposedly curfews for construction activities, but this apparently doesn't apply to truck deliveries. The rumbling of the downshifting diesel engines, the squealing of the brakes, the roar of the acceleration up the grade on Foothill is unacceptably intrusive. This is in addition to the noise problem from the lack of enforcement of the speed limits.
- Consider location of schools and services in relation to the project. This was not properly assessed. See traffic for more discussion of the inadequacies and bad assumptions.

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G. LAND USE

I am incorporating the comments expressed by Canyon Area Preservation by way of a copy attached as Exhibit, since they accurately reflect my own comments on the subject of the project's incompatibility of land use policies and programs for our community.

H. POPULATION & HOUSING

- The description of the Sunland-Tujunga Community being "one of the least populated areas of the City" is extremely misleading and I believe just flat out false. Once again, the consultants are demonstrating their ignorance to the actual environmental setting and their reliance upon abstract raw data without considering the underlying facts. The plan area may indeed be 26 square miles but they are conveniently avoiding the fact that it consists of a large portion of the VERDUGO MOUNTAINS which is the very thing in question with this project. The community wants to keep the Verdugo mountains where they are and the applicant wants to pretend it's the flat lands of Van Nuys. The statistics of dwelling units per acre" since a good portion of our community area does include mountains (isn't that the point here?? We want to keep the mountains?), so we should have LESS than the flatlands? They have failed to adjust the figures for factors such as the considerably large "industrial" section that is included in the plan area by way of Sun Valley. So between the Verdugo Mountains that we would like to keep (thank you very much) and the industrial center, that's a considerable skewing of the "population per square mile" data. Indeed, if you look at the census tracts in the "heart" of Tujunga, you will see population per square miles figures from the 2000 census of about 22,000 to 23,000. This is a significant density even as compared to tracts in the Van Nuys area. People are packed into a large segment of Tujunga on very small lots that were created long ago. It's not uncommon to have a lot "zoned R1" but under 4,000 sq ft in Tujunga. So even the fact that it's predominantly "single family homes" must be viewed in light of the specific facts. The lot on which our house sits on McGroarty st is barely 4,000 sq ft., but across the street on the hillside zone remains an RE40. So once again, the unique characteristics of the geography and composition of this Foothill community is disregarded by the consultants; ignorance or indifference shows again.
- The assertion of jobs being created is not backed up with any verifiable study data. Anybody can make such an argument but where is the real data to substantiate assumptions?
- They fail to consider the considerable "infill" activity and the expansion projects that people have been undertaking in the community, such as tearing down the 700 sq ft homes and putting in slightly larger ones.

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- Aren't population forecasts in the General Plan supposed to provide for *more* than what's actually expected to occur, so that's not necessarily a good target!?
- New roadways and infrastructure not anticipated to be extended into previously undeveloped areas that would be available for future development. That is a nonsensical statement since the very site the propose to develop can be described in that way and since the whole scope of the project and their control and ownership is undermined, that statement cannot be verified.

I. TRANSPORTATION & TRAFFIC

THE DEIR SHOULD BE REWORKED AND REISSUED ON TRAFFIC ISSUES ALONE. THEY HAVE IGNORED TOO MANY FACTS AND CIRCUMSTANCES OF THE VICINITY AND THE RELATIONSHIP TO THE NOISE PROBLEMS THAT WILL BE EXACERBATED BY THIS.

- **Once again, this is an impact category where they rely on the presumption that the existing programs work (which do NOT).** They rely on the assumption that any of the prior traffic studies have ever been valid. Our daily life experiences tell us that is a false assumption. This is not speculation, this can be verified by anybody who spends two minutes driving in the Los Angeles area. How many "LOS D" or "LOS F" intersections do we endure every day. **The City of Los Angeles is promoting a culture of violence by automobile.** I challenge anybody to drive the speed limit. I have been "assaulted" literally by other drivers on a regular basis for just trying to drive anywhere near the speed limit on a residential street. Just last weekend, as I attempted to drive the speed limit on Apperson street, a woman in a large "truck" zoomed around me and just rolled through the stop sign. As the congestion increases, everybody is looking for that "shortcut". Speeding is out of control. **At least 35 pedestrians have been killed in Los Angeles this year.** I knew one of them personally. He was killed within the last month as he went out for his morning jog and his wife never saw him alive again. We have no enforcement resources and we have too much congestion. This is beyond the days of the water cooler talk, swapping stories about how bad the drive was on the way to the office. It's reached the point where our very lives are at risk and the City is just pushing for more and more.
- **First, They ignored requests from NOP respondents to consider trip generation estimates based on the sizes of houses proposed to be built, not those found already within the surrounding community.** The existing community is still comprised of relatively small houses. There are many to the north which are under 800 or 700 sq. ft! Some are on lots as small as about 1,500 sq ft! This data is easily accessible from public real estate databases and could have been obtained by the consultant and factored in to their assumptions. This

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is a material difference between the existing community and the proposed project in this regard and in others. See Exhibits A1,A2

- **They have seriously failed to properly evaluate the potential traffic impacts in this area, not only in relation to it being a primary access route for fire and emergency personnel, but the configuration of Tujunga Canyon Road being one lane only in each direction, with inadequate shoulder, twisting, and narrow, with at least 2 or 3 other residential streets feeding in from stop signs, all the while being one of the only routes to feed the majority of the traffic from the 210 fwy to the Foothill Blvd Corridor!** They had every opportunity to describe this part of the environmental setting and they obviously chose not to do so. **They also had the nerve to incorporate the traffic study of the "Tujunga Shopping Center" only by way of reference. The general public does not have reasonable access to this kind of data because we work and cannot be standing around at City Planning all day begging for a copy of this document.** Given the enormity of the DEIR which contains repetitive, circular references of data that provides no additional meaningful information, they could have just got to the point on some of the other ramblings and put in this very important analysis. **This shopping center only recently started to operate and already it is the subject of complaints at virtually every single STNC meeting.** They could have done a follow up traffic study before releasing the DEIR in October of 2003 and they chose not to do that either. It wouldn't have been that hard. The South-East corner of Foothill and Tujunga Canyon has that nice, new shopping center with Sav-on, McDonald's, and various other stores (that I can't name off the top of my head). There is a driveway on Foothill just East of Tujunga Canyon, and there is a driveway on Tujunga Canyon just South of Foothill. Most of the community is very familiar with Tujunga Canyon being an incredibly busy route already, since the Lowell offramp from the 210 Fwy feeds a good portion of Sunland-Tujunga traffic that way up to Foothill. This is extremely close to the La Tuna Canyon on/off ramps as well. The city "improved" the portion around the intersection where La Tuna Canyon feeds in, as well as the traffic feeding from the Lowell offramp, but did nothing about the stretch from La Tuna Canyon up to Foothill, because it would have apparently required them to purchase properties and condemn them to widen the road (eminent domain). Therefore, it remains a very narrow, 2-lane stretch of road with some bends and at least one residential side-street feeding in from a stop sign. (See Exhibits B1) **This new shopping center is really going to be the closest for the residents of the proposed project, creating a significant influx of new traffic up Tujunga Canyon from La Tuna to a driveway on Northbound Tujunga Canyon just South of the Foothill intersection, which will back the traffic up even further as it tries to move Northbound on Tujunga Canyon.** If the new residents of the proposed project intend to frequent this shopping center, (the closest, newest, nicest shopping center for day

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to day needs), their other alternative is to go "around" by heading North up Lowell (a residential street with a stop sign about half way between the Freeway and Foothill Blvd), turning Left onto Foothill, then making a left from Foothill into the shopping center. The residents of the streets North of Foothill have already complained at STNC meetings about how dangerous they feel it has become to exit the residential streets onto Foothill in that area because of the traffic making turns in, and especially out, of that McDonald's parking lot on Foothill. This should be found in the minutes of STNC because I personally was in attendance at a meeting where the concern was raised. People said that they feel the safety in taking their kids to and from school is now jeopardized because of this new traffic issue, and wondered why they didn't install an actual traffic signal in that area.

Now further consider this. As I was curious about analyzing the truck traffic noise sources on Foothill, suspecting it could have to do with truckers choosing the Sunland on/offramps because of the challenges of navigating the narrow stretch of Tujunga Canyon from Lowell, I specifically looked closely at the design of this shopping center in terms of delivery access as I drove past it this weekend on my way to an appointment on Foothill Blvd. From my observations, this "shopping center" is very poorly designed in terms of delivery truck access. The driveway entrance from Foothill is apparently too steep (too much of a "dip") for most of the truckers, so they swing around and enter from Tujunga Canyon Blvd just south of Foothill. However, I do not personally pass this intersection on a daily basis during the workweek, so I wondered aloud to my husband, who **does use this route daily to and from work**. I asked him if the larger trucks even attempt to navigate the extremely narrow, one-lane-in-each direction stretch of Tujunga Canyon. He said that sometimes they do, and that "you should see it when they are attempting to make that turn into the driveway of the shopping center, having just rounded a curve on their Northbound approach, **they have to swing wide across the lanes of oncoming traffic**" just south of the Foothill intersection which also happens to have an extremely busy 7-11 driveway right there. **It was at that moment that I realized what a terrible hazard this shopping center design is already, and how much more dangerous it will be with the "purchasing power of 280 additional households" (one of the DEIR's listed project "benefits") seeking the convenience of this location for their routine shopping needs.** If anybody thinks that the people living in the luxury homes will not avail themselves of the closest, newest stores available, and go down in to Sun Valley or "hop on the freeway" to drive to the Ralphs at Sunland and Foothill where the "fringe element of society" hangs out; think again!

Let's also not forget all the additional sources of "traffic" in and around the project site:

- Additional sources - domestic employees, gardeners, pool guys, delivery trucks, babysitters
- Consider location of schools and services in relation to the project

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- People with kids who live in luxury houses in a gated community will not be having their kids walk to school. This will exacerbate the traffic.
- Street names are mis-spelled on the maps such as Figure IV.I-16 (Mt. Cleason?), demonstrating yet more ignorance about the vicinity.
- Traffic counts were conducted mid-week. Doesn't account for weekend traffic accessing recreational areas (La Tuna Canyon Blvd.)
- Inadequate review of improvements to La Tuna Canyon Blvd which should be widened to allow for increased traffic. Bike lanes should also be further evaluated since this corridor is actively used by cyclists.
- La Tuna Canyon Blvd is currently closed to heavy truck traffic. Reasons for this should be specified. There is no discussion of how garbage trucks will access the property before & after development.
- Tujunga Canyon Blvd improvements (widening from one lane to two lanes from La Tuna Canyon to Foothill Blvd) aren't adequately covered:
- Emergency access proposed from Area A yet undetermined. Both Inspiration Way & Verdugo Crestline Drive are unimproved, substandard roads that practically can't be mitigated and Alene Drive and Hillhaven are too narrow to allow for the proposed 20 foot minimum. There is no proposal for a traffic light at Hillhaven/Foothill Blvd to accommodate possible emergency traffic load. Hillhaven also steep. Though this access is proposed as limited with a locked gate, there is precedence for such gates to be removed by area residents, such as occurred in the nearby Crystal View development. The potential impact of this access road needs more complete study.
- Inadequate evaluation of traffic impact of proposed equestrian park, since this would also likely be utilized on weekends. The proposed lots don't conform to LAMC regarding horse-keeping, so all access would have to be by vehicle. There is currently no proposed connection from Area B to Area A, so the equestrian trail system would be severely limited.

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J. I. FIRE

- They failed to explore the risks of extending the overhead power lines in a High Wind Velocity zone. I refer to a letter from the Department of Water and Power of March 19, 2003 wherein, among other things, it states under number 6. "An initial study has determined that one LADWP 4.8-kV circuits in that area can be used to connect to the project. There are three prospective locations that LADWP can have its electric service supply to the project...The overhead extension of existing 4.8-kV power lines needed to connect to the project appears to be less than 500 feet."
- The proposed mitigation measures consist substantially of only existing requirements in the LAMC, especially with regard to the VHFHSZ status of the area. It fails to take into consideration many real threats that cannot be mitigated and which experience and history have shown to be DISASTROUS in an area of high fire risks. According to LAFD the response time between project site & current fire station is inadequate. Recommended mitigation of installing in-house sprinklers is required by building code by way of "hillside ordinance".
 - (Fire sprinklers don't work on cars with hot exhaust systems parked on/near dry brush, they don't work on cigarettes thrown carelessly, they don't work on 4th-of-July illegal fireworks) See Exhibit C1,C2
 - Access from Inspiration & Verdugo Crestline Drive don't conform to road width standards
 - Whether they use VCD or Inspiration Way or both, this will result in all the residents converging at the same intersection Hillhaven and Alene, squeezing together (at which point they will not be playing very nice with each other and it will not take long for there to be an accident blocking both the exit route and the access for the fire response personnel! Furthermore, Hillhaven is a steep and narrow street and there is no signal at Hillhaven and Foothill, or is there a stop sign at an incredibly dangerous intersection before that (St. Esteban and Hillhaven). Of course, if the consultants had the first clue about the environmental setting of this community, they might know that; sadly, they don't.
- It is a very typical tactic, I have learned, of all DEIR consultant firms, they anchor their fire response analysis within the concept of "distance" which **does not take into account the most important factor of "time"**. They fail to describe an extremely significant aspect of the access routes that would be used by the emergency personnel. I drove the routes to mark the mileage on my odometer:
 - From the west: Emergency vehicles would proceed westbound on Foothill Boulevard for approximately 1.8 miles until reaching Interstate 210. Vehicles would then proceed back eastbound for approximately 3.0 miles

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until reaching the La Tuna Canyon Road off ramp. Vehicles would then exit the freeway and proceed north into Development Area A or south onto La Tuna Canyon Road and proceed approximately 1.0 miles to Development Area B.

- 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 for approximately 1 mile on a narrow, twisting road with inadequate shoulder until they reach La Tuna Canyon Road where it opens up briefly with "collector lanes" to catch the traffic during peak hours. Vehicles would then proceed westbound for approximately 1.2 miles to the entrance to Development Area A, or 2.2 miles for Development Area B.
- Emergency Access Route: Emergency vehicles would proceed eastbound on Foothill Boulevard for approximately .75 miles. Vehicles would then proceed northbound on Hillhaven Drive for approximately .5 miles through narrow, winding, uphill residential streets to the proposed access gate on either Inspiration Way or Verdugo Crestline Drive. There, firefighters would stop, get out of their vehicles and unlock the closed emergency access gate, before proceeding into the proposed project.
- They also have the nerve to declare that construction risks of fire are insignificant because they are temporary. **Tell it to somebody who has lost their home or the family of someone who has lost their life that it was an insignificant impact because it was temporary!!!**

J. 2. POLICE

- Even though the Commanding Officer of the Community Affairs Group and the Chief of Police BOTH stated that a "project of this size would have a significant impact on police services in Foothill Area.", they falsely assert that there will be no significant impact after "mitigation". Among their ridiculous reasons is:
 - "the proposed single-family homes would have limited secured gated access from La Tuna Canyon Road"
 - "the proposed project is relatively small (i.e. 280 single-family homes) and would not require additional or expanded police facilities". How do we make that leap??

So the nonsensical logic goes something like this: The criminals can't get in to the project and apparently, nobody in the project will commit any kind of infraction either. The lack of consideration given to the exhaustion of the precious little police resources we have in the Foothill area is beyond insulting to the community; it actually presents a real threat to safety. Here is just a short list of factors not even remotely considered:

- There should be more to law enforcement services than responding to assault, murder, GTA, or property crimes. What about quality of life issues for which we have NO resources for enforcement? Nuisance issues! Noise/traffic