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

RECEIVED
 CITY OF LOS ANGELES

DEC 26 2003

ENVIRONMENTAL
 UNIT

Regarding: Canyon Hills DEIR case number ENV-2002-2481-EIR
 SCH# 2002091018

Ms. Zaitzevsky,

I have reviewed the EIR in question, and found it to be inadequate, incomplete, and inaccurate. Most importantly, in my opinion, it does not adequately state the true impact of the proposed development.

I strongly recommend that all permits and approvals be denied until such time that a correct and complete EIR is produced by the applicant, and its *true* impact be considered by the Los Angeles City Planning Department and the public.

94-1

Some of the issues I found were:

"I. SUMMARY, A. INTRODUCTION"

Both the name of the applicant and the address given for the applicant are false.

The DEIR states the name of the applicant as "Whitebird, Inc." The actual name of the applicant is "Whitebird Development Company". Additionally "Whitebird Development Company" appears to be a "Limited Liability Company", not "Incorporated".

94-2

The DEIR states the address of the applicant is 444 S. Flower Street, Suite 1300, Los Angeles, CA 90071. In fact, this is the address for Consensus Planning Group, Inc. which appears to be a public relations company.

My research indicates that "Whitebird Development Company" is actually located in Las Vegas, Nevada.

"II. ENVIRONMENTAL SETTING, PAGE II-5"

The DEIR states: "The proposed project is consistent with the applicable policies of the Sunland-Tujunga and Sun Valley Community Plans."

This is false.

The Sunland-Tujunga and Sun Valley Community Plan is in conflict with this project in many regards. Additionally, many, many items in the plan are ignored. I will illustrate a few examples:

Example 1: The Community Plan states, in part:

The Plan designates scenic highways which merit special controls for protection and enhancement of scenic resources. Stonehurst Avenue, La Tuna Canyon Road, Lopez Canyon Road, Wentworth Street, Big Tujunga Canyon Road, Sunland Boulevard and the Foothill Freeway are designated as Scenic Highways on the City's Scenic Highways Plan. These highways offer views of the San Gabriel Mountains, the Verdugo Mountains, the Tujunga Wash, Hansen Dam, and horse ranches.

The preservation and protection of these scenic corridors should be an integral part of the design of buildings and structures that are concentrated adjacent to or near these highways in order to maintain their existing, panoramic scenic views. Height restrictions, landscaping buffers, special landscape treatments, tree height limits, and sign controls may need to be imposed by discretionary land use decision-makers and by the Department of Building and Safety in order to maintain the integrity of these scenic highways. Plans for development of the Scenic Corridors indicated in this Plan should also be prepared and implemented. These plans should include:

- 1. Roadway design.*
- 2. Location and development of view sites and recreational areas.*
- 3. Controls on use and intensity of use of lands within and/or adjacent to the Scenic Corridor.*
- 4. Prohibition and/or control of signs and billboards.*
- 5. Location of other necessary public facilities.*

If you review item 3, you'll see that the Canyon Hills development site is clearly adjacent to two of the scenic highways, and certainly violates the intention of this Community Plan.

Example 2: The Community Plan states, in part:

NEIGHBORHOOD CHARACTER Issues

- *Scale, density, and character of buildings that complement surrounding uses.*
- *Effects of residential development on commercial corridors.*
- *New hillside buildings blocking views or presenting an unsightly view from below.*
- *The need to preserve and rehabilitate areas with sensitivity to the character of established neighborhoods.*

Opportunities

- *Efforts aimed at preservation of the low density, rural character and of the equestrian lifestyle.*

The character of the area currently is a very low density, or completely undeveloped mountainous terrain. Most roads are dirt.

This development is certainly a notable deviation from the intention of the Community Plan.

"II. ENVIRONMENTAL SETTING, C. RELATED PROJECTS"

The DEIR has many omissions.

The projects listed by the DEIR are mostly commercial in nature – most of them along Foothill Boulevard. These are not relevant.

Relevant, and certainly a "cumulative impact" issue, is the issue of the many privately own and undeveloped lots that completely surround the Canyon Hills proposed development site.

These lots are currently "un-developable" because there is no access to sewer, and because of poor roads. Upon completion of this project, numerous lots would become "developable", and would likely be developed, and the results would be more degradation of air-quality, more traffic, more noise, more destruction of the open spaces, and compromised aesthetics. The DEIR does a poor job of evaluating the true cumulative impact of this proposed development.

"IV. ENVIRONMENTAL IMPACT ANALYSIS, B. AIR QUALITY, TABLE IV.B-2"

The DEIR makes broad assumption based on the results of the SCAQMD Air Monitoring Station SRA 8. The data presented is not current (2001 is the newest information in the table) and it cannot, for that reason, be used for trend analysis.

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"IV. ENVIRONMENTAL IMPACT ANALYSIS, B. AIR QUALITY"

The DEIR has many major omissions. It only deals air pollution during the construction itself.

Omitted from the DEIR are the amounts of Ozone, Carbon Monoxide, Nitrogen Dioxide and Suspended Particulates that result after the construction from the following sources:

1. **Home-owner Private Vehicles:** These are to be expensive homes, and these residents tend to own multiple vehicles, and their vehicles tend to be luxury cars and SUV's which are the most polluting of all private vehicles.
2. **Barbeque Facilities:** The DEIR states that the project will include recreational facilities including barbeque facilities. Many, if not most, residents will also purchase barbeque grills. The DEIR does not include the impact of these gross polluting devices.
3. **Landscaping and Grounds Maintenance:** The DEIR states that 111 acres of the development would be "modified open space" – this is certainly to include large grassy fields. These fields must be maintained by gardeners who use gasoline powered leaf-blowers, gasoline powered lawn-mowers, gasoline powered edge-trimmers, etc.

94-7

Do not doubt the severity of this as a severe source of air-pollution, note the following data from respected sources:

The California Air Resources Board reports on "The typical [single] leaf blower owned and operated by commercial lawn and landscape contractors. . . for the average 1999 leaf blower and car data . . . , we calculate that hydrocarbon emissions from one-half hour of leaf blower operation equal about 7,700 miles of driving, at 30 miles per hour average speed. . . . For carbon monoxide, one-half hour of leaf blower usage . . . would be equivalent to about 440 miles of automobile travel at 30 miles per hour average speed." (Source: California Air Resources Board)

"Cars disperse their pollutants over long stretches of road, while a blower concentrates its pollutants in one neighborhood. Two-stroke engine fuel is a gas-oil mixture that is especially toxic compared to automobile emissions¹." (Source: Orange County Grand Jury report)

¹ This fact is particularly relevant given that this development is in a "V-shaped canyon" which will trap all these pollutants.

"IV. D.1. FLORA AND FAUNA"

The DEIR is myopic, and incomplete.

The following are examples of the DEIR short-comings:

Example 1: The effect on migrating animals is ignored

The DEIR states that animals migration though this area will not be effected. However, it does not state how the loss of this habitat will effect those animals who do migrate through this area. The DEIR *only* studies the animals it proposes currently reside in the area.

94-8

Migrating animals likely rely on the vegetation, and other animals and insects for food, and shelter.

Example 2: The study's results do not match current resident's "real-world" knowledge

Residents testify that numerous "DEIR unreported" animals have been sighted, and/or are regularly seen in the proposed development area. A partial list of these species include: mountain lions (not even mentioned in the DEIR), peregrine falcons (not mentioned in the DEIR), toads, and many key insects.

94-9

Residents noted that the field study took only four days, and researchers never ventured deep into the thickly vegetated areas². Perhaps the lack of completeness in the DEIR is, in part, due to this reason.

Example 3: The study claims to have performed a "literature review" and some of the literature sighted is irrelevant and/or misleading.

The literature review included a Masters Thesis by L. M. Lyren entitled "Movement paterns of coyotes and bobcats relative to roads and underpasses in the chino hills area of southern California."

94-10

The planned development site is not in the Chino hills.

² The DEIR implies that some areas are "inaccessible" due to terrain and to thickets of poison oak.

Example 4: The study does not consider the destructive effects of non-native plant and animal introduction by future residents.

As with all residential environments, there is sure to be:

- 1. Introduction of non-native plants which will quickly spread into the "natural open-space" areas, and choke out delicate native plants.
- 2. Introduction of "outdoor" cats, which will kill native birds and rodents.

94-11

Example 5: The study does not consider the killing of native insects and mammals by intolerant future residents.

As with all residential environments, there is sure to be:

- 1. Poisoning and killing of native moles to protect flowerbeds.
- 2. Poisoning and killing of coyotes to protect domestic cats and small dogs from predation.
- 3. Poisoning and killing of Sphecidae wasps (mud wasps) as they nest under eaves for fears that they might threaten pets and children.
- 4. Animals killed by vehicles, both those used in construction, and those belonging to future residents. It takes wild animals some time to acclimate to massive environmental destruction such as proposed by this plan. During this susceptible time, they are particularly vulnerable to being killed by cars as they are being displaced and struggling to survive.
- 5. Poisoning and killing of native mosquitoes, which are a critical food source for the amphibian and reptile populations in the area.

94-12

Example 6: The DEIR study was only conducted for a short time, and did not consider all seasons and conditions of the proposed natural area.

A complete study would record all seasons and transitory animal populations, including "wet years". For example, this study was done prior the incredibly abundant spring of 2003 which residents will testify had far more abundant wildlife than the study period.

94-13

“IV – D.2. NATIVE TREES, FIGURE IV.D-6 TREE INVENTORY THROUGH FIGURE IV.D-18 S6 TREE DETAIL”

The publicly available images in the DEIR are of such poor quality (low-resolution) that the public cannot read, comprehend or comment on the data in these sections.

As stated in “I. SUMMARY, A. INTRODUCTION”, The purpose of this Draft Environmental Impact Report 9 (“Draft EIR”) is to inform decisions-makers and the general public of the potential environmental impacts resulting from the construction...”

94-14

The General Public cannot be informed about this project, or comment on it, if the materials provided the public are illegible.

“IV – F. ARTIFICIAL LIGHT AND GLARE”

There are false statements in this section.

The DEIR states, in part: “The percentage of clear nights in the vicinity of the project site is low due to the ever-present pollution, haze, and “marine layer” in the Los Angeles area.

Acting as a citizen expert, I can state that I am an avid hiker and I spend several hours every weekend hiking in the Verdugo mountains. I have hiked these mountains morning, mid-day, and evenings for many years and I can testify confidently that there is very little “marine layer” in this area of the Verdugo mountains. The typical situation, is that the marine layer stays in the basin, and Verdugo mountains isolate the marine layer from the proposed sight.

94-15

In fact, I will go on to testify that there is a HIGH percentage of clear nights in the proposed project site – especially at this time since there is little development in this pristine valley.

"IV – I. TRANSPORTATION/TRAFFIC"

This section of the DEIR does not consider all traffic into and out-of the proposed project site. It also does not consider speed and safety issues.

The DEIR considers resident traffic only. It does not consider the additional traffic which inevitably comes from:

1. Lawn maintenance services.
2. Pool service.
3. Food delivery.
4. Delivery services such as UPS and Federal Express.
5. Postal service vehicles.
6. Law enforcement and parking enforcement.
7. Private security patrols.

94-16

The DEIR considers only the amount of traffic on the feeder roads. It does not consider speed and safety issues.

Residents will testify that La Tuna Canyon Road is a very dangerous road with a serious speeding problem. Even if the new traffic loads might seem low on a spread-sheet, the reality is that given the speeds of vehicles on the road now, the danger of increased load will have a much greater danger than the DEIR states.

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The DEIR also fails to consider the increased number of bicycles on the road as a result of this development. Bicycle lanes, and bike safety are ignored by the DEIR.

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"V. GENERAL IMPACT CATEGORIES, B. Significant irreversible environmental changes"

The DEIR fails to mention the death, displacement of wildlife in the area. Once this land is taken, it will never be returned to the animals. The habitat destruction is irreversible.

94-19

OTHER ITEMS DISCOVERED**1. Misleading Photographs**

Figure IV.F-3: These photographs are intentionally taken in such a way as to:

- a) Mislead the public and decision-makers to think that the habitat destruction will be limited to a small area.
- b) Mislead the public and decision-makers into thinking that "typical" views feature many homes, whereas the actual area is largely undeveloped. The photographs intentionally have the few existing homes featured prominently – I imagine this is to mislead the reader into thinking that the project area is not "really" in a wilderness area.

94-20

2. DEIR restrictions and resolution problems

As stated earlier in this letter, the DEIR has low-resolution figures, maps, and illustrations such that the public cannot read, comprehend or comment on the data in these sections.

Also discovered is that the DEIR Adobe Acrobat files have been "copy protected" such that any member of the public who wishes to sight sections of the DEIR in their comment letters must "re-type" any text from the DEIR. My suspicion this was done as an intentional move to obstruct and dissuade the public from commenting on the DEIR.

94-21

3. The applicant is a secretive, illusive, and uncooperative

My efforts to contact the applicant get clarification on DEIR issues have been met with intentionally incorrect addresses, un-returned phone calls, and intentional evasion.

94-22

SUMMARY AND OPINION:

- 1. I believe the DEIR to be incomplete, inaccurate, and poorly presented to the public. 94-23
- 2. Most importantly, the DEIR does not adequately state the true impact of the proposed development. It is particularly weak in the area of "cumulative impact". 94-23
- 3. In my opinion, the rural charm and appeal of the area will be destroyed by this development. 94-24
- 4. The natural habitat will be permanently destroyed, meaning the death or displacement of hundreds of animals and the loss of many beautiful trees. 94-25
- 5. In my opinion, the destruction of this habitat will forever destroy the natural beauty and majesty of this rare un-developed part of Los Angeles. This devastating loss will forever affect current residents of the area, hikers, mountain bikers, naturalist, and most importantly the animals themselves. 94-26
- 6. The proposed development is not consistent with applicable Community Plans, despite the DEIR statements to the contrary. 94-27
- 7. In my opinion, being an avid hiker of the Verdugo mountains, and a life-long resident of Los Angeles, this proposed development site is NOT suited for this type of development. This land serves the public and the city best if it is left just as it is now or re-classified as a natural preserve. 94-28
- 8. I strongly recommend that all permits and approvals be denied until such time that an honest and comprehensive EIR is produced by the applicant, and it's true impact be considered by the Los Angeles City Planning Department and the public. 94-29

Thank you kindly for reading this letter and considering its content.

Sincerely,



This letter was mailed on December 24, 2003 via First Class Certified US MAIL.