
IV. RESPONSES TO COMMENTS

COMMENTS ON THE DRAFT EIR

The City of Los Angeles Department of City Planning received a total of 199 comment letters on the Draft EIR. Each comment letter has been assigned a corresponding number, and comments within each comment letter are also numbered. For example, comment letter “1” is from Stephen Buswell. The comments in this letter are numbered “1-1”, “1-2”, “1-3”, etc.

Written comments made during the public review for the Draft EIR intermixed points and opinions relevant to project approval/disapproval with points and opinions relevant to the environmental review. The responses acknowledge comments addressing points and opinions relevant to consideration for project approval, and discuss as necessary the points relevant to the environmental review. Such points are usually statements of opinion or preference regarding a project’s design or its presence as opposed to points within the purview of an EIR: environmental impact and mitigation. These points are relevant for consideration in the subsequent project approval process.

During and after the 90-day public review period, the following organizations/persons provided written comments on the Draft EIR to the City of Los Angeles Department of City Planning:

Commenters

1. Stephen Buswell, IGR/CEQA Branch Chief, Department of Transportation, Regional Transportation Planning Office, District 7, 120 S. Spring St., Los Angeles, CA 90012, October 8, 2003.
2. Alfred B. Hernandez, Assistant Fire Marshall, Bureau of Fire Prevention and Public Safety, Los Angeles City Fire Department, October 8, 2003.
3. Jeffrey M. Smith, AICP, Senior Regional Planner, Intergovernmental Review, Southern California Association of Governments, 818 West 7th Street, 12th Floor, Los Angeles, CA 90017-3435, October 24, 2003.
4. Jerome C. Daniel, Chairperson, Santa Monica Mountains Conservancy, 5750 Ramirez Canyon Road, Malibu, CA 90265, October 27, 2003.
5. Lisa Salinas, Title & Real Estate Services, Corporate Real Estate Department, Southern California Edison, 14799 Chestnut Street, Westminster, CA 92683, October 31, 2003.
6. Kathryn Ballard, 9957 Warnon Avenue, Shadow Hills, CA 91040, November 5, 2003.

7. Jim Cahoon, Captain, Department of California Highway Patrol, 2130 Windsor Ave., Altadena, CA 91001, November 12, 2003.
8. Milton D. Cushman, 9522 Reverie Road, Tujunga, CA 91042, November 12, 2003.
9. Michael Long, 6128 No. Reno Avenue, Temple City, CA 91780, November 16, 2003.
10. Micah Dyer, 9595 Hillhaven Ave., Tujunga, CA 91402, November 26, 2003.
11. Joe Decruyenaere, Staff Biologist – Impact Analysis, Los Angeles County Department of Regional Planning, 320 West Temple Street, Los Angeles, CA 90012, December 3, 2003.
12. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 3, 2003.
13. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 5, 2003.
14. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 5, 2003.
15. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 6, 2003.
16. Shelley Marie Owen, 3345 Alabama Street, La Crescenta, CA 91214, December 6, 2003.
17. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 7, 2003.
18. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 7, 2003.
19. Roger Baker, Deputy City Planner, City of Burbank Community Development Department, 275 East Olive Avenue, P.O. Box 6459, Burbank, CA 91510, December 8, 2003.
20. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041 December 29, 2003.
21. Susan M. De Santis, 19630 Cantara St., Reseda, CA 91335, December 8, 2003.
22. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 9, 2003.

23. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 9, 2003.
24. Randy Perez, 10140 Woodward Avenue, Sunland, CA 91040-3342, December 9, 2003.
25. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 10, 2003.
26. Lien Stoorvogel Seese, 9515 Reverie Rd., Tujunga, CA 91042, December 10, 2003.
27. Thomas Seese, 9515 Reverie Rd., Tujunga, CA 91042, December 10, 2003.
28. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 10, 2003.
29. Karl Johnson, 9631 Crystal View Dr., Tujunga, CA 91042, December 12, 2003.
30. Yvonne Johnson, 9631 Crystal View Dr., Tujunga, CA 91042, December 12, 2003.
31. Jane Harrison, 613 San Jose Avenue, Burbank, CA 91501, December 13, 2003.
32. Rick Pruetz, 6 Fleet Street, #301, Marina Del Rey, CA 90292, December 13, 2003.
33. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 14, 2003.
34. Michael and Victoria Gaffney, 10254 Sunland Boulevard, Shadow Hills, CA 91040, December 15, 2003.
35. Barbara E. Trees, 6903 Beckett Street, Tujunga, CA 91042, December 15, 2003.
36. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 16, 2003.
37. Nancy Cleary, 10135 Hillhaven Avenue #112, Tujunga, CA 91042
38. William C. and Marva M. Grove, 7162 Estepa Drive, Tujunga, CA 91042, December 17, 2003.
39. Barbara Howell, 10445 Fernglen Ave., Tujunga, CA 91042, December 17, 2003.
40. Paul Armbruster, 9618 Hillhaven Avenue, Sunland, CA 91042, December 18, 2003.

41. David Hedge, 8530 Wentworth Street, Sunland, CA 91040, December 18, 2003.
42. Brad Monsma, 10315 Westcott Ave., Sunland, CA 91040, December 18, 2003.
43. Patricia Nelson, 6638 St. Estaban Street, Tujunga, CA 91042, December 18, 2003.
44. Richard Seeley, 3924 El Caminito, La Crescenta, CA 91214, December 18, 2003.
45. John Crother, 2539 Rockdell Street, La Crescenta, CA 91214, December 19, 2003.
46. John Crother, 2539 Rockdell St., La Crescenta, CA 91214, December 19, 2003.
47. Betty T. Hori, 6564 Elmhurst Drive, Tujunga, CA 91042, December 19, 2003.
48. Heiko Krippendorf, 9755 Hillhaven, Tujunga, CA 91042, December 19, 2003.
49. Richard Seeley, 3924 El Caminito, La Crescenta, CA 91214, December 18, 2003.
50. Eric Sorensen, 13326 Borden Avenue, Sylmar, CA 93542, December 19, 2003.
51. Lew Stone, 901 Andover Drive, Burbank, CA 91504, December 19, 2003.
52. Devon and Randall Vaughn, 6543 Greeley Street, Tujunga, CA 91042, December 19, 2003.
53. Mr. and Mrs. Paul Brunton, 3916 El Caminito, La Crescenta, CA 91214, December 20, 2003.
54. Gloria Harber, 7079 Highcliff Trl., Tujunga, CA 91405, December 20, 2003.
55. Gloria Harber, 7079 High Cliff Trl., Tujunga, CA 91042, December 20, 2003.
56. Matthew Kearl, 9426 Carlynn Place, Tujunga, CA 91042, December 20, 2003.
57. Tina Krippendorf, 9755 Hillhaven Ave., Tujunga, CA 91042, December 20, 2003.
58. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 20, 2003.
59. Melinda A. Lirones, 7032 Flora Morgan Trail, Tujunga, CA 91042, December 20, 2003.
60. Samuel S. Lirones, 7032 Flora Morgan Trail, Tujunga, CA 91042, December 20, 2003.
61. David Long, 8015 Glenties Lane, Sunland, CA 91040, December 20, 2003.

62. Elisa Orozco, 10704 Memory Park Ave., Mission Hills, CA 91345, December 20, 2003.
63. Craig Ward Durst, 7350 Verdugo Crestline, Tujunga, CA 91042, December 21, 2003.
64. Andrea and James Gutman, 10511 Mahoney Drive, Sunland, CA 91040, December 21, 2003.
65. Louise Henshaw, 6616 S. Esteban Street, Tujunga, CA 91042, December 21, 2003.
66. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 21, 2003.
67. Douglas Moore, 9774 Samoa Ave., Tujunga, CA 91042, December 21, 2003.
68. Douglas Moore, 9774 Samoa Ave., Tujunga, CA 91042, December 21, 2003.
69. Antonia Napolitano, 9525 Reverie Road, Tujunga, CA 91042, December 21, 2003.
70. Kyle Springer, 9765 Tujunga Cyn. Blvd., Tujunga, CA 91042 December 21, 2003.
71. Janice Vogel Ackles, 7100 Flora Morgan Trail, Tujunga, CA 91042, December 22, 2003.
72. Roberta Actor-Thomas, 10635 Las Lunitas Ave., Tujunga, CA 91042, December 22, 2003.
73. Antonia Carrasco, 11014 Scoville Ave., Sunland, CA 91041, December 22, 2003.
74. Edward Condit, 7080 Flora Morgan Tr., Tujunga, CA 91042, December 22, 2003.
75. Steve Crouch, Canyon Area Preservation, P.O. Box 633, Tujunga, CA 910431, December 22, 2003.
76. Don and Betty Cushman, 9522 Reverie Road, Tujunga, CA 91042, December 22, 2003.
77. Sharon and Edward Emery, 8225 Oswego, Sunland, CA 91041, December 22, 2003.
78. Connie Kelly, 8248 Oswego, Sunland, CA 91041, December 22, 2003.
79. Kevin Kelly, 8248 Oswego, Sunland, CA 91041, December 22, 2003.
80. Tanya Knight, 8243 Oswego, Sunland, CA 91040, December 22, 2003.
81. Athena Knight-Garcia, White Oak Lane, Sunland, CA (no zip code available) December 22, 2003.

82. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 22, 2003.
83. Anthony & Candida Piscitelli, 10415 Fernglen Ave., Tujunga, CA 91042, December 22, 2003.
84. Anne Radogna, 3915 El Caminito, La Crescenta, CA 91214, December 22, 2003.
85. Raymond Roldan, 8243 Oswego, Sunland, CA 91041, December 22, 2003.
86. Virginia Sloane, 8511 La Tuna Canyon Rd, Sun Valley, CA 91352, December 22, 2003.
87. Margie and Andy Vogel, 8255 Oswego, Sunland, CA 91041, December 22, 2003.
88. Agneta Dobos, 2750 Hillhaven, Tujunga, CA 91042, December 23, 2003.
89. Maryellen Eltgroth, 6733 Shady Grove Street, Tujunga, CA 91042, December 23, 2003.
90. SueEllen Hussung, 7233 Lonzo Street, Tujunga, CA 91042, December 23, 2003.
91. Harry Nelson, 7035 Estepa Dr., Tujunga, CA 91042, December 23, 2003.
92. Mark Fogwell, 7094 Highcliff Trail, Tujunga, CA 91042, December 24, 2003.
93. Lisa and Russell Martin, 10319 Haines Canyon Avenue, Tujunga, CA 91042, December 24, 2003.
94. Sam Palahnuk, 501 E. Santa Anita, Suite 108, Burbank, CA 91501, December 24, 2003.
95. Mel Springer, 10347 Haines Canyon Avenue, Tujunga, CA 91042, December 24, 2003.
96. Darci Kahan, 9609 Hillhaven Avenue, Tujunga, CA 91042, December 25, 2003.
97. Robert Mauk, Ph.D, 2121 Valderas Dr. #67, Glendale, CA 91208, December 25, 2003.
98. Debby Beck, 8015 Glenties Lane, Sunland, CA 91040, December 26, 2003.
99. Ron Clark, 10313 Wilsey, Tujunga, CA 91042, December 26, 2003.
100. John Crother, 2539 Rockdell Street, La Crescenta, CA 91214, December 26, 2003.
101. Teresa and Kevin Draper, 9528 Hillhaven, Tujunga, CA 91042, December 26, 2003.

102. Stephen Fischer, 5711 Betty Place, Los Angeles, CA 90024, December 26, 2003.
103. Tomas and Jill Gargano, 9437 Carlynn Place Tujunga, CA 91042, December 26, 2003.
104. Karen R. Imendorf, 9028 Wildwood Ave., Sun Valley, CA 91352, December 26, 2003.
105. Richard L. Imendorf, 9028 Wildwood Ave., Sun Valley, CA 91352, December 26, 2003.
106. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 26, 2003.
107. Charles and Lareen Kunze, 9413 Reverie Road, Tujunga, CA 91042, December 26, 2003.
108. Carolyn McBride, 2532 Rockdell Street, La Crescenta, CA 91214, December 26, 2003.
109. Steve Metzler, 9436 Carlynn Place, Tujunga, CA 91042, December 26, 2003.
110. Patricia Murphy-Pattenson, 9581 Hillhaven Ave., Tujunga, CA 91042, December 26, 2003.
111. Linda, Loyle and Karen Sallee, 7224 Tranquil Place, Tujunga, CA 91042, December 26, 2003.
112. Dr. Alan Tanner, 10926 Cardamine Place, Tujunga, CA 91042, December 26, 2003.
113. Barbara Tarnowski, 10410 Las Lunitas Ave., Tujunga, CA 91042, December 29, 2003.
114. Les Vincent, 3511 El Lado Drive, Glendale, CA 91108, December 26, 2003.
115. Mary Anderson, 9953 Amanita Avenue, Tujunga, CA 91042, December 27, 2003.
116. Maureen Gibson, 9914 Hirondele Lane, Tujunga CA 91042, December 27, 2003.
117. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 27, 2003.
118. Marc Stirdivant, Chairman of the Board, Glendale-Crescenta Volunteers Organized in Conserving the Environment (V.O.I.C.E.), P.O. Box 273, Montrose, CA 91021, December 27, 2003.
119. John Thomas, 10635 Las Lunitas, Tujunga, CA 91042, December 27, 2003.
120. Corinne Adajian-Thompson, 9431 Carlynn Place, Tujunga, CA 91042, December 28, 2003.

121. Gregory Brown, 9328 Reverie Road, Tujunga, CA 91042, December 28, 2003.
122. Barbara & Christopher Carter, 9522 Cordero Avenue, Tujunga, CA 91042, December 28, 2003.
123. Kim Clark, 10369 Silverton Ave., Tujunga, CA 91042, December 28, 2003.
124. Helen and Donald De Ruiter, 9508 Glory Ave., Tujunga, CA 91042, December 28, 2003.
125. Catherine Giesiche, 7526 Wentworth St., Tujunga, CA 91042, December 28, 2003.
126. William D. Green, 10520 Alskog St., Sun Valley, CA 91352, December 28, 2003.
127. Elizabeth Helms, Ahead With Horses Inc., 9311 Del Arroyo Drive, Sun Valley, CA 91352, December 28, 2003.
128. Lisa Keene, 7314 Verdugo Crestline, Tujunga, CA 91042, December 28, 2003.
129. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 28, 2003.
130. Robert C. Lappo, 10237 Fernglen Ave., #203, Tujunga, CA 91042, December 28, 2003.
131. Charlie Marko, 7930 Apperson Street, Sunland, CA 91040, December 28, 2003.
132. Wayne Meseberg &: Lucy Burger, 7431 Tranquil Dr., Tujunga, CA 91042, December 28, 2003.
133. John Novak, 10041 Silverton Avenue, Tujunga, CA 91042, December 28, 2003.
134. Anja Schaefer and Ole Kagelmacher, 7702 Valmont Street, Tujunga, CA 91042, December 28, 2003.
135. LG Swan, 8764 Apperson Street, Sunland, CA 91040, December 28, 2003.
136. Daniel and Nancy Sweeney, 9517 Cordero Avenue, Tujunga, CA 91042, December 28, 2003.
137. Annelene Voigt, 3427 Montrose Avenue, La Crescenta, CA 91214, December 28, 2003.
138. Dean Wallraff, 10211 Sunland Blvd., Shadow Hills, CA 91040, December 28, 2003.
139. Michele Zack, 2485 N. Marengo, Altadena, CA 91001, December 28, 2003.

140. Paul Ayers, P.O. Box 29011, Glendale, CA 91209, December 29, 2003.
141. Niguine Bensimon-Tree, 12050 Spring Trail, Kagel Canyon, CA 91342, December 29, 2003.
142. Toni Bird, 432 Georgian Road, La Canada, CA 91011, December 29, 2003.
143. Douglas Carstens, F.A.L.C.O.N., 3250 Ocean Park Boulevard, Suite 300, Santa Monica, CA 90405, December 29, 2003.
144. Ivan & Roberta C. Cole, 10040 Wentworth Street, Shadow Hills, CA 91040, December 29, 2003.
145. Michael Cornish, 9319 La Tuna Canyon, Sun Valley, CA 91352, December 29, 2003.
146. Steve Crouch, Canyon Area Preservation, P.O. Box 633, Tujunga, CA 91043, December 29, 2003.
147. Julie Davis, 7439 Tranquil Drive, Tujunga, CA 91042, December 29, 2003.
148. Thomas L. Davis, 3916 Foothill Blvd. #B, La Crescenta, CA 91214, December 29, 2003.
149. Fred Dong, Chairman, Sierra Club, P.O. Box 423, Montrose, CA 91021, December 29, 2003.
150. Fred Dong, P.O. Box 423, Montrose, CA 91021, December 29, 2003.
151. Ken Gilliland, 7647 McGroarty Street, Tujunga, CA 91042, December 29, 2003.
152. Rhonda Herbel, 7647 McGroarty St., Tujunga, CA 91214, December 29, 2003.
153. Craig Houchin, 10688 Vanora Dr., Sunland, CA 91040, December 29, 2003.
154. Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 29, 2003.
155. Bill Lukehart, Department of Recreation and Parks, 200 North Main Street, 12th Floor, Room 1250CHE, Los Angeles, CA 90012, December 29, 2003.
156. Sally A. MacAller, 851 W. Mountain St., Glendale, CA 91202, December 29, 2003.
157. Carmen Martinez, 9328 Reverie Road, Tujunga, CA 91042, December 29, 2003.
158. Julianne Maurseth, Ph.D., 7217 Tranquil Place, Tujunga, CA 91042, December 29, 2003.

159. Mike McCorison, 15037 Daffodil Ave., Canyon Country, CA 91387, December 29, 2003.
160. Helen Nickerman, 10026 Pali Ave., Tujunga, CA 91214, December 29, 2003.
161. Janet Nickerman, 10026 Pali Ave., Tujunga, CA 91042, December 29, 2003.
162. Allen & Helen Petrinka, 9923 Hironnelle Lane, Tujunga, CA 91042, December 29, 2003.
163. Roxanna Spear, 7100 Estepa Drive, Tujunga, CA 91042, December 29, 2003.
164. Philip V. Spradling, [No address available] Altadena, CA, December 29, 2003.
165. Joanne B. Watkins-Batchelor, 10825 Tuxford St., La Tuna Canyon, CA 91352, December 29, 2003.
166. Candace Young, 7136 Estepa Drive, Tujunga, CA 91042, December 29, 2003.
167. Robert F. Brennan, 3150 Montrose Avenue, La Crescenta, CA 91214, December 30, 2003.
168. John & Karan Clarke, 6588 Elmhurst Drive, Tujunga, CA 91042, December 30, 2003.
169. William Eick, 2604 Foothill Blvd. #C, La Crescenta, CA 91214, December 30, 2003.
170. William M. Funkhouser, 6903 Beckett Street, Tujunga, CA 91042-2036, December 31, 2003.
171. John Laue, 11063 Eldora Place, Sunland, CA 91048, December 30, 2003.
172. Julianne Maurseth, Steering Committee, F.A.L.C.O.N, 7217 Tranquil Place, Tujunga, CA 91042, December 30, 2003.
173. Ron Schafer, District Superintendent, Department of Parks and Recreation-Angeles District, 1925 Las Virgenes Road, Calabasas, CA 91302, December 30, 2003.
174. Edward and Roxanne Spear, 7100 Estepa Drive, Tujunga, CA 91042, December 30, 2003.
175. Michele Stone, 7354 Verdugo Crestline Drive, Tujunga, CA 91042, December 30, 2003.
176. Manon Tree, 12050 Spring Trail, Kagel Canyon, CA 91342, December 30, 2003.
177. J. Anthony Vergona & Kathryn Ragland, 9300 Reverie Rd. Tujunga, CA 91042, December 30, 2003.
178. Frank Buchanan, 8351 La Tuna Canyon Road, Sun Valley, CA 91352, December 31, 2003.

179. Cheryl Conel, 5420 Ocean View Blvd., La Canada, CA 91011, December 30, 2003.
180. Spencer Davis, 8427 Fenwick St., Sunland, CA 91040 January 26, 2004.
181. Johnye Harrel Dong, 9814 Hillhaven Ave., Tujunga, CA 91042, December 31, 2003.
182. Rick Grubb, 8764 Apperson Street, Sunland, CA 91040, December 31, 2003.
183. Carol Hartwell, 10330 Russett Ave., Sunland, CA 91042, December 31, 2003.
184. Rhonda Herbel, 7647 McGroarty St., Tujunga, CA 91042, December 31, 2003.
185. Jeffrey Kahan, Ph.D., 9609 Hillhaven, Tujunga, CA 91042, December 31, 2003.
186. Sylvia Vonk McIntyre, 11419 Caern Ave., Tujunga, CA 91042, December 31, 2003.
187. Don J. Pickering, 7717 Verdugo Crestline Drive, Tujunga, CA 91214, December 31, 2003.
188. Michael Rhine, 1740 Canada Blvd. #B, Glendale, CA 91208, December 31, 2003.
189. Nina Royal, 10110 Samoa Avenue, Tujunga, CA 91042, December 31, 2003.
190. Regina Star, 9347 Reverie Road, Tujunga, CA 91042, December 31, 2003.
191. Sergio Valdez, City of L.A. Department of Transportation, No Address Provided, December 31, 2003.
192. Ramona Zaratanya, 9347 Reverie Rd., Tujunga, CA 91042, December 31, 2003.
193. Dr. Robert Bradley, 10040 La Tuna Canyon Rd., Sun Valley, CA 91352, January 1, 2004.
194. Terry Roberts, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, 1400 Tenth Street, Sacramento, CA 95812, January 2, 2004.
195. Cherrie Peterson, 706 Reiner Circle #1, Santa Clarita, CA 91387, January 4, 2004.
196. Penny Armbruster, 9618 Hillhaven Ave., Tujunga, CA 91042, January 6, 2004.
197. Katherine Velasco, 3929 Franklin St., La Crescenta, CA 91214, January 8, 2004.
198. Maria Garas, 7249 Verdugo Crestline Drive, Tujunga, CA 91042, January 16, 2004.

199. Rod H. Kubomoto, County of Los Angeles, Department of Public Works, P.O. Box 1460, Alhambra, CA 91802-1460, January 28, 2004

TOPICAL RESPONSES

Many of the comments submitted on the Draft EIR repeatedly focused on a particular set of issues. Accordingly, "Topical Responses" have been prepared for such issues. Each topical response provides a complete discussion of the general concern raised, and incorporates in one location the information requested from the various permutations of the comment received from the different commenters. Consequently, a particular topical response may provide more information than requested by any individual comment. The reader is referred to Topical Responses when appropriate.

Topical responses in this Final EIR address the following concerns:

1. Standards for Responses to Comments and Focus of Review of Commenters
2. Tree Mitigation Plan
3. Recirculation of the Draft EIR
4. GLA Survey Activities
5. The Verdugo Mountain Ecosystem, Biodiversity and Carrying Capacity
6. Project Design Sensitivity, Grading and Consistency With
7. Related Projects and Cumulative Impacts
8. Equestrian Issues
9. General Traffic Issues
10. La Tuna Canyon Road
11. Development Area A Emergency Access
12. Tujunga Canyon Boulevard/Foothill Boulevard
13. Fire Protection

Topical Response 1: Standards for Responses to Comments and Focus of Review of Commenters

Section 15204(a) of the State CEQA Guidelines¹ (“CEQA Guidelines”) (Focus of Review) helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Section 15204(a) states:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Section 15204(a) therefore encourages reviewers to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Based on judicial interpretation of this section, the lead agency is not obligated to undertake every suggestion given it, provided that the lead agency responds to significant environmental issues and makes a good faith effort at disclosure.

Given that an effect is not considered significant in the absence of substantial evidence, Section 15204(c) advises reviewers that comments should be accompanied by factual support:

Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

¹ California Code of Regulations Title 14, Chapter 3, Sections 15000-15387.

Topical Response 2: Tree Mitigation Plan

Pursuant to Section 46.00 *et seq.* of the LAMC, the required replacement ratio for oak trees is 2:1 with 15-gallon or larger stock, with the size and number of replacement trees equal to the approximate value of the impacted trees. The conceptual tree planting program would significantly exceed this requirement with an overall replacement ratio of more than 7.6:1 for coast live oaks, including a replacement ratio of approximately 4.7:1 with 15-gallon and larger stock. In addition, while the City does not require the replacement of impacted sycamore trees, the tree planting program requires the replacement of western sycamores at a ratio of more than 6.7:1, including a replacement ratio of more than 4.1:1 with 15-gallon and larger stock.

The proposed project also includes protection of a majority of the oaks and western sycamores on the project site. With site-sensitive design, approximately 1,017 (or more than 81 percent) of the coast live oaks and approximately 106 (or almost 80 percent) of the estimated 133 western sycamores on the project site would be preserved in place, continuing to provide wildlife resource value.

Section 46.02(c)1 of the LAMC requires that a permittee replace an oak approved for removal or relocation “within the same property boundaries by at least two trees” (see page IV.D-118 in the Draft EIR). This requirement does not address replacement of wildlife or habitat value. In fact, this requirement is often satisfied by planting 15-gallon and 24-inch box trees, which creates a monoculture in age. Typically, planting a range of sizes, from acorns to one-gallon trees, in natural areas has greater potential for success in establishing new trees. Tree receiver locations must also be characterized and qualified; some are more suitable than others.

One of the primary goals of the conceptual tree planting program is to provide a reasonable, appropriate plan to mitigate the loss of native trees as well as provide aesthetic contributions that would integrate the proposed project with the surrounding natural landscape. Areas that would not be impacted by the proposed project are intended to be left in a pristine condition, and not be subject to disturbance from additional tree plantings. These areas are currently at carrying capacity. The introduction of new trees would alter the localized conditions to which they have adapted, increasing competition for water, light and growing space. Therefore, planting opportunities for new coast live oaks were located within the project impact area.

The planting areas outlined in the program would provide varying degrees of ecological and aesthetic value. Plantings in, on and adjacent to detention basins, revegetated slopes, flood control areas and fuel modification areas would provide greater habitat value, while plantings in, on and adjacent to entryways, road rights-of-way, parks and common areas and private lots would provide greater aesthetic value. The associated habitat values would ultimately depend on the character of each area. The areas that would provide greater habitat value would eventually naturalize to exhibit varying degrees of ecological function with minimal maintenance, while the areas that would provide greater

aesthetic value would remain as managed landscape areas, although not without having some habitat value. As such, plantings in both areas would provide value to the greater ecological system of the project site. There is minimal coast live oak regeneration occurring now on the project site. The mitigation plan would greatly increase the coast live oak and western sycamore population, and ensure the continued presence of native trees for forage, nesting and cover.

The conceptual tree planting program (summarized in Table IV.D-16 in the Draft EIR) attempts to leave the area outside the development areas undisturbed, particularly because the oak woodlands outside of the proposed Development Areas are well established and there is a dense understory that would hinder establishment of any new trees. In addition, these areas provide significant wildlife resource value that should remain undisturbed. The conceptual tree planting program focuses the replanting in both community and transitional natural areas in order to replace impacted coast live oaks and western sycamores in the areas in which they are currently located, to contain impacts within the proposed Development Areas and to provide the greatest opportunity for increased numbers of oak trees on the project site.

The tree receiver sites (i.e., tree planting locations) are classified into tiers, based on their suitability for oak tree populations. The primary sites would be in the fuel modification zones, flood control, slopes, and detention basins with quantities limited by the available acreage. These areas would serve as transition zones between the community landscape and the surrounding natural areas, while providing both aesthetic and ecological benefits. For example, birds, insects and small mammals may use the trees for food, nesting, perching and protective cover. The trees would also provide slope protection and erosion control, as well as improve water quality through minimizing runoff. The secondary receiver sites would be in common areas and along equestrian trails and road rights-of-way. The third tier sites would be entry points and private lots. In each case, available planting space is a consideration. The proposed landscape design would include the use of native tree species and reflect the natural heritage of the Verdugo Mountains. It is appropriate that coast live oaks and western sycamores are included in the design, both on public and private property.

Tree planting sizes would vary by receiver site based on site characteristics, landscape management needs, and the ultimate goal for each type of location. Detention basins, fuel modification areas, and the proposed equestrian trail are intended to naturalize over time. Small trees, including acorns, seedlings, and one-gallon plants, will best accomplish this as they do not need to be irrigated beyond establishment or actively managed over their lifespan. They are also well suited for slope planting as they only require minimal soil displacement during planting. Managed landscape areas, such as entry points, parks, common areas and road rights-of-way provide the level of care that larger oaks need, including actively managed irrigation. These areas are planted for aesthetics, whereas the other areas are primarily intended to provide ecological value. Native plantings in areas where recreational disturbances, soil compaction or foot traffic are a potential concern would require protective fencing

until they reach a size where the plants are self-protecting. Tree planting sizes would range from acorns to specimen trees, with smaller trees planted in areas where ecological considerations are of primary importance, and larger box trees where aesthetics are important.

Furthermore, the mitigation plan outlined in the Draft EIR requires monitoring, as described in Mitigation Measure D.2-7 on page IV.D-120. Monitoring programs include standards for success, based on tree viability, health and vigor, so that there is incentive to protect young trees from human disturbance.

In summary, the proposed tree mitigation plan significantly exceeds the requirements of the City's oak tree ordinance. Beyond the specific replacement plan, the proposed project includes the preservation of more than 80 percent of the coast live oaks and western sycamores on the project site in place, and a significant portion of the project site's natural area. The replanting program supports the landscape heritage of the project site, and uses an ecologically sound approach (through the use of a range of sizes and locations) to replace coast live oaks and western sycamores within the proposed Development Areas.

Topical Response 3: Recirculation of the Draft EIR

Recirculation of the Draft EIR is not required under CEQA. CEQA Guidelines Section 15088.5 provides direction for EIR recirculation prior to certification of the Final EIR:

A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

CEQA Guidelines Section 15088.5 (b) provides that:

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR.

Responses to comments provided in this document address significant environmental issues raised by commenting public agencies, private organizations and individuals. In some instances, additional or modified text, maps or other graphical material regarding the project description or potential project impacts has been provided in response to specific queries. For the most part, this new material may be found as additional information in the Corrections and Additions section of the Final EIR. This new

information has been provided merely to clarify or amplify information in the Draft EIR. The new information does not reveal that the proposed project would cause new significant impacts not previously identified in the Draft EIR. A review of the new information indicates that there would not be a substantial increase in the severity of an environmental impact discussed in the Draft EIR. Furthermore, no significant new information has been presented that changes the Draft EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the proposed project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the proposed project's proponents have declined to implement. Therefore, in accordance with CEQA Guidelines Section 15088.5 (b), no recirculation of the Draft EIR is required.

Topical Response 4: GLA Survey Activities

GLA biologists spent over 750 hours on the project site over a 19-month period, covering all seasons, including the initial site reconnaissance visits in late June and early November of 2001. A variety of general and focused biological surveys were conducted over 12 months between late January 2002 and early February 2003. These surveys included vegetation mapping and wildlife habitat assessments, a jurisdictional delineation, general floral and faunal surveys, wildlife movement, focused plants, focused surveys for least Bell's vireo and other riparian birds, protocol surveys for the California gnatcatcher and other scrub birds, trees surveys, focused lichen surveys², reptile surveys and raptor surveys.

GLA biologists started initial work for the wildlife movement study, such as general reconnaissance and identification of areas for more detailed investigations, in late January 2002. The bulk of the wildlife movement study was conducted during a nine-month period beginning in late January 2002 and ending in late October 2002.

The table below (Table FEIR-6) summarizes the survey dates, times and activities.

Table FEIR-6
Survey Activity Table
2001 – 2003

SURVEY DATE	SURVEY TEAM	SURVEY HOURS ^a	TASK(S)
2001			
June 30	TB, RR	2.5, 2.5	Site Recon
November 1	TB, RR, AH	4.5, 4.5, 4.5	Vegetation and Wildlife Habitat Assessment
2002			
Jan 23	RR, AH, DM, JA	8, 8, 8, 8	Jurisdictional Delineation, General Biological Surveys
Jan 26	RR, AH	6.2, 6.2	Jurisdictional Delineation, General Biological Surveys
Jan 30	RR, DM	6, 6	Jurisdictional Delineation, General Biological Surveys

² Tree surveys are included because, during the tree surveys, Rick Riefner and Jeff Ahrens were serving as field assistants and were able to make opportunistic floral and faunal observations. For example, because the tree surveys required evaluation of each oak canopy (for those trees surveyed), it was possible for Mr. Ahrens to search for raptor nests (none were detected) for species such as the Cooper's hawk.

Table FEIR-6 (Continued)
Survey Activity Table
2001 – 2003

SURVEY DATE	SURVEY TEAM	SURVEY HOURS ^A	TASK(S)
February 6	RR, DM	6, 6	Jurisdictional Delineation, General Biological Surveys
February 13	RR, DM	6, 6	Jurisdictional Delineation, General Biological Surveys
April 3	JA, DM	8, 8	Wildlife Movement Study, Focused Plant Survey (DM)
April 4	JA, DM	7, 7	Wildlife Movement Study, Focused Plant Survey (DM)
April 9	TB	6	Focused Plant Surveys
April 10	JA	6	Wildlife Movement General Wildlife
April 11	JA	10	Wildlife Movement General Wildlife
April 22	JA	6	Least Bell's Vireo 1 Wildlife Movement
April 29	TB, JA	10	CGN Protocol Surveys Wildlife Movement (JA) Focused Plant Surveys (TB)
April 30	TB, JA	9	CGN Protocol Surveys Wildlife Movement (JA) Focused Plant Surveys (TB)
May 3	TB	4	Least Bell's Vireo 2 Focused Plant Surveys
May 3	RR, JA, DM	2.5, 2.5, 2	CGN Protocol Surveys; Focused Plant Survey (DM)
May 7	RR, JA	2.7, 2.7	CGN Protocol Surveys
May 13	RR, JA	2.5, 6	CGN Protocol Surveys
May 14	RR, JA, TB	3.5, 6.8, 6	CGN Protocol Surveys Wildlife Movement (JA) Least Bell's Vireo 3 Focused Plants (TB)
May 20	JA	6	CGN Protocol Survey Wildlife Movement
May 21	RR, JA	2.2, 2.2	CGN Protocol Surveys
May 22	RR	2.4	CGN Protocol Survey
May 24	TB	6.5	Least Bell's Vireo 4 Focused Plants
May 28	RR, JA	4.8, 5	CGN Protocol Surveys; Lichen Survey (RR)
May 29	RR, JA	5.7, 5.7	CGN Protocol Surveys: Lichen Survey (RR)
June 4	RR, JA	3.7, 3.7	CGN Protocol Surveys
June 4	GE, DM	7, 7	Tree Survey
June 5	RR, JA	3.3, 3.3	CGN Protocol Surveys

Table FEIR-6 (Continued)
Survey Activity Table
2001 – 2003

SURVEY DATE	SURVEY TEAM	SURVEY HOURS ^A	TASK(S)
June 14	JA	3.9	Least Bell's Vireo 5
June 19	GE, RR	7.3, 7.3	Tree Survey
June 24	TB	8.5	Least Bell's Vireo 6 Focused Plants
July 1	GE, RR	8, 8	Tree Survey
July 6	TB	8.6	Least Bell's Vireo 7 Focused Plants
July 10	RR, JM	7.5, 7.5	Tree Survey; Floristic Plant Survey (RR)
July 12	RR, JM	6, 6	Tree Survey
July 16	GE, RR	8.5, 8.5	Tree Survey; Floristic Plant Survey (RR)
July 17	GE, RR	9, 9	Tree Survey; Floristic Plant Survey (RR)
July 19	RR, DM	6, 6	Tree Survey
July 23	RR, JM, TB	6.5, 6.5, 8	Tree Survey, Least Bell's Vireo 8, Focused Plants (TB)
July 24	RR, JM, DM, JA	7, 7, 7, 7	Tree Survey Focused Reptile Survey
July 25	RR, JM	7.6, 7.6	Tree Survey Focused Reptile Survey
August 1	DM, JA	4, 4	Vegetation Mapping; Focused Reptile Survey
August 1	JA, JM	6.2	Focused Reptile Survey
August 7	GE, RR	8.5, 8.5	Tree Survey
August 8	GE, RR	10.1, 10.1	Tree Survey
August 14	RR, JM	7, 7	Tree Survey
August 15	RR, JM	4.1, 4.1	Tree Survey
August 23	RR	4.5	Lichen Survey
August 27	RR	4.5	Lichen Survey
August 28	RR	7.0	Lichen Survey
September 9	RR	7.0	Focused Late-Season Plant Survey
October 24	TB, JA, JM	8,8,8	Wildlife Movement Study; Focused Late- Season Plant Survey (TB)
December 27	GE, RR	10, 10	Tree Survey
December 30	GE, RR	6.5, 6.5	Tree Survey
2003			
January 30	DM, RR	6.2, 6.2	Tree Survey
January 31	RR, MR	5.3, 5.3	Tree Survey
February 3	GE, RR	5.6, 5.6	Tree Survey

Table FEIR-6 (Continued)
Survey Activity Table
2001 - 2003

SURVEY DATE	SURVEY TEAM	SURVEY HOURS ^A	TASK(S)
TOTAL		764.6	
<p>^a Total survey hours onsite do not include drive time to and from the project site.</p> <p>GLA Surveyors: TB = Tony Bomkamp; GE = Greg Everett; RR = Rick Riefner; JA = Jeff Ahrens; DM = David Moskovitz; JM = Justin Meyer; MR = Martin Rasnick; AH = Amy Henderson</p> <p>Dudek Surveyors: TL = Tom Larson; SE = Scott Eckhardt; RN = Randy Navarro</p> <p>Source: Glenn Lukos Associates, February 2004.</p>			

Topical Response 5: The Verdugo Mountain Ecosystem, Biodiversity and Carrying Capacity

Section IV.D.3 (Wildlife Movement) of the Draft EIR included a discussion of a number of factors that were evaluated to address the potential impact to wildlife movement associated with the proposed project. These included a thorough evaluation of the entire project site, the adjacent Duke Property and the “Missing Link” area that provides a potential connection between the San Gabriel Mountains through Tujunga Wash to the Verdugo Mountains. Also, the evaluation included consideration of a suite of animals, separately considering the specific abilities and needs of each species relative to potential movement paths, as well as the actual and potential use of the evaluated areas by each species.

As discussed below and in Section IV.D.3 (Wildlife Movement) of the Draft EIR, the proposed project would have a less-than-significant impact on wildlife movement.

Figure IV.D-21 in the Draft EIR depicts the identified movement paths, which are discussed in narrative form in detail on pages IV.D-141 through IV.D-153 in the Draft EIR. Rather than underestimating the use (or potential use) of the project site, the Draft EIR clearly demonstrates that the potential regional movement path would remain unaffected following project development. The connection via Tujunga Wash (i.e., the Missing Link area) is well-removed from the project site boundaries and would in no way be affected by the construction or operation of the proposed project. Furthermore, and also unrelated to the proposed project, the Santa Monica Mountains Conservancy has purchased undeveloped lots located within the Missing Link area with the intent of enhancing this connection, thereby providing for enhanced connectivity between the San Gabriel Mountains and the Verdugo Mountains.

Relative to principles of “Island Biogeography”, island extinctions can occur under two scenarios: (1) when “islands” are too small to support viable populations of particular species, leading to extinction; and (2) the isolation/lack of connectivity to source populations (in conjunction with clause (1)).

In addressing clause (1) above, it is important to note that the Verdugo Mountains ecosystem comprises an island that cover approximately 11,554 acres and is surrounded by urban areas. This is a very large area when considering small animals such as invertebrates, reptiles and amphibians, and small and medium-sized mammals.³ The “island” would continue to support robust populations of these groups

³ Crooks, Kevin, Relative Sensitivities of Mammalian Carnivores to Habitat Fragmentation. *Conservation Biology*, pages 488-502 Volume 16, No 2, April 2002. On page 498, Table 4, home ranges of various southern California mammalian carnivores and includes medium-bodied mammals with the following home

and they would not be subject to extinctions due to the effects of island biogeography. For avifauna, both resident and migratory, other large blocks of habitat (such as the San Gabriel Mountains) are sufficiently close to provide for constant exchange between populations and through migration, and the potential for extinctions does not exist. All of the resident large mammals evaluated exhibit the ability to move to and from the project site, precluding potential extinctions from the Verdugo Mountains.⁴ Mountain lions, which are not resident, but which may occasionally use the project site, are not under threat of extinction from the Verdugo Mountains because they are not resident (as noted in Section IV.D.3 (Wildlife Movement) of the Draft EIR, Paul Beier suggests that at best the Verdugo Mountains could account for a portion of a mountain lion's home range if sufficient connectivity exists). As such, to the extent that mountain lions currently use the project site, such use would not be affected by the proposed project.

For the open space areas to be retained in the post project scenario, the area north of Interstate 210 would include 265 acres of undisturbed open space (i.e., natural open space) and the area south of Interstate 210 include 317 acres of undisturbed open space. Functionally, each of these areas would be substantially larger due to the presence of adjacent open space, with an additional 200 plus acres of high quality chaparral and coastal sage scrub north of the project site that extends to existing developed areas, making the open space area north of Interstate 210 part of an approximately 465-acre habitat block. The area south of Interstate 210 is adjacent to approximately 685 acres of open space that extend to the west, making the open space south of Interstate 210 part of a habitat block that covers roughly 1,000 acres.

ranges (converted from hectares to acres): raccoon (128 acres), gray fox (170 acres), striped skunk (51 acres), spotted skunk (120 acres), and long-tailed weasel (152 acres).

⁴ Tigas, Lourraine, D.H. Van Buren, R.M. Sauvajot, Behavioral Responses of Bobcats and Coyotes to Habitat Fragmentation and Corridors in an Urban Environment, *Biological Conservation* 108(2002) 299-306, 2002. The investigators in this study evaluated use of habitat fragments by coyotes and bobcats in Simi Valley, Thousand Oaks, and surrounding areas. The study showed that both Bobcats and Coyotes will use habitat fragments as parts of a larger home range and will move back and forth through urban areas to reach the various fragments. Female Bobcats were more likely to stay within larger fragments where available whereas male Bobcats and male and female Coyotes were more likely to include urban areas within their home range. Both species used culverts to cross roads and culvert use was higher during high traffic periods; however, both species preferred crossing roads rather than using culverts. Although coyotes appear to be more tolerant of human presence, both species have adapted to coexisting at the urban/wildland interface.

These are large habitat blocks when considering small animals such as invertebrates, reptiles and amphibians, and small and medium-sized mammals as noted above. Given the size of each habitat block, these groups would not be subject to extinctions due to the effects of island biogeography. For avifauna, as noted above, both resident and migratory, other large blocks of habitat (such as the San Gabriel Mountains and other portions of the Verdugo Mountains) are sufficiently close to provide for constant exchange between populations and through migration, and the potential for extinctions does not exist.

Coyotes and bobcats would also continue to persist in these habitat blocks when the following factors are considered:

- Home range size;
- Ability to move between habitat blocks and adjacent habitat fragments; and
- Adaptability to the urban/wildland interface.

With implementation of the proposed project, open space associated with the project site would be part of portions of larger habitat blocks that would be of sufficient size to support bobcats and coyotes. The table provided below (Table FEIR-7) gives average home range size for bobcats and coyotes and is adapted from Riley et al.⁵ Home ranges for bobcats and coyotes, as is evident from the table below, vary substantially (as evidenced by the standard deviation, which in some cases exceeds the average). Similarly, Crooks cites home ranges for coyotes from as small as 161 acres to as large as 2,930 acres with bobcat home range sizes varying from 59 acres to 1,379 acres.⁶ The referenced studies also considered the proportion of home ranges that include developed areas, which in many cases are almost one-quarter of a coyote's home range, indicating the affinity that coyotes exhibit for developed areas (particularly for foraging). Similarly, bobcat home ranges can include up to nearly 13 acres of developed areas, confirming that bobcats are not measurably affected by nearby urbanization.

⁵ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California, Conservation Biology, Pages 566-576, Volume 17, No. 2, April 2003.

⁶ Crooks, Kevin, Relative Sensitivities of Mammalian Carnivores to Habitat Fragmentation. Conservation Biology, Pages 488-502, Volume 16, No. 2, April 2002.

Table FEIR-7
Home Ranges for Bobcats and Coyotes

	Home Range (acres) (acres \pm standard deviation)	% Developed Area in Home Range
Bobcats		
Males	786 \pm 624	10.8
Females	380 \pm 352	4.8
Adult males	742 \pm 630	12.9
Adult Females	421 \pm 441	1.4
Young Males	980 \pm 693	2.0
Young Females	318 \pm 186	9.6
Coyotes		
Males	1,511 \pm 1,823	22.3
Females	695 \pm 688	11.8
Adults	1,215 \pm 1,693	15.6
Young Animals	1,024 \pm 897	22.3
Source: Glenn Lukos Associates, 2004.		

Habitat blocks of about 465 acres (north of Interstate 210) and approximately 1,000 acres (south of Interstate 210) associated with the natural open space that would be preserved with the proposed project would conservatively provide sufficient area for an estimated four female and two male bobcats (male bobcats have large home range areas due to the polygynous social system where a single male will mate with multiple females, which have smaller ranges, within the male's home range). The estimate of four females and two males is a conservative estimate based on measured home ranges which can be less than 100 acres or as large as 1,000 acres. Furthermore, because connectivity will be maintained between the habitat blocks and with larger blocks to the north (San Gabriel Mountains) and to the main body of the Verdugo Mountains to the south, immigration and emigration will occur, providing for genetic exchange. Bobcats are fully expected to persist, with no impacts to the larger population in the Verdugo Mountains or the population within the project site. This is fully supported by the findings of Riley et al. (cited in the footnote above) suggesting that areas of 771 acres and 1,090 acres, respectively, supported at least three female bobcats each.

Similarly, coyotes would continue to persist in the habitat blocks on the project site. The Draft EIR conservatively noted that approximately five coyotes would be expected to use the project site based on documented home range sizes. However, observations by local residents suggest that the population of coyotes is larger. Given the variation in home range size, it is possible (even likely, based on observations of local residents) that the coyote population could reach between 10 and 20, with 20 coyotes including the young following the breeding season. There is no question, given their flexibility, that coyotes would persist on the site and would also move between other blocks of habitat

in the vicinity providing for immigration and emigration, resulting in genetic exchange and a stable population.

The ability of bobcats and coyotes to move between habitat blocks and adjacent habitat fragments along with their adaptability to the urban/wildland interface is well-summarized in the Conclusion section of Tigas et al.⁷:

Bobcats and coyotes persisting in an urban environment show behavioral adjustments to habitat fragmentation and human activities. Both species reduce their daytime activity and show avoidance of developed area during times of high human activity. Some individuals, mostly female bobcats, restrict their home ranges to a single fragment, while other individuals frequent several fragments. Home ranges however, are not enlarged in fragmented habitat, perhaps due to abundant resources in other parts of the home range. Individuals take a variety of routes between fragments, occasionally using corridors but also crossing through development, including crossing over roads rather than using culverts. Although corridors are not always used for traveling between fragments, they were used often enough to suggest that they may serve an important role in maintaining connectivity. Frequent road crossing leads to high mortality due to vehicle collision and may be an important problem in urban fragmented area. Preventing collisions with vehicles might be enhanced by designing open space to minimize the need for animals to cross major roads, by identifying frequent crossing points and reducing speed limits and posting warning signs at these points, and by educating residents, who in our study displayed a general interest in the well-being of bobcats and coyotes. Culverts were used to cross under roads, thereby avoiding vehicles, but we found no clear evidence of preference for culverts. Carnivores such as bobcats and coyotes may be able to persist in fragmented habitat, but movement between fragments needs to be maintained by providing connectivity and preventing vehicular collision.

In considering the conclusions set forth by Tigas et al. as related to the proposed project, two additional points are warranted regarding mortality and vehicle collisions. First, Riley et al.⁸ found no difference

⁷ Tigas, Lourraine, D.H. Van Buren, R.M. Sauvajot, Behavioral Responses of Bobcats and Coyotes to Habitat Fragmentation and Corridors in an Urban Environment, *Biological Conservation* 108(2002) 299-306, 2002.

in mortality rates due to anthropogenic causes in bobcats and coyotes associated with urban/wildland interface than for animals associated within natural areas. In fact they report:

Similarly, mortality rates from human-related causes were not positively related to urban association. For bobcats, the vehicle death rate was highest in animals with the least urban association.

This was attributed to learned responses by animals that occupy the urban/wildland interface, wherein they learn to negotiate road crossings in a way to avoid collisions. Second, this, in combination with the fact that there would be no additions or expansions of high speed arterials (e.g., La Tuna Canyon Road) associated with the proposed project and only low-speed internal streets would be constructed, would ensure that there would be no measurable increase in vehicular mortality rates associated with the proposed project.

⁸ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California, *Conservation Biology*, Pages 566-576, Volume 17, No. 2, April 2003.

Topical Response 6: Project Design Sensitivity, Grading, and Consistency With

Several comments have been received regarding the sensitivity of the proposed grading plan, the quantity of proposed earth movement and the area of grading disturbance. Several comments have also questioned whether the project is consistent with Policies 1-3.3, 1-6.2 and 1-6.3 in the Sunland-Tujunga Community Plan. This Topical Response has been prepared to address these related issues.

Design Sensitivity

While the proposed project would require a substantial amount of grading both in terms of acreage of disturbance (240.23 acres) and volume of earth movement (approximately 4.6 million cubic yards), the proposed project is considered a sensitive design because of its intentional avoidance of sensitive resources, while maximizing the area of undisturbed open space. With respect to project aesthetics, two key design objectives guided the preparation of the site plan: (1) the avoidance of a typical tract appearance; and (2) the avoidance of the appearance of “mass grading”. With respect to the former, the proposed homes would be located on large lots with ample side-yard spacing, and would appear dispersed and informally organized within the landscape. Hence, the site design avoids the look of large houses squeezed onto small lots. A curvilinear street plan with non-loaded and single-loaded streets is used to avoid straight rows of houses. Also, natural hillsides and re-vegetated manufactured slopes are integrated into the Development Areas. The planned use of back-cut grading and the curvilinear streets help keep the topography close to the natural grade. The site plan also incorporates custom hillside sloping lots where the lots are not graded. On these lots, custom foundations suitable for an irregular terrain would be used instead of grading flat building pads. Another design element that demonstrates the proposed project’s sensitivity is the provision of substantial setbacks along La Tuna Canyon Road in order to preserve the rural ambiance of that scenic highway. For example, the nearest home site is more than 400 feet from La Tuna Canyon Road; all the other homes within Development Area B have even greater setbacks.

With respect to avoiding the appearance of “mass grading”, a primary design objective was to locate the proposed homes on the less steeply sloped portions of the project site. While the Draft EIR acknowledges that the project site contains steep and rugged topography, Development Areas A and B have been located in the eastern portions of the project site, which is the more naturally level portion of the project site, so that less grading is necessary for site preparation. Figure FEIR-2 is a graphic representation of the slope steepness on various portions of the project site, which reflects that, while most portions of the project site include slopes with varying degrees of steepness, the proposed Development Areas are located in the more naturally level portions of the project site, particularly with respect to Development Area A.

Figure FEIR-2 Slope Analysis

In addition, landform grading techniques, including horizontal and vertical curves to reduce cut and fill and to blend manufactured slopes back into the natural topography, would be employed to reduce further the appearance of “mass grading”. The proposed project also includes some cut slopes that would exceed a 2:1 ratio, up to a ratio of 1.5:1. The purpose of having cut slopes at a ratio of 1.5:1 is to reduce grading and reduce visual impact. The few tall cut slopes that are currently 1.5:1 could be designed at a 2:1 ratio, but that would require a 25 percent increase in the height of the bank. By varying the slope ratios to reflect the natural surrounding slopes and landscaping the slopes with native plants, the slopes will take on a more natural appearance. The selective use of 1.5:1 slopes would also reduce grading impacts to environmentally sensitive features such as riparian areas and oak trees.

As discussed in the Draft EIR, within Development Area A, the excavation up to a depth of approximately 80 feet in one location would be required to achieve the planned site configuration. This excavation would take place on a knoll that is part of a secondary ridge that descends toward Interstate 210 from the east-west trending Prominent Ridgeline (as designated in the Specific Plan) that lies to the north of the project site. The excavation would not occur in a designated Prominent Ridgeline Protection Area and would not change the skyline silhouette as viewed from Interstate 210. Because the excavation would reduce the height of a knoll, it would not result in the creation of an 80-foot cut slope.

There are a few fill slopes over 200 feet high (at a 2:1 slope) in areas that are not highly visible. The fill slopes are located in the back of small canyons and in limited areas that are not within primary views. None of the fill slopes have large surface areas (the largest is approximately 1.5 acres) and none are located in highly visible areas. The fill areas are concentrated next to the cut areas to avoid long dirt hauls. The design of these small cut and fill areas next to each other is indicative of a sensitive grading plan. In contrast, large cut and fill areas would indicate a more massive, less sensitive grading plan. Also, the fill areas were designed to avoid the primary drainages whenever possible.

Clustering

Clustering provides the opportunity to maximize open space on the project site. As discussed in the Draft EIR and below, by clustering the proposed homes, only approximately 240 acres (27 percent) of the project site would be permanently disturbed by project grading. The clustering of the proposed homes would also minimize the impacts to the most sensitive resources on the project site. For example, Drainages 2 (i.e., La Tuna Canyon Wash) and 14, which permit limited regional wildlife movement between the San Gabriel Mountains and the main body of the Verdugo Mountains (see Figure IV.D-3 in the Draft EIR), would not be impacted by the proposed project. Similarly, the great majority of the significant vegetation on the project site would not be affected by the proposed project. For example, as shown on Table IV.D-6 in the Draft EIR, the project site includes approximately 24.59 acres of southern mixed riparian forest, only 2.23 acres of which would be impacted by the proposed

project. Similarly, of the 11.74 acres of southern coast live oak riparian forest located on the project site, only 0.52 acres would be impacted. See Table IV.D-6 in the Draft EIR for a complete description of the vegetation that would be impacted by the proposed project. Of the estimated 1,247 coast live oak trees on the project site, the site design would preserve 1,077 trees (or approximately 82 percent). Similarly, of the 148 western sycamore trees on the project site, the site design would preserve 121 trees (or approximately 82 percent).

Earthwork Quantities

The analyses in the Draft EIR present two sets of grading estimates. First, as discussed in the Draft EIR, site preparation would require the onsite excavation of approximately 4.6 million cubic yards of dirt. Of this total, approximately 3.4 million yards would be excavated in Development Area A and 1.21 million cubic yards would be excavated in Development Area B. The grading operation for the proposed project is “balanced” onsite, which means all the excavated material would be distributed over the Development Areas as “fill” in order to create the planned landforms (e.g. building pads, streets, and various infrastructure installations). There would be no movement of excavated fill from one Development Area to the other, and no import or export of fill material.

Second, a certain amount of “remedial” grading would also be necessary to ensure that potential geotechnical concerns (such as landslides and manufactured slopes) have been stabilized. Typically, remedial grading involves the excavation of unstable soils and their subsequent emplacement and recompaction at the same location as the excavation. Remedial grading is conducted to stabilize the site, not to contour the land. The amount of remedial grading is determined in the field during the grading operation. However, for planning purposes, the Draft EIR conservatively assumed that remedial grading would involve a volume equal to approximately 20 percent of the total site preparation grading, or approximately 920,000 cubic yards.

All remedial grading would be conducted within the proposed project’s grading “footprint” (i.e., the area disturbed by grading). For the proposed project, the grading footprint is approximately 240 acres. All of the analyses in the Draft EIR are based on the combination of grading footprint and cubic yardage. When estimating the amount of time necessary to complete the grading operations for the proposed project, both the contouring of the land and the remedial work were considered. Similarly, when estimating the construction vehicle air pollutant emissions and construction noise levels, the total time and equipment necessary to complete the grading plan (i.e., landform grading and remedial work) were calculated. In this manner, the analyses in the Draft EIR fully account for all grading operations and do not understate grading impacts.

Grading Disturbance Area

The combined grading operation for the entire project site involves a grading footprint of approximately 240 acres. This is the total area permanently disturbed by project grading. Included within this total are the 23 acres of remedial grading. While the remedial grading has been included in all calculations involving landform alterations, it is not included in the calculations of permanent biological resource disturbance. This is due to the fact that the areas subjected to remedial grading would subsequently be revegetated with native plantings.

The proposed project includes approximately 693 acres of open space, comprised of both natural and modified open space. Approximately 582 acres of the approximately 693 acres of the preserved open space on the project site would consist of natural open space. Natural open space would include approximately 559 acres of the project site that would not be graded or subject to fuel modification in connection with the proposed development, together with approximately 23 acres of the project site that would be subject to remedial grading in connection with project development, but would subsequently be revegetated with native plantings that could mature without irrigation.

Approximately 111 acres of the 693 acres of the preserved open space on the project site would consist of modified open space. Modified open space would include ungraded areas that would be subject to fuel modification and areas that would be graded but remain open space. All fuel modification areas, whether graded or ungraded, are included as modified open space because they are subject to ongoing brush clearance and thinning.

When the 693 acres of open space is subtracted from the total project site area of 887 acres, the remaining area is 194 acres. This 194-acre Development Area is devoted to residential lots, roads, and other infrastructure improvements.

Another frequently referenced figure in the Draft EIR is the 304.77 acres of the project site where direct impacts to biological resources are expected. The area of biological resource impact is not the same as the area disturbed by grading because biological resource impacts include areas disturbed by fuel modification, which can be conducted without grading. The estimate of 304.77 acres of impacts to biological resources is derived from information presented in the Draft EIR in Table IV.D-6 and consists of the following components: (1) approximately 211.0 acres affected by grading and not revegetated; (2) approximately 46.43 acres subject to brush clearance; and (3) 47.34 acres that would be partially impacted by brush thinning within the fuel modification zone. The 23.32 acres subject to remedial grading impacts would be revegetated with native species and preserved as natural open space; therefore it would not constitute a permanent impact to biological resources and was not included in the above calculation.

The analyses in the Draft EIR address grading-related impacts from two broad perspectives. From the geotechnical perspective, the following grading-related impacts were determined to be significant: seismically-induced rock fall hazards; slope and/or foundation instability due to landslides; manufactured-slope stability. The Draft EIR concluded that incorporation of the recommended mitigation measures would reduce these potentially significant impacts to less-than-significant levels.

Grading impacts are also addressed from the perspective of aesthetics. The analyses in the Draft EIR acknowledge that the proposed project would require a substantial amount of grading and conclude the grading would cause significant impacts with respect to scenic vistas, scenic resources, and changes in community character. However, to the extent possible, those aesthetic impacts have been reduced by (1) confining the proposed Development Areas to the more naturally level portions of the project site, (2) avoiding designated Prominent Ridgelines and Prominent Ridgeline Protection Areas, (3) using landform grading techniques and (4) maximizing the area of undisturbed open space and, to the extent possible, avoiding sensitive resources in the proposed Development Areas.

Consistency with Community Plan Policies and Objectives

Several comments have alleged that the proposed project's grading plan is not consistent with several policies in the Sunland-Tujunga Community Plan, in particular the following:

Policy 1-3.3: Preserve existing views of hillside and mountainous areas.

Response: The Draft EIR acknowledges that the proposed project would not preserve all existing views of onsite hillsides (see Section IV.N in the Draft EIR). However, as discussed in Table IV.G-4 in the Draft EIR (as modified in Section III (Corrections and Additions) of this Final EIR), the proposed project would be largely consistent with Policy 1-3.3 because it conforms to the scenic corridor and ridgeline development requirements in the Specific Plan and because it preserves at least 693 acres (78 percent) of the 887-acre project site, largely consisting of undeveloped hillside and mountainous areas, as permanent open space. In addition, the proposed project is largely confined to the more naturally level portions of the project site, avoids disturbance of designated Prominent Ridgelines and Prominent Ridgeline Protection Areas and minimizes impacts on sensitive resources.

Following the completion and circulation of the Draft EIR, the project applicant prepared the vesting tentative tract map for the proposed project, which is a refinement of the site plan in Figure III-1 in the Draft EIR. The proposed vesting tentative tract map for the project is attached to this Final EIR as Appendix B. In addition, a graphic illustrating the portions of the project site that would be developed and remain open space is shown on Figure FEIR-3.

Policy 1-6.2: Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Plan area.

Response: As discussed above, the site plan (see Draft EIR, Figure III-1) takes into account the steepness of topography and geotechnical constraints within the project site. A detailed geotechnical study of the project site has been conducted, the results of which are summarized in Section IV.A (Geology and Soils) of the Draft EIR. All geotechnical constraints can be mitigated to less than significant levels through a combination of compliance with the City's grading ordinance, implementation of the recommendations of the geotechnical engineers for the project, and the requirements of the Department of Building and safety. In addition, and as also discussed above, the proposed Development Areas have been situated in the more naturally level portions of the project site to reduce the required grading.

Policy 1-6.3: Require that grading be minimized to reduce the effects on environmentally sensitive areas.

Response: The site plan has been designed to minimize grading by locating the Development Areas on the less steeply sloped portions of the project site, and by clustering development in order to maximize the preservation of open space (i.e., approximately 693 acres (78 percent) of the project site).

In addition, the proposed project would avoid the disturbance of most of the ridgelines located on the project site. The Specific Plan has identified the Prominent Ridgelines subject to protection under the Specific Plan. The proposed project has been designed to comply with all requirements and restrictions in the Specific Plan relating to designated Prominent Ridgelines and Prominent Ridgeline Protection Areas. However, neither the Sunland-Tujunga Community Plan nor the Specific Plan prohibits the alteration of secondary ridgelines.

The proposed project does not require the grading of any Prominent Ridgelines designated in the Specific Plan. These Prominent Ridgelines are the equivalent of the "principal ridge lines" referenced in Footnote 19 in the Sunland-Tujunga Community Plan. The ridgelines that would be impacted by the proposed project are discussed in the Draft EIR are secondary ridges that descend from the designated Prominent Ridgelines to the north and east of Development Area A and to the west of Development Area B. Given the steep topography on the project site, some of these secondary ridges would be graded to accommodate building sites and roadways. In particular, the 80-foot cut identified in the Draft EIR would be on a secondary ridge that descends from the Prominent Ridgeline to the north of Development Area A.

Figure FEIR-3 Proposed VTTM Open Space

Topical Response 7: Related Projects and Cumulative Impacts

As discussed in Section II (Environmental Setting) of the Draft EIR, Section 15130 of the CEQA Guidelines requires that EIRs consider the “cumulative impacts” associated with the proposed project. Cumulative impacts are two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts (CEQA Guidelines Section 15355). In accordance with Section 15130, cumulative impacts are anticipated impacts of the proposed project along with reasonably foreseeable growth. Reasonably foreseeable growth may be based on either:

- A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency (the “list-based” approach); or
- A summary of projections contained in the adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which describes or evaluates regional or area wide conditions contributing to the cumulative impact.

The Draft EIR utilized the “list-based” approach. Thus, all proposed, recently approved, under construction, and reasonably foreseeable projects that could produce a related or cumulative impact on the local environment when considered in conjunction with the proposed project were evaluated in the Draft EIR. Furthermore, an analysis of the cumulative impacts associated with these related projects and the proposed project was provided in the cumulative impact discussion under each individual impact category in Section IV (Environmental Impact Analysis) of the Draft EIR. The list of 13 related projects used for the analysis of cumulative impacts in the Draft EIR (the “Original Related Projects”) was developed after conferring with the City of Los Angeles Department of Transportation, City of Los Angeles Department of City Planning, and the City of Glendale Department of Transportation.

Modification of Draft EIR Related Projects List

This topical response discusses two issues regarding the list of related projects in the Draft EIR, one of which was not raised in any of the comments on the Draft EIR and the other of which was raised in several comments. The issue that was not raised in any of the comments concerns Related Project No. 9, which was described in the Draft EIR as a proposed 125 single-family home development in La Crescenta (east of the project site, in an unincorporated area of the County of Los Angeles). This project, in fact, does not exist. Although this project was described in the Draft EIR and the cumulative impact analyses therein, based on information obtained from the City, it now appears that the information provided to the EIR consultant was inaccurate. Following the publication of the Draft EIR, the EIR consultant made additional inquiries in an attempt to verify the existence of this related

project. In addition to discussing this related project with the EIR traffic consultant, the EIR consultant contacted the following sources for information on this project:

- **County of Los Angeles Planning Department:** On June 4, 2003, the EIR consultant reviewed address maps and planning documents and spoke with County Planning Department staff regarding this related project. Planning Department staff had no information concerning this project and there was no record of this project on any of their maps or records.
- **City of Glendale Planning Department:** The Glendale Planning Department was contacted on June 4, 2003 to inquire about any known 125 single-family unit project within the City. No one in the Glendale Planning Department was aware of any such project within the City.
- **City of La Canada-Flintridge Planning Department:** The City of La Canada-Flintridge Planning Department was contacted on May 28, 2003. The EIR consultant was informed that there is no such project in La Canada and that there is almost no undeveloped land in the City that is zoned for residential use.
- **City of Los Angeles Planning and Transportation Departments:** Key personnel in the Environmental Review Unit of the City of Los Angeles Planning Department and the Department of Transportation were contacted on June 3 and June 4, 2003. None possessed any knowledge of the related project in question.

Based on the evidence compiled to date, it is concluded that Related Project No. 9 does not exist, and that its inclusion in the Draft EIR was an inadvertent error. However, the cumulative impact analyses in the Draft EIR have not been revised to exclude the environmental impacts associated with this related project. As a result, the inclusion of Related Project No. 9 resulted in an overstatement of the cumulative impacts associated with the proposed project.

The second issue regarding the related projects list is the discovery that four related projects were inadvertently omitted in the Draft EIR. These projects are listed below⁹ (collectively, the “New Related Projects”):

⁹ Comments received on the Draft EIR also suggested that Tentative Tract No. 53884 (ENV-2003-2242-MND) should have been included as a related project. This project consists of 14 five-acre equestrian lots on 64 acres, located west of Wheatland and north of Janetta Way. However, staff in the Environmental Review Unit of the Department of City Planning have stated that the Environmental Assessment Form for this project was not submitted to the City until approximately April of 2003. Therefore, this was not a reasonably foreseeable

- Tract No. 38056 (Case No. 85-054): This subdivision of 34-single family lots is located at 9320 Ledge Avenue in the Sun Valley community of the City of Los Angeles (approximately 2.8 linear miles west of the nearest Development Area in the proposed project). This project was not included in any lists provided by the sources mentioned above and was only discovered by the EIR consultant after the publication of the Draft EIR in response to several comments on the Draft EIR. This project is located outside the geographic scope of the area subject to cumulative impacts associated with the proposed project, as originally determined by the City pursuant to Section 15130(b)(3) of the CEQA Guidelines. However, in response to comments received on the Draft EIR, this project has been included in this expanded cumulative assessment in the interest of full disclosure.
- Tract 34567 (EIR No. 88-252-SUB(ZC)): This 57-unit, single-family home project, commonly referred to as the “Comstock Project”, is located at 10900 Wentworth Street in Sun Valley, approximately 4.0 linear miles northwest of the nearest Development Area in the proposed project. The Comstock Project is located outside the geographic scope of the area subject to cumulative impacts associated with the proposed project, as originally determined by the City pursuant to Section 15130(b)(3) of the CEQA Guidelines. However, in response to comments received on the Draft EIR, this project has been included in this expanded cumulative assessment in the interest of full disclosure.
- Tentative Tract No. 47357 (ENV-1999-253-MND): This 21-unit, single-family home development, commonly referred to as the “Wheatland Project”, is located at 9945–10001 Wheatland Avenue in Sun Valley, approximately 3.0 linear miles northwest of the nearest Development Area in the proposed project. Construction on this project is expected to begin in the near future. The Wheatland Project is located outside the geographic scope of the area subject to cumulative impacts associated with the proposed project, as originally determined by the City pursuant to Section 15130(b)(3) of the CEQA Guidelines. However, in response to comments received on the Draft EIR, this project has been included in this expanded cumulative assessment in the interest of full disclosure.
- Tract No. 52914 (MND-99-254-TT-SUB): This 15-unit, single-family home development is located at 11286 Wentworth Street adjacent to Sheldon Street and Bromont Avenue in the Stonehurst area of Sun Valley, approximately 4.3 linear miles west of the nearest development

project at the time the NOP for the proposed project was released for review in September 2002 and therefore has not been included in this supplemental assessment of cumulative impacts.

area in the proposed project. This project is located outside the geographic scope of the area subject to cumulative impacts associated with the proposed project, as originally determined by the City pursuant to Section 15130(b)(3) of the CEQA Guidelines. However, in response to comments received on the Draft EIR, this project has been included in this expanded cumulative assessment in the interest of full disclosure.

The cumulative impact analyses set forth below in the Draft EIR have been reevaluated in light of the identification of the New Related Projects, and the determination that Related Project No. 9 does not exist. The results of this supplemental cumulative impact analysis are set forth below. In addition to the New Related Projects, a few comments received on the Draft EIR noted that there are a number of very small residential developments in the general project vicinity ranging from one to four units each that should have been included in the cumulative impact analyses. Since such comments have provided no specific information as to the location, number or status of these other small projects, an ambient growth factor of two percent has been built into the regionally oriented cumulative analyses presented below to account for these additional units. Cumulative impact categories for which impact analyses are dependent upon the proximity of the specific site to the proposed project (e.g., geology and soils) were not revised to account for these small projects that may potentially exist.

The addition of the New Related Projects does not materially change the results of the cumulative impact analyses in the Draft EIR for the following reasons:

- As discussed above, Related Project No. 9 does not exist. Therefore, many of the cumulative impacts identified in the Draft EIR are overstated because they include impacts from 125 homes associated with nonexistent Related Project No. 9.
- The four New Related Projects include a total of 127-single family homes. Therefore, with respect to cumulative impact analyses in the Draft EIR that incorporate Related Project No. 9 (and thereby overstate the number of cumulative residential units by 125), the net difference is only two homes.
- None of the New Related Projects are located in close proximity to the project site. Therefore, their contribution to cumulative impacts tends to be diluted by their distance from the project site.
- The cumulative impact analyses in the Draft EIR overstate the impacts of the Original Related Projects involving the redevelopment of existing properties because existing uses were not “netted out” from the calculations of new impacts.
- The cumulative impact analyses in the Draft EIR factor in some of the traffic mitigation measures associated with specific related projects. For example, the road improvements for the

Tujunga Canyon Boulevard/Foothill Boulevard intersection and the Tujunga Canyon Boulevard/La Tuna Canyon Road/Honolulu Avenue intersection were incorporated in the “Year 2009 with Related Projects” traffic analysis. However, required related project mitigation with respect to other environmental impacts (e.g., energy and water consumption) were not included in the calculation of cumulative impacts. Therefore, the analyses overstate actual cumulative impacts.

- It is likely that some of the Original Related Projects will never be constructed or will not be constructed until after the proposed project has been completed. For example, of the 13 Original Related Projects included in Table II-3 on page II-5 of the Draft EIR, only two (Related Projects Nos. 3 and 11) were actually under construction at the time the list was compiled. As a result, the Draft EIR further overstates the actual cumulative impacts associated with the proposed project.
- Finally, the traffic analysis in the Draft EIR included a two percent annual ambient growth factor through the year 2009 (i.e., the anticipated year of project build-out). The application of the annual ambient growth factor provided a conservative forecast of future traffic volumes in the area. Traffic-related air quality and noise cumulative impacts were similarly calculated. These background growth rates were specifically included to account for the effects of other small projects (such as the New Related Projects) which, due to their small size, might not otherwise be included in the list of related projects.

Supplemental Cumulative Impact Analyses

Based upon consideration of the factors outlined above, the analyses in the Draft EIR overstated cumulative impacts by a considerable margin. Nonetheless, the cumulative analyses in the Draft EIR have been reevaluated below to take account of the New Related Projects. The nonexistent Related Project No. 9 has been eliminated as a related project in order to present a more accurate determination of cumulative impacts. The supplemental cumulative impact analyses are presented below in the same order they were first presented in Section IV (Environmental Impact Analysis) of the Draft EIR.

Section IV.A (Geology and Soils)

As discussed on Page IV.A-35 of the Draft EIR, only the Duke Project (Related Project No. 7) is sufficiently close to the project site to expose people or structures to the combined effects of hazardous geotechnical conditions. Since the New Related Projects are located at least 2.8 linear miles from the closest Development Area, they would not contribute to cumulative impacts relative to geology and soils. Therefore, the New Related Projects would not change the conclusion in the Draft EIR that cumulative impacts on geology and soils would be less than significant. The other potential small projects described in the previous section could only generate cumulative impacts if they were to be

constructed on sites immediately adjacent to the proposed project. As stated previously, no such projects have been identified.

Section IV.B (Air Quality)

Construction Impacts

As discussed on Page IV.B-18 of the Draft EIR, only the Duke Project (Related Project No. 7) is sufficiently close enough to the project site for fugitive dust emissions to potentially combine with those of the proposed project. Since the New Related Projects are located at least 2.8 linear miles from the closest Development Area, they would not contribute to significant cumulative impacts relative to construction-related air quality impacts. The other potential small projects described in the previous section could only generate cumulative impacts if they were to be constructed on sites immediately adjacent to the proposed project. As stated previously, no such projects have been identified. Also, the adopted AQMP projects construction-related regional emissions for population growth anticipated through the year 2020 and incorporates control measures to offset the increase in regional emissions that would result from this additional construction.

Regional Operational Impacts

As discussed on Page IV.B-18 of the Draft EIR, the 1997/1999 AQMP is based on population growth estimates through the year 2020 developed by each of the cities and counties in the region and incorporated by SCAG into the regional AQMP. All projects in the region contribute to regional pollution and the emissions associated with these projects are modeled by the SCAQMD to determine future air quality without additional controls. If pollutant concentrations are shown by the model to exceed State or national ambient air standards, the SCAQMD, SCAG and CARB develop additional control strategies to offset emissions and reduce concentrations to below the standards.

The project site and related projects sites are all within the Los Angeles City subarea. The City has projected growth to the year 2020 in the 1997/1999 AQMP. SCAG has determined that as long as the new population accommodated by a project is within the total population forecast for the subarea for the buildout year, the proposed project is consistent with the AQMP and cumulative impacts are offset by the AQMP. Since the AQMP forecasts growth through the year 2020 and the proposed project is anticipated to be completed by the year 2009, the proposed project is consistent with the total population forecast in the AQMP. Therefore, the proposed project would not have a significant cumulative adverse impact on air quality. Similarly, the four New Related Projects are expected to be completed prior to the year 2020. As such, these related projects would not change the conclusion in the Draft EIR that cumulative impacts on regional operational impacts would be less than significant. To the extent that the other potential small projects described in the previous section would also be completed prior to 2020, no significant cumulative adverse impacts on air quality would result.

Local Operational Impacts

The cumulative analysis in the Draft EIR with respect to potential carbon monoxide hot spots was evaluated with respect to the most impacted study intersection that would operate at a Level of Service (LOS) below C following implementation of the proposed project. That intersection was identified as the Tujunga Canyon Boulevard/Foothill Boulevard intersection. None of the New Related Projects is located within four linear miles of that intersection. Therefore, their contribution of peak hour traffic at that intersection would be minimal. Given that both future one-hour and eight-hour CO concentrations at this intersection would be well below national and State ambient air standards, the minor additional peak hour traffic contributed by the New Related Projects would not cause the ambient air standards to be exceeded. The other potential small projects described in the previous section are accounted for in the two percent ambient growth factor that was added to traffic volumes at the study intersections. The residential nature and small size (one to four units) of these potential projects would not be expected to trigger exceedances of ambient air standards. For these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative impacts on local operational impacts would be less than significant.

Section IV.C (Hydrology and Water Quality)

As discussed on Page IV.C-18 of the Draft EIR, only the Duke Project (Related Project No. 7) is close enough to the project site to have the potential to combine with the proposed project to create cumulative hydrology impacts. Since the four New Related Projects are located at least 2.8 linear miles from proposed Development Area B, none would contribute to significant cumulative impacts relative to hydrology and water quality in the upper reaches of La Tuna Canyon. As such, the New Related Projects would not change the conclusion in the Draft EIR that cumulative impacts to hydrology and water quality would be less than significant. The other potential small projects described in the previous section could only generate cumulative impacts if they were constructed on sites that also drain to the upper reaches of La Tuna Canyon. As stated previously, no such projects have been identified.

Section IV.D.1 (Biological Resources: Flora and Fauna)

As discussed on Page IV.D-65 of the Draft EIR, the appropriate area of analysis for cumulative impacts to flora and fauna is the Verdugo Mountains. Only one of the four New Related Projects is located within the Verdugo Mountains. The 34-home project on Ledge Avenue is located on sloping foothill land at the boundary between the west edge of the mountains and the developed flat bottomland of the La Tuna Canyon Wash. A fire in November 1980 destroyed much of the vegetation and all trees on this site. A biological study in July 1995 confirmed that no rare or endangered species exist on the site. Of the 59 plant species found, 27 were non-native, indicating a high level of existing human impact. Due to the absence of endangered plant and animal species, no significant adverse impact to biological resources was noted in the September 1996 Supplemental EIR for this project (EIR No. 81-413-

ZC(SUB)). Thus, this project would not be expected to combine with the proposed project to produce any significant cumulative effects on the flora and fauna of the Verdugo Mountains ecosystem. As discussed in the Draft EIR, the only related project proposed in the Verdugo Mountains that could potentially affect biological resources is the Duke Project (Related Project No. 7 in the Draft EIR). The other potential small projects described in the previous section could only generate cumulative impacts if they were to be constructed on sites within the Verdugo Mountains. As stated previously, no such projects have been identified.

Section IV.D.2 (Biological Resources: Native Trees)

As discussed on Page IV.D-105 of the Draft EIR, the appropriate area of analysis for cumulative impacts to native trees is the Verdugo Mountains. Only one of the four New Related Projects is located within the Verdugo Mountains. The 34-home project on Ledge Avenue is located on foothill land at the boundary between the mountains and the developed flat bottomland of the La Tuna Canyon Wash. The September 1996 Supplemental EIR for this project (EIR No. 81-413-ZC(SUB)) indicates that no trees are present on that site due to a fire in November 1980. The development of the Wheatland Project involves the removal of a number of unspecified existing trees. However, this project is located in a developed foothill area in the Verdugo Mountains, just north of Sunland Boulevard. Therefore, this project would not be expected to combine with the proposed project to produce any cumulative effects on native trees of the Verdugo Mountains ecosystem. As discussed in the Draft EIR, the only related project proposed in the Verdugo Mountains that could potentially affect biological resources is the Duke Project (Related Project No. 7 in the Draft EIR). The other potential small projects described in the previous section could only generate cumulative impacts if they were to be constructed on sites within the Verdugo Mountains. As stated previously, no such projects have been identified.

Section IV.D.3 (Biological Resources: Wildlife Movement)

The four New Related Projects are located a sufficient distance from the project site, so they would not have the potential to interfere cumulatively with regional or local wildlife movement. In particular, they would not interfere with the tenuous regional wildlife movement corridor that travels in a general north-south direction from Tujunga Wash to La Tuna Canyon Road, as discussed in detail in Section IV.D.3 (Wildlife Movement) of the Draft EIR, because the projects are located farther to the west within or adjacent to currently developed flatland corridors and not in the mountains. The other potential small projects described in the previous section could only generate cumulative impacts if they were to be constructed on sites within the Verdugo Mountains. As stated previously, no such projects have been identified.

Section IV.E (Noise)

Construction Impacts

As discussed on Page IV.E-29 of the Draft EIR, only the Duke Project (Related Project No. 7) is close enough to the project site to potentially cause cumulative construction noise impacts. The New Related Projects are located at least 2.8 linear miles from the closest Development Area, and are further shielded from the project site by natural topography. Based on distance alone, even if construction of the proposed project and the New Related Projects occurred simultaneously, construction noise from the New Related Projects would not be audible at any sensitive receptor where construction noise associated with the proposed project would be audible. The other potential small projects described in the previous section could only generate cumulative impacts if they were constructed on sites within 2,500 feet of the proposed Development Areas. As stated previously, no such projects have been identified. For these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative construction noise impacts would be less than significant.

Operational Impacts

As shown in Table IV.E-6 of the Draft EIR, the highest change in operational noise due to cumulative traffic is estimated to be 1 dBA with respect to an increase in the existing PM peak-hour volume at the intersection of Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road. Since this is far less than a 3-dBA increase, the minimum threshold for a significant noise impact, there would not be a significant cumulative noise impact from the net increase in traffic contributed by the four New Related Projects, all of which are at least 2.8 linear miles from the closest Development Area. The other potential small projects described in the previous section are accounted for in the two percent ambient growth factor that was added to traffic volumes at the study intersections. Based upon the anecdotal information provided in public comments on the Draft EIR, none of the other potential small projects described in the previous section would be large enough to generate the traffic volumes necessary to cumulatively increase operational noise levels by 3 dBA. For these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative operational noise impacts would be less than significant.

Section IV.F (Artificial Light and Glare)

As discussed on page IV.F-24 in the Draft EIR, the only related project close enough to the project site to have a direct cumulative light and glare impact at the project site is the Duke Project (Related Project No. 7). The four New Related Projects are located at least 2.8 linear miles from the closest Development Area and are further shielded from the project site by natural topography. Based on distance alone, the New Related Projects would not contribute to a cumulative artificial light and glare impact, as viewed from Interstate 210, La Tuna Canyon Road or the existing residential areas. The

other potential small projects described in the previous section could only generate cumulative impacts if they were to be constructed on sites in close proximity to the proposed Development Areas. As stated previously, no such projects have been identified. For these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative artificial light and glare impacts would be less than significant.

Section IV.G (Land Use)

The New Related Projects conform to applicable existing and/or proposed zoning and land use designations. Based upon a review of the environmental documentation for each of these projects, none of the projects would physically divide an established community or conflict with any applicable land use plan, policy, regulation, habitat conservation policy, or natural community conservation plan. Therefore, the New Related Projects, in conjunction with the proposed project and the original Related Projects, would not be expected to result in a cumulatively significant land use impact. The other potential small projects described above could only generate cumulative impacts if they were inconsistent with the zoning and/or community plan land use designations for their sites. As stated previously, no such projects have been identified. For these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative land use impacts would be less than significant.

Section IV.H (Population and Housing)

The four New Related Projects would add a total of 127 single-family homes to the total amount of related project development considered in the Draft EIR. However, this would not change the estimated number of permanent jobs generated by the related projects because residential projects are not assumed to generate permanent employment. The addition of these homes would increase the resident population in the area. However, the elimination of Related Project No. 9 from the list of Original Related Projects, which included 125 single-family homes, results in a net increase of only two single-family homes. Based on a factor of 2.97 persons per single-family home, the addition of the New Related Projects and the elimination of Related Project No. 9 would yield an additional six residents (2×2.97). The addition of six new residents would increase the total number of residents associated with the proposed project and all of the related projects from 2,159 to 2,165. The addition of an ambient growth factor of two percent to account for the other potential small projects described above would increase this number from 2,165 to 2,208. This would not change the conclusion in the Draft EIR that the proposed project would not have a cumulatively significant impact on housing. In any event, the addition of 2,208 residents would be well within the Sunland-Tujunga Community Plan's forecasted increase of 9,189 people between 2000 and 2010.

In addition, none of the four New Related Projects would include road extensions or the extension of other infrastructure into previously undeveloped areas that would be available for future development, nor would they contribute to the displacement of housing or people.

Therefore, the addition of these four projects to the list of original Related Projects evaluated in the Draft EIR would not change the conclusion in the Draft EIR that cumulative population and housing impacts would be less than significant.

Section IV.I (Transportation/Traffic)

The four New Related Projects were not identified in the LADOT project files, presumably because of their relative small size and minimal impact on local traffic. However, the ambient growth factor used in the traffic study conducted for the Draft EIR was specifically intended to incorporate the potential traffic generated by smaller and/or unknown related projects that may potentially generate traffic at one or more of the nine study intersections in the future. As stated on page IV.I-27 in the Draft EIR:

In order to account for unknown related projects not included in this analysis, the existing traffic volumes were increased at an annual rate of two percent (2%) per year to the year 2009 (i.e., the anticipated year of project build-out). Application of the annual ambient growth factor allows for a conservative worst case forecast of future traffic volumes in the area.

With the elimination of Related Project No. 9, on a peak-hour basis (AM and PM peak hours), the New Related Projects, which are located at least 2.8 linear miles from the closest Development Area, would generate only two net new trips in the AM peak hour (one inbound, one outbound) and three net new trips in the PM peak hour (two inbound, one outbound). In addition, there is local roadway infrastructure in closer proximity to the New Related Projects that provides more convenient and direct access to these projects as compared to the roadways in the area of the proposed project. There is little expectation that future residents in the New Related Projects would have reason to travel through the study intersections evaluated in the Draft EIR for local or regional travel, except in the case where the motorist has an origin or destination in the immediate vicinity of one or more of the study intersections (e.g., a resident traveling to the K-Mart on Sunland Boulevard would travel through the Sunland Boulevard study intersections at the I-210 Freeway interchange). Therefore, the New Related Projects are forecast to add only a minimal number of new vehicle trips to the nine study intersections evaluated in the Draft EIR.

For example, the 34 homes proposed as part of Tentative Tract No. 38056 (located at 9320 Ledge Avenue) are forecast to add approximately six AM peak-hour trips and nine PM peak-hour trips to the study intersections along La Tuna Canyon Road adjacent to the proposed project site. The 57-home Comstock Project (located at 10900 Wentworth Street) is not forecast to add any peak hour trips to the study intersections. The 21-home Wheatland Project is forecast to add one trip during the AM and PM

peak hours to the Sunland Boulevard study intersections at the Interstate 210 interchange. Finally, the 15 homes proposed as part of Tentative Tract No. 52914 (located at the intersection of Sheldon and Bromont) are not forecast to add any peak hour trips to the study intersections. Therefore, taken together, the New Related Projects are forecast to add six or fewer peak hour trips to the study intersections. As previously discussed, with the elimination of Related Project No. 9 and with the application of the ambient growth factor, the traffic analysis in the Draft EIR effectively analyzed the traffic trips associated with the New Related Projects and the other possible small projects described above.

For all of these reasons, the New Related Projects would not change the conclusion that cumulative transportation/traffic impacts would be less than significant with implementation of the mitigation identified in the Draft EIR.

Section IV.J.1 (Public Services: Fire Protection)

The development of the New Related Projects in conjunction with the proposed project and the Original Related Projects would increase the demand for fire protection services in the project vicinity. As noted on Page IV.J-6 of the Draft EIR, in the absence of concomitant expansion of current levels of LAFD personnel, equipment, and facilities, the increased demand would result in a reduction in fire protection services, a lengthening of response times, and possibly inadequate facilities.

The LAFD would provide fire protection services for the New Related Projects, which are all relatively small, and their fire protection impacts would be addressed through compliance with the Los Angeles Fire Code. The New Related Projects are located between 0.8 and 3.2 miles from the closest LAFD fire station. Two of them (i.e., the 57-home Comstock Project and the 21-home Wheatland Project) are located at a distance greater than 1.5 miles from the closest LAFD fire station. Similar to the proposed project, the installation of automatic fire sprinkler systems would be required in all of the structures developed in connection with the New Related Projects, as set forth in Section 57.09.07 of the LAMC, in order to compensate for the additional response distance. Additional mitigation measures are set forth in the environmental documents for each of the New Related Projects with respect to impacts on fire protection. It should also be noted that the New Related Projects are located a considerable distance west of the proposed project such that “first response” for each of these four projects would not be provided by the same fire station as for the proposed project.

Considering the relatively small demand for fire protection services that would result from implementation of the related projects, the fact that different fire stations would provide “first response” and the less-than-significant impacts of the proposed project (described in Section IV.J.1 of the Draft EIR), the cumulative demand for fire protection services resulting from the proposed project, the Original Related Projects and the New Related Projects would not be expected to warrant new or expanded fire protection facilities. Based upon the anecdotal information provided in public comments

on the Draft EIR, none of the other potential small projects described in the previous section would be large enough to generate material impacts on fire protection.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative fire protection impacts would be less than significant.

Section IV.J.2 (Public Services: Police Protection)

The development of the New Related Projects in conjunction with the proposed project and the Original Related Projects would increase the demand for police protection services. As described in Section IV.J.2 of the Draft EIR, in the absence of a concurrent expansion of current levels of LAPD personnel, equipment and facilities, the increased demand for police protection services could result in a reduction in services, a lengthening of response times, and inadequate facilities. In addition, the LAPD has indicated that existing service ratios, response times and facilities are not considered adequate to support the LAPD's needs throughout the City.

The LAPD would provide police protection services to the New Related Projects, which are all relatively small. Because none of these projects are located in the same LAPD Reporting District as the proposed project, no direct cumulative impact on local police resources would be generated by the New Related Projects. In addition, as discussed on page IV.J-17 in the Draft EIR, a new Community Police Station is being constructed in the Operations-Valley Bureau, which includes the Foothill Area. The New Related Projects that would be served by the LAPD are all within the Foothill Area. Therefore, it is expected that the new police station would be able to accommodate additional police officers that could be needed as a result of implementation of the related projects. In addition, the number of police officers in the LAPD has decreased from 9,671 to 9,141 since 1998, while no police stations have closed. It is therefore reasonable to assume that the LAPD facilities in the Foothill Area have sufficient capacity to accommodate any additional police officers necessary to provide police protection services for the proposed project and related projects.

Considering the relatively small demand for police protection services that would result from implementation of the New Related Projects, together with the different Reporting Districts involved in providing these services and the less-than-significant impacts of the proposed project (described in Section IV.J.2 of the Draft EIR), the cumulative demand for police protection services resulting from the proposed project, the Original Related Projects and the New Related Projects would not be expected to warrant new or expanded police protection facilities. Based upon the anecdotal information provided in public comments on the Draft EIR, none of the other potential small projects described in the previous section would be large enough to generate significant cumulative impacts on police protection.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative police protection impacts would be less than significant.

Section IV.J.3 (Public Services: Parks)

The four New Related Projects would add a total of 127 single-family homes to the total amount of related project development considered in the Draft EIR. The development of the proposed project in combination with the New Related Projects and the Original Related Projects evaluated in the Draft EIR would result in an increase in employees and residents in the project area. The cumulative analysis in Section IV.J.3 (Recreation and Parks) in the Draft EIR determined that the Original Related Projects would generate demand for an estimated 1.6 acres of parkland. However, that figure was based almost entirely on the 125 single-family homes associated with Related Project No. 9, which does not exist. With the elimination of Related Project No. 9 and the addition of the New Related Projects (representing a net population increase of six persons), the residential related projects would generate demand for an estimated 4.95 acres of parkland, only 0.05 acres more than originally analyzed in the Draft EIR. The addition of a two percent ambient growth factor to account for the other potential small residential projects described above would increase this total to 5.05 acres, 0.15 acres more than originally analyzed in the Draft EIR. In addition, the New Related Projects are located at least 2.8 linear miles west of the closest Development Area and would likely draw upon a different set of parks than would the proposed project, thus reducing the level of impact experienced at any single park.

Furthermore, as discussed on Page IV.J-27 in the Draft EIR, the proposed project's contribution to the cumulative impacts on parks and recreational facilities would not be cumulatively considerable because the project developer would (1) provide the equestrian park and other onsite recreational facilities and preserved open space and (2) to the extent that such facilities and open space are insufficient to satisfy fully the project developer's Quimby Act obligations, pay Quimby fees. The satisfaction of the Quimby Act requirements would constitute the project's fair share of mitigation designed to alleviate the cumulative impact on parks and recreational facilities. The environmental documentation for the New Related Projects indicates that only one of these related projects was determined to have a potentially significant impact on parks (the 21-home Wheatland Project). However, as reflected in the Mitigated Negative Declaration for that project (ENV-1999-253-MND), a condition was imposed on the approval of that project to require the payment of Quimby fees.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative park impacts would be less than significant.

Section IV.J.4 (Public Services: Libraries)

The New Related Projects would add a total of 127 single-family homes to the total amount of related project development considered in the Draft EIR. However, the elimination of Related Project No. 9, which included 125 homes, results in a net increase of only two single-family homes. Based on the State standard of 0.5 square feet of library facilities per resident and two volumes of permanent collection per resident, the addition of the New Related Projects and the elimination of Related Project

No. 9 would result in a net increase of approximately three square feet of library space and approximately 12 additional volumes of permanent collection. This would increase the cumulative need for library space from 745.5 square feet to approximately 748.5 square feet and increase the cumulative need for additional volumes of permanent collection from 2,981 to 2,993. The addition of a two percent ambient growth factor to account for the impacts of the other potential small projects described above would increase these totals to approximately 763.5 square feet and 3,053 volumes. This slight increase would not change the determination in the Draft EIR that the proposed project would not have a cumulatively significant impact on libraries.

In addition, some of the related projects are located beyond the area served by the Sunland-Tujunga Branch Library, and therefore would be served by other nearby libraries, such as the nearly-completed new Sun Valley Branch Library. In particular, future residents of the New Related Projects would likely utilize the Sun Valley Branch Library. Considering the relatively small amount of library space that would be required (i.e., 763.5 square feet) and that other libraries (i.e., the Sun Valley Branch Library) would be available to serve the population associated with the related projects, the proposed project in combination with the related projects would not warrant the construction of new or physically altered existing libraries or, to the extent that any new facilities were required, the construction of those facilities would not be expected to result in any significant environmental impacts.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative libraries impacts would be less than significant.

Section IV.J.5 (Public Services: Schools)

The New Related Projects would add a total of 127-single family homes to the amount of related project development considered in the cumulative impact analysis of schools in the Draft EIR. Based on the student generation rate set forth in Table IV.J-4 in the Draft EIR, the New Related Projects would generate 27 elementary school students, 13 middle school students and 14 high school students, for a total of 54 additional students. The addition of an ambient growth factor to account for the other potential small residential projects described above would increase the elementary school total to 28 students. High school and middle school student totals would change by less than one-half of a student. As discussed on page IV.J-38 in the Draft EIR, the proposed project and the Duke Project (which is the only residential project among the Original Related Projects that would be served by LAUSD schools) would generate 62 elementary school students, 31 middle school students and 32 high school students, for a total of 126 students. Accordingly, the proposed project together with the Duke Project and the New Related Projects, would generate 90 elementary school students, 44 middle school students, and 46 high school students, for a total of 180 students.

As discussed in Section IV.J.5 of the Draft EIR, only one school serving the project site and related projects, Francis Polytechnic Senior High School, is currently over capacity. However, the 46

cumulative new high school students could be accommodated at Verdugo Hills Senior High School, which currently has additional capacity for 92 students. To the extent that the cumulative high school students generated by the proposed project and the related projects would attend Francis Polytechnic Senior High School, the planned East Valley Area New High School #2 would relieve the overcrowding at that high school and easily accommodate the cumulative projected high school students. With respect to middle schools, the proposed project and the related projects would cumulatively generate an estimated 44 middle school students, which is well below the remaining capacity of 526 students at the two middle schools that serve the project site. Similarly, the proposed project and the related projects would cumulatively generate an estimated 90 elementary school students, far below the remaining capacity of 551 students at the four elementary schools that serve the project site.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative school impacts would be less than significant.

Section IV.K.1 (Energy Conservation: Electricity)

The New Related Projects would add a total of 127 single-family homes to the total amount of related project development considered in the Draft EIR. The development of the proposed project in combination with the New Related Projects and the Original Related Projects would result in an increase in employees and residents in the project area. The estimated electricity consumption by the New Related Projects in combination with the proposed project and the Original Related Projects (excluding Related Project No. 9, which does not exist) would be approximately 15,950 kWh per day. The addition of an ambient growth factor of two percent to account for the other potential small residential projects described above would increase this consumption to 16,269 kWh per day. This is a net difference of 350 kWh hours per day above the estimated cumulative electricity consumption of 15,919 kWh per day identified on Table IV.K-1 in the Draft EIR. This slight increase does not change the conclusion in the Draft EIR that cumulative impacts on electricity services would not be significant.

In addition, as discussed in Section IV.K.1 of the Draft EIR, under the City Charter, the DWP has an obligation to serve the citizens of the City. The New Related Projects are all located within City limits and would be provided electricity service by the DWP. However, these projects are relatively small and have relatively small projected electricity demands. Furthermore, all of the related projects would be required to comply with Title 24 of the California Code, which establishes energy conservation standards for new construction. If new electricity supply facilities, distribution infrastructure, or capacity enhancing alterations would be needed with implementation of the related projects, it is expected that the DWP would connect such new electricity loads without interrupting existing customers. New electricity distribution lines would likely be installed underground, as recommended in the Sunland-Tujunga Community Plan.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative electricity consumption impacts would be less than significant.

Section IV.K.2 (Energy Conservation: Natural Gas)

The New Related Projects would add a total of 127 single-family homes to the total amount of related project development considered in the Draft EIR. The development of the proposed project in combination with the New Related Projects and the Original Related Projects evaluated in the Draft EIR would result in an increase in employees and residents in the project area. The estimated natural gas consumption by the New Related Projects in combination with the proposed project and the Original Related Projects (excluding Related Project No. 9, which does not exist) would be approximately 113,157 cubic feet per day. The addition of an ambient growth factor of two percent to account for the other potential small residential projects described above would increase this total to 115,420 cubic feet per day. This is a net difference of 2,707 cubic feet per day above the estimated cumulative natural gas demand of 112,713 cubic feet per day identified on Table IV.K-2 in the Draft EIR. This slight increase does not change the conclusion in the Draft EIR that cumulative impacts on natural gas services would not be significant.

In addition, as discussed in Section IV.K.2 of the Draft EIR, SCG has indicated that natural gas is available for the proposed project and the related projects. The related projects, including the four New Related Projects, are relatively small and have relatively small projected natural gas demands.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative natural gas consumption impacts are less than significant.

Section IV.L.1 (Utilities and Service Systems: Water)

The development of the proposed project, the Original Related Projects and the New Related Projects would further increase the demand for water service. The total water consumption associated with the Original Related Projects (excluding Related Project No. 9, which does not exist) (582,180 gpd), the proposed project (110,880 gpd) and the New Related Projects (50,290 gpd) would be approximately 743,350 gpd. The addition of an ambient growth factor of two percent to account for the other potential small residential projects described above would increase this total to 758,217 gpd. This is a net difference of 15,657 gpd above the estimated cumulative water consumption of 742,560 gpd identified on Table IV.L-2 in the Draft EIR. This slight increase does not change the conclusion in the Draft EIR that cumulative impacts on water services would not be significant.

There will be sufficient water supplies available to accommodate the proposed project and the related projects served by the DWP because (1) Related Project No. 11, in combination with the proposed project ($545,473 + 110,880 = 656,353$), represents approximately 87 percent of the total projected

cumulative demand on the DWP for water service (656,353 ÷ 758,217), (2) DWP has sufficient water supplies to serve Related Project No. 11, (3) DWP has indicated that it will have sufficient water supplies to serve the proposed project, (4) the 15 other related projects (including the New Related Projects) in the City represent only approximately 13 percent of the related projects' cumulative demand on the DWP for water service, and (5) these 15 other related projects are or will be consistent with the City's General Plan and therefore have already been taken into account in the planned growth in water demand.

As discussed in Section IV.L.1 of the Draft EIR, only the Duke Project (Related Project No. 7) is close enough to the proposed project to have the potential to combine with the proposed project to create cumulative impacts with respect to the construction and expansion of water facilities. Since the New Related Projects are located at least 2.8 linear miles from the closest Development Area, they would not contribute to significant cumulative impacts relative to construction-related water utility impacts. The other potential small projects described in the previous section could only generate cumulative impacts if they were to be constructed on sites immediately adjacent to the proposed project. As stated previously, no such projects have been identified.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative water utility impacts are less than significant.

Section IV.L.2 (Utilities and Service Systems: Sewer)

The development of the proposed project, the Original Related Projects and the New Related Projects would increase the generation of sewage within the Hyperion Treatment Plant's (HTP) service area. The cumulative amount of sewage generated by these projects (excluding Related Project No. 9, which does not exist) would be approximately 167,965 gpd. The addition of an ambient growth factor of two percent to account for the other potential small residential projects described above would increase this total to approximately 171,324 gpd. This is a net difference of 4,019 gpd above the estimated cumulative sewage generation of 167,305 gpd per day identified on Table IV.L-3 in the Draft EIR. This slight increase will not change the conclusion in the Draft EIR that cumulative impacts on sewer services would not be significant.

In addition, as discussed in Section IV.L.2 of the Draft EIR, the design capacity of the HTP is 650 mgd and the HTP's current average wastewater flow is 350 mgd. Therefore, the HTP has a remaining capacity of approximately 300 mgd. The cumulative sewage generation would be well within the design capacity of the HTP, representing about 0.05 percent of the remaining capacity.

As discussed in Section IV.L.2 of the Draft EIR, only the Duke Project (Related Project No. 7) is close enough to the proposed project to have the potential to combine with the proposed project to create cumulative impacts with respect to capacity in local sewer lines. Since the New Related Projects are

located at least 2.8 linear miles from the closest Development Area, they would not contribute to cumulative impacts on local sewer line capacity. The other potential small projects described in the previous section could only generate cumulative impacts if they were to be constructed on sites immediately adjacent to the proposed project. As stated previously, no such projects have been identified.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative sewer utility impacts are less than significant.

Section IV.L.3 (Utilities and Service Systems: Solid Waste and Disposal)

The development of the proposed project, the Original Related Projects (excluding Related Project No. 9, which does not exist) and the New Related Projects would increase the generation of solid waste by approximately 8,369 pounds per day. The addition of an ambient growth factor of two percent to account for the other potential small projects described above would increase this total to approximately 8,536 pounds per day. This is a net difference of 191 pounds per day above the estimated cumulative solid waste generation of 8,345 pounds per day identified on Table IV.L-7 in the Draft EIR. This slight increase will not change the conclusion in the Draft EIR that cumulative impacts on solid waste services would not be significant. In addition, as discussed in Section IV.L.3 of the Draft EIR, the Sunshine Canyon Landfill is permitted to receive up to 5,500 tons of solid waste each day from the City. The Sunshine Canyon Landfill currently receives approximately 3,500 tons of solid waste daily from the City and has a remaining daily capacity of 2,000 tons. Assuming that all of the cumulative solid waste is sent to the Sunshine Canyon Landfill with no waste stream diversion, the additional 4.3 tons per day would not cause the Sunshine Canyon Landfill to exceed its permitted daily capacity from the City.

For all of these reasons, the New Related Projects would not change the conclusion in the Draft EIR that cumulative solid waste and disposal impacts would be less than significant.

Section IV.M.1 (Hazards and Hazardous Materials: Environmental Site Assessment)

As discussed on Page IV.M-11 of the Draft EIR, only the Duke Project (Related Project No. 7) is sufficiently close to the project site to increase the potential for the transport or accidental release of hazardous materials. Since the New Related Projects are located at least 2.8 linear miles from the closest Development Area and are physically separated from the project site by intervening natural topography, it is highly unlikely that any potential contamination from any of these projects could possibly physically interact with the minor amounts of potentially hazardous materials that may be generated from the proposed project. The other potential small projects described in the previous section could only generate cumulative impacts if they were constructed on sites adjacent to the project site. As stated previously, no such projects have been identified. As such, these newly identified

related projects would not change the conclusion in the Draft EIR that cumulative impacts associated with (1) the routine transport, use or disposal of hazardous materials, (2) the accidental release of hazardous materials into the environment, (3) the use of hazardous materials or the generation of hazardous waste within one-quarter mile of an existing or proposed school or (4) the creation of a significant hazard to the public or the environment would be less than significant.

Section IV.M.2 (Hazards and Hazardous Materials: Electromagnetic Field Emissions)

Any potential impacts with respect to EMF exposure relate solely to the proximity of some of the proposed homes to the Transmission Line ROW. Since the New Related Projects are (1) located at least 2.8 linear miles from the closest Development Area and are physically separated from the project site by intervening natural topography and (2) are not located in proximity to the SCE Sylmar-Eagle Rock and Sylmar-Gould transmission lines, no potential for cumulative impacts relating to EMF exposure exists. None of the other potential small projects would be constructed on sites in proximity to transmission lines. For these reasons the New Related Projects would not change the conclusion in the Draft EIR that cumulative impacts associated with EMF exposure would be less than significant.

Section IV.N (Aesthetics)

As discussed on page IV.N-29 in the Draft EIR, the only related project close enough to the project site to have a direct cumulative impact on aesthetics is the Duke Project (Related Project No. 7). The New Related Projects are located at least 2.8 linear miles from the closest Development Area and are shielded from the site by intervening natural topography. Based on distance and viewshed characteristics alone, the New Related Projects would not contribute to a cumulative aesthetic impact. The other potential small projects described above could only generate cumulative impacts if they were constructed on sites in close proximity to the proposed Development Areas. As stated previously, no such projects have been identified. For these reasons the New Related Projects would not change the degree to which cumulative aesthetic impacts were determined to be significant in the Draft EIR.

Section IV.O.1 (Cultural Resources: Historic Resources)

As discussed in Section IV.O.1 of the Draft EIR, there are no historical resources located on the project site. Therefore, the proposed project, in combination with the Original Related Projects and the New Related Projects, would not result in a cumulative impact on historical resources. As such, the New Related Projects would not change the conclusion of the Draft EIR concerning cumulative impacts on historic resources.

Section IV.O.2 (Cultural Resources: Archaeological Resources)

As discussed in Section IV.O.2 of the Draft EIR, there are no known archaeological resources located on the project site. Therefore, the proposed project, in combination with the Original Related Projects and the New Related Projects, would not result in a cumulative impact on archaeological resources. As such, the New Related Projects would not change the conclusion of the Draft EIR concerning cumulative impacts on archaeological resources.

Section IV.O.3 (Cultural Resources: Paleontological Resources)

As discussed in Section IV.O.3 of the Draft EIR, development of the proposed project in combination with the Original Related Projects would increase the potential for encountering paleontological resources in the area. The development of the New Related Projects would increase this potential. However, considering that the discovery of paleontological resources is a fairly rare event, the discovery of scientifically important fossils is an even rarer event, and the discovery of rare fossils may lead to their recovery rather than their destruction, it is not anticipated that there would be a significant additional level of adverse cumulative impact to paleontological resources associated with either the New Related Projects or the other potential small projects described above. As such, the New Related Projects would not change the conclusion of the Draft EIR concerning the lack of significant cumulative impacts on paleontological resources.

Summary

Based on the foregoing analysis, the addition of the New Related Projects to the Original Related Projects evaluated in the Draft EIR (excluding Related Project No. 9, which does not exist) does not change any of the conclusions of the Draft EIR with respect to the significance of cumulative impacts.

Topical Response 8: Equestrian Issues

Several comments were received that question whether the proposed project is consistent with a number of equestrian-related objectives and policies in the Sunland-Tujunga Community Plan, including Objective 1-8 and Policies 1-8.1, 1-8.2 and 1-8.3, as well as Objective 14-2 and Policies 14-2.3 and 14-2.4. Other comments raise interrelated concerns with respect to the proposed equestrian park. In addition, several comments are critical of the proposed zoning for the Development Areas on the grounds that those designations would not permit horsekeeping. This Topical Response has been prepared to address these and related issues.

Consistency with Community Plan Objectives and Policies

Several comments have alleged that the proposed project is not consistent with several objectives and policies in the Sunland-Tujunga Community Plan with respect to equestrian issues. Those concerns are addressed below.

Objective 1-8: To promote and protect the existing rural, single-family equestrian oriented neighborhoods in RA zoned areas and “K” Districts. To caution against possible precedent-setting actions including zone variance, conditional use, or subdivision that might endanger the preservation of horsekeeping uses.

Response: Objective 1-8 is an objective, rather than a policy, in the Sunland-Tujunga Community Plan. As stated on page IV.G-18 in the Draft EIR, policies implement the goals and objectives that are outlined in the Sunland-Tujunga Community Plan. The Draft EIR analyzed the consistency of the proposed project with applicable policies in the Sunland-Tujunga Community Plan (see Table IV.G-4 on pages IV.G-19 through IV.G-24 in the Draft EIR, as modified in Section III (Corrections and Additions) of this Final EIR). The consistency of the proposed project with the applicable policies that implement Objective 1-8 (i.e., Policies 1-8.1, 1-8.2 and 1-8.3) are analyzed on pages IV.G-20 through IV.G-21 in the Draft EIR. As stated therein, and as discussed further below, the proposed project would be consistent with those policies. However, it is noted that none of the existing homes in proximity to proposed Development Area are located on lots that have a RA zoning designation or are located in a “K” Equinekeeping District, nor is any portion of the Development Areas located in the RA zone or in a “K” Equinekeeping District. Conversely, approximately 24 acres of the project site (2.7 percent) are zoned A1-K-1. No change is proposed to the zoning designation for those approximately 24 acres as part of the proposed project, so that the A1-K-1 zoning designation for those acres would remain intact.

Policy 1-8.1: Protect existing single-family equestrian oriented neighborhoods and horsekeeping districts from encroachment by higher density residential and other incompatible uses. Policy 1-8.1

includes a Program that new development within these areas should be designed to encourage and protect the equestrian keeping lifestyle.

Response: A number of commenters contend that the proposed project would adversely impact the equestrian nature of the existing community. In many cases, that contention is couched in terms of the alleged inconsistency of the proposed project with the Sunland-Tujunga Community Plan, in particular Policy 1-8.1.

Contrary to these comments, the proposed project would be consistent with Policy 1-8.1. The proposed project would not be developed within an existing single-family equestrian-oriented neighborhood. Rather, proposed Development Area A is currently undeveloped and is located adjacent to an existing residential area and proposed Development Area B is currently undeveloped and is not located in close proximity to any existing residential area, equestrian-oriented or otherwise.

Some commenters have alleged inconsistency with Policy 1-8.1 based on claims that (1) the existing residential area adjacent to proposed Development Area A is an equestrian community and (2) the density of the proposed project is much greater than the density of the existing residential area adjacent to proposed Development Area A.

Neither of these claims is correct. With respect to the first claim, the existing residential area adjacent to proposed Development Area A is not a “rural single-family equestrian oriented neighborhood”. As discussed above, it appears that none of the lots in that neighborhood in close proximity to proposed Development Area A have a RA zoning designation or are located in a “K” Equinekeeping District. In addition, as discussed on page IV.G-15 in the Draft EIR, the average lot size for that neighborhood ranges from approximately 4,000 to 8,000 square feet, which is well below the 20,000 square-foot minimum lot size now required for horsekeeping on residential lots under the Specific Plan and the 17,500 square-foot minimum lot size previously required under the LAMC. Furthermore, none of the official or non-public equestrian trails shown on Map Nos. 3 and 4 in the Specific Plan are located anywhere near the existing residential neighborhood adjacent to proposed Development Area A. Having said this, it is again noted that the thrust of Policy 1-8.1 relates to proposed development within existing equestrian-oriented neighborhoods, which is not the case here.

With respect to the second claim, although proposed Development Area A will not support an equestrian community due to the steep topography there, the lot sizes for Development Area A would range from 9,000 to 64,800 square feet, a far lower housing density than the existing residential area to the northeast and east. Therefore, the development of proposed Development Area A would not impact any existing single-family equestrian-oriented neighborhood with higher-density residential uses. In addition, the proposed project is limited to single-family homes and therefore does not include any uses that are incompatible with the existing residential area adjacent to proposed Development Area A.

The implication in some comments that there is an existing residential area adjacent to proposed Development Area B is also incorrect. The closest existing homes to Development Area B (i.e., the closest sprinkling of homes on La Tuna Canyon Road to the west of Development Area B) are located approximately 0.25 mile from the westerly boundary of Development Area B, and the closest residential neighborhood (i.e., the nearest substantial concentration of homes to the west of Development Area B) is located approximately 1.17 miles from the westerly boundary of Development Area B.

Finally, a few comments assert that the proposed project is inconsistent with Policy 1-8.1 because the proposed equestrian park does not adequately protect the existing equestrian community. Contrary to these comments, and for the reasons discussed above, the inclusion of the proposed equestrian park is not required to achieve consistency of the proposed project with Policy 1-8.1, nor is the equestrian park required to mitigate any significant adverse environmental impact associated with the proposed project. However, as discussed in more detail below, the project applicant has proposed the development of the equestrian park to provide a new equestrian amenity on a portion of the project site that will not be developed, but is located adjacent to an equestrian area and would enhance the equestrian lifestyle there.

Policy 1-8.2: Horsekeeping areas should be developed at Minimum to Very Low densities appropriate to such use.

Response: Several comments suggest that the proposed Development Areas are “horsekeeping areas,” and that the proposed project is therefore inconsistent with Policy 1-8.2 because the proposed Community Plan land use designation for the Development Areas is Low Residential, rather than Minimum Residential or Very Low Residential. However, contrary to these comments, the proposed Development Areas are not “horsekeeping areas”. While the proposed Development Areas are located in the more naturally level portions of the project site, the topography there is ill-suited to equestrian use (see Figure FEIR-2 in Topical Response 6). As shown on Map Nos. 3 and 4 in the Specific Plan, no portion of any official or non-public equestrian trail is located in the proposed Development Areas or anywhere near them. It should also be noted that, during the extensive biological surveys conducted over a 19-month period, none of the project biologists observed any equestrian activity on the project site or around the proposed Development Areas.

The only non-public equestrian trail on the project site is located on the far western portion of the project site on the south side of Interstate 210 that would be preserved as open space (see Figure IV.G-5 in the Draft EIR). The Community Plan designation for that portion of the project site would remain Minimum Residential. Furthermore, while the project includes the proposed amendment of the Community Plan land use designations in the Development Areas to Low Residential, the proposed

housing density in the Development Areas is consistent with the range of densities permitted under the Very Low I Residential land use designation in the Sunland-Tujunga Community Plan.

On a related point, several commenters allege that the project is inappropriate because the proposed lots are too small to support horsekeeping. It must first be emphasized, as discussed above, that the proposed Development Areas are not “horsekeeping areas” and that the project is consistent with Policy 1-8.2 and the other applicable equestrian policies in the Sunland-Tujunga Community Plan. In addition, many of these comments are based on the false assumption that, since the proposed zoning for the Development Areas is RE9-H and RE11-H, the lot sizes would range from 9,000 to 11,000 square feet. That is incorrect. As discussed in Response 52-9 and as shown on Table FEIR-8 therein, the average lot size in proposed Development Area A would be 17,312 square feet and the average lot size in proposed Development Area B would be 23,676.

In addition, many of the lots in the proposed Development Areas would permit horsekeeping. With respect to proposed Development Area B, following the publication of the Draft EIR, the project applicant commenced discussions with the Foothill Trails Neighborhood Council and local equestrian groups, which requested that the project applicant consider changing the proposed zoning for Development Area B from RE9-H and RE11-H to RE20-H, which they considered more appropriate for new homes on the south side of Interstate 210. The project applicant agreed to this modification in the proposed zoning. In addition, the project applicant has increased the size of each of the 69 lots in proposed Development Area B to 20,000 square feet, which is now the minimum lot size for horsekeeping on residential lots under the Specific Plan. As a result, while proposed Development Area B cannot be designed as an equestrian community, the 69 lots there would contain the minimum lot size required for horsekeeping. Similarly, while proposed Development Area A cannot be designed as an equestrian community, approximately 50 of the 211 lots there would have a minimum lot size of at least 20,000 square feet.

Policy 1-8.3: New horsekeeping districts should be expanded where appropriate and feasible.

Response: Policy 1-8.3 is not applicable to the proposed project because no portion of the proposed Development Areas, and only 24 acres of land in the far northwest corner of the project site, are located in a “K” Equinekeeping District.

Objective 14-2: To provide for the maintenance, linkage and development of equestrian trails for recreational use.

Response: Objective 14-2 is an objective, rather than a policy, in the Sunland-Tujunga Community Plan. As stated on page IV.G-18 in the Draft EIR, policies implement the goals and objectives that are outlined in the Sunland-Tujunga Community Plan. The Draft EIR analyzed the consistency of the proposed project with applicable equestrian policies in the Sunland-Tujunga Community Plan (see Table

IV.G-4 on pages IV.G-19 through IV.G-24 in the Draft EIR, as modified in Section III (Corrections and Additions) of this Final EIR). The consistency of the proposed project with the applicable equestrian policies that implement Objective 14-2 (i.e., Policies 14-2.3 and 14-2.4) are analyzed on pages IV.G-20 through IV.G-21 in the Draft EIR, as modified in Section III (Corrections and Additions) of this FEIR. As stated therein, and as discussed further below, the proposed project would be consistent with all of those policies.

Policy 14-2.3: Encourage the development of equestrian trails through residential areas appropriate for horsekeeping. Policy 14-2.3 includes a Program which states that all future subdivisions should provide access to the equestrian trail system in these areas.

Response: As discussed on page IV.G-23 in the Draft EIR, neither of the proposed Development Areas is appropriate for horsekeeping due to the steep topography there (see Figure FEIR-2 in Topical Response 6). As discussed above, no portion of any official or non-public equestrian trail is located in the proposed Development Areas or anywhere near them. As shown on Figure IV.G-5 in the Draft EIR, the only segment of the non-public equestrian trail system on the project site is located a significant distance from proposed Development Area B and would not be impacted by the proposed project.

In addition, the proposed equestrian park would help facilitate access to the existing equestrian trail system. As indicated on Figure IV.G-5 in the Draft EIR, the proposed equestrian park is located in close proximity to the existing non-public equestrian trail system on the north side of La Tuna Canyon Road, and is also located almost directly across the street from another segment of the non-public equestrian trail system on the south side of La Tuna Canyon Road. Based on the project applicant's discussions with the Foothill Trails Neighborhood Council and local equestrian groups, the project applicant has initiated discussions with the City regarding the potential installation of a traffic signal at the entrance to the proposed equestrian park that would provide a safer connection between those two segments of the non-public equestrian trail system. It should be noted, however, that the installation of a traffic signal at that location is not required to achieve consistency of the proposed project with Policy 14-2.3 or to mitigate any significant adverse environmental impact associated with the proposed project.

Policy 14-2.4: Existing trails should be protected from encroachment by incompatible land uses. New trails should be expanded where appropriate and feasible.

Response: Several comments were received that the proposed project would interfere with, or encroach into, existing equestrian trails. That is incorrect. As discussed above, there are no official or non-public equestrian trails located in the proposed Development Areas or anywhere near them. The existing non-public trail system located west of proposed Development Area B would not be impacted

by the proposed project, and the function of that system would be enhanced by the development of the proposed equestrian park and the potential traffic signal at the entrance to the proposed equestrian park.

With respect to the second sentence in Policy 14-2.4, no commenter has provided any evidence that there are any “new trails” located in proximity to the proposed Development Areas. In addition, no specific concern was raised in any comment regarding the adequacy of the consistency analysis with respect to Policy 14-2.4 on pages IV.G-23-24 in the Draft EIR.

Equestrian Park Issues

A number of comments have questioned whether the location of the proposed equestrian park is appropriate and whether it would be accessible to the public and provide adequate equestrian facilities and parking. It is first noted that these comments do not state a concern or question regarding the adequacy of the environmental analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, these comments are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

In any event, these comments are incorrect. First, the proposed location for the equestrian park was necessary and appropriate for several reasons. To begin with, it is the only parcel of land on the project site that was large enough and flat enough to accommodate the proposed equestrian uses. In addition, the equestrian park had to be located along La Tuna Canyon Road to permit public access since Canyon Hills would be a gated community. Contrary to several comments, the equestrian park is intended to be, and would be, fully accessible to the public. Furthermore, as discussed above, the proposed equestrian park is located in close proximity to two major segments of the non-public equestrian trail system in the area.

As discussed on page III-4 in the Draft EIR, the parking area for the proposed equestrian park could be limited to approximately two cars with trailers. However, the proposed equestrian park, which would include an arena and related amenities that are not currently available in the immediate area, is not intended to accommodate large gatherings. Rather, it is intended to provide a quiet spot for a limited number of equestrians (at any one time) to meet and to exercise and train their horses in an existing equestrian area. It is noted that the City of Los Angeles Department of Transportation has specifically recommended that the mass gathering of spectators and participants at the proposed equestrian park should be prohibited (see Comment 191-9).

In addition, these comments incorrectly assume that the proposed equestrian park could only be accessed by car/trailer. As discussed above, the proposed equestrian park would be adjacent to two segments of the non-public equestrian trail system in the area, and equestrians could therefore access the equestrian park from the adjacent trail system.

Onsite Equestrian Trail

The site plan and site plan detail for the proposed project shown on Figures III-1 and III-2 in the Draft EIR include a new equestrian trail that would connect the proposed equestrian park to Development Area B. The project applicant has elected to eliminate that new equestrian trail for three principal reasons. First, as discussed above, proposed Development Area B is not appropriate for horsekeeping due to the steep topography there. Accordingly, the development of an equestrian trail connecting proposed Development Area B to the proposed equestrian park would serve no useful purpose. Second, due to the steep topography of the portion of the project site where the new equestrian trail would have been located, significant grading would be required to develop an equestrian trail that complied with City standards. Such significant grading would be inconsistent with the project objectives of preserving the proposed open space areas on the project site in their natural condition and minimizing visual and biological impacts. Third, based on discussions with the Foothill Trails Neighborhood Council, it is now understood that the existing trail across from the eastern access to proposed Development Area B is not used for equestrian purposes. In addition, it has now been determined that insufficient right-of-way exists on the north side of the segment of La Tuna Canyon Road at the southerly boundary of the project site to permit the development of an equestrian trail that meets City standards. As a result, the extension of the proposed equestrian trail around the north side of proposed Development Area B to the eastern access of proposed Development Area A would serve no purpose because any equestrians that reached the eastern access for proposed Development Area B would have nowhere to go.

For these reasons, the proposed equestrian trail has been eliminated from the project. The text in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to reflect that project revision.

Topical Response 9: General Traffic Issues

A number of individuals who commented on the Draft EIR expressed general concern regarding the adequacy of the traffic analysis in the Draft EIR. The traffic impact analysis for the proposed project is set forth in Section IV.I (Transportation/Traffic) of the Draft EIR fully analyzed the potential traffic impacts of the proposed project on the adjacent roadway system. The traffic study was prepared in accordance with Traffic Study Policies and Procedures manual prepared by the City of Los Angeles Department of Transportation (LADOT) and is consistent with traffic impact assessment guidelines set forth in the 2003 Congestion Management Program (CMP) for Los Angeles County (County of Los Angeles Metropolitan Transportation Authority, June 2002). Furthermore, the traffic study was reviewed and approved by the LADOT in their letters dated July 17 and August 1, 2003 (see Appendix J to the Draft EIR).

Study Area

As required by LADOT, the analysis of the potential traffic impacts of the proposed project on the adjacent roadway system is based on changes in operations at intersections in the vicinity of the project site that could potentially be significantly impacted by the proposed project. Pages IV.I-1 through IV.I-2 in the Draft EIR include a list of study intersections that were analyzed as part of the traffic analysis, which include the following locations:

- Interstate 210 Eastbound Ramps and Sunland Boulevard
- Interstate 210 Westbound Ramps and Sunland Boulevard
- Interstate 210 Eastbound Off-Ramp and La Tuna Canyon Road
- Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road
- Tujunga Canyon Boulevard and Foothill Boulevard
- Tujunga Canyon Boulevard and La Tuna Canyon Road/Honolulu Avenue
- Development Area B Access (West) and La Tuna Canyon Road
- Development Area B Access (East) and La Tuna Canyon Road
- Interstate 210 Eastbound On-Ramp and La Tuna Canyon Road.

While not required by LADOT, the traffic analysis provided in the Draft EIR also evaluated operations on the two-lane segment of La Tuna Canyon Road located west of the project site.

The traffic analysis also included an analysis of potential traffic impacts to Interstate 210, as requested by Caltrans during the NOP process.

Traffic Counts

Pages IV.I-5 through IV.I-7 in the Draft EIR contain a discussion of the traffic counts conducted as part of the traffic analysis. Manual counts of vehicular turning movements were conducted at each of the nine study intersections during the weekday morning (AM) and afternoon (PM) commuter periods to determine the peak hours of traffic volume. The manual traffic counts were conducted at the study intersections from 7:00 AM to 10:00 AM to determine the AM peak commuter hour, and from 3:00 PM to 6:00 PM to determine the PM peak commuter hour, as these timeframes are generally associated with peak commuter hours. Table IV.I-1 on page IV.I-6 in the Draft EIR provides a summary of the existing weekday manual traffic counts. Each of the nine study intersections was counted for a single day.

Traffic studies typically focus on the time period during the day when the transportation system is most heavily loaded and constrained on a regular basis. The purpose of a traffic study is to determine the potential traffic impacts of a project during times of typical peak demand of the adjacent roadway system. Traffic counts are not conducted during holiday periods, as it is widely recognized that overall system-wide traffic volumes lower than usual during these periods, and not representative of recurring conditions.

Based on discussion with LADOT, traffic counts are conducted in the Fall, Winter or Spring when local schools are in session, reflecting a representative period of overall system-wide peak traffic volumes. Counts conducted during summer months, when overall system-wide traffic volumes are lower due to schools being out of session, vacations and more atypical travel patterns, are not representative of typical recurring conditions. Similarly, LADOT considers traffic counts conducted mid-week (i.e., Tuesday, Wednesday or Thursday) to most accurately reflect a representative sample of typical traffic conditions during the AM and PM commuter peak periods. LADOT reviewed and approved the traffic data for incorporation into the traffic analysis.

Regarding the two-lane segment of La Tuna Canyon Road located west of the project site, page IV.I-38 in the Draft EIR indicates that existing traffic volumes used in the analysis of this location were based on two days of traffic count data collected on this roadway segment.

Future Traffic Volume Forecast

The traffic analysis in the Draft EIR included a forecast of on-street traffic conditions prior to the occupancy of the proposed project, which was prepared by incorporating the potential trips associated with other known development projects (i.e., related projects) in the project site vicinity. With this

information, the potential traffic impacts of the proposed project were evaluated within the context of the cumulative impact of all current and reasonably foreseeable future development. The list of the related projects included in the traffic analysis is provided on pages II-8 and IV.I-22 in the Draft EIR. The list of related projects was reviewed and approved by the LADOT (certain issues regarding the related projects are specifically addressed in Topical Response 7). In addition, to account for unknown related projects not included in the traffic analysis, the existing traffic volumes were increased at an annual rate of two percent per year until the year 2009 (i.e., the anticipated year of project build-out). The inclusion of this annual ambient growth factor yielded a conservative, worst-case forecast of future traffic volumes in the project area.

Trip Generation

Pages IV.I-16 and IV.I-17 in the Draft EIR set forth the trip generation assumptions, rates and forecasts utilized in the traffic analysis. As stated on page IV.I-16 in the Draft EIR, trip generation forecasts were prepared based on rates provided in the Trip Generation, 6th Edition, 1997 manual published by the ITE. Trip rates from the ITE land use category of Single-Family Detached Housing were utilized. The trip generation forecast was prepared and approved in accordance with procedures required by LADOT, the City agency charged with responsibility for reviewing and approving the structure and content in the traffic analysis for the proposed project. The ITE trip rates are prepared based on traffic count data submitted to the ITE by traffic engineers throughout the United States. For the Single-Family Detached Housing land use category, the ITE trip rates were derived from trip generation studies of approximately 300 existing residential developments. These studies incorporated a variety of housing types in terms of size and location, including products similar to the proposed project. While the ITE trip rates effectively represent a best-fit average of the trip generation data collected from the 300 residential developments, the correlation of the data is extremely high. LADOT has determined that the rates provided in the ITE Trip Generation manual are appropriate for use in forecasting the number of traffic trips associated with the proposed project, which includes only single-family detached homes. It is noted that the trip generation forecasts include all types of trips typically generated by single-family homes, including those by residents, visitors/guests and service vehicles (trash pick-up, pool maintenance workers, landscape maintenance vehicles, etc.).

Assignment of Project Trips

The project trip distribution and assignment methodology is discussed on page IV.I-17 in the Draft EIR, and the trip distribution percentages for the study intersections are provided in Figure IV.I-5 in the Draft EIR. The AM and PM project-related traffic volumes are shown in Figures IV.I-6 and IV.I-7 (pages IV.I-20 and IV.I-21 in the Draft EIR), respectively. The project trip distribution and assignment were reviewed as approved by LADOT.

The forecast assignment of project-related trips at the study intersections was based in part on the estimated regional distribution of project origins and destinations. The regional distribution patterns of project-related trips utilized in the traffic analysis were determined to be consistent with the procedures outlined in the CMP manual. The CMP provides generalized trip distribution factors based on regional modeling efforts. The trip distribution factors show Regional Statistical Areas (RSAs)-level trip making origins and destinations for work and non-work trip purposes. The regional distribution pattern for the proposed project provides general origin and destination trip distributions from the project study area RSA throughout the Los Angeles Basin. The distribution pattern was reviewed and approved by LADOT prior to inclusion into the Draft EIR.

Significance Thresholds and Determination of Traffic Impacts

Page IV.I-10 in the Draft EIR sets forth the thresholds of significance utilized in the traffic analysis. Page IV.I-27 in the Draft EIR includes a discussion of the traffic impact analysis and methodology, as well as the traffic impact analysis scenarios. Summaries of the volume-to-capacity (v/c) ratios and LOS values determined for each of the nine study intersections are shown in Table IV.I-6 in the Draft EIR. As shown in Table IV.I-6, one intersection (Intersection No. 4, Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road) is anticipated to be significantly impacted with the development of the proposed project (prior to the implementation of traffic mitigation measures). The effects of the proposed project at the remaining study intersections would be less than significant, based on the LADOT thresholds of significance for intersections.

The significance thresholds used in the analysis of the two-lane segment of La Tuna Canyon Road located west of the project site are shown on Table IV.I-7 in the Draft EIR. As shown in Table IV.I-8 in the Draft EIR, the potential traffic impacts of the proposed project to the two-lane segment of La Tuna Canyon Road would be less than significant.

For analysis of potential impacts to the Interstate 210, the LADOT Traffic Study Policies and Procedures manual requires that the CMP be used for purposes of determining potential impacts at CMP monitoring locations, including mainline freeway locations. Based on CMP analysis procedures described on page IV.I-44 in the Draft EIR, the proposed project's impact to Interstate 210 would be less than significant.

Mitigation Measures

Table IV.I-6 on page IV.I-28 in the Draft EIR indicates that Intersection No. 4 (Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road) would be significantly impacted with the development of the proposed project. As shown in Table IV.I-6, the installation of a traffic signal would fully mitigate that significant impact. Therefore, recommended Mitigation Measure 1-1 on page IV.I-4-5 in the Draft EIR is the installation of a traffic signal at Intersection No. 4. In the

future cumulative condition (i.e., existing traffic, traffic due to ambient growth, traffic due to related projects and traffic due to the proposed project), and with implementation of Mitigation Measure I-1, Intersection No. 4 is forecast to operate at LOS A during the morning peak hour and LOS B during the afternoon peak hour. Therefore, no excessive queuing is anticipated to result at this intersection based on these acceptable Levels of Service, and traffic impacts after mitigation would be less than significant. No additional mitigation measures are recommended or required at this intersection, the study intersections or any street segments.

Topical Response 10: La Tuna Canyon Road

Several comments were received regarding traffic conditions on La Tuna Canyon Road. In particular, these comments expressed the following concerns: (1) the proposed project would result in increased traffic on La Tuna Canyon Road that would create unacceptable traffic congestion; (2) the proposed project's impacts at the intersection of Interstate 210 and La Tuna Canyon Road could not be adequately mitigated; (3) project-related traffic would exacerbate existing traffic hazards on La Tuna Canyon Road, including hazards to equestrians, bicyclists and pedestrians; (4) construction traffic would cause additional problems on La Tuna Canyon Road; and (5) traffic on La Tuna Canyon Road was understated because a previously unidentified 34-unit project and other projects in the vicinity of La Tuna Canyon Road were not included as related projects. This Topical Response has been prepared to address these and related issues.

Future Traffic on La Tuna Canyon Road

Section IV.I (Transportation/Traffic) of the Draft EIR included a thorough analysis of the potential traffic impacts of the proposed project at the intersections of La Tuna Canyon Road/Honolulu Avenue and Tujunga Canyon Boulevard, La Tuna Canyon Road and Development Area A Access/Interstate 210 Westbound Ramps, La Tuna Canyon Road and Interstate 210 Eastbound Off-Ramp, La Tuna Canyon Road and Development Area B Access (East) and La Tuna Canyon Road and Development Area B Access (West).

As discussed in the Draft EIR, the intersection of La Tuna Canyon Road and Development Area A Access/Interstate 210 Westbound Ramps currently operates at LOS A during the morning (AM) peak hour and LOS B during the afternoon (PM) peak hour. Field observations confirmed that the intersection is not currently congested during these time periods, contrary to many comments received that claim otherwise. In the future cumulative condition (i.e., with existing traffic, traffic due to ambient growth, traffic due to related projects and traffic due to the proposed project), this intersection would be significantly impacted by traffic from the proposed project, prior to implementation of the recommended mitigation measure. Mitigation Measure I-1 on page IV.I-45 in the Draft EIR recommends the installation of a traffic signal at that intersection, which would mitigate the significant impact. With the traffic signal, no excessive queuing would occur after development of the proposed project. The impacts of the proposed project at the remaining study intersections were determined to be less than significant based on the thresholds of significance set forth on page IV.I-10 in the Draft EIR. Therefore, no further mitigation is required.

In addition, as discussed on page IV.I-10 in the Draft EIR, the City recently improved the intersection of La Tuna Canyon Road/Honolulu Avenue and Tujunga Canyon Boulevard. These intersection improvements were included as part of the proposed project's traffic analysis in the year 2009 pre-project conditions. The intersection of La Tuna Canyon Road/Honolulu Avenue and Tujunga Canyon

Boulevard is anticipated to operate at LOS A and LOS B during the AM and PM peak hours, respectively, under future year 2009 pre-project conditions, as shown in Table IV.I-6 on page IV.I-28 in the Draft EIR.

Two Lane Roadway Segment Analysis

Concerns have been expressed that the additional traffic from the proposed project would cause further congestion on La Tuna Canyon Road where the roadway narrows from two lanes to one lane in each direction. Currently, La Tuna Canyon Road primarily accommodates two through travel lanes in each direction. However, there are two segments of La Tuna Canyon Road (both approximately one-half mile in length) that currently provide one lane of traffic in each direction. These segments are respectively located approximately one-half mile and 1.5 miles west of the La Tuna Canyon Road and Interstate 210 Eastbound Off-Ramp intersection.

Contrary to the stated concerns, the Draft EIR included a roadway segment analysis for the two-lane section of La Tuna Canyon Road west of proposed Development Area B. The two-lane section traffic analysis was based on procedures adopted by the Los Angeles County Department of Public Works, Traffic and Lighting Division. These procedures are typically used by the County for the analysis of roadways that are rural in nature, feature both horizontal and vertical curvature and carry a mix of commuter, residential and recreational traffic (e.g., Las Virgenes Road and Mulholland Highway). The significance thresholds used in the analysis of the two-lane segment of La Tuna Canyon Road located west of proposed Development Area B are provided in Table IV.I-7 in the Draft EIR. A summary of the AM and PM peak hour v/c ratios and LOS values for this two-lane segment of La Tuna Canyon Road are shown in Table IV.I-8 on page IV-I-40 in the Draft EIR. As shown in Table IV.I-8, the two-lane segment of La Tuna Canyon Road is presently operating at LOS A during the AM and PM peak hours, and is anticipated to continue to operate at LOS A during both the AM and PM peak hours with the addition of the project-related traffic. As shown in Table IV.I-8, the addition of project-related traffic would not exceed the thresholds of significance for a two-lane roadway segment. Therefore, no mitigation measures are required or recommended.

Traffic Safety

Concerns have also been expressed regarding the impact of additional project-related traffic on hazardous driving conditions on La Tuna Canyon Road, which has been variously described as dangerous, winding and rural, with narrow sections and high speeds. To address these concerns, a traffic safety analysis of La Tuna Canyon Road was prepared. A review of potential impacts to traffic safety along La Tuna Canyon Road associated with the proposed project is provided on pages IV.I-39 through IV.I-43 in the Draft EIR. As part of the safety review of La Tuna Canyon Road, 11 years of traffic accident data (i.e., from January 1990 through December 2000) were obtained from the LADOT records division. The traffic accident data reports, accident location maps and articles regarding the traffic accident history

along La Tuna Canyon Road are provided for reference in Appendix J (Traffic Impact Study) to the Draft EIR. The traffic accident data reports indicate the type of accident that occurred (i.e., rear end, side swipe, pedestrian, etc.), and provide information regarding the specific characteristics of the traffic incidents (e.g., solo vehicle, vehicle-fixed object collision, vehicle-vehicle collision, vehicle-bicycle collision, vehicle-pedestrian collision, etc.). Therefore, traffic accidents involving vehicles, pedestrians and bicyclists are contained in the database. As stated on page IV.I-41 in the Draft EIR, there were 202 traffic accidents reported during the 11-year period on La Tuna Canyon Road between Sunland Boulevard and Interstate 210 Westbound Ramps, only nine of which involved bicyclists.

The traffic accident review includes data collected before and after two important changes to traffic safety along La Tuna Canyon Road. First, as noted on page IV.I-42 in the Draft EIR, the City modified and reconstructed portions of La Tuna Canyon Road in 1997, particularly near Elben Avenue (located west of proposed Development Area B), to address safety issues related to pavement drainage. Second, also in 1997, the Los Angeles City Council banned heavy trucks along La Tuna Canyon Road from Sunland Boulevard to the Interstate 210 interchange. Since these actions, there have been no fatal accidents along this particular section of La Tuna Canyon Road. Other serious accidents have also been reduced since 1997.

As summarized in Table IV.I-9 on page IV.I-43 in the Draft EIR, accident rates for the five-mile segment of La Tuna Canyon Road between Sunland Boulevard and the Interstate 210 Westbound Ramps were calculated on a yearly basis for the 11-year period of accident data researched. The accident rates are based on the number of accidents (including those involving bicyclists), the average daily traffic (ADT) volume, the length of the section and the time frame of analysis. As stated on page IV.I-41 in the Draft EIR, the traffic accident rate for the section of La Tuna Canyon Road between Sunland Boulevard and the Interstate 210 Westbound Ramps over the 11-year analysis period was calculated to be 0.769 accidents per million vehicle miles. By comparison, the average traffic accident rate reported by the Los Angeles County Department of Public Works for mountain roads with a design speed greater than 35 miles per hour (i.e., similar to La Tuna Canyon Road) is 1.82 accidents per million vehicle miles. Therefore, the traffic accident rate on La Tuna Canyon Road is less than half of the County average for comparable roadways. This analysis demonstrates that the measures implemented by the City in 1997 have been effective in eliminating fatalities and significantly reducing other serious accidents that previously occurred on La Tuna Canyon Road under past conditions.

Based on a review of the yearly accidents, no trend is readily apparent in the accident rates from year to year. As shown in Table IV.I-9 in the Draft EIR, in recent years accident rates have generally been lower than in prior years. As discussed on page IV.I-42 in the Draft EIR, it is clear that the accident rates have not increased in relation to the increase in traffic volumes on La Tuna Canyon Road during the 11-year study period. Therefore, the small increase in traffic on La Tuna Canyon Road due to the proposed project is not anticipated to significantly increase the accident rates along the roadway.

As a point of clarification, the ADT volumes on La Tuna Canyon Road shown in Table IV.I-9 on page IV.I-43 in the Draft EIR for years 1990 through 2001 were derived based on an annual growth rate of two percent per year and the 2002 average 24-hour traffic count conducted as part of the traffic study. For example, the 2002 ADT volume of 13,081 was decreased by 24 percent to reflect the estimated traffic volume of 10,549 ADT in 1990.

Notwithstanding that the proposed project would not materially impact traffic safety on La Tuna Canyon Road, based on discussions between the project applicant and the Foothill Trails Neighborhood Council, the project applicant has proposed the installation of two additional traffic signals on La Tuna Canyon Road in order to reduce traffic speed, improve traffic safety and facilitate equestrian movement across La Tuna Canyon Road. The first proposed signal, if approved by the City, would be located at the eastern access to proposed Development Area B. The second proposed signal, if approved by the City, would be located at the entrance to the proposed equestrian park. With respect to the latter signal, see also Topical Response 8.

Equestrian/Bicycle/Pedestrian Safety

Several comments have indicated that La Tuna Canyon Road is dangerous for bicyclists, pedestrians and equestrians. However, none of the comments have provided evidence that such dangerous conditions actually exist. Nonetheless, a concern for the safety of equestrians, bicyclists and pedestrians exists wherever there is potential interaction with automobiles. Therefore, as discussed above, a safety analysis of La Tuna Canyon Road was prepared and the results were presented in the Draft EIR (see pages IV.I-37 through IV.I-43 in the Draft EIR). The safety analysis did not identify any unique safety issues with respect to bicyclists, pedestrians or equestrians.

Notwithstanding the above, some comments have suggested that there is an existing “dangerous” traffic condition with respect to merging onto La Tuna Canyon Road from the Verdugo Mountain trailheads located along La Tuna Canyon Road, and that traffic from the proposed project would exacerbate this condition. In that regard, to the extent that La Tuna Canyon Road is currently used for equestrian purposes, the small increase in traffic that would occur on that road with the implementation of the proposed project would not materially interfere with that use. As discussed in Topical Response 8, the project applicant has proposed, subject to the approval of the City, the installation of a new traffic signal at the entrance to the proposed equestrian park. While these additional measures are not required to mitigate a significant traffic impact, they would enhance the safety of equestrians along La Tuna Canyon Road.

Flooding and Rock Fall

The project site does not contribute materially to flooding on La Tuna Canyon Road. Any flooding on La Tuna Canyon Road in the vicinity of the proposed project must flow onto the roadway from the

offsite hillsides to the south. Runoff from the project site cannot reach La Tuna Canyon Road, since the steep La Tuna Canyon Wash ravine that parallels the roadway intercepts it. Furthermore, as discussed in the Draft EIR, the proposed onsite storm drainage improvements have been designed to reduce the peak 50-year stormwater flows from the proposed Development Areas to no more than 90 percent of the peak runoff from the proposed Development Areas in their current, undeveloped condition. As a result, the potential for downstream flooding would decrease with implementation of the proposed project.

With respect to boulders, the proposed project would not contribute to rock fall on La Tuna Canyon Road. Any rock fall that has occurred along La Tuna Canyon Road must have originated from the south side of the canyon, since the La Tuna Canyon Wash separates proposed Development Area B from La Tuna Canyon Road. Consequently, any rock fall from the north side would be intercepted by La Tuna Canyon Wash and would not reach the highway.

Proposed grading along La Tuna Canyon Road south of Interstate 210 would be limited to the two access roads to proposed Development Area B and an access road to the equestrian park. Grading at these access points would be very limited and would not affect the existing stability of slopes along La Tuna Canyon Road. Unstable slope conditions that may exist south of La Tuna Canyon Road are outside of the project site. Any existing slope instabilities outside of the project site would remain in their current condition.

Construction Traffic

With respect to the concerns expressed regarding the construction traffic associated with the proposed project, an analysis of potential traffic impacts associated with construction of the proposed project is provided on pages IV.I-11 through IV.I-12 in the Draft EIR. It is anticipated that construction vehicles would primarily access the project site from the Interstate 210 interchange at La Tuna Canyon Road, and would not travel on Tujunga Canyon or Foothill Boulevards. Furthermore, construction equipment would not be transported between the proposed Development Areas during construction activities. Although trucks would deliver construction materials and equipment to the project site, there would not be a "convoy" of trucks, as has been alleged in some comments.

The equipment staging area and construction worker parking for Development Area A would be located off of La Tuna Canyon Road near the Interstate 210 interchange during the initial phases of construction grading. After the start of construction grading, the equipment staging and construction worker parking for proposed Development Area A would be moved onsite as space allows. The equipment staging area and construction worker parking for proposed Development Area B would be located onsite, off of La Tuna Canyon Road near the easterly proposed Development Area B access point during the initial phases of construction grading. After the start of construction grading, the equipment staging and construction worker parking for Development Area B would be moved further

onsite as space allows. The comment received that the staging area for Development Area B would cause gridlock on La Tuna Canyon Road is incorrect, as the staging area for Development Area B would be located on the project site.

As discussed on page IV.I-12 in the Draft EIR, the number of trips that would be generated to and from the project site during construction is approximately 17 percent of the proposed project's daily traffic volume upon buildout. Since the operational traffic impacts associated with the proposed project would be less than significant, the substantially lower construction traffic impacts would also be less than significant.

Site Access Improvements

It is anticipated that the proposed project would involve the construction of roadway improvements along La Tuna Canyon Road adjacent to the project site in the vicinity of the vehicular access points to Development Area A, Development Area B and the equestrian park. At these intersections, the improvements would be constructed so as to provide two through travel lanes in each direction on La Tuna Canyon Road, plus a center left-turn lane to accommodate eastbound left-turn movements into the site access points (i.e., for Development Area A, Development Area B and the equestrian park). As previously noted, the LADOT has required the installation of a traffic signal at the project vehicular access to Development Area A on La Tuna Canyon Road. In addition, and as discussed above and in Topical Response 8, subject to approval by the LADOT, the project applicant has proposed the installation of additional traffic signals on La Tuna Canyon Road at the easterly vehicular access to Development Area B and at the vehicular access to the proposed equestrian park. It is noted that the proposed traffic signal at the equestrian park, if approved by the LADOT, would be designed to accommodate actuated traffic control devices to safely facilitate crossings on La Tuna Canyon Road by pedestrians and equestrians. Construction of roadway improvements along La Tuna Canyon Road would be reviewed and approved by the City, which would determine the placement of any new utilities along the roadway, taking into account safety considerations.

Additional Related Project Traffic on La Tuna Canyon Road

As discussed above, comments were received that traffic on La Tuna Canyon Road was understated because a previously unidentified 34-unit project and other projects in the vicinity of La Tuna Canyon Road were not included as related projects. Topical Response 7 addresses this and related issues.

Topical Response 11: Development Area A Emergency Access

Several comments were received that expressed a variety of concerns with respect to the proposed secondary emergency access route for Development Area A. Those concerns included (1) the potential conversion of the secondary emergency access to primary access, (2) the required offsite improvements for the secondary emergency access route, (3) the potential for increased traffic along the secondary emergency access route, (4) the ability of emergency vehicles to navigate the roads that comprise secondary emergency access route and (5) the potential delay in opening the gate during an emergency. This topical response has been prepared to address those and related issues.

Proposed Secondary Emergency Access

The Draft EIR included an analysis of emergency access on pages IV.I-13 through IV.I-16. As described on page IV.I-15 in the Draft EIR, in the event of an emergency, the primary access to and from Development Area A would be the proposed entry road that begins at La Tuna Canyon Road across from the Interstate 210 Westbound Ramps. Secondary emergency access could be provided to Foothill Boulevard by way of either Inspiration Way or Verdugo Crestline Drive. While either route would provide adequate secondary emergency access, the project applicant has selected the route that begins on Inspiration Way.

Inspiration Way connects to Foothill Boulevard through Alene Drive and to Hillhaven Avenue, which is located approximately one-quarter mile north of the northerly boundary of Development Area A. Emergency access via Inspiration Way would be controlled by a locked gate, such that it could only be utilized on an emergency basis (i.e., not available for day-to-day use by project residents or visitors). The LAPD and LAFD would have keys to the locked gate, and the Department of Water and Power and Southern California Edison may also be provided with keys. Residents of the proposed homes would not have access to those keys.

Concern has been expressed in some comments that a problem could occur if emergency responders did not open the gate in a timely fashion. However, as discussed above, several City departments would have keys to the locked gate, so there should not be a material delay in opening the gate. In addition, there are other methods of opening the gate in the event of a delay by emergency responders, including the use of bolt cutters to cut the locks. Emergency access gates are commonly used in new developments and are particularly appropriate for the proposed project since it would provide the necessary access during an emergency, but would prohibit the daily project traffic from accessing adjacent neighborhood streets. The LAFD has reviewed the proposed site plan and determined that the proposed emergency access would be adequate for Development Area A.

Several comments expressed concern regarding potential increased traffic along the secondary emergency access route. However, since the emergency access would be locked and unavailable for

commuter and visitor traffic, there would be no daily traffic to and from the proposed project on such neighboring streets as Inspiration Way, Hillhaven Avenue or Alene Drive.

Emergency Vehicle Use Only

A number of comments expressed concern that the secondary emergency access for Development Area A would be converted to primary access at some unspecified point in the future. However, that is not reasonably foreseeable. The project applicant has proposed one primary access road and one secondary emergency access road. If those roads are approved by the appropriate City decision-making bodies, a condition would be imposed that limits the use of Inspiration Way to emergency access and would require the installation of the locked gate described in the Draft EIR and above. It is not reasonably anticipated that future project residents would seek to convert the secondary emergency access to primary access. If, at some indeterminate point in the future, project residents did pursue such conversion, that would require a public process to remove the condition limiting the use of Inspiration Way to secondary emergency access and to determine whether it was appropriate to increase the number of trips on the roads that link the project site to Foothill Boulevard, as well as Foothill Boulevard itself. Additional environmental review under CEQA would also be required with respect to any such proposal and determination.

Construction Vehicles

Several comments expressed concern that large trucks would use Hillhaven Avenue and other existing residential streets, as discussed above, in order to access the proposed Development Area A via the secondary emergency access route. However, for the most part, no such truck traffic is anticipated. After project completion, the secondary emergency access route would not be available for daily truck access to and from the project site. During site preparation, most construction truck traffic would access Development Area A via the main access road. The only use of existing residential streets that could occur along the emergency access route would be in conjunction with the improvement of the access and/or the installation of utility infrastructure. No significant traffic impacts along the emergency access route are anticipated during the construction phase for the following reasons: (1) any required offsite construction work would be of relatively short duration; (2) there is relatively little existing traffic in the vicinity where such construction would take place; (3) any ensuing traffic congestion that might occur would be experienced as a short-term inconvenience rather than a substantial adverse effect on the environment; and (4) the residential roadways in question have experienced similar levels of construction in the past as the homes in the area were constructed and the utilities installed.

Emergency Vehicles

A number of comments expressed concern as to whether the emergency access would be able to support the range of emergency vehicles that might use it. Inspiration Way is currently a graded dirt road with no pavement and has a dedicated right-of-way width of 40 feet, which is greater than that required for a Limited Hillside Street in the City. The existing dirt road has sufficient width to provide the 20-foot-wide paved roadway and minimum 30-foot turning radius required by the LAFD for a secondary emergency access (see page IV.I-15 in the Draft EIR). The next segment of the secondary emergency access route consists of approximately 180 feet of Alene Drive south of its intersection with Inspiration Way. This portion of Alene Drive has a dedicated right-of-way width of 40 feet, with pavement width of 18 feet. This segment of Alene Drive would be improved to a minimum of 20-foot roadway with sufficient all-weather paving as required by the LAFD within the existing public right-of-way in accordance with the requirements of the LAFD.

The final segment of the secondary emergency access route is Hillhaven Avenue between Alene Drive and Foothill Boulevard. Hillhaven Avenue has a dedicated right-of-way width of 40 feet, with variable pavement width ranging from 20 to 30 feet wide. Therefore, no improvements should be required on Hillhaven Avenue to permit secondary emergency access.

It should also be noted that the paving or widening of these streets as discussed above may require minor alterations to existing driveways to provide an adequate connection between the streets and driveways.

Traffic

Several comments expressed concern that the proposed project would significantly increase traffic along the secondary emergency access route. Contrary to such comments, no such increase in project-generated daily traffic would occur along the secondary emergency access route. The secondary emergency access point on Inspiration Way would be controlled such that it could only be utilized on an emergency basis and would not be available for day-to-day use by project residents or visitors. Since the proposed project's secondary emergency access would not be available for day-to-day use, analysis of the proposed project's potential impacts along the emergency access route is not required. Notwithstanding the above, the emergency access route would potentially experience measurable trips from the proposed project on an atypical basis if and when the secondary emergency access route between the project site and Foothill Boulevard were ever utilized (e.g., during a brush fire). As previously noted, the proposed project would improve those segments of the emergency access route that are less than 20 feet in roadway width, thereby improving any existing deficiencies.

In addition, and as discussed above, construction vehicles would normally access the project site from the Interstate 210 interchange at La Tuna Canyon Road, and would not utilize the proposed secondary

emergency access route for purposes other than constructing the necessary emergency access improvements and installation of utility infrastructure. Also, the equipment staging area and construction parking for proposed Development Area A would be located off of La Tuna Canyon Road near the Interstate 210 interchange during the initial phases on construction grading, and would be moved onsite at the earliest opportunity.

As discussed on page IV.J-8 in the Draft EIR, the potential funneling of evacuating traffic from Development Area A to a single access point could result in congestion and possible conflicts with entering emergency vehicles. The second emergency access route through Inspiration Way would relieve that potential congestion while facilitating emergency vehicle access. No significant conflicts between evacuating vehicles traveling north and emergency response vehicles traveling south on the emergency access route would be expected, since the proposed project would improve the emergency access route to provide a minimum of 20 feet of pavement along the entire length of the route. The LAFD considers 20 feet of pavement sufficient to accommodate both emergency response vehicles and residential traffic. The proposed emergency access would also provide a new emergency access route for residents in the existing residential area to the northeast and east of the project site that would permit direct access to the south to La Tuna Canyon Road and Interstate 210.

Topical Response 12: Tujunga Canyon Boulevard/Foothill Boulevard

Several comments were received regarding traffic conditions on Tujunga Canyon and Foothill Boulevards, and other local streets. In particular, those comments expressed the following concerns: (1) Tujunga Canyon and Foothill Boulevards are currently congested and cannot handle the additional traffic from the proposed project; (2) Tujunga Canyon Boulevard is narrow and unsafe, and cannot safely handle the additional traffic from the proposed project; (3) the analysis in the Draft EIR did not consider the cumulative traffic impacts from recent new developments in the community; (4) the traffic from the proposed project would decrease emergency vehicle response times; and (5) construction traffic would cause additional problems on La Tuna Canyon Road. This Topical Response has been prepared to address these concerns and related issues.

Existing Roadway Conditions

In the project vicinity, Foothill Boulevard provides two travel lanes in each direction, plus separate left-turn lanes at most intersections. Foothill Boulevard is classified as a Major Highway in the Transportation Element of the City of Los Angeles General Plan. Tujunga Canyon Boulevard is located generally east of the project site. In the segment of Tujunga Canyon Boulevard between Foothill Boulevard and La Tuna Canyon Road, one through travel lane is generally provided in each direction. On the approaches and departure segments of Tujunga Canyon Boulevard in the vicinity of the intersections with Foothill Boulevard and La Tuna Canyon Road, the roadway has been recently improved to provide additional travel lanes (i.e., for left-turn, through and/or right-turn lanes). These recent roadway improvements are described on pages IV.I-10 and IV.I-11 in the Draft EIR and were incorporated into the traffic impact analysis prepared for the proposed project.

The flow of traffic on the segment of Tujunga Canyon Boulevard between Foothill Boulevard and La Tuna Canyon Road is highly directional in nature during the peak hours. The traffic flow is predominantly higher in the southbound direction on Tujunga Canyon Boulevard (i.e., traveling towards Interstate 210) in the AM peak hour. Similarly, traffic is higher in the northbound direction on Tujunga Canyon Boulevard (i.e., traveling away from Interstate 210) in the PM peak hour. During the AM peak hour, there is a momentary delay for southbound vehicles departing the Foothill Boulevard intersection as the two travel lanes merge to one. Similarly, during the PM peak hour, a momentary delay was observed for northbound vehicles departing the La Tuna Canyon Road intersection as the two travel lanes merge to one.

Assignment of Project Trips

Tujunga Canyon Boulevard and Foothill Boulevard comprise only a portion of the local and regional roadway network that would be utilized by vehicles traveling to and from the project site. Other major

roadways that are expected to facilitate project-related traffic include La Tuna Canyon Road, Sunland Boulevard, Interstate 210 and Honolulu Avenue.

Tujunga Canyon Boulevard

As shown in Figure IV.I-5 in the Draft EIR, approximately 15 percent of the project-related traffic is anticipated to utilize the Tujunga Canyon Boulevard segment between La Tuna Canyon Road and Foothill Boulevard. Due to the location of the project site and the characteristics of the flow of traffic to and from the proposed project (i.e., more outbound than inbound vehicles during the AM peak hour, and more inbound than outbound vehicles during the PM peak hour), the proposed project would actually contribute only a nominal number of new trips to the “busy” directions of the Tujunga Canyon Boulevard traffic flow during peak hours. For example, Figure IV.I-6 in the Draft EIR shows that the proposed project is forecast to add only eight vehicles to the “busy” southbound direction of Tujunga Canyon Boulevard north of La Tuna Canyon Road during the AM peak hour. This is equivalent to approximately one new car every 7.5 minutes on southbound Tujunga Canyon Boulevard during the AM peak hour. Similarly, Figure IV.I-7 in the Draft EIR shows that the proposed project is forecast to add only 15 new vehicles to the “busy” northbound direction of Tujunga Canyon Boulevard north of La Tuna Canyon Road during the PM peak hour. This is equivalent to approximately one new car every four minutes on northbound Tujunga Canyon Boulevard during the PM peak hour.

Furthermore, the trips added to northbound Tujunga Canyon Boulevard are turning from La Tuna Canyon Road, which contributes a substantially smaller number of vehicles to Tujunga Canyon Boulevard as compared to the existing traffic entering from the south via Honolulu Avenue. Based on these nominal increases in traffic volumes due to the proposed project on the segment of Tujunga Canyon Boulevard between Foothill Boulevard and La Tuna Canyon Road, it was properly determined by the project traffic consultant and LADOT that the appropriate methodology for determining potential project-related traffic impacts to Tujunga Canyon Boulevard was through the standard LADOT intersection analysis at the corresponding end-point intersections (i.e., at Foothill Boulevard and at La Tuna Canyon Road), as project-related vehicular turning movements at these locations would generally create a greater potential for significant traffic impacts to the roadway network than through movements on a mid-block street segment.

Foothill Boulevard

The traffic analysis contained in Section IV.I (Transportation/Traffic) of the Draft EIR fully analyzed the potential impacts of the proposed project on the adjacent roadway system. As discussed therein, the Foothill Boulevard and Tujunga Canyon Boulevard intersection (the location of a new shopping center (Related Project No. 3) frequently mentioned in comments) was analyzed as part of the traffic analysis. As shown on Figures IV.I-6 and IV.I-7 on pages IV.I-20 and IV.I-21 in the Draft EIR, the proposed project is forecast to add less than 15 new trips to the segment of Foothill Boulevard west of Tujunga

Canyon Boulevard during the morning and afternoon peak hours (i.e., less than one new trip every four minutes during the peak hours). This relatively minor increase in traffic on Foothill Boulevard would not adversely affect traffic or safety and would not result in a significant impact.

As a point of clarification, the traffic study for the proposed project included the mitigation measures proposed as part of the Tujunga Shopping Center project at the intersection of Tujunga Canyon Boulevard and Foothill Boulevard. The roadway improvements assumed in the traffic study for the year 2009 future pre-project condition are described on pages IV.I-10 and IV.I-11 in the Draft EIR. Those improvements, which include dual left-turn lanes and a shared through/right-turn lane at the northbound Tujunga Canyon Boulevard approach to the intersection with Foothill Boulevard, have been completed and are currently in operation. The Tujunga Shopping Center was included in the Draft EIR as Related Project No. 3 (see Table IV.I-4 in the Draft EIR).

Cumulative Traffic Impacts

Concerns have been expressed that the traffic study for the proposed project does not take into consideration the traffic from other projects in the area and the cumulative traffic effect on local streets, such as Foothill Boulevard. Contrary to such comments, the traffic analysis in the Draft EIR includes a forecast of on-street traffic conditions prior to the occupancy of the proposed project, which includes the potential trips associated with other known development projects (i.e., related projects) in the vicinity of the project site. The list of the related projects included in the traffic analysis is provided on pages II-8 and IV.I-22 in the Draft EIR. In addition, to account for unknown related projects not included in this analysis, the existing traffic volumes were increased at an annual rate of two percent per year to the year 2009 (i.e., the anticipated year of project build-out). The inclusion of this annual ambient growth factor yielded a conservative worst-case forecast of future traffic volumes in the area.

Intersection Analyses

The intersection of Tujunga Canyon Boulevard and La Tuna Canyon Road/Honolulu Avenue was analyzed in the Draft EIR. This intersection was recently improved by the City. These improvements addressed existing conditions and were unrelated to the proposed project. These intersection improvements were included as part of the traffic analysis in the year 2009 pre-project condition. As a point of clarification, the intersection of Tujunga Canyon Boulevard and La Tuna Canyon Road/Honolulu Avenue is anticipated to operate at LOS A and LOS B during the AM and PM peak hours, respectively, under the future year 2009 pre-project condition. As shown in Table IV.I-6 on page IV.I-28 in the Draft EIR, the proposed project's potential impact at this intersection would be less than significant. Therefore, no further roadway improvements are required.

Honolulu Avenue is one of many roadways utilized by vehicles destined to and from the project site. As shown on Figure IV.I-5 on page IV.I-19 in the Draft EIR, only five percent of the project-related

traffic is anticipated to use Honolulu Avenue east of La Tuna Canyon Road. As previously discussed, the proposed project is expected to add less than 15 new vehicular trips during the morning and afternoon peak hours to the segment of Honolulu Avenue east of La Tuna Canyon Road. This corresponds to less than one new trip every four minutes during the peak hours on this segment. This relatively minor increase in traffic on Honolulu Avenue east of La Tuna Canyon Road would not result in a significant traffic impact.

With respect to traffic impacts to Lowell Avenue, vehicles traveling between the project site and Lowell Avenue would use Honolulu Avenue via the intersection of Tujunga Canyon Boulevard and La Tuna Canyon Road/Honolulu Avenue. As shown in Figure IV.I-5 in the Draft EIR, only five percent of the project-related traffic is anticipated to utilize Honolulu Avenue east of La Tuna Canyon Road (i.e., from Lowell Avenue). As shown in Figures IV.I-6 and IV.I-7 in the Draft EIR, the proposed project would add less than 15 new vehicular trips during the morning and afternoon peak hours to this road segment. This relatively minor increase in traffic on Honolulu Avenue east of La Tuna Canyon Road, and subsequently Lowell Avenue, would not result in a significant traffic impact.

Emergency Vehicle Access

Comments were received expressing concern that, due to their narrow alignments, Tujunga Canyon Boulevard and Lowell Avenue cannot handle the additional traffic from the proposed project without decreasing emergency vehicle response capability. However, contrary to such comments, traffic from the proposed project would not be expected to reduce emergency vehicle response times. While Tujunga Canyon Boulevard and Lowell Avenue are two-lane roads, with one through travel lane in each direction in the project vicinity, emergency vehicle drivers have a variety of options for dealing with heavy traffic. First, pursuant to the California Vehicle Code, motorists must yield the right-of-way to emergency vehicles. Specifically, motorists are required to pull to the right side of the road and stop to allow an emergency vehicle to pass. If required, emergency vehicle drivers are authorized to use their sirens to clear traffic and are trained to utilize center turn lanes, or travel in the opposing through lanes to pass through crowded intersections. When these options are taken into consideration, the relatively small number of additional vehicles added to Tujunga Canyon Boulevard (discussed above) by the proposed project would not be expected to measurably decrease emergency vehicle response times. Given the excellent year 2009 LOS at the intersection of Tujunga Canyon Boulevard and La Tuna Canyon Road/Honolulu Avenue, no further roadway improvements are required.

Future Widening of Tujunga Canyon Boulevard

Several comments have been received regarding the necessity to widen Tujunga Canyon Boulevard. It should be noted that Tujunga Canyon Boulevard is designated as a Major Class II Highway in the Streets and Highways Element of the City's General Plan. The roadway designation in the General Plan indicates that, at some point in the future, Tujunga Canyon Boulevard should be improved to the

standards set forth in the General Plan for that designation (i.e., up to 80 feet of roadway on 104 feet of right-of-way). However, such improvements, including the potential need to acquire right-of-way to construct the roadway widenings to Major Class II Highway standards, are not required in connection with the proposed project.

Proposed Project Access

Some comments have expressed concern that the main surface street to be used by future project residents would be Tujunga Canyon Boulevard, which these comments describe as an undivided and dangerous two-lane road, lined with private homes on both sides and only one lane in each direction. Contrary to such comments, La Tuna Canyon Road would provide direct access to the project site, not Tujunga Canyon Boulevard.

Construction Traffic Impacts

It is anticipated that construction vehicles would primarily access the project site from the Interstate 210 interchange at La Tuna Canyon Road, and would not travel on Tujunga Canyon Boulevard. Therefore, the Draft EIR properly concluded that the traffic impacts on Tujunga Canyon Boulevard related to construction would be less than significant.

Topical Response 13: Fire Protection

Several comments have been received regarding the impact of the proposed project on fire protection services with respect to (1) the distance between nearby fire stations and the project site and (2) the increased potential for a wildland or brush fire that could endanger future project residents and their homes, as well as existing residents who live in the vicinity of the project site and their homes. This topical response has been prepared to address those issues.

Response Distance

Section IV.J.1 (Fire Protection) of the Draft EIR addressed the potential impact of the proposed project on fire protection services. In accordance with Appendix G to the CEQA Guidelines, Section IV.J.1 discussed whether the proposed project would result in a substantial adverse physical impact associated with the provision or the need for new or expanded fire protection facilities in order to maintain acceptable service ratios, response times or other performance objectives of the LAFD (see page IV.J-5 in the Draft EIR).

Pursuant to Section 57.09.07A of the LAMC, the maximum response distance between residential land uses and a LAFD fire station that houses an engine or truck company, which if exceeded would require the installation of automatic fire sprinkler systems in all of the structures located in the applicable residential area, is 1.5 miles. Section 57.09.07B of the LAMC states that, where the response distance is greater than 1.5 miles, all structures shall be constructed with automatic fire sprinkler systems. As discussed on page IV.J-7 in the Draft EIR, and as modified in Section III (Corrections and Additions) of this Final EIR, the closest fire station to the project site is approximately 2.8 miles away, which exceeds the response distance specified in Section 57.09.07A of the LAMC.

With respect to response distance, the LAFD wrote a letter (dated May 4, 2004) (see Appendix C to this Final EIR) to correct the response distances listed in its comments on the Draft EIR (see Letter No. 2). The corrected response distances are as follows:

<u>Development Area A</u>	<u>Development Area B</u>
Fire Station 24 5.23 miles	Fire Station 24 4.21 miles
Fire Station 74 2.73 miles	Fire Station 74 4.23 miles
Fire Station 77 5.8 miles	Fire Station 77 4.32 miles

As stated in Footnote 3 on page IV.J-1 in the Draft EIR, distances were measured by the LAFD (see the LAFD's October 1, 2002 letter in Appendix C to the Draft EIR) from each fire station to the intersection of La Tuna Canyon Road and Interstate 210. The distances measured between each fire station to the Development Areas in this letter and in the May 4, 2004 correction letter were measured from different intersections than in the October 1, 2002 letter. As stated in the May 4, 2004 correction letter, the LAFD measured these distances from each fire station to the La Tuna Canyon Road/Tujunga Canyon Boulevard intersection for Development Area A and from each fire station to a point along La Tuna Canyon Road that is one mile west of the La Tuna Canyon Road/Interstate 210 intersection for Development Area B (which is the approximate location of the proposed western entrance to Development Area B). In any event, it makes no difference whether the distances from the project site to the fire stations are measured from the locations in the October 1, 2002 letter or the May 4, 2004 correction letter because the different origins of measurement lead to the same conclusion, which is that fire protection response distances to the proposed project would require the installation of automatic fire sprinkler systems in all project structures.

In addition, the May 4, 2004 correction letter states that the maximum required response distance has changed since the October 1, 2002 letter was written. A distinction is no longer made between an engine company or a truck company with respect to maximum response distance. Therefore, Section IV.J.1 (Fire Protection) of the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to reflect the maximum response distance to the nearest fire station as 1.5 miles. This revision does not change the conclusions of the Draft EIR with respect to fire protection. As stated on page IV.J-7 in the Draft EIR, impacts associated with response distances are considered to be significant prior to implementation of mitigation. Therefore, recommended Mitigation Measure J.1-1 was included on page IV.J-9 in the Draft EIR to require that sprinkler systems would be provided in each structure in accordance with LAMC Section 57.09.07. The implementation of Mitigation Measure J.1-1 would reduce the impact associated with response distances to a less-than-significant level.

Although some of the future homes in the proposed Development Areas would be less than 1.5 miles to the closest fire station, Section 57.09.07A applies to all structures on a project site when the response distance is greater than 1.5 miles to the primary access point. As stated in the May 4, 2004 letter, it is the LAFD's policy that the secondary access point for a project site is not the location to which response distance is calculated because ". . . it is not the location to which the Fire Department would normally respond." For example, some of the future homes would be less than 1.5 miles from the closest fire station if the LAFD were to utilize the secondary emergency access route through Inspiration Way for proposed Development Area A (see Topical Response 11). Nonetheless, automatic sprinklers would be installed in all of the proposed homes in Development Areas, as recommended in Mitigation Measure J.1-1.

With the implementation of this recommended mitigation measure, the proposed project would not have a significant impact on fire protection services. However, the Draft EIR recommended an additional 20 mitigation measures to reduce further the potential fire protection impacts with respect to the proposed project. In addition, if needed, backup support would be provided to the LAFD through the existing mutual aid agreement with the Los Angeles County Fire Department.

In addition, several comments were received that expressed the concern that the Draft EIR included information regarding fire protection response distances rather than response times. However, as set forth by the LAMC, and as a standard LAFD practice, impacts with respect to fire protection services are determined through the measurement of response distance and not response time (although response distance is based, in part, on response time) because, unlike police vehicles which are usually in a mobile state, fire protection vehicles must travel from a fire station (i.e., a fixed location) to an incident location.

Wildland/Brush Fire Risk

While the installation of automatic sprinklers recommended in Mitigation Measure J.1-1 would provide protection in the event of a structure fire (see above discussion), automatic sprinklers would not prevent a wildland/brush fire from spreading throughout the project site outside of the proposed Development Areas. Therefore, the Draft EIR also addressed the concern regarding the location of the project site within a Very High Fire Hazard Severity Zone (VHFHSZ), which reflects that future project residents and their homes could potentially be exposed to a wildland/brush fire. The proposed project includes several features that would substantially lower the risks of wildland/brush fires, including the following:

- Fire hydrants, water tanks and associated infrastructure (i.e., water lines) would be provided onsite in accordance with Fire Code requirements and with the approval of the LAFD;
- Brush around the future homes would be cleared and thinned in compliance with City fuel modification requirements (see Section IV.D.1 (Flora and Fauna) of the Draft EIR for additional information regarding the fuel modification zone);
- Paved streets within the proposed Development Areas would provide access to LAFD emergency vehicles;
- The proposed Development Areas would include multiple points of access for emergency vehicles, from La Tuna Canyon Road and Inspiration Way or Verdugo Crestline Drive;
- Electrical lines would be installed underground as recommended in the Sunland-Tujunga Community Plan (see page IV.K-3 in the Draft EIR); and

- The recommended mitigation measures in the Draft EIR would ensure adequate response times and access to the project site (see pages IV.J-9 through IV.J-11 in the Draft EIR).

In addition, the development of the proposed project would substantially decrease the fire risk with respect to the existing residential neighborhoods near the proposed Development Areas, for several reasons. First, the Development Areas would be protected by a 200-foot fuel modification zone that, in the aggregate, would include approximately 167 acres of land. The fuel modification zone would effectively reduce the risk of wildland/brush fire through the removal of flammable vegetation surrounding all of the structures in the proposed Development Areas. The creation of the fuel modification zone (which would involve the clearing or thinning of vegetation) would not only substantially reduce the risk of fire in and around the Development Areas, as discussed above, it would also reduce the risk of a fire spreading from the project site to existing residential areas. The fuel modification zone would be maintained by the homeowners' association(s) under the supervision of the LAFD.

Second, the paving of a portion of the Development Areas would eliminate some potential fuel. Third, the proposed water tanks could be used by the LAFD in the event of a fire in the existing residential neighborhoods. Fourth, the proposed secondary emergency access road in Development Area A would not only provide emergency access to the project site, but would also provide a direct evacuation route to the south for the existing residential neighborhood adjacent to Development Area A.

Furthermore, the LAFD has reviewed the preliminary plans for the proposed project and would again review the plans prior to the approval of the vesting tract map.

Construction-Related Fire Risk

Several comments were received that expressed concern regarding the risk of fire during construction of the proposed project. The potential fire protection impacts associated with construction of the proposed project were discussed on pages IV.J-5 through IV.J-6 in the Draft EIR. As discussed therein, although construction activities could potentially increase the risk of fire, implementation of "good housekeeping" procedures by the construction contractors and work crews would minimize this risk. Furthermore, it is expected that construction vehicles traveling to and from the project site would not interfere with emergency access because these vehicles would pull to the right side of the road and would stop to allow an emergency vehicle to pass (see also Topical Response 11). It is also important to note that construction activities would be temporary and, as such, would not result in an increase in demand for fire protection to an extent that there would be a need for new or expanded fire protection facilities.

Safety Issues

Finally, it should be noted that, in some of the comments on this subject, the concern raised with respect to fire risk is expressed solely as a safety issue, without reference to a physical impact associated with the provision or need of new or expanded fire protection facilities. With respect to such comments, CEQA does not treat social effects as significant effects on the environment (see Section 15131 of the CEQA Guidelines). The personal risk associated with a fire is a safety issue and, as such, a social issue. Therefore, the discussion of personal safety risk with respect to a wildland/brush fire was not required in the Draft EIR.

Commenter 1: Stephen Buswell, IGR/CEQA Branch Chief, Department of Transportation, Regional Transportation Planning Office, District 7, 120 S. Spring St., Los Angeles, CA 90012, October 8, 2003

Comment 1-1:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Canyon Hills Project in the City of Los Angeles.

The Department as a responsible agency under CEQA has jurisdiction superceding that of MTA in identifying the freeway analysis needed for this project. Caltrans is responsible for obtaining measures that will off-set project vehicle trip generation that worsens Caltrans facilities and hence, it does not adhere to the CMP guide of 150 or more vehicle trips added before freeway analysis is needed. MTA's Congestion Management Program in acknowledging the Department's role, stipulates that Caltrans must be consulted to identify specific locations to be analyzed on the State Highway System.

Therefore, please reference the Department's Traffic Impact Study Guideline on the Internet at:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

Response:

As discussed in Section IV.I (Transportation/Traffic) of the Draft EIR, the traffic analysis did include an analysis of potential traffic impacts on Interstate 210, and at the intersections of La Tuna Canyon Road with the Interstate 210 on- and off-ramps. Specifically, pages IV.I-43 and IV.I-44 in the Draft EIR discuss the potential impacts of the proposed project on Interstate 210. Forecasted project trips are summarized in Table IV.I-10 (Congestion Management Plan (CMP) Traffic Impact Assessment) on page IV.I-44 in the Draft EIR. As shown in Table IV.I-10, the proposed project would not exceed the established threshold of 150 or more trips during either the AM or PM weekday peak hours to the CMP mainline freeway monitoring locations. Therefore, further review of the proposed project's impact on Interstate 210 is not required.

The traffic study prepared for the proposed project also includes an analysis of potential traffic impacts at the Interstate 210 freeway on- and off-ramp intersections with La Tuna Canyon Road, the local and convenient Interstate 210 connection to the project area. In addition, potential traffic impacts at the Interstate 210 freeway on- and off-ramp intersections with Sunland Boulevard were evaluated. Pages IV.I-1 and IV.I-2 in the Draft EIR set forth the list of study intersections included in the traffic analysis.

The traffic impact study was prepared in accordance with LADOT's Traffic Study Policies and

Procedures manual. The LADOT manual requires that the CMP be used for purposes of determining potential impacts at CMP monitoring locations, including mainline freeway locations. The Caltrans guidelines referenced in this comment¹⁰ provide only an alternative method by which to conduct a traffic analysis. The proposed project's potential impacts to the State highway system have been adequately addressed by the traffic study for the project that is summarized in the Draft EIR, which was prepared in accordance with the significance thresholds and analysis methodologies approved by the City of Los Angeles. Furthermore, the comment does not identify any concern or inadequacy with the traffic analysis in the Draft EIR, but rather suggests an alternative method of analysis. First, the comment includes no explanation as to why methodology set forth in Caltrans' Traffic Impact Study Guideline is superior to the methodology in the CMP, as approved by LADOT. For these reasons, no further analysis of the proposed project's potential impacts on Interstate 210 is warranted or required.

In addition, the statement in the comment that Caltrans "as a responsible agency under CEQA has jurisdiction superceding that of MTA in identifying the freeway analysis needed for this project" is incorrect for several reasons. First, it is the City, as the lead agency, that has responsibility for identifying the traffic analysis required for the proposed project. Second, the proposed project does not require any modification of Interstate 210. Caltrans' role as a responsible agency with respect to the proposed project would be limited to (1) the approval of the traffic signal recommended in the Draft EIR (page IV.I-45) for the intersection of Interstate 210 Westbound Ramps and La Tuna Canyon Road and (2) the potential requirement for, and approval of, an encroachment permit. Caltrans' limited approval authority does not confer the right to mandate the traffic methodology used to identify the proposed project's potential impact on Interstate 210.

Finally, contrary to the implication in this comment, the MTA did not identify the freeway analysis necessary for the proposed project. The comment letter provided by Caltrans for the NOP requested: "Presentation of assumptions and methods used to develop trip generation, trip assignment, trip distribution, choice of travel mode, and assignments of trips to state route 210." Therefore, the freeway system analyzed was taken directly from the suggestion of Caltrans during the NOP process. This information was utilized in preparing the traffic study for the proposed project. The MTA's CMP analyses utilized in the traffic study are widely recognized and utilized exclusively by the LADOT. As a result of the identification by Caltrans that Interstate 210 needed to be included in the traffic analysis, the freeway and associated ramps were analyzed in the traffic study prepared for the proposed project.

¹⁰ California Department of Transportation, Guide for the Preparation of Traffic Impact Studies, website: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>, December 2002.

Comment 1-2:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to State Route 210.

Response:

The Draft EIR and the traffic study presents the assumptions and methodologies used to develop the traffic analysis. Pages IV.I-16 and IV.I-17 in the Draft EIR include the trip generation assumptions, rates and forecasts used in the traffic analysis. As stated on page IV.I-16 in the Draft EIR, trip generation forecasts were prepared based on rates provided in the Trip Generation manual 6th Edition, 1997, published by the Institute of Transportation Engineers (see Appendix D to this Final EIR). The trip distribution and assignment methodology is discussed on page IV.I-17 in the Draft EIR. The trip generation and trip distribution pattern were reviewed and approved by LADOT prior to inclusion in the Draft EIR.

Comment 1-3:

2. Consistency of project travel modeling with other regional and local modeling forecasts and with travel data. The IGR/CEQA office may use indices to check results. Differences or inconsistencies must be thoroughly explained.

Response:

Regional distribution patterns utilized in the traffic analysis were determined to be consistent with the procedures outlined in the CMP manual. The CMP provides generalized trip distribution factors based on regional modeling efforts. The trip distribution factors show Regional Statistical Areas (RSAs)-level trip making origins and destinations for work and non-work trip purposes. The regional distribution pattern for the proposed project provides general origin and destination trip distributions from the project study area RSA throughout the Los Angeles Basin. The distribution pattern was reviewed and approved by LADOT prior to inclusion into the Draft EIR.

The comment does not identify any specific concern or inadequacy with the traffic distribution forecasts set forth in the Draft EIR, nor does it identify any differences or inconsistencies between the indices used by the Intergovernmental Review (IGR)/CEQA office, as suggested in the comment, and the information/modeling forecasts set forth in the Draft EIR and the underlying traffic study.

Comment 1-4:

3. Analysis of ADT, AM and PM peak-hour volumes for both existing and future conditions in the affected area. This should include freeways, interchanges, and intersections, and all HOV

facilities. Interchange Level of Service should be specified (HCM2000 method requested). Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions would include build-out of all projects (see next item) and any plan-horizon years.

Response:

Section IV.I (Transportation/Traffic) of the Draft EIR includes a detailed analysis of existing and future traffic conditions in the project area, including analysis with respect to Interstate 210 and nine study intersections. There are no High Occupancy Vehicle (HOV) facilities in the vicinity of the project site. The comment does not specify any concern or inadequacy with the traffic analysis in the Draft EIR or the model used that would warrant revision of the existing traffic study or the use of HCM2000.

Comment 1-5:

4. Inclusion of all appropriate traffic volumes. Analysis should include traffic from the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments. That is, include: existing + project + other projects + other growth.

Response:

The traffic analysis in the Draft EIR included all appropriate existing and projected traffic volumes consistent with this comment (see page IV.I-27).

Comment 1-6:

5. Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. These mitigation discussions should include, but not be limited to the following:
 - description of transportation infrastructure improvements
 - financial costs, funding sources and financing
 - sequence and scheduling considerations
 - implementation responsibilities, controls and monitoring

Any mitigation involving transit, HOV, or TDM must be rigorously justified and its effects conservatively estimated. Improvements involving dedication of land or physical construction may be favorably considered.

Response:

Based on the traffic analysis in the Draft EIR, one significant traffic impact was identified at the intersection of Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road. The proposed mitigation for that significant impact is the installation of a traffic signal compatible with the City's Automated Traffic Surveillance and Control/Adaptive Traffic Control System, as described on page IV.I-45 in the Draft EIR. The traffic analysis in the Draft EIR determined that the proposed project would have no direct or indirect impacts on transit or HOV facilities. Therefore, no mitigation with respect to these facilities was recommended in the Draft EIR.

Comment 1-7:

6. Specification of developer's percent share of the cost, as well as a plan of realistic mitigation measures under the control of the developer. The ratio should be estimated, of additional traffic due to the project, to that amount of increase in traffic for which real mitigation must be provided (see Traffic Impact Study Guidelines). We note for purposes of determining project share of costs, the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes which include build-out of all approved and not yet approved projects, and other sources of growth. Analytical methods such as select-zone travel forecast modeling might be used.

Response:

As discussed on page IV.I-45 in the Draft EIR, the project developer is required to fund the full cost of the recommended traffic signal at the intersection of Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road, and the traffic signal must be constructed and completed prior to the issuance of any certificate of occupancy. The comment does not identify any concern or inadequacy regarding formulation of this mitigation measure.

Comment 1-8:

We look forward to reviewing the updated Traffic Study. We expect to receive a copy from the State Clearinghouse. However, to expedite the review process, you may send two copies in advance to the undersigned at the following address:

Response:

The comments provided in this letter have not identified any specific concern or inadequacy regarding the traffic analysis in the Draft EIR, but rather suggest alternative models and/or information that could be presented. Therefore, these comments have provided no justification for any alternative or additional traffic analysis with respect to the proposed project.

Commenter 2: Alfred B. Hernandez, Assistant Fire Marshall, Bureau of Fire Prevention and Public Safety, Los Angeles City Fire Department, October 8, 2003

Comment 2-1:

The following comments are furnished in response to your request for this Department to review the proposed development:

A. Fire Flow

The adequacy of fire protection for a given area is based on required fire-flow, response distance from existing fire stations, and this Department's judgment for needs in the area. In general, the required fire flow is closely related to land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard.

Fire-flow requirements vary from 2,000 gallons per minute (G.P.M.) in low Density Residential areas to 12,000 G.P.M. in high-density commercial or industrial areas. A minimum residual water pressure of 20 pounds per square inch (P.S.I.) is to remain in the water system, with the required gallons per minute flowing. The required fire flow for this project has been set at 4,000 G.P.M. from 4 fire hydrants flowing simultaneously. (Based on hillside location with limited access.)

Response:

The Los Angeles Fire Department (LAFD) fire flow requirement stated in the Draft EIR (see page IV.J-6 in the Draft EIR) was derived from a letter dated October 1, 2002 from the LAFD (see Appendix C to the Draft EIR). As set forth in that letter, the recommended fire flow requirement for the proposed project was 2,000 gallons per minute (gpm) from two fire hydrants flowing simultaneously. Subsequently, the LAFD indicated in this comment that the required fire flow should be set at 4,000 gpm from four fire hydrants flowing simultaneously. It is anticipated that the project applicant and LAFD officials will have further discussions regarding this issue following which the Advisory Agency shall determine the required fire flow in connection with the approval of the vesting tentative tract map. In any event, the improvements discussed on pages IV.J-6 through IV.J-7 in the Draft EIR would be sufficient to accommodate either fire flow requirement.

Comment 2-2:

B. Response Distance, Apparatus, and Personnel

The Fire Department has existing fire stations at the following locations for initial response into the area of the proposed development:

AREA A

Fire Station No. 74*
 7777 Foothill Boulevard
 Tujunga, CA 91042
 Task Force Truck and
 Engine Company
 Paramedic Rescue
 Ambulance
 Staff – 12
 Miles - 2.73
 Fire Station No. 24
 9411 Wentworth Street
 Sunland, CA 91040
 Single Engine Company
 Staff – 4
 Miles - 4.73

Fire Station No. 77
 8943 Glenoaks Boulevard
 Sun Valley, CA 91352
 Paramedic Engine Company
 Staff – 4
 Miles - 5.86

AREA -B

Fire Station No. 77
 8943 Glenoaks Boulevard
 Sun Valley, CA 91352
 Paramedic Engine Company
 Staff - 4
 Miles 5.86

Fire Station No. 74*
 7777 Foothill Boulevard, Tujunga, CA 91042
 Task Force Truck and
 Engine Company
 Paramedic Rescue
 Ambulance
 Staff - 12
 Miles - 2.73

Fire Station No. 24
 9411 Wentworth Street
 Sunland, CA 91040
 Single Engine Company
 Staff – 4
 Miles - 4.73

*Page IV.J-1 states that Fire Station 74 has an Emergency Medical Technician (EMT) Rescue Ambulance. Fire Station 74 has one Paramedic Rescue Ambulance only.

The above distances were computed to Area “A”, La Tuna/Tujunga Canyon Blvd.

Area “B” -- 1 mile west of I 210 Freeway on La Tuna Canyon Rd.

Based on these criteria (response distance from existing fire stations), fire protection would be considered inadequate.

In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems will be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code, Section 57.09.07.

Response:

The second sentence of the last paragraph on page IV.J-1 has been revised in Section III (Corrections and Additions) of this Final EIR to read as follows: "This Task Force Station is comprised of a truck and engine company,¹¹ with a paramedic rescue ambulance."

With respect to the response distances described in this comment, see Topical Response 13.

Comment 2-3:**C. Firefighting Access**

Access for Fire Department apparatus and personnel to and into all structures shall be required.

The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

Where access for a given development requires accommodation of Fire Department apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway.

Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

No framing shall be allowed until the roadway is installed to the satisfaction of the fire Department.

¹¹ Typically, a Task Force consists of a truck company and an engine company, with a total of 10 personnel. A truck company includes two vehicles: a truck (i.e., a vehicle with a 100-foot aerial ladder apparatus) and an engine (i.e., a vehicle with a pump). An engine company consists of one vehicle: an engine.

Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.

Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.

Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

Private streets and entry gates will be built to City standards to the satisfaction of the City Engineer and the Fire Department.

Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

This project is located in the very high fire hazard severity zone and shall comply with requirements set forth in the City of Los Angeles Municipal Code 57.25.01.

All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Fire Department.

All homes shall have noncombustible roofs. (Non-wood)

Mitigating measures shall be considered. These measures shall include, but not be limited to the following:

- a. Boxed-in eaves.
- b. Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
- c. Non-wood siding.
- d. Exposed wooden members shall be two inches nominal thickness.
- e. Noncombustible finishes.

Project implementation will increase the need for fire protection and emergency medical services in this area.

At present, there are no immediate plans to increase Fire Department staffing or resources in those areas, which will serve the proposed project.

Submit plot plans to the Fire Department for review and approval.

Response:

This comment lists several LAFD requirements that would ensure the proposed project would not result in a need for new or expanded fire facilities. As discussed on page IV.J-9 in the Draft EIR, the LAFD would review the proposed project during processing for the vesting tentative tract map. At that time, all LAFD requirements, including those listed above, would be incorporated into the proposed project.

Comment 2-4:

CONCLUSION

The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles C.P.C. 19708.

Response:

As discussed throughout Section IV.J.1 (Fire Protection) of the Draft EIR, the proposed project would comply with the City's General Plan, including the Fire Protection and Prevention Plan and the Safety Plan, as well as the Fire Code in the LAMC.

Commenter 3: Jeffrey M. Smith, AICP, Senior Regional Planner, Intergovernmental Review, Southern California Association of Governments, 818 West 7th Street, 12th Floor, Los Angeles, CA 90017-3435, October 24, 2003

Comment 3-1:

Thank you for submitting the Canyon Hills for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the Canyon Hills, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 151206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's October 1-15, 2003 Intergovernmental Review Clearinghouse Report for public review and comment.

Response:

This comment from the Southern California Association of Governments (SCAG) indicated that the proposed project is not considered to be regionally significant per SCAG Intergovernmental Review Criteria and CEQA Guidelines. Therefore, no response is required.

Commenter 4: Jerome C. Daniel, Chairperson, Santa Monica Mountains Conservancy, 5750 Ramirez Canyon Road, Malibu, CA 90265, October 27, 2003

Comment 4-1:

The proposed Canyon Hills development project in the City of Los Angeles is located within the Rim of the Valley Trail Corridor portion of the Santa Monica Mountains Conservancy (Conservancy) jurisdiction. The Santa Monica Mountains Conservancy (Conservancy) is concerned about potential significant adverse impacts to the visual, biological, and recreational resources located on the project site, adjacent parklands, and the Verdugo Mountains ecosystem.

Response:

The comment describes the general concerns of the Santa Monica Mountains Conservancy. The comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 4-2:

Alternatives

None of the Draft Environmental Impact Report (DEIR) alternatives are both consistent with the General Plan and compatible with wildlife movement both locally and regionally. It is unclear in the DEIR which alternative is considered the Environmentally Superior Alternative.

Response:

Alternative D in the Draft EIR (Reduced Density, 87 Lots) is consistent with the current General Plan land use designations and the City's slope density formula. The impacts on wildlife movement that would result from development of Alternative D are described on pages VI-48 through VI-49 in the Draft EIR. As discussed therein, impacts on local and regional wildlife movement would be less than significant under Alternative D. However, the Draft EIR states that impacts on local wildlife movement under Alternative D would be somewhat greater than those associated with the proposed project.

The Draft EIR clearly identifies which alternative is considered to be the environmentally superior alternative in Section VI.F (Environmentally Superior Alternative). As stated on page VI-73 in the Draft

EIR, “the Development Area A Only, 280 Lots Alternative (Alternative B) would result in the least adverse impacts and, therefore, is considered to be the environmentally superior alternative.”

Comment 4-3:

An alternative must be added that 1) removes all development from Area B south of the 210 Freeway and 2) provides a functional wildlife movement corridor between the northwestern and southeastern portions of Area A, north of the 210 Freeway.

Response:

Under Alternative B in the Draft EIR (Development Area A Only, 280 Lots), no residential development would occur in proposed Development Area B. The impacts on wildlife movement that would result from development under Alternative B are described on page VI-19 in the Draft EIR. As discussed therein, neither Alternative B nor the proposed project would significantly affect regional or local wildlife movement.

Regarding wildlife movement between the northwestern and southeastern portions of Development Area A, the prominent northeast to southwest trending ridgelines in Development Area A currently limit movement for all medium and large-bodied animals. Therefore, a northwestern to southeastern corridor does not currently exist for medium and large animals in Development Area A and no such corridor would be developed with the proposed project or any of the alternatives.

Comment 4-4:

Preserving Area B is the only method to adequately protect the intermountain range wildlife movement corridor between the San Gabriel Mountains through Tujunga Wash to the Verdugo Mountains, including that portion south of La Tuna Canyon Road. The project as it is currently designed effectively blocks this north-south movement corridor, La Tuna Canyon Park, which is owned by the Conservancy, lies adjacent to the entire southern border of the project site on the south side of La Tuna Canyon Road. The wildlife movement study in the DEIR found evidence of gray fox, coyote, deer, and raccoon attempting to cross La Tuna Canyon Road at the intersection of the project site and the parkland.

Response:

Under Alternative B, no residential development would occur in Development Area B. As stated in Response 4-3 and on page VI-19 in the Draft EIR, neither Alternative B nor the proposed project would affect regional wildlife movement.

As discussed on pages IV.D-142 through IV.D-145 in the Draft EIR, “the only possible regional movement corridor into the Verdugo Mountains is the potential Tujunga Wash corridor north of the project site.” GLA biologists carefully evaluated the potential connection between the Tujunga Wash and the project site, although this potential connection is described as a “Missing Link” by Noss.¹² Page IV.D-160 in the Draft EIR addresses potential wildlife movement between the San Gabriel Mountains and the Verdugo Mountains with the development of the proposed project, as stated therein:

Regional movement between the San Gabriel Mountains and the main body of the Verdugo Mountains may at least be possible through the potential Tujunga Wash-Missing Link-La Tuna Canyon Wash corridor, although the ability of large mammals to traverse the “Missing Link” portion of this connection is tenuous at best. In any event, the proposed project would not affect Tujunga Wash or the “Missing Link” areas because these areas are not on the project site. In addition, Drainage 14, and the significant areas of open space around it, will be preserved after the construction of the project and linkages with La Tuna Canyon Wash will remain in place. Similarly, La Tuna Canyon Wash will be preserved.

Furthermore, within Development Area B, GLA biologists found no indications that wildlife move between the northwest corner of Development Area B, through the area proposed for development to the eastern tip of Development Area A (near the La Tuna Canyon Road/Interstate 210 undercrossing). Movement through the area proposed for development is severely limited by steep (in some areas nearly vertical) topography immediately north of La Tuna Canyon Wash. Rather, most wildlife that successfully traverse the obstacles between the Tujunga Wash and the portion of the project site south of Interstate 210 will then move southward and follow Drainage 14 (and potentially Drainage 5) to La Tuna Canyon Wash, from where there are numerous access points to the La Tuna Canyon Park on the south side of La Tuna Canyon Road. GLA biologists documented a number of culverts (some as large as eight feet in diameter) beneath La Tuna Canyon Road that provide a clear connection between La Tuna Canyon Wash and side canyons that originate in La Tuna Canyon Park. Animals can also move southward through the large swath of open space to the east and west of Drainage 14 that would be preserved as open space to reach La Tuna Canyon Wash or La Tuna Canyon Road. Therefore, neither development of the proposed project nor Alternative B would affect wildlife movement between the San Gabriel Mountains and the Verdugo Mountains.

¹² Noss, R.F., Final Report to Los Angeles and San Gabriel River Watershed Council, Task 3: Final Conservation Strategy and Map of Corridor Opportunities, 2001.

Comment 4-5:

The DEIR states that the regional wildlife movement corridor would not be impacted by the project. We do not concur with this statement. The proposed project footprint would force wildlife moving between Big Tujunga Wash and the core habitat of the Verdugo Mountains to cross La Tuna Canyon Road offsite through the much smaller gap to the west of the project site. The slopes on either side of the road are very steep making wildlife movement difficult. While some of the land on the northern side of the road is owned by the Los Angeles County Flood Control District, none of the land on the south side of the road is publicly owned. Also, the wildlife movement study in the DEIR found only one dead coyote at this interface. In contrast, evidence in the DEIR shows wildlife are traversing La Tuna Canyon Road where the project boundary and La Tuna Canyon Park meet.

Response:

The statement that the project forces animals to cross La Tuna Canyon Road through a small gap “offsite” to the west of the project site is incorrect. Page IV.D-143 in the Draft EIR describes the potential route that could be used by animals moving between the Big Tujunga Wash environs and La Tuna Canyon Park. As described in the Draft EIR, animals that reach La Tuna Canyon Wash have the entire frontage of the project site available to cross La Tuna Canyon Road. Furthermore, as noted on page IV.D-143 in the Draft EIR, animals have a number of culverts available along this reach of La Tuna Canyon Wash that lead directly to drainages that originate in La Tuna Canyon Park (also, see Response 4-4). With development of the proposed project, there would be no change with respect to the ability of animals to move between the project site and La Tuna Canyon Park. It is true that segments of the slopes are steep on both sides of the La Tuna Canyon Road. However, there would be no change to any of these slopes associated with the development of the proposed project.

Comment 4-6:

The DEIR also found considerable wildlife movement within Area A, north of the 210 Freeway. As proposed, the northwestern half of Area A will be preserved as open space and the southeastern half will be developed. This design for the proposed project will biologically isolate the open space in the northwestern half of Area A. The proposed project footprint blocks wildlife movement between the northwestern portion of Area A and the freeway underpass at La Tuna Canyon Road. The La Tuna Canyon Road underpass is located at the southeastern corner of Area A. This underpass connects Area A to the rest of the Verdugo Mountains south and west of the 210 Freeway. To prevent the complete isolation of the open space in the northwestern half of Area A, a functional wildlife corridor must be provided through the development footprint of Area a. This corridor must be a minimum of 500 feet in width to be ecologically effective with residences on both sides.

Response:

Survey efforts by GLA biologists identified movement by coyotes along the prominent northeast to southwest trending ridgelines that bisect proposed Development Area A, as well as east-west movement by coyotes and gray fox along Verdugo Crestline between the northwest corner of the project site and the top of Drainage 4. Coyotes and raccoons were also noted using Drainage 4.

Because of the prominent northeast to southwest trending ridgelines that bisect Development Area A, the associated deep canyons, and the dense chaparral that covers the area, northwest to southeast movement is very limited for all medium or large-bodied mammals that use this area. Rather, most animals moving from the northwest corner of Development Area A to the La Tuna Canyon Road underpass use Verdugo Crestline Drive, Drainage 4 and then travel along the slopes of Interstate 210 to reach the La Tuna Canyon Road underpass. Alternately, animals use Verdugo Crestline Drive to reach the existing residential development northeast and east of Development Area A and then move through that existing development to the Duke Property to reach the underpass. Currently, there is no wildlife movement corridor extending through Development Area A that connects the northwest corner of Development Area A with the La Tuna Canyon underpass, due to the steep topography and dense chaparral.

In addition, all of the species detected in Development Area A (i.e., coyote, gray fox and raccoon) are edge-enhanced species that are highly adaptable and able to thrive along the urban edge as long as sufficient adjacent open space remains available. The proposed development would be adjacent to a large block of intact habitat and would not affect the ability of these species to move between the northwest corner of the project site and the La Tuna Canyon Road underpass (if in fact they do move in this direction).

In the developed project condition, as described on pages IV.D-154 through IV.D-155 in the Draft EIR, both Verdugo Crestline Drive and Drainage 4 would remain intact (subject to minor modifications that would not preclude wildlife movement), allowing animals to move along these paths. In the developed project condition, animals that reach the lower reach of Drainage 4 would use the new project access road that would provide an enhanced travel route for urban-adapted species such as coyote, gray fox and raccoon.

Comment 4-7:**Visual Impacts**

We concur with the DEIR that impacts on the scenic vistas and resources along the 210 Freeway and La Tuna Canyon Road are significant and adverse. These impacts are unavoidable and unmitigatable under the proposed project.

Response:

The comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 4-8:

While the DEIR states that the viewshed of La Tuna Canyon Park will be adversely affected by the development in Area B (under Photo Simulation 8), the impacts to the park are not explicitly described in any of the summaries. The proposed project will impact the viewshed of many of the hiking trails on the adjacent parkland. The alternative we proposed in the preceding section will eliminate the impacts created by the development of Area B.

Response:

Project-related aesthetic impacts to La Tuna Canyon Park are discussed on page IV.N-27 in the Draft EIR and a photographic simulation of the view of the Development Area B as seen from the park is presented in Photo Simulation 8. In addition, on page IV.N-38, the Draft EIR states that the proposed project's impacts on scenic resources (which are acknowledged to be visible from La Tuna Canyon Park on page IV.N-27) would be significant.

With respect to alternatives, the Draft EIR includes Alternative B (Development Area A Only, 280 Lots), which is similar to the alternative suggested in the comment. Under Alternative B, there would be no development south of the Interstate 210. On pages VI-26 and VI-27, the Draft EIR acknowledges that project impacts to the park would be significant and states that those impacts would be significantly reduced under Alternative B.

Comment 4-9:

The DEIR is inadequate and deficient for failing to include a visual simulation of the main access road to Area A from La Tuna Canyon Road. This entrance will have to traverse an extremely steep slope that runs along the 210 Freeway for over 3,000, feet. The resulting grading will greatly impact the viewshed of the 210 Freeway, La Tuna Canyon Road, and La Tuna Canyon Park. The DEIR does not adequately describe how high the cut slopes of this entrance road will have to be.

Response:

The absence of a visual simulation of the main access road to Development Area A does not render the Draft EIR either inadequate or deficient. In fact, the Draft EIR presents an extensive analysis of the

proposed project's aesthetic impacts. Section IV.N (Aesthetics) includes 41 pages of analysis and presents 20 figures (including six visibility analyses and eight visual simulations) that depict various aspects of the proposed project's aesthetic impacts. Based on this analysis, the Draft EIR concluded that the proposed project would have a significant impact on the scenic resources and visual character of the project site and surrounding area. Consequently, the addition of another visual simulation would not change any conclusions contained in the Draft EIR. Furthermore, Section 15204 of the CEQA Guidelines states that the adequacy of an EIR is determined in terms of what is reasonably feasible. It is not reasonably feasible to include a simulation of every conceivable view of the proposed Development Areas. According to Section 15204, "CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors" In addition, the Draft EIR provides an extensive discussion of Alternative C (Duke Property, Alternative Access, 280 Lots), which specifically assesses the implications of an alternative access to the project's proposed main access to Development Area A.

Comment 4-10:

Wildlife Movement Corridors

The DEIR states that a wildlife movement study was conducted from March 2002 to December 2002. It is unclear how many days during this period the site was surveyed and specifically which areas of the project site the surveys were conducted. This study included placing track stations in locations that were determined to be potentially important for wildlife movement. However, the track stations were set up for only four consecutive days. Four consecutive days is an insufficient sample size to make any determinations about wildlife movement within the region. The corridors must be studied over time through all of the seasons to begin to make determinations about the lack of significance of the project site as a wildlife movement corridor. While it is easy to conclude the presence of a species on a project site, the reverse is not true. The DEIR conclusions based on these studies are therefore deficient.

Response:

Surveys to evaluate wildlife movement included focused surveys targeted at evaluating wildlife movement and observations made during other focused or general biological surveys. Many of the observations of recorded scat or other sign were made during the general surveys. Over 100 hours of in-the-field survey time was expended on focused wildlife movement studies, with an additional 200 hours of general survey time that included mapping of scat, tracks or other sign of wildlife presence/movement. Four biologists participated in the wildlife movement study. The detailed level of analysis is characterized by the detailed mapping depicted on Figure IV.D-21 in the Draft EIR. The extent of the survey area is described in detail on pages 6 through 10 in the Wildlife Movement Study and pages IV.D-134 through 138 in the Draft EIR, which included the offsite area described as the

“Missing Link”, areas within La Tuna Canyon Park immediately across La Tuna Canyon Road from the project site and the Duke Property.

With regard to placement of the track stations, the intent of the study was to document use by target species. For example, once it was demonstrated that coyote or gray fox were using a particular trail or culvert, it was not necessary to extend the surveys because no additional meaningful information would be acquired. It is important to note that coyotes were detected at 19 of the 21 track stations within the four-day period. While the track stations were only surveyed for four days, the wildlife movement study extended for nearly 10 months, during which time four biologists expended many hours of field time, allowing for observations through most of the year.

Comment 4-11:

In fact, the data provided by the wildlife movement study in the DEIR shows the great extent the project site is utilized by medium-sized mammals. The study also confirms that the Wentworth Street underpass for the 210 Freeway is used by wildlife moving between Tujunga Wash and the Verdugo Mountains. The Verdugo Mountains are completely isolated from all other large tracts of habitat in the region, including those in the San Gabriel Mountains, except for this link at Wentworth Street and the point where the North Fork of Tujunga Wash crosses under the 210 Freeway. While this link is tenuous, it does not mean it is not functional. Its functionality has been proven by the referenced EIR study. The Conservancy also recently acquired several parcels at the southwestern corner of the Wentworth Street undercrossing. The DEIR states that fences in this area make it extremely difficult for wildlife to use the corridor. The tone in the text makes it seem like this is not a viable wildlife corridor. Fences can be moved, thereby opening up the corridor further. Native vegetation can also be added. Animals are traversing this area even with the fences.

Response:

The project site is utilized by medium-sized mammals. However, the Draft EIR does not confirm that the Wentworth Street underpass for Interstate 210 is used by wildlife moving between the Tujunga Wash and the Verdugo Mountains. GLA biologists found fox scat and coyote scat and tracks in this area. The high density of fox scat on a hillside is a more likely indicator of a resident fox. The value of the GLA observations is in showing the potential of the area as a movement path. GLA biologists do not agree that the wildlife movement study proves that the corridor is functional. Because the proposed project does not affect this potential movement path, GLA biologists were more focused on determining whether wildlife movement was precluded between the Tujunga Wash and the Verdugo Mountains. It is their opinion that, in its current condition, it is a tenuous link (as described by Reed Noss). The wildlife movement study also demonstrated that, if an animal (e.g., raccoon, coyote or mountain lion) can traverse the Tujunga Wash area, the proposed project would not prevent, in any manner, such

animal from reaching the main body of the Verdugo Mountains from Drainage 14 or the extensive open space area west of Development Area B and the La Tuna Canyon Wash.

Comment 4-12:

Without actually tracking animals using radio telemetry, it cannot be accurately stated that the project site is mainly only utilized for localized wildlife movement. The points an animal is moving between cannot be determined by identifying a track or scat on a path.

Response:

Radio telemetry data can be helpful in establishing wildlife movement patterns and mapped locations of scat or track does not provide data sufficient to describe an animal's entire use area. However, the purpose of the wildlife movement study was to determine whether the proposed project would or would not have a significant impact on wildlife movement. In order to make this determination, GLA biologists spent numerous hours in the field looking at various factors, including (1) which species are currently using the project site, (2) the characteristics of those species, and (3) the character of the project site, including topography, vegetation, location of roads, and natural corridors, such as riparian areas (e.g., Drainage 14 and La Tuna Canyon Wash). By considering all of these factors, GLA biologists demonstrated that development of the proposed project would not adversely affect potential wildlife movement between the Tujunga Wash and the main body of the Verdugo Mountains.

Comment 4-13:

The development footprint for Area B completely cuts off movement between the northern and southern portions of that area of the project. The DEIR states that a local movement path will be provided through the central portion of Development Area B. The EIR shall remain deficient until this "local movement path" is accurately described and mapped for decision makers to review. To utilize this path, wildlife would have to move between the narrow portions of ungraded land on the southern edge of development in Area B. They would then have to move between two houses down a corridor the width of a driveway and then cross a road in the development. This is not an adequate wildlife movement corridor segment to keep the remainder of the Verdugo Mountains ecologically viable. This corridor is the only adequate means for wildlife to move between the publicly protected lands in the Verdugo Mountains and the San Gabriel Mountains. For these reasons, the wildlife corridor can adequately be protected only by preserving all of Area B.

Response:

The comment appears to confuse regional and local wildlife movement issues. First, relative to regional movement, the statement that the "development footprint for Area B completely cuts off

movement between the northern and southern portions of that area of the project” is clearly untrue. As discussed in Response 4-12 above, site topography and the presence of natural movement paths, such as riparian areas, must be considered in the evaluation of wildlife movement, including regional movement. From the northwest corner of Development Area B, the most direct and by far the most accessible path to reach La Tuna Canyon Park is along Drainage 14 to La Tuna Canyon Wash. From La Tuna Canyon Wash, there are multiple access points either through culverts (where coyote use was documented) or across La Tuna Canyon Road.

Existing topography currently precludes, or at least severely limits, wildlife movement from the northwest quadrant of Development Area B in a southeast direction through the proposed grading limits in Development Area B. Rather, animals move down Drainage 14 or Drainage 5 to La Tuna Canyon Wash to access La Tuna Canyon Park, as discussed above. With development of the proposed project, this would not change and animals would still use the movement path from Drainage 14 to the La Tuna Canyon Wash. Corridor B, depicted on Figure IV.D-22 in the Draft EIR, is intended to provide an additional path for local movement only.

Comment 4-14:

The DEIR is deficient for stating that local movement pathways within the project site will not be impacted. Over 35 of the sightings in Area A occurred within the proposed grading limits of the project. The DEIR states that wildlife movement will be preserved by providing breaks in walls. Breaks in walls in between houses does not constitute a sufficient wildlife movement corridor. The figure depicting the corridors through the development forces the wildlife corridor onto private land near Drainage 4. This does not adequately protect a wildlife corridor totally encompassed within Area A. The maintenance of a wildlife corridor on adjacent private lands cannot be guaranteed and cannot be credited or relied upon to mitigate the subject project.

Response:

The Draft EIR concluded that there would be no significant impacts to local movement associated with the project (see pages IV.D-153 through 160 in the Draft EIR). A variety of factors were considered in this conclusion, including (1) existing movement paths used by animals, (2) the movement paths available with development of the proposed project, and (3) the characteristics of animals observed in the area during the ten-month survey period. Of the 35 sightings in Development Area A (which consisted of coyote, raccoon and/or gray fox scat or tracks), 25 were detected on Verdugo Crestline Drive or in Drainage 4, which would remain in place with project implementation (both Verdugo Crestline Drive and Drainage 4 would be modified by the proposed project, but none of the proposed modifications would affect use by coyote, gray fox or raccoon). Furthermore, as noted in the Response 4-6 above and in the Draft EIR, coyote, gray fox and raccoon are well adapted to the urban setting and their ability to move through or around the proposed project would not be adversely impacted. In fact,

with the construction of new streets, access for each of these species (i.e., coyote, raccoon and gray fox) would be enhanced because these species are known to prefer to move along streets, sidewalks and other paths rather than densely vegetated areas.

The purpose of the breaks in walls is to allow these species access to the new streets and onsite open space, not to create a wildlife corridor. All of these species (i.e., coyote, raccoon and gray fox) currently roam freely in the adjacent existing development east of the project site. As discussed on page IV.D-151 in the Draft EIR, a number of fox scat observations included seeds or fruit from exotic vegetation in the existing adjacent development, indicating frequent use of these areas.

Comment 4-15:

A wildlife movement corridor must be preserved through Area A connecting the northwestern and southeastern portions of the project site. This corridor must be a minimum of 500 feet in width to be ecologically effective with residences on both sides. Only roads would be allowed to traverse this corridor. Without this corridor, the northwestern corner of Area A would be totally isolated biologically. The wildlife movement study did not find any evidence of wildlife entering this portion of Area A from the north or via the culverts under the 210 Freeway. A fully protected corridor encompassed totally within the project site is the only means to ensure the protected open space in the northwestern corner is not completely isolated.

Response:

Page IV.D-155 in the Draft EIR states that northwest to southeast movement across Development Area A is precluded by the very steep northeast to southwest trending canyons and alternating ridgelines that bisect the project site. The commenter is correct that the study did not detect wildlife entering the project site at the northwest corner (presumably due to existing development and the presence of Interstate 210), precluding any type of regional wildlife movement through proposed Development Area A. Therefore, there is no need for a new corridor. As discussed in the Responses 4-6 and 4-14, local movement in this area occurs along Verdugo Crestline Drive and in Drainage 4, both which would remain in place following development of the proposed project (see Draft EIR discussion on page IV.D-146). Furthermore, as discussed throughout the Wildlife Movement Study and in the responses above, the primary species using these areas (e.g., coyote and gray fox) are high adaptive and would easily move through the proposed development, including the potential conceptual wildlife movement path (i.e., Corridor A) through proposed Development Area A depicted on Figure IV.D-22 in the Draft EIR, such that there would be no "isolation". Furthermore, there would be a number of potential wildlife movement paths through proposed Development Area A that would be available for these species.

Comment 4-16:

Biological Resources

We do not concur that mountain lions do not use the Verdugo Mountains. Residents in the Verdugo, Mountains have sighted mountain lions. Until recently, the possibility of mountain lions regularly using the Santa Monica Mountains was not at all documented. Biologists and park personnel had not sighted a mountain lion, but residents had.

Mountain lion presence in the Verdugo Mountains is at least as probable as it is improbable. In any case, mountain lions are a key component of the local ecosystem and land use decisions should protect existing and potential habitat.

Response:

There is no evidence in the scientific literature that the Verdugo Mountains are used by mountain lions. As noted on page IV.D-148 in the Draft EIR, experts such as Paul Beier do not expect the Verdugo Mountains to be suitable habitat for the mountain lion due to lack of connectivity. GLA biologists did not observe any mountain lions or sign thereof during the 19-month study period. However, as discussed in the Draft EIR, GLA biologists did not exclude the possibility that mountain lions occasionally reach the Verdugo Mountains (see Footnote 31 in the Draft EIR). However, an occasional visit by a mountain lion does not demonstrate meaningful usage. More importantly, the Draft EIR documented that if a meaningful connection were established through the area identified by Reed Noss as a “missing link”, the proposed project would not affect the ability of mountain lions to reach the main body of the Verdugo Mountains. The primary pathway, along Drainage 14 to La Tuna Canyon Wash, is described in detail on pages IV.D-142 through 144 in the Draft EIR. This pathway would be protected and preserved as part of the proposed project.

Comment 4-17:

The DEIR is deficient for not providing a discussion on the potential impacts of 1) the incremental reduction of habitat in the Verdugo Mountains ecosystem and 2) the increase in the urban-wildland edge on more secretive animals like the bobcat, mountain lion, and badger on the open space abutting the proposed development clusters.

Response:

The loss of habitat associated with the proposed project accounts for approximately 2.5 percent of the habitat in the Verdugo Mountain ecosystem, with the vast majority of the impact associated with chaparral. In fact, impacts to chaparral within the project site total 271 acres (or 93 percent) of the 290 acres of vegetation affected by the proposed project. As noted on pages IV.D-53 and 54 in the Draft

EIR, chaparral is very common and, as such, the impact is not considered significant (see also page IV.D-65 in the Draft EIR).

Potential indirect impacts, including edge effects, are addressed on pages IV.D-60 through 63 in the Draft EIR. However, mountain lions do not regularly use the project site and therefore there would be no impacts to this species associated with the development of the proposed project due to edge effects. Bobcats were not detected during surveys, but have been reported by residents in the adjacent existing development. Bobcats are able to adapt to the urban interface as long as suitable open space areas remain for location of dens. Extensive open space would be preserved adjacent to the future homes in Development Areas A and B, and there would be no impact on bobcats. Badgers were not detected during surveys and, in general, the project site does not exhibit habitat characteristics (i.e., open grasslands and friable soils) that are preferred by badgers. Nevertheless, at least one resident reported observing a badger foraging in a residential area. Badgers may persist on the project site at the urban edge where the habitat has been opened up by fuel modification and soils have been modified by development. With development of the proposed project, it is expected that badgers would persist at the current low densities, primarily at the urban edge due to fuel modification and the creation of fill areas with friable soils.

Comment 4-18:

A total of 230 oak trees and 27 sycamores will be impacted by the project. As proposed, replacement of the trees will be almost totally contained within the developed areas of the project site. For the most part, the trees would be planted along the edges of roads and in the yards of residents. This does not constitute adequate mitigation for the impacts to the trees. Replacement of trees in street medians and landscaping planters does not mitigate for the loss of the trees as habitat to wildlife on the project site. Impacts to oak trees must be mitigated by restoring degraded oak woodland habitat either on the project site outside of the development zone or in nearby protected natural areas.

Response:

See Topical Response 2 and Response 149-105.

Comment 4-19:

The planting of a 2.5-acre water quality basin is proposed as the main mitigation for impacts to jurisdictional wetlands and riparian areas. For this to be mitigation, it must function similarly to the current riparian habitat on the project site. The DEIR however does not provide any details on the design of this water quality basin and how it will function. The EIR mitigation shall remain deficient until it includes a diagram of the basin that specifically outlines the plantings and dimensions. Decision

makers must have this information to determine if the basin will adequately mitigate the impacts to riparian resources.

Response:

The Draft EIR includes a description of the approximately 2.5-acre water quality basin that would be created in the lower reach of Drainage 4, including the proposed habitats in various portions of the basin. The applicant is coordinating with the U.S. Army Corps of Engineers (Corps) and the California Department of Fish and Game (CDFG) regarding mitigation requirements for impacts to streambeds and associated riparian habitat, including the precise requirements for the proposed water quality basin. This is the standard procedure for all development projects in California that impact jurisdictional areas. The Corps and CDFG have particular expertise in evaluating impacts to streambeds and associated riparian habitat and will not issue authorizations for impacts to jurisdictional areas until they have approved the developer's mitigation program.

Comment 4-20:

Project Approvals

As proposed, the project will require a General Plan Amendment and Zone Changes to increase the allowed 89 residences to be built on the project site to the proposed 280 homes. There is no public policy justification to allow for a General Plan Amendment and Zone changes. Eighty-nine clustered homes with the minimum allowed lot and pad size is the maximum the City should consider. The proposed project would irreparably harm the biological, aesthetic, and recreational resources of the City of Los Angeles.

Response:

To the extent that the comment challenges the public policy justification for the proposed General Plan amendment and zone changes, it does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. The final sentence of the comment is not supported by any evidence or analysis. The Draft EIR evaluated the proposed project's potential impacts on biological, aesthetic and recreational resources and determined that some of those impacts would be significant and others would not.

Comment 4-21:

The DEIR does not adequately address the need to obtain permits from Caltrans to construct the entrance road to Area A. This road will have to cross Caltrans slope easements. Likewise, the DEIR does not adequately address the access limitations created by the need to obtain such permits from Caltrans.

Response:

Work within Caltrans slope easements is common to all projects located along Caltrans' rights-of-ways. As stated on page III-11 in the Draft EIR, an encroachment permit would be sought as part of the proposed project. Prior to the start of construction, activities associated with the proposed project that are located within the Caltrans' slope easements would be subject to review and approval by Caltrans. In any event, the issuance of a permit to cross a slope easement is not an environmental issue and, as such, was not required to be analyzed in the Draft EIR pursuant to CEQA.

Comment 4-22:Lighting

We concur that the increase in light and glare from the project is a significant impact. The project will not only impact wildlife species on the project site and special status species offsite, but it will impact special status species located on the project site and nighttime wildlife movement in the area.

Response:

To clarify, light and glare impacts were not identified as significant impacts due to effects on biological resources. Rather, the significant lighting impact identified in Section IV.F (Artificial Light and Glare) of the Draft EIR is associated with nighttime views.

The Draft EIR does not identify any significant impacts to wildlife species on the project site due to artificial light. However, mitigation measures are recommended on page IV.F-23 in the Draft EIR to reduce further the minimal effects on wildlife from artificial light. A careful evaluation of the California Natural Diversity Database (CNDDDB) and other local records does not indicate any potential impacts to offsite special-status species, as there are no records for such animal species in the vicinity of the project site. The Draft EIR identifies impacts to one special-status species, the rufous-crowned sparrow. However, the rufous-crowned sparrow is far more common than previously thought and is expected to be removed from the California species of special concern list by the Fish and Game Commission.¹³ Any potential artificial light impacts associated with the proposed project would not be significant.

¹³ Chadwick, Don, Personal Communication, 2002. Mr. Chadwick is a biologist for CDFG who coordinates Streambed Alteration Agreements for this region.

The wildlife species addressed in the wildlife movement study (i.e., coyote, bobcat, gray fox, raccoon and badger) are adapted to the urban edge and, with the exception of the bobcat and badger, are considered edge-enhanced species. Lighting associated with the proposed project would not result in a significant impact to movement by these species, which currently all use the adjacent developed areas.

Comment 4-23:

Every attempt should be made to keep lighting impacts to a minimum. While implementing measures F-1 and F-2 will reduce visual impacts from the road, it does not adequately mitigate the impacts of lighting on wildlife. F-1 should be changed to state, "that would be visible from existing communities, - protected open space, or public roads." F-2 should be changed to state, "any lot located within 100 feet of Interstate 210 rights-of-way or protected open space." Other methods that should be considered for implementation include (1) the installation of low pressure sodium lights, which produce light in a spectrum that attracts the fewest number of moths and insects, (2) no roof-mounted lighting structures, (3) no light source exceeding 250 watts, (4) all exterior lighting directed downward, (5) the installation of lighting controlled by sensors, and (6) light sources not exceeding one footcandle of illumination shall be placed within 100 feet of the edge of development area next to any open space.

Response:

Section 15126.4(a)(1) of the CEQA Guidelines states that an EIR shall describe "feasible" measures which minimize significant adverse impacts. The suggested rewording of recommended Mitigation Measures F-1 and F-2 is not required under CEQA since no significant lighting impacts to wildlife has been identified. Furthermore, the suggested rewording of recommended Mitigation Measures F-1 and F-2 is not feasible since it would be impossible to prevent onsite lighting from being visible from adjacent open space. The remaining suggestions will be forwarded to the decision-makers for their consideration.

Commenter 5: Lisa Salinas, Title & Real Estate Services, Corporate Real Estate Department, Southern California Edison, 14799 Chestnut Street, Westminster, CA 92683, October 31, 2003

Comment 5-1:

Our review of the subject subdivision map reveals that the proposed development may interfere with easement rights, and/or facilities held by Southern California Edison within the subdivision boundaries. Until such time as arrangements have been made with the developer to eliminate this interference, the development of the subdivision may unreasonably interfere with the complete and free exercise of Edison's rights.

Five copies of the grading, drainage and street improvement plans are required to be submitted by the developer to determine the extent of interference. The Edison facilities and easements should be plotted on the above referenced maps. Included with the above referenced plans, the developer must state the proposed method to eliminate any interference. Plans should be forwarded to my attention at the following address:

Southern California Edison
14799 Chestnut Street
Westminster, CA 92683

Attention: Lisa Salinas

If you have any questions or need additional information in connection with the subject subdivision, please contact me at (714) 934-0838.

Response:

This comment is ostensibly based on a "review" of a subdivision map for the proposed project. However, the subdivision map for the proposed project has not been prepared yet and was not included in the Draft EIR. In addition, the comment does not identify the "easement rights" and "facilities" that may be interfered with by the proposed project. The project applicant is unaware of any such easement rights and, as shown on the site plan for the proposed project in the Draft EIR, the development of the proposed project would not interfere with the existing SCE transmission lines that transect Development Area A. To the extent that any such easement rights exist, this issue would be addressed during the processing of the vesting tentative tract map.

Commenter 6: Kathryn Ballard, 9957 Warnon Avenue, Shadow Hills, CA
91040, November 5, 2003

Comment 6-1:

I am writing to you regarding the Canyon Hills Project better known as the Whitebird Development. They have recently released their Draft Environmental Impact Report for Case #ENV 2002-2481-E.I.R.

I am very disturbed by the fact that Whitebird wants to request a zone change to R-9 in a large portion of the property to be developed.

This goes directly against the ordinance for Shadow Hills as an equestrian area. Tract housing will not fit in with this otherwise open-space, semi-rural community. Do not allow this development corporation to change the zoning and thereby change the very nature and heart of our community. Thank you for your time.

Response:

See Topical Response 8.

Commenter 7: Jim Cahoon, Captain, Department of California Highway Patrol, 2130 Windsor Ave., Altadena, CA 91001, November 12, 2003

Comment 7-1:

We have received the Notice of Completion and Draft Environmental Impact Report (EIR) for the Canyon Hills Project. In reviewing the EIR, we have the following traffic safety and congestion concerns that should be addressed before the beginning of work on this project.

Improved Off Ramp Design - The westbound Foothill Freeway (I-210) off-ramp to La Tuna Canyon Road will need to be redesigned to accommodate the increased traffic flow to the project. There is a curvature of the off-ramp, which has not been a problem because of the lower volume of traffic. However, the Canyon Hills Project will increase the number of vehicles using the off ramp and this will generate more collisions due to its existing design. Re-aligning the off-ramp to eliminate the curve's current radius so that it aligns with the main access street into the Development Area A, coupled with a signal-controlled intersection at La Tuna Canyon Road, will expedite traffic safely off the freeway and into the project's Development Areas A and B.

Response:

Table IV.I-6 in the Draft EIR indicates that Intersection No. 4 (Development Area A Access/Interstate 210 Ramps and La Tuna Canyon Road) currently operates at a Level of Service A (LOS A) during the morning peak hour and LOS B during the afternoon peak hour. Field observations confirm that the intersection is not congested during these time periods. In the future cumulative condition (i.e., with existing traffic and traffic due to ambient growth, related projects and the proposed project), and with implementation of the recommended traffic mitigation measures, the intersection is forecast to operate at LOS A during the morning peak hour and LOS B during the afternoon peak hour. Therefore, no excessive queuing or impacts to safety are anticipated to result based on these LOS values.

Mitigation Measure I-1, which requires the installation of a traffic signal at the intersection of Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road, requires review and consultation with LADOT, the City of Los Angeles Bureau of Engineering and Caltrans. Engineering design issues related to the traffic signal installation, (i.e., location, ramp configurations, ramp metering, HOV lanes, etc.), would be appropriately reviewed at that time.

Comment 7-2:

Installation of Traffic Signals - Due to the increased volume of traffic using the La Tuna Canyon Road interchange because of this project, traffic signals need to be installed at several locations to reduce

collisions and congestion. Synchronized traffic signals will need to be installed on La Tuna Canyon Road at the I-210 westbound on/off ramp intersection, I-210 eastbound on/off ramp intersection, and at the two exits from the project's Development Area B south of the I-210.

Response:

Regarding the intersections that were analyzed in the traffic study, including those along La Tuna Canyon Road, see Topical Response 9 and Topical Response 10. As shown in Table IV.I-6 in the Draft EIR, one intersection (Intersection No. 4 at Development Area A Access/Interstate 210 Freeway Westbound Ramps and La Tuna Canyon Road) is anticipated to be significantly impacted by the development of the proposed project. The installation of a traffic signal is proposed at this intersection (see Mitigation Measure I-1), which would reduce that impact to a less-than-significant level. Project impacts at the remaining study intersections would be less than significant. Therefore, no additional improvements (i.e., installation of additional traffic signals) are required. However, based on discussions between the project applicant and the Foothill Trails Neighborhood Council, the project applicant has proposed the installation of two additional traffic signals on La Tuna Canyon Road in order to reduce traffic speed, improve traffic safety and facilitate equestrian movement across La Tuna Canyon Road. The first proposed signal, if approved by the City, would be located at the eastern access to proposed Development Area B. The second proposed signal, if approved by the City, would be located at the entrance to the proposed equestrian park. With respect to the latter signal, see also Topical Response 8.

Comment 7-3:

Improved On-Ramps to Support HOV - To facilitate the state's High Occupancy Vehicle (HOV) program to reduce traffic congestion, the on-ramps will have to be widened to accommodate HOV lanes and metering. This change is necessary because of the anticipated increase in traffic flow from the Canyon Hills Project.

Response:

The implementation of recommended Mitigation Measure I-1 would not require the widening of the Interstate 210 on-ramp to provide a HOV lane and/or traffic metering as suggested in this comment. Therefore, no additional traffic mitigation measures, including the widening of existing freeway on-ramps for HOV lanes and traffic metering, would be necessary.

Comment 7-4:

Underground Utility Poles - Any utilities in the project or near the interchanges of La Tuna Canyon Road and Sunland Boulevard need to be buried underground. This will eliminate vehicles colliding with fixed objects (utility poles), which increase the severity of injuries.

Response:

Although the final location of all of the utilities that would be installed with the development of the proposed project has not yet been determined, it is expected that the proposed project would not require new utilities to be installed at the intersection of La tuna Canyon Road and Sunland Boulevard. In addition, all new utilities that would be installed on the project site would be placed underground.

Comment 7-5:

Installation of Sound Walls - Experience has shown that with large housing developments situated close to freeways, there is a need for the developer to install sound walls to help protect residents from freeway noise. With the completion of the I-210 through to the I-15 and the potential for an I-710 connection, truck and other vehicle traffic will increase on the freeway.

Response:

The Interstate 210 extension to Interstate 15 referenced in this comment has been completed (this segment opened in November 2002). Therefore, any changes to traffic on Interstate 210 in the vicinity of the project site as a result of this extension have occurred prior to the traffic and noise analyses presented in the Draft EIR (see Sections IV.E (Noise) and IV.I (Transportation/Traffic) in the Draft EIR). The next segment of the extension, from Interstate 210 to Interstate 215, is scheduled to be completed in 2006 or 2007. It is highly unlikely that completion of this segment, which is located more than 40 miles east of the project site, would result in any discernable changes to traffic flow on Interstate 210 in the vicinity of the project site.

Major regional projects, including infrastructure improvements such as the Interstate 210 extension, as well as related projects, have already been incorporated into regional traffic growth projections.

The extension of the Interstate 710 from Interstate 210/State Route 134 to Valley Boulevard is not an approved project. Furthermore, if that project is approved and funded, construction is likely to occur 20 years or more in the future, a time frame that extends far beyond the buildout of the proposed project.

In addition, the CMP provides regional traffic growth projections for areas of Los Angeles County based on area-wide computer traffic models that consider anticipated development projects and regional

infrastructure improvements. For Interstate 210 in the Tujunga/Sunland area, the CMP forecasts an annual traffic growth rate of approximately one percent per year in the 2001 to 2009 timeframe. Therefore, the traffic volume on Interstate 210 in 2009 would be approximately eight percent greater than the traffic volume in 2001.

A 25 percent increase in traffic volume would increase the estimated traffic noise level by 1 dB. However, a traffic volume increase of eight percent would correspond to a less than 1 dB increase in noise level. Therefore, this increase would not result in a significant impact.

Comment 7-6:

Bus Stop Location - To reduce traffic congestion and vehicle-pedestrian collisions, a bus stop area should be included and designed so the bus can leave the roadway portion of both La Tuna Canyon Road and Sunland Boulevard locations to pick-up/drop-off passengers. It is reasonable to assume that many homeowners will use public transportation in lieu of private vehicles. Additionally, low-income domestic workers will need access to safe transportation services.

Response:

The routing of public transit buses in the project vicinity is determined by the MTA and other appropriate agencies. The provision for additional public transit services and the construction of a bus stop area are not part of the proposed project. In addition, these transportation projects are not required to mitigate the impacts of the proposed project.

Comment 7-7:

Fire Escape-Routes – Development Area A-should have two unrestricted roadway exits in the event of a brush fire. If the primary access onto La Tuna Canyon Road becomes blocked due to a collision, congestion or other reason, the residents need another roadway out of or into the development. There are two emergency accesses to the north on roads that are normally closed to traffic (near Verdugo Crestline Drive and Inspiration Way). However, these roads should be used exclusively by emergency vehicles so residents do not hinder their response. Additionally, fire apparatus responding from Fire Station 77 in Sun Valley will attempt entry to the development from the closest point, which is the La Tuna Canyon Road entrance. We believe most of the residents will try to use this same entrance point to flee their homes or get to them. Although residents will be provided with an evacuation plan making them aware of the two emergency roads to the north, the plan maybe forgotten during a time of panic or be unknown to visitors. Should this happen, they will revert to using the most common entry point at La Tuna Canyon Road, which will further its congestion.

Response:

See Response 25-9 and Topical Response 11.

Comment 7-8:

Sidewalks - South of the La Tuna Canyon Road interchange there are hiking trails frequented by hikers. Obviously, the residents of the development will also utilize these trails. Adequate and safe sidewalks need to be installed around the interchange to allow pedestrian traffic access to the hiking trails without unnecessary conflict with vehicles.

Thank you for your consideration of my comments and observations. Please call me if you have any further questions or comments.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 7-9:

Park and Ride Lot - In support of the state's congestion relief efforts, a suitable Park and Ride Lot should be considered in the vicinity of the Canyon Hills Project and the freeway.

Response:

The determination of the need to construct a park and ride facility is made by Caltrans and the City. The provision for additional public transit services and the construction of a park and ride facility are not part of the proposed project. In addition, this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 8: Milton D. Cushman, 9522 Reverie Road, Tujunga, CA
91042, November 12, 2003

Comment 8-1:

I wish to protest the permit to construct 280 single-family homes on approx 194 acres north Interstate 210 and the Conditional use to permit an equestrian park adj to La Tuna Canyon & Vehicular Access to Valley Comm. Plan area with any future roadways adj Duke Devel.

I believe the potential significant effects on the environment and my health are:

Aesthetics, Air Quality, biological, cultural, geology & soils, hazards and hazardous material, Hydrology/Water Quality, noise, over population & excessive traffic.

As a home owner for 38 years I protest.

Response:

The first part of this comment expresses opposition to the proposed project and does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the environmental and health effects of the proposed project with respect to aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, traffic, and other environmental issues, please see Section IV (Environmental Impact Analysis) of the Draft EIR.

Commenter 9: Michael Long, 6128 No. Reno Avenue, Temple City, CA
91780, November 16, 2003

Comment 9-1:

The following comments are provided following the review of the biological portions of the Canyon Hills Draft EIR:

Appendix G (Section 1 and 2) Biological Technical Report:

Sensitive Biological Resources, Pg. 2

The Orange-throated Whiptail (*Cnemidophorus hyperythrus beldingi*) is well out of range, has never been recorded in Los Angeles County, and should not be expected on the site. The Coastal Western Whip tail (*Cnemidophorus tigris multiscutatus*) would be the expected *Cnemidophorus* on site (as listed in Table, Pg. 16). Likewise, the “Northern Red-diamond Rattlesnake” (properly spelled Red Diamond, no hyphen) does not occur north of Orange County. These species and other reptiles and amphibians are mapped and described in the several standard references used by biological consultants throughout California, but not cited in the references in the DEIR. These are, at a minimum, Jennings, M.R. and M.P. Hayes 1994, Amphibian and Reptile Species of Special Concern in California, California Department of Fish and Game and Stebbins, R.C. 2003, A Field Guide to Western Reptiles and Amphibians (3rd Edition), Houghton Mifflin Co..[sic] In addition, work in the Verdugo Mountains should also utilize Schoenherr, A.A. 1976 (1996 reprint), The Herpetofauna of the San Gabriel Mountains, Los Angeles County, California, Southwestern Herpetologists Society. Inclusion of the above species in the focused surveys list and/or expected species list suggests either careless use of range maps, literature or a lack of knowledge of reptile distributions.

Response:

A review of California’s Wildlife: Volume I Amphibians and Reptiles¹⁴ indicates that the project site is out of the historic range of the orange-throated whiptail (*Cnemidophorus hyperthyrus*) and that the project site is within the range of the coastal western whiptail (*C. tigris multiscutatus* syn.: *Aspidoscelis tigris stejnegeri*). However, the most recent version of the California Natural Diversity Database (September 29, 2003) indicates that the coastal western whiptail is not State- or federally-listed or a

¹⁴ Zeiner, D, W. Laudenslayer, K. Mayer, California’s Wildlife: Volume I Amphibians and Reptiles, State of California, the Resources Agency, 1988.

CDFG or USFWS species of concern. The coastal western whiptail was detected during general wildlife surveys as recorded in the faunal compendium (see Appendix G to the Draft EIR). This species is still relatively common across its range and substantial area remains for this species within the proposed open space areas on the project site. Potential impacts to this common species would not be considered significant due to its widespread distribution, and the commenter makes no suggestion to the contrary.

The commenter is correct that the Red Diamond rattlesnake does not occur in Los Angeles County. It was inadvertently included in Table 4 in the Biological Technical Report and Table IV.D-4 in the Draft EIR. However, the Red Diamond rattlesnake is not discussed in the text of the Draft EIR because it was not observed in the study area, there is no suitable habitat for the Red Diamond rattlesnake in the study area, and it was not considered to have the potential for occurring in the study area. The reference to the Northern Red Diamond Rattlesnake in Table IV.D-4 has been eliminated in the Final EIR (see Section III (Corrections and Additions) in this Final EIR).

Comment 9-2:

Mitigation p.4:

The loss of 232 Oaks and 27 sycamores in a natural open space setting is highly significant and is not mitigated by planting in rows or artificial clusters along “entryways”, “road right-of-ways”, “parks and common areas”, “detention basins”, “flood control”, “fuel modification areas”, “private lots” and “equestrian trails”. These plantings, in and adjacent to heavy disturbance do not replace the full ecosystem support of the wild oaks and their understory. The presumably narrow, strip plantings along entryways, right-of-ways, etc. and vehicle, human recreational and flood control maintenance disturbances in these proposed sites greatly reduces the ecosystem value of the trees. The statement in Significance after Mitigation paragraph, suggesting that planted trees will provide “seed production” to “compensate fully for the loss of mature trees” is false. Seedling oaks will not regenerate under planted oaks on artificially manicured and disturbed human-use sites listed. Mitigation for this loss needs to be completely reconsidered. How will the native plantings under oaks be protected from adjacent recreational disturbances?

Response:

See Topical Response 2. In addition, the statement in “Significance after Mitigation” (see page 4 in Appendix G (Biological Technical Report) to the Draft EIR) and on page IV.D-123 in the Draft EIR regarding seed production refers to forage opportunities for wildlife, rather than oak woodland regeneration. Over time, the replacement coast live oaks would compensate for the diminished forage opportunities due to the loss of the mature trees. In addition, any lost seed production would not be a significant impact as long as the loss does not affect a sensitive community. No special status species

would be affected by the loss of the impacted oak trees and, in fact, most of the species that utilize the coast live oaks on the project site would continue to do so. Therefore, there would not be a significant impact.

Comment 9-3:

Pg. 16 Table of Sensitive Species

“Logger-Head Shrike” should read Loggerhead Shrike.

Response:

This comment is correct. Therefore, the reference to “Logger-Head Shrike” in Table IV.D-4 on page IV.D-15 in the Draft EIR has been changed to “Loggerhead Shrike” (see Section III (Corrections and Additions) of this Final EIR).

Comment 9-4:

Pg. 18: While Cactus Wren was listed in the Table on page 15, it was not mentioned here as a survey species, during surveys for other sensitive Coastal Sage Scrub-obligate avifauna.

Response:

A discussion of the Cactus Wren is set forth on page IV.D-47 in the Draft EIR. As discussed therein, no suitable habitat for the cactus wren (i.e., southern cactus scrub) occurs on the project site. Therefore, surveys for this species were not necessary.

Comment 9-5:

Pg. 19: Again, focused surveys for Orange-throated Whiptail, a species completely out of range here, is foolish.

Response:

See Response 9-1 above.

Comment 9-6:

Pg. 20: The limitation mentioned of rare plant surveys conducted during a year with about 30% of normal, annual rainfall should require a re-survey in the next Spring season with closer to normal rainfall.

Response:

It is acknowledged that the surveys were conducted during a drier-than-normal season. In any event, the use of the plant surveys conducted in 2002 to establish the environmental setting for the proposed project was appropriate. Section 15125(a) of the CEQA Guidelines provides that an EIR must include a description of the physical environmental conditions in the project vicinity “as they exist at the time the notice of preparation is published,” and that this environmental setting will normally constitute the baseline physical condition by which a lead agency determines whether an impact is significant. The biological surveys were conducted during a 12-month period between January 2002 and February 2003. The Notice of Preparation for the Draft EIR was published on September 6, 2002, near the end of the survey period. Therefore, pursuant to Section 15125(a), those surveys properly documented the environmental setting and baseline environmental condition regarding the biological resources associated with the Study Area for the proposed project. There is no requirement under CEQA or the CEQA Guidelines that the preparation of an EIR be delayed for an entire year when the environmental setting deviates from an “average” condition. Indeed, the commenter’s suggestion, if taken to its logical extreme, would have prevented environmental review of all projects in California for five of the previous eight years, given that total seasonal rainfall was below average in 1995-96, 1996-97, 1998-99, 1999-2000 and 2001-02. Similarly, the rainfall for the current 2003-04 season is well below average. For example, the current seasonal rainfall measured at the La Tuna Debris Basin as of June 10, 2004, was 7.76 inches, well below the average seasonal rainfall of 16.05 inches at that location. Nonetheless, numerous biological surveys throughout California were prepared during the 2003-04 rainfall season and prior rainfall seasons with below-average rainfall and incorporated into CEQA documents.

In any event, the surveys conducted by GLA biologists during the 12-month study period in 2002-03 were representative of the flora on the project site and do not need to be repeated for several reasons. First, based on the floristic data collected from Rancho Santa Ana Botanic Garden, Soza and Gross documented 385 vascular plant taxa in the Verdugo Mountains and San Raphael Hills between 2001 and 2003. In comparison, 338 species were identified by GLA biologists on the 887-acre project site and 56-acre Duke Property during the biological surveys for the proposed project.¹⁵ This comparison indicates that GLA identified a very high percentage of the plants that potentially occur on the project site.

¹⁵ Soza, Valerie and LeRoy Gross, Preliminary Checklist for the Verdugo Mountains and San Rafael Hills, Los Angeles County, prepared for Rancho Santa Ana Botanic Garden, Claremont California, February 24, 2003.

With regard to annual plants, the percentage of the native California flora consisting of annuals identified in the Soza and Gross surveys is nearly 29 percent. Similarly, over 32 percent of the native flora identified by GLA biologists on the project site were annuals. Therefore, there was no significant drop-off in annuals during the 2002-03 survey season.

Six bulbiferous plants from the lily family were identified by GLA biologists in the project study area during the surveys, while Soza and Gross found 12. However, of the six species that GLA biologists did not identify during the surveys (but which Soza and Gross did identify), five of them (*Fritillaria biflora* var. *biflora*, *Muilla maritima*, *Calochortus venustus*, *Calochortus albus*, and *Allium haematochiton*) are common species that have no special status. Therefore, even if they did not occur on the project site, the impacts would not be significant. The sixth species, Slender mariposa lily (*Calochortus clavatus* var. *gracilis*), is a special-status species that could potentially occur on the project site, as noted on page IV.D-34 in the Draft EIR:

An inflorescence from a mariposa lily with a long, slender capsule was identified within the Study Area that was consistent with this species [Slender mariposa lily] or potentially Plummer's mariposa lily.

Whichever mariposa lily occurs on the project site, all individuals detected (at two separate locations) were outside of the proposed grading limits or areas potentially affected by fuel modification, so that no impacts would occur.

Finally, as discussed above, the surveys conducted by Soza and Gross in the Verdugo Mountains and San Raphael Hills have been ongoing since 2000 and the only special-status species detected by them are Engelmann oak (*Quercus englemannii*), Ocellated Humboldt Lily (*Lilium humboldtii* ssp. *Ocellatum*) and the Slender mariposa lily (*Calochortus clavatus* var. *Gracilis*). These special-status species were all analyzed in the Draft EIR, which concluded that Engelmann oak is not present in the project study area, that Octellated Humboldt Lily would be impacted, but not significantly impacted, by the proposed project, and that Slender mariposa lily is potentially present in the project study area, but would not be impacted by the proposed project.

For these reasons, the data associated with the Soza and Gross surveys provide confirmation regarding the accuracy of the checklist results in the Draft EIR. Additional confirmation regarding the adequacy of the botanical surveys has been provided by Dr. Barry Prigge of UCLA, as noted in Comment 179-17. According to Dr. Prigge, based on a species area curve for the project site, he calculated that the project site should support approximately 187 plants, whereas GLA biologists recorded 338 species, almost double Dr. Prigg's estimate.

Comment 9-7:

Pg. 26: Southern Coast Live Oak Riparian Forest:

The Jepson Manual, a cited reference, lists no such species as California Buckwheat (*Eriogonum carifornicum*).

Response:

California buckwheat does exist and is a common shrub. However, page IV.D-24 of the Draft EIR incorrectly states that the Latin binomial for California buckwheat is *Eriogonum carifornicum*. The correct Latin binomial is *Eriogonum fasciculatum*. This Latin binomial was accurately stated with respect to other references to California buckwheat in discussions of Chamise Chaparral/Coastal Sage Scrub Ecotone, and Venturan Coastal Sage Scrub on pages IV.D-22 and IV.D-23 in the Draft EIR. This typographical error does not affect the analysis provided in the Draft EIR. The reference to “*Eriogonum californicum*” in the last sentence of the second full paragraph on page IV.D-24 in the Draft EIR has been changed to “*Eriogonum fasciculatum*” in the Final EIR (see Section III (Corrections and Additions) of this Final EIR).

Comment 9-8:

Pg. 27: Reptiles - Coastal Sage Scrub:

Gilbert’s Skink would not be expected at this location nor elevation. It is a mountain or desert species not recorded from the Verdugo Mtns.

Response:

The commenter is correct that Gilbert’s skink would not be affected by the proposed project.

Comment 9-9:

Pg. 28: Birds - Scrub Communities:

A number of birds listed as expected to use the site as migrants, during winter, are not found in winter in southern California (Black-chinned Hummingbird) or are more likely year-round resident (Song Sparrow), summer resident (Orange-crowned Warbler) or strictly migrants (spring and fall, i.e. Allen’s Hummingbird, Costa’s Hummingbird, Black-throated Gray Warbler, Ash-throated Flycatcher)

Response:

It is acknowledged that the discussion in Section 4.4.3.1 (Scrub Community) in the Biological Technical Report (see page 28) and on page IV.D-26 in the Draft EIR is unclear, as it refers to

“migratory species that utilize scrub habitats during the winter”. Therefore, the second sentence of the second paragraph on page IV.D-26 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to read as follows:

Migratory species that utilize scrub habitats for wintering, breeding season, or during periods of migration include the white-crowned sparrow (*Zonotrichia leucophrys*), song sparrow (*Melospiza melodia*), Costa’s hummingbird (*Calypte costae*), orange-crowned warbler (*Vermivora celata*), black-throated gray warbler (*Dendroica nigrescens*), Allen’s hummingbird (*Selasphorus sasin*), black-chinned hummingbird (*Archilochus alexandri*), fox sparrow (*Passerella iliaca*), ash-throated flycatcher (*Myiarchus cinerascens*), and golden-crowned sparrow (*Zonotrichia atricapilla*).

The third sentence of the third paragraph on page IV.D-26 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to read as follows:

Migratory species identified from woodland communities include the black-chinned hummingbird, Costa’s hummingbird, song sparrow, ash-throated flycatcher, western bluebird (*Sialia mexicana*), American robin (*Turdus migratorius*), yellow-rumped warbler (*Dendroica coronata*), western tanager (*Piranga ludiviciiana*), rufous-crowned sparrow (*Aimophila ruficeps*), white-crowned sparrow, Bullock’s oriole (*Icterus galbula*), and purple finch (*Carpodacus purpureus*).

Page IV.D-26 in the Draft EIR correctly addressed the Black-chinned Hummingbird, the Costa’s Hummingbird and the Ash-throated flycatcher. Furthermore, some species, such as the song sparrow and the Orange-crowned warbler, occur as both residents and, in larger numbers, as migrants.

In any event, all of the bird species discussed in the Draft EIR are common species with the exception of the Ashy rufous-crowned sparrow, which, as noted in footnote 51 on page 48 in the Biological Technical Report and footnote 50 on page IV.D-43 in the Draft EIR, is expected to be removed from the list of California Species of Concern. The detailed species account on pages 48 and 49 in the Biological Technical Report and pages IV.D-43 and IV.D-44 in the Draft EIR correctly identify this species as a “year-round resident” of Southern California.

Comment 9-10:

Woodland and Riparian Communities:

The “plain titmouse” was re-named “oak titmouse” and scientific name changed, a number of years ago (American Ornithologists Union).

Response:

It is acknowledged that the correct nomenclature is the oak titmouse (*Baeolophus inornatus*) rather than the plain titmouse (*Parus inornatus*). The reference to “plain titmouse (*Parus inornatus*)” in the second sentence of the third paragraph on page IV.D-26 in the Draft EIR has been changed to oak titmouse (*Baeolophus inornatus*)” in the Final EIR (see Section III (Corrections and Additions) in the Final EIR). This change in nomenclature does not change the analysis or conclusions in the Draft EIR.

Comment 9-11:

The Rufous-crowned Sparrow is a resident species, not migratory as listed.

Suggests a weak knowledge of bird distribution by the consultants.

Response:

The detailed species account on pages 48 and 49 in the Biological Technical Report and pages IV.D-43 and IV.D-44 in the Draft EIR identify the Ashy rufous-crowned sparrow as a “year-round resident” of Southern California. However, the commenter is correct that the reference to the rufous-crowned sparrow (*Aimophila ruficeps*) as a migratory species in the third sentence of the third paragraph on page IV.D-26 in the Draft EIR is incorrect. Therefore, that reference has been eliminated in the Final EIR (see Section III (Corrections and Additions) of this Final EIR).

With respect to the knowledge of the biologists who conducted the surveys, each were holders of valid Section 10(a)(1)(A) Permits from the U.S. Fish and Wildlife Service and have extensive birding experience in Southern California.

Comment 9-12:

Pg. 41: *Dudleya densiflora* actually occurs from “300-520 m” (Jepson Manual), far below the “4000-9300 ft.” stated; but is restricted to the San Gabriel River area and would certainly not be expected in the Verdugo Mountains.

Response:

The stated elevational range of 4,000 to 9,300 feet in the Draft EIR is incorrect. The second sentence of the second paragraph on page IV.D-36 in the Draft EIR has been changed in the Final EIR (see Section III (Corrections and Additions)), to read: “This species is endemic to rocky cliffs in canyons along the south face of the San Gabriel Mountains at 1,000 to 1,700 feet.” As stated on page IV.D-36 in the Draft EIR, *Dudleya densiflora* is not expected to occur on the project site because it is restricted to a few locations in the San Gabriel Mountains.

Comment 9-13:

Pg. 51, Pg. 65: Orange-throated Whiptail is again considered, and while not detected is treated as if “it likely occurs within areas of suitable habitat, which occur in small pockets throughout the study area.” As mentioned above, this species does not occur in Los Angeles County.

Response:

See Response 9-1 above.

Comment 9-14:

Pg. 52: The Mountain Yellow-legged Frog was listed as Federally Endangered in 2002. Concur that it probably is absent from the Study Area.

Response:

The federal status of the Mountain Yellow-legged frog as endangered was correctly noted in Table IV.D-4 in the Draft EIR. The species account provided on page IV.D-47 in the Draft EIR was prepared prior to the final listing and was not updated prior to the publication of the Draft EIR. The first sentence in the last paragraph on page IV.D-47 in the Draft EIR has been revised in the Final EIR (see Section III (Corrections and Additions)) to read: “The mountain yellow-legged frog is listed by the USFWS as endangered and is a CDFG Species of Special Concern.”

Comment 9-15:

Pg. 65: The Ashy Rufous-crowned Sparrow was recorded at four locations and all mapped sites on the Sensitive Species Location Map are impacted directly by the proposed development grading. The species was apparently not located anywhere else in the open space areas of the property. Thus the statement that “Although some construction will occur in or near areas where this species was observed foraging, sufficient habitat would be preserved on the project site for the small number of birds observed, and, as such, a less than significant impact would occur” is wishful thinking at best or patently false at worst. This resident, non-migratory subspecies is very habitat specific, occurring where there are openings in coastal sage scrub/chaparral, often on rocky slopes with grasses. No mitigation to avoid the direct impact to this species is indicated.

Response:

The Sensitive Species Location Map (Figure IV.D-2) in the Draft EIR depicts four locations of the Ashy rufous-crowned sparrow. The first full sentence on page IV.D-44 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to read: “Ashy rufous-crowned

sparrows were identified north and south of Interstate 210 with a total of four sightings”. However, only three are within areas of direct impact. The location at the southeast corner of the project site is outside of the project impact area, although the scale of the map combined with the size of the blue dot that depicts that location, make it appear that the dot intersects the impact area. When viewed at a more detailed scale, the location is not impacted.

With respect to the other three locations where the species was observed, those locations do not exhibit the characteristics that are considered optimal for this species. Those three areas consist generally of dense chaparral and do not represent prime habitat areas. While focused surveys were not conducted in scrub habitats at the western end of the project site, direct observations indicated the presence of higher quality habitat that includes more open areas and areas of bare slope occur in the open space. The conclusion that substantial suitable habitat occurs in the open space areas is correct.

Finally, as noted on page 48 in the Biological Technical Report in footnote 51 and footnote 50 on page IV.D-43 in the Draft EIR, the ashy rufous-crowned sparrow has been proposed for removal from the Draft (17 October 2003) List of Bird Species of Special Concern in California, which can be found at http://www.prbo.org/cms/docs/terre/List_17_Oct_2003.pdf. The list includes all bird species of special concern. Any bird species that is not included on the list is not considered to be a species of special concern. The absence of ashy rufous-crowned sparrow on the List of Bird Species of Special Concern in California is an indication that, when the new list is adopted, it will lose its special status as a Species of Special Concern. Based on the recognized common and widespread character of this species, the impacts to three locations where the ashy rufous-crowned sparrow was observed, the Draft EIR properly concluded that the proposed project would not have a significant impact on this species (see page IV.D-59).

Comment 9-16:

Appendix G (Section 9) – Biology

Appendix A - Faunal Compendia

The listing of Speckled Rattlesnake, *Crotalus mitchelli* (misspelled in list), in the Faunal Compendium as “likely to occur on site” is another indication that consultants lack knowledge of reptile distributions. This species is restricted to the Mojave Desert region and mountains and deserts to the south of Los Angeles County.

Response:

The Speckled Rattlesnake was not included in Table IV.D-4 in the Draft EIR, nor was it described or discussed in Section IV.D.1 (Flora and Fauna). The faunal compendium was taken from a master list and this species was inadvertently not removed during the editing of the compendium.

Comment 9-17:

The Western Meadowlark is in the Family Icteridae, not Emberizidae as listed.

Response:

This error in Appendix G to the Draft EIR is not reflected in Section IV.D (Biological Resources) in the Draft EIR. Therefore, this error does not affect the analysis or conclusions in the Draft EIR.

Comment 9-18:

The Vascular Flora list, while quite extensive, needs proofreading for spelling errors. At least 10 were noted in Scientific and Common Names.

Response:

Spelling errors in the faunal and floral compendium do not affect the analysis relative to the significance of potential impacts. The spelling errors are noted but will not be corrected in this Final EIR. It is worth noting that the Jepson Manual (cited on page IV.D-4 of the Draft EIR, footnote 23, includes a number of spelling errors), which reflects that scientific names are often misspelled, even in primary sources.

Comment 9-19:

The Vegetation Map and site photographs clearly indicates that virtually the entire property and proposed project site is in natural, remarkably undisturbed condition with dense mixed chaparral, coastal sage scrub and oak woodlands. The proposed project would cause significant impact to this large, intact and undeveloped portion of the Verdugo Hills. There is insufficient information that a biological constraints analysis was performed prior to project planning, to avoid impacts to resources.

Response:

As discussed in the Draft EIR (see pages IV.D-53 and IV.D-54) chaparral, regardless of its condition, is not listed by the CNDDDB as a sensitive or otherwise special status habitat. Therefore, removal of chaparral would not result in a substantial adverse effect on sensitive natural communities

More generally, the proposed project incorporates substantial avoidance, including:

- Approximately 73.6 acres of the 75.4 acres of the Venturan coastal sage scrub on the project site, which is a special-status community (see page IV.D-52 in the Draft EIR);
- Approximately 11.2 acres of the 11.7 acres of southern coast live oak riparian forest on the project site, which is a special-status community (see page IV.D-50 in the Draft EIR);
- Approximately 22 acres of the 24.6 acres of southern mixed riparian forest on the project site, which is a special-status community (see page IV.D-52 in the Draft EIR);
- Approximately 1.8 acres of the 2.1 acres of southern willow scrub on the project site, which is a special-status community (see page IV.D-31 in the Draft EIR); and
- Approximately 480 acres of the 751 acres of chaparral on the project site.

Commenter 10: Micah Dyer, 9595 Hillhaven Ave., Tujunga, CA 91402,
November 26, 2003.

Comment 10-1:

We are writing you to voice our opinions that the Canyon Hills project being put forth for the Tujunga Canyon area is not welcome, is ill conceived and quite simply not a plan that will enhance Tujunga.

We moved out to Tujunga three years ago for a variety of reasons, most importantly were horse property, horse zoning rights, and the surrounding nature aesthetics. These are all to be eroded if this project continues.

Response:

With respect to the concern expressed regarding equestrian issues, see Topical Response 8.

With respect to the concern expressed regarding aesthetics, Section IV.N (Aesthetics) of the Draft EIR provides an extensive analysis of the effects of the proposed project on aesthetics. As indicated therein, the proposed project would have a significant impact on scenic vistas, scenic resources and the existing visual character of La Tuna Canyon. The mitigation measures listed on pages IV.N-39 and IV.N-40 in the Draft EIR would reduce, but not eliminate, project impacts with respect to scenic vistas, scenic resources and existing visual character.

Comment 10-2:

This won't even help Tujunga's commercial district (which is no great shakes to begin with) because this community is set up with easier access to the 210 frwy than to Foothill Blvd and there's no reasonable direct route from the development to the Tujunga business district.

I'm not unilaterally against development but this won't work. This is just a bad idea that will get in the way of the few good things this community can hang it's hat on. It doesn't help anyone and will not work.

Response:

In accordance with Section 15358(b) of the CEQA Guidelines, "effects analyzed under CEQA must be related to a physical change." Since the economic effects of the proposed project on Tujunga's commercial district are not related to a physical change in the environment, it is not an issue that is required to be analyzed pursuant to CEQA.

The second part of this comment expresses opposition to the proposed project and does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 11: Joe Decruyenaere, Staff Biologist – Impact Analysis, Los Angeles County Department of Regional Planning, 320 West Temple Street, Los Angeles, CA 90012, December 3, 2003

Comment 11-1:

We have reviewed the biological section of the Draft Environmental Impact Report (DEIR) and have some concerns as to the adequacy of the analysis to numerous sensitive resources found on the project site.

1. General comment: The proposed project will remove or disturb about 211 acres through grading, and an additional 90-plus acres through fuel modification, a portion of remarkably intact native vegetation within the Verdugo Hills, a regionally significant open space area within the City of Los Angeles. The chaparral on the western portion of the project site is one of the best stands of this vegetation type in Los Angeles County. The Verdugo Mountains (SEA No. 40) are designated a Significant Ecological Area in the Los Angeles County General Plan because of the excellent condition of the habitats within them and also because they help to form an ecological link between the Santa Monica and San Gabriel Mountains. The development of the proposed project will foster or facilitate the erosion of this unique resource, increasing its exposure to edge effects of fire, invasive species, predation by pets, lighting, and noise, among others. This loss will be permanent and unmitigable and is therefore significant.

Response:

Impacts to vegetation communities were identified and evaluated in accordance with CEQA, as set forth on pages IV.D-52 through IV.D-58 in the Draft EIR. Impacts to southern mixed riparian forest, southern coast live oak riparian forest and southern willow scrub, totaling approximately 3.54 acres, would be significant before mitigation and would be reduced to a less-than-significant level with implementation of recommended Mitigation Measures D.1 through D.4 in the Draft EIR. No other impacts to vegetation communities would be significant.

Mixed and chamise chaparral, regardless of their condition, are not listed by the CNDDB as a sensitive or otherwise special status habitat. Therefore, removal of chaparral through project grading would not result in a substantial adverse effect on sensitive natural communities.

As reflected in this comment, the proposed project is not within the jurisdiction of the County of Los Angeles and therefore is not subject to the County's requirements and restrictions relating to Significant Ecological Area No. 40 (SEA 40). However, as set forth in the Conservation Element of the City's General Plan, with respect to private property, SEA designations "provide an informational basis for

analysis of private projects relative to CEQA review and guide public and private efforts to develop strategies for protecting and acquiring existing habitats.”¹⁶ The inclusion of the project site in SEA 40 reflects that the proposed project could result in potentially significant biological impacts. For that reason, the biological impacts associated with the proposed project were extensively analyzed by Glenn Lukos Associates, a reputable and experienced biological consultant. The results of those biological analyses are set forth in Section IV.D (Biological Resources) of the Draft EIR, which includes 162 pages of text.

There is no habitat linkage between the Verdugo Mountains and the Santa Monica Mountains. The U.S.G.S. 7.5 Minute Quadrangle, Burbank, California 1966 (Photorevised 1972, Minor Revisions 1994) reflects that the closest portion of the Santa Monica Mountains is Griffith Park, which is approximately two miles from the southern edge of the Verdugo Mountains. There are heavily urbanized portions of Burbank and Glendale that block wildlife movement between those mountain ranges. Therefore, the Verdugo Mountains, including the project site, are not within an area that would provide a biological connection between the San Gabriel Mountains and the Santa Monica Mountains.

Finally, potential indirect impacts associated with predation by fire, invasive species, domestic animals, increased lighting, increased noise and other potential indirect effects were all evaluated on pages IV.D-60 through IV.D-63 in the Draft EIR and determined not to be significant, and the comment does not specify any specific concern or question with respect to that analysis. Therefore, a more specific response is not possible. See also Responses 27-1 and 145-22.

Comment 11-2:

We recommend that the City of Los Angeles voluntarily seek a review of the project design by Los Angeles County’s Significant Ecological Areas Technical Advisory Committee for an objective analysis of the impacts on biological resources by the proposed project.

Response:

See Response 11-1.

¹⁶ City of Los Angeles, Conservation Element of the City of Los Angeles General Plan, adopted September 2001, pages II-30 and II-31.

Comment 11-3:

2. Page IV.D-18: Surveys were conducted during a low-rain year and are therefore not necessarily representative of the full biological diversity of the site. Sensitive plant surveys should be repeated following a normal precipitation season.

Response:

See Response 9-6.

Comment 11-4:

3. IV.D-46 and throughout: *Cnemidophorus hyperythrus* does not occur in the project area; *C. tigris multiscutatus*, a sensitive reptile species, does occur in the region and may be expected on the project site.

Response:

See Response 9-1

Comment 11-5:

4. IV.D-49: The disturbance of 304 acres does not pose a “potential” impact to biological resources. The impact will be obvious and real.

Response:

See Response 11-1.

Comment 11-6:

5. Figure IV.D-4: Non-native landscaping is proposed here and in the text. The planting palette should be reviewed to ensure that invasive plants are excluded. Also, irrigation of landscaping should be discouraged so as to delay the eventuality that Argentine ants and other invasive animal or plant species will be introduced to the area.

Response:

The San Gabriel Verdugo Mountain Scenic Preservation Specific Plan (the “Specific Plan”) includes the project site. Section 8C of the Specific Plan includes a list of plant materials that are prohibited within the Specific Plan area, and the landscaping for the proposed project would comply with those restrictions. None of the prohibited plants would be incorporated in the proposed project.

Furthermore, no plants that are considered to be invasive by the California Exotic Pest Plant Council (CalEPPC) would be used in landscaping on the project site.

Similarly, while no significant impacts were identified due to the potential presence of Argentine ants, the project will incorporate landscaping that requires no or limited irrigation in fuel modification areas that border on areas of existing open space. Incorporation of low irrigation landscape along the urban/wildland interface, will eliminate or substantially limit any potential impacts to native wildlife associated with the presence of Argentine ants.

Comment 11-7:

6. Impacts to Vegetation Associations: The preservation of acreage as “open space” does not reduce impacts except in the implication that development could have occurred there and one should be relieved that it will not. The impacts that will be incurred remain as real and as permanent in the space in which they occur, with or without the dedication of open space. Mitigation should consist of restoration of disturbed habitats within the conserved open space.

Response:

First, no impacts to vegetation associations that were determined to be significant (e.g., southern mixed riparian forest) are being mitigated through preservation of open space. Each impact to a sensitive vegetation association that was determined to be significant would be mitigated through a combination of habitat creation and enhancement, ensuring no net loss of habitat and reducing impacts to a less-than-significant level.

However, preservation of undisturbed habitat is not only an accepted form of compensation for impacts to habitat, but in many instances has become a preferred method for mitigating significant impacts by both the USFWS and CDFG. Examples of projects where dedication of existing habitat in lieu of restoration or enhancement include Hellman Ranch in Seal Beach (dedication of habitat to offset impacts to raptor foraging areas), Marr Ranch in Simi Valley (dedication of a large block of open space with high-quality riparian areas to compensate for loss of degraded riparian habitat) and Ladera Ranch in south Orange County (impacts to occupied gnatcatcher habitat and Coastal Sage Scrub compensated solely through dedication of Coastal Sage Scrub and other open space). In other cases, dedication of open space comprises a substantial component of mitigation programs that also include habitat creation or enhancement. The Arroyo Trabuco Golf Course in southern Orange County and Greer Ranch in Murrieta are examples of such cases.

Comment 11-8:

The loss of southern willow scrub habitat is not addressed in Mitigation Measures D.1-1 to D.1-4 and should be considered a significant impact without any mitigation.

Response:

Impacts to southern willow scrub are identified as significant on pages IV.D-55, IV.D-63 and IV.D-64 in the Draft EIR. Contrary to this comment, recommended Mitigation Measures D.1-1 through D.1-4 would mitigate the loss of the 0.31 acre of southern willow scrub that would be impacted by the proposed project. The replacement of the 0.02 acre of southern willow scrub that is subject to CDFG jurisdiction is included in the 2.5 acres in Mitigation Measure D.1-1. The additional 0.29 acre of southern willow scrub is included in the 2.8 acres in Mitigation Measure D.1-3.

Comment 11-9:

Revegetation within detention basins is inadequate to replace the function of lost riparian habitats, as these basins will be subject to regular maintenance and substrate and vegetation removal.

Response:

Sufficient space for riparian habitat would be available in the basins that would not be subject to maintenance activities. Furthermore, the basins would exhibit hydrologic, biogeochemical and riparian habitat functions that equal or exceed the riparian habitats impacted by the proposed project. The use of basins as mitigation sites, when properly designed and developed, would result in highly functional riparian habitat. Similar basins that support wetland or riparian habitat have been developed on such projects as Ladera Ranch and Forster Ranch in south Orange County.

Comment 11-10:

7. Page IV.D-64: Section 3503 of the CDFG code applies to all native bird species, not just migratory species.

Response:

This comment is correct. Therefore, the first paragraph of Mitigation Measure D.1-6 on page IV.D-64 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR as follows:

If grading or clearing of vegetation is scheduled to take place during the nesting season for migratory or resident birds (March 15-August 15), a qualified biologist will survey

the areas to be graded no more than three days prior to the start of work. If active nests of migratory or resident birds are located, measures to ensure protection of the nesting migratory or resident bird will be determined by the monitoring biologist and will depend on factors such as the bird species and the construction schedule. These measures may include, but are not limited to:

Comment 11-11:

8. IV.D-65: The relevance of the Duke Project discussion is unclear. That smaller proposed project, in an area immediately adjacent to the Canyon Hills site was found to pose significant impacts; however, the Canyon Hills project is presumed not to, although the developed areas of Canyon Hills outsize the Duke project by nearly four times.

Response:

Page IV.D-65 in the Draft EIR included a discussion of the cumulative impacts associated with the proposed project with respect to biological resources. As discussed therein, the Duke Project was included in the cumulative impact analysis for the proposed project because it is the only related project in the Verdugo Mountains that, in combination with the proposed project, could potentially affect biological resources.

The conclusions of the biological resources analysis contained in the Duke Project EIR may be different from the Draft EIR for several reasons (see page IV.D-65 in the Draft EIR). First, the analysis in the Duke Project EIR was based on a 41-unit project with an impact area of approximately 40 acres. Subsequently, a smaller 10-unit project was approved on approximately 10 acres, which resulted in a reduction in impacts on biological resources. Second, following the preparation of the Duke Project EIR, much of the Duke Property burned and many of the oak trees were destroyed or severely damaged. As discussed on page IV.D-65 in the Draft EIR, “the approved Duke Project would affect approximately 10 acres of degraded mixed chaparral and a limited number of oaks, most of which are severely damaged.”

Third, the Duke Project EIR was unclear as to which biological impacts would be significant and, in any event, was internally inconsistent. For example, with respect to cumulative impacts to native vegetation, the Duke Project EIR stated the following overly broad conclusion on page IV-39:

Future grading and fuel modification activities associated with other development projects in the area will contribute to the incremental loss of native plant communities in the southern California Region. Individually, the impacts would be insignificant, however, cumulatively the impacts are considered significant.

This was followed by a list of 19 recommended mitigation measures that addressed oak tree protection and relocation, and included Mitigation Measure 16, which stated that “[t]he project shall comply with the requirements of the City of Los Angeles Oak Tree Preservation Ordinance”. The list of mitigation measures was followed by a discussion of the “Impacts After Mitigation”, which contradicted the prior discussion of Cumulative Impacts with respect to that grading and fuel modification activities would not be individually significant. The “Impacts After Mitigation” discussion stated:

Project implementation would result in the removal of all natural terrain features, flora and fauna within the 34 and ½ acres proposed to be graded. This would be considered a significant adverse impact.

This was followed by an outdated discussion of Corps jurisdiction (due to changes in the Corps’ regulations since the Duke Project EIR was prepared) that failed to identify impacts to Corps jurisdiction as significant.

The statement under Cumulative impacts that “individually, the impacts would be insignificant” is consistent with findings in the Draft EIR for the proposed project that the loss of mixed chaparral and other common widespread communities from the project site would not be a significant impact because the Duke Project would not (with the exception of impacts to the wetland/riparian habitat noted above) affect any sensitive habitats.

Furthermore, the section on “Animal Life” in the Duke Project EIR is internally contradictory, as set forth on page IV-47 in the Duke Project EIR:

Wildlife species or sensitive animal species would be displaced into adjacent habitats, temporarily disrupting territories of existing individuals and stressing carrying capacities. These impacts would be locally significant and regionally important, but would result in no net loss of species diversity, and would not appear to threaten any endangered species.

Following this statement, pages IV-48 and IV-49 in the Duke Project EIR did not identify any significant cumulative impacts to wildlife, including State- and/or federally-listed species. Although there would be loss of foraging habitat for the Cooper’s hawk, the Duke Project would not eliminate any individuals or nest sites. This is consistent with the findings in the Draft EIR for the proposed project. The finding in the Duke Project EIR that temporary disruption of territories and/or carrying capacities is significant clearly does not reach the level of a (locally) significant impact when considered in the light of the current CEQA Guidelines. The Draft EIR or the proposed project included the following threshold of significance in accordance with Appendix G to the CEQA Guidelines (see page IV.D-49):

Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (emphasis added).

Therefore, the differences in findings between the Draft EIR for the proposed project and the Duke Project EIR result from the following combination of factors: (1) the Duke Project EIR contains inconsistent and contradictory analyses; (2) the Duke Project EIR consistently failed to apply its thresholds; and (3) circumstances changed since the publication of the Duke Project EIR with respect to Corps' regulations and the brush fire on the Duke Project site.

Comment 11-12:

Also, the occurrence of a fire on the Duke Project site, adjacent to an existing community, points to such an eventuality on the periphery of this site.

Response:

See Topical Response 13.

Comment 11-13:

9. Native trees and wooded habitats: Separate analyses are provided for wooded habitats (southern mixed riparian forest, southern coast live oak woodland and southern coast live oak riparian forest) and native trees (coast live oak and western sycamore). The two analyses are not complementary. In the discussion of sensitive habitats and Table IV.D-6, a total of 3.48 acres of wooded habitat is said to be permanently impacted by the proposed development. However, in the analysis of impacts to native trees, 232 oaks and 27 sycamores are said to be within proposed grading areas. It is difficult to imagine how 259 trees could fit on 3.48 acres. The tree maps (Figures IV.D-6 through 18) provide some clarification, as many, perhaps most, of the trees are found to lie outside of areas mapped as wooded habitat (Detail Maps S2, S3, N1, N2, N5, N6 and Figure IV.D-1). Either the distribution of wooded habitats should be reconsidered in the discussions of impacts to sensitive habitats and Figure IV.D-1 revised accordingly, or better descriptions of resource values within the mixed chaparral communities should be given, and a portion of the "mixed chaparral" should be reclassified and considered sensitive. It is misleading to state that permanent impacts to shrub communities (mixed chaparral) will be insignificant if those "shrub communities" contain an undisclosed substantially wooded component.

Response:

Three “woodland” habitat types are mapped within the proposed impact limits for the project, including 2.64 acres of southern mixed riparian forest, 0.25 acre of southern coast live oak woodland and 0.59 acre of southern coast live oak riparian forest. Of these three “woodland” habitats, two are considered sensitive: southern mixed riparian forest and southern coast live oak riparian forest. Impacts to coast live oaks in these habitats are addressed through two separate mitigation programs. First, the loss of the impacted habitat would be mitigated in accordance with Mitigation Measures D.1-1 through D.1-4. Second, the loss of individual coast live oaks would be mitigated pursuant to Mitigation Measures D.2-1 through D.2-7, which include a comprehensive tree mitigation plan (see Mitigation Measures D.2-6 and D.2-7).

For those oak trees that were not mapped within the sensitive habitats (i.e., the southern mixed riparian forest and southern coast live oak riparian forest), they are typically small clumps, low density stands or widely scattered individuals that are embedded in a matrix of mixed chaparral. Re-designation of the mixed chaparral to southern coast live oak woodland would not change the analysis because this coast live oak woodland, unlike the southern coast live oak riparian forest, is not a sensitive habitat and impacts to this habitat would not be considered significant. Therefore, impacts to non-riparian oaks would only be mitigated pursuant to recommended Mitigation Measures D.2-1 through D.2-7 in the Draft EIR.

Comment 11-14:

The replacement of oak trees by planting within maintained and landscaped areas is inadequate to replace the lost seed production, nesting opportunities and nearly every other habitat value provided by oak and sycamore trees in a natural setting. Habitat values are consequential inasmuch as there is an appropriate complement of species to utilize them. The other species involved in the oak and sycamore communities will not be present in a landscaped setting.

Response:

See Topical Response 2. In addition, any short-term lost seed production is not a significant impact as long as the loss does not affect a sensitive community and, as discussed in Response 11-13, the impact to southern coast live oak riparian forest and the southern mixed riparian forest and the proposed Development Areas would be fully mitigated. Furthermore, no special status species would be affected by the loss of the impacted oak trees and, as such, there would not be a significant impact. In fact, most of the species that utilize coast live oaks on the project site (e.g., house wren, oak titmouse, bushtit, acorn woodpecker, etc.) would continue to utilize the oaks in the low density semi-rural setting associated with the proposed project.

Comment 11-15:

10. IV.D-161: “Key locations” for wildlife movement are not clearly identified in the mitigation measure.

Response:

As discussed in Section IV.D.3 (Wildlife Movement) of the Draft EIR, no significant impacts are expected in association with local wildlife movement pathways and therefore no mitigation is necessary. However, recommended Mitigation Measure D.3-5 is recommended to further reduce any less-than-significant impacts on local wildlife movement. The “key locations” referred to in Mitigation Measure D.3-5 would be identified in connection with the review and approval of the vesting tentative tract map for the proposed project. The purpose of the “openings in walls at key locations within the Development Areas” would be to allow coyotes, raccoons and gray foxes access to the new streets and onsite open space. All of these species currently roam freely in the adjacent existing residential area east and northeast of the project site.

Commenter 12: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 3, 2003

Comment 12-1:

On behalf of the Shadow Hills Property Owners Association (SHPOA), I wish to express loud and clear that the proposed Canyon Hills Project fails to meet even the most basic guidelines of the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan (heretofore to be referred to as the "Community Plan") despite the frequent claims throughout the Canyon Hills Project Draft Environmental Impact Report (heretofore to be referred to as the "DEIR") that it does so. According to the Community Plan, the Canyon Hills Development Area B is located in an area designated to remain at Minimum Density development ie zone designations of RE-40, A2 or A5. As per the Generalized Summary of Zoning Regulations of the City of Los Angeles RE-40, the smallest allowable Minimum Density Lot at 40,000 sq. ft./lot is approximately 0.91 acres/lot. According to the DEIR Summary Page I-4/I-5, Development B is projected to have 69 homes on 52 acres which would average out to approximately 0.67 acres/lot.

Response:

The current zoning for Development Area B is neither RE40, A2 nor A5. As shown on Figure IV.G-4 in the Draft EIR, the zoning designation for the southern portion of the project site, including Development Area B, is A1. The minimum lot area in the A1 zone is five acres. However, two dwelling units are permitted on a lot, so the effective minimum lot area is two and one-half acres. Therefore, since the southern portion of the project site includes approximately 395 acres of land, the maximum number of units permitted on the southern portion of the project site (without application of the slope density formula in Section 17.05C of the LAMC) is approximately 158 units ($395 \div 2.5 = 158$). In contrast, only 69 homes are proposed on the southern portion of the project site.

Comment 12-2:

The Community Plan places Canyon Hills Development A in an area foreseen to be developed as Low Residential I density ie Zone designations of RE-20 or RA. The proposed Canyon Hills Project Development Area A asks approval of 211 lots (DEIR I-4/I-5), most of which are requesting a zone variance to either RE-9-H or RE-11-H (DEIR IV.G-16). Neither an RE-9 (minimum 9,000 sq. ft./lot) nor an RE-11 (minimum 11,000 sq. ft./lot) zoned property is legally large enough for the keeping of equines as per the LAMC Sec. 12.07.01-A-3-b which states that the minimum size lot for the keeping of equines within the bounds of the City of Los Angeles must be 17,500 sq. ft./lot. The Canyon Hills DEIR erroneously claims equine keeping capacity of it's proposed RE-11 lots (DEIR IV-G-4).

The above figures, by no means, honor the heart and goal of the Community Plan which offers guidelines to help future developments preserve the rural and equestrian characteristic of the residential neighborhoods of our corner of the City.

Response:

See Topical Response 8. In addition, the anticipated entitlements for the proposed project do not include any zone variances.

Comment 12-3:

I refer to just a few entries within the Community Plan:

1-1.2 Protect existing single residential neighborhoods from encroachment by higher density residential and other incompatible uses.

Response:

Table IV.G-4 (pages IV.G-19 through IV.G-24) in the Draft EIR presents an analysis of the consistency of the proposed project to the Sunland-Tujunga Community Plan. As discussed in Table IV.G-4, the proposed project includes single-family homes and open space, similar to adjacent land uses. The proposed housing density in Development Area A is less dense than the existing housing density in the nearby existing neighborhood. Therefore, the proposed project is consistent with Policy 1-1.2 in the Sunland-Tujunga Community Plan.

Comment 12-4:

1-1.4 The City should promote neighborhood preservation in existing residential neighborhoods.

Program: Residential land use categories, zone changes, subdivisions, parcel maps, variances, conditional uses, specific plans, community and neighborhood revitalization programs for residential projects shall be consistent with Plan recommendations.

Response:

This policy and program are inapplicable to the proposed project because the project site is not located in an existing residential neighborhood.

Comment 12-5:

- 1-3 To preserve and enhance the varied and distinct residential character and integrity of existing single and multifamily neighborhoods.

Response:

This comment states an objective, rather than a policy, in the Sunland-Tujunga Community Plan. As stated on page IV.G-18 in the Draft EIR, policies implement the goals and objectives that are outlined in the Community Plan. The Draft EIR analyzed the consistency of the proposed project with applicable policies in the Sunland-Tujunga Community Plan (see Table IV.G-4 on pages IV.G-19 through IV.G-24 in the Draft EIR).

In any event, the proposed project is compatible with Objective 1-3 in the Sunland-Tujunga Community Plan. The Sunland-Tujunga Community Plan includes three new policies relating to Objective 1-3. Two of those three policies, Policies 1-3.1 and 1-3.3, are applicable to the proposed project and the Draft EIR includes detailed discussion regarding the consistency of the proposed project with those two policies (see pages IV.G-19 and IV.G-20). The comment does not take issue with any of the consistency discussion in the Draft EIR or explain why the proposed project is not compatible with Objective 1-3.

Comment 12-6:

- 1-3.3 Preserve existing views of hillside and mountainous areas

Response:

See Topical Response 6.

Comment 12-7:

- 1-6 To limit residential density and minimize grading in hillside areas (Esp. as per) 1-6.2 Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Plan area

Program: The Plan designates hillside areas in the Minimum and Very Low Densities of the General Plan land use designations and corresponding zones.

Program: Continue implementation of the Citywide Hillside Ordinance and the 15% Slope Density Ordinance.

Response:

See Topical Response 6 and Response 149-169.

Comment 12-8:

1-7.1 Place a high priority on the preservation of horsekeeping areas

Program: A decision-maker involved in a discretionary review should make a finding that the zone variance, conditional use or subdivision does not endanger the preservation of horsekeeping uses within the Community.

Response:

Policy 1-7.1 referenced in this comment does not apply here because no portion of the project site is located in the RA zone.

Comment 12-9:

1-8. To promote and protect the existing rural, single-family equestrian-oriented neighborhoods in RA zoned areas and "K" Districts. To caution against possible precedent-setting actions including zone variance, conditional use or subdivision that might endanger the preservation of horsekeeping uses.

Response:

See Response 12-5. The consistency of the proposed project with the applicable policies that implement Objective 1-8 (i.e., Policies 1-8.1 and 1-8.2) are analyzed on pages IV.G-20 through IV.G-21 in the Draft EIR. As stated therein, the proposed project would be consistent with Policies 1-8.1 and 1-8.2.

Comment 12-10:

1-8.1 Protect existing single-family equestrian-oriented neighborhoods and horsekeeping districts from encroachment by higher density residential and other incompatible uses.

Program: New development within these areas should be designed to encourage and protect the equestrian-keeping lifestyle.

Response:

See Topical Response 8.

Comment 12-11:

1-8.2 Horsekeeping areas should be developed at Minimum to Very Low Densities appropriate to such use.

Program: The Plan Map identifies areas for lower residential densities.

Response:

See Topical Response 8.

Comment 12-12:

1-8.3 New horsekeeping districts should be expanded where appropriate and feasible

Program: The Plan Map identifies lower density residential areas appropriate for such districts.

Response:

See Topical Response 8.

Comment 12-13:

La Tuna Canyon is one of the last vestiges of agricultural property in the City of Los Angeles with lots large enough for people to keep horses or other animals, or to grow a small orchard or beautiful expansive garden or simply to call a segment of a natural ecosystem their own. The existing neighborhood of western La Tuna Canyon is one of rural equestrian Minimum Density properties, often larger than the A5's minimum 5 acres, with a strong equine population. The properties are somewhat set back from La Tuna Canyon Road, but remain on the flatlands never encroaching on the hillsides thereby retaining the natural beauty and serenity of the canyon. The topography, flora and fauna of the hillsides remains undisturbed. This is the rustic rural equine-keeping character of the canyon today, this is the character that we ask Canyon Hills – that the Canyon Hills Project should – respect and make every attempt to preserve.

Response:

The comment describes the concerns of the Shadow Hills Property Owners Association. The comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. It should also be noted that the project site does not qualify as “agricultural property”.

Comment 12-14:

If the Canyon Hills Project is approved as designed, it would irrevocably alter the protective and restrictive nature of the Community Plan thereby literally paving a precedent-setting pattern for future developments and variances. If this is allowed to happen, we may just as well burn the Community Plan for that is all the value it would actually appear to possess.

Response:

As discussed on pages IV.G-16 through IV.G-24 in the Draft EIR, the proposed project is consistent with the applicable policies of the Sunland-Tujunga Community Plan. Therefore, the proposed project's land use impacts related to the Sunland-Tujunga Community Plan would be less than significant.

Commenter 13: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 5, 2003

Comment 13-1:

The Community certainly understands that it is a property owners' right, including those of the Canyon Hills Project, to develop their lands. We ask only that they abide by the development guidelines provided in the Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan (heretofore to be referred to as the 'Community Plan') and similarly to abide by the restrictions laid out in the Los Angeles City Hillside Ordinance and Slope Density Formula (LAMC Sec. 17.05). The development guide set forth in the Community Plan assigns the Canyon Hills Development Area B as Minimum Density (A1, A2, or RE40) and the area of Canyon Hills Development A as Very Low Residential I (RE20 or RA). The Community Plan's Objective 1-8 States: 'To promote and protect the existing rural, single-family equestrian-oriented neighborhoods in RA zoned, areas and K Districts. To caution against possible precedent setting actions including zone variance, conditional use, or subdivision that might endanger the preservation of horsekeeping uses.' This very clearly states than zone changes, especially those that might alter the existing La Tuna Canyon equestrian character is markedly undesirable. If the Canyon Hills Development were to follow the existing zoning of it's entire 887 acres and abide by all Los Angeles City Hillside Ordinances and all Slope Density Formula restrictions, it would be allowed 87 units. To apply for a zone change permitting the construction of 280 units is totally out of line. This request is highly inconsistent with the Community Plan, although the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the 'DEIR') frequently states, throughout the document, that it is in compliance with the Community Plan.

Response:

See Topical Response 8. In addition, with respect to the consistency of the proposed project with Objective 1-8 in the Sunland-Tujunga Community Plan, see Response 12-5.

Comment 13-2:

Given the topography of the Canyon Hills Project, the concept of 'clustering' would be fully acceptable if it follows the intent of Footnote #7 and Footnote #4 of the Community Plan. While the clustering, of lots in non-K districts might allow for RE 9 zoning, this should be considered in combination with Objective 1-8 and Footnote #4 of the Community Plan which states: 'Densities shall not exceed that which would be permitted using the slope density formula in LAMC Section 17.05C for lots: (a) in areas of steep topography planned for Very Low I, Very Low II and Minimum density; and (b) which would otherwise require extensive grading, involve soil instability erosion problems or access

problems, as determined by the Deputy Advisory Agency.’ One should keep in mind that, as per the Community Plan, the area of Canyon Hills Development A is designated to be Very Low Residential I density (RE40 or RA). It is the intent of the Community Plan that the entitlements granted should be of the zone designations set forth in the Plan unless accompanied by a concurrent PLAN amendment. Once again, compliance with the Community Plan is in question.

Response:

With respect to the concern expressed regarding the consistency of the proposed project with Footnote 7 in the Sunland-Tujunga Community Plan, see Response 15-4. With respect to the concern expressed regarding the consistency of the proposed project with Objective 1-8, see Responses 12-5 and Topical Response 8. With respect to the concern expressed regarding the consistency of the proposed project with Footnote 4 in the Sunland-Tujunga Community Plan, the slope density formula set forth in Section 17.05C of the LAMC that is referenced in Footnote 4 applies to land designated as Minimum Residential, Very Low I Residential and Very Low II Residential in the area covered by the Sunland-Tujunga Community Plan. The proposed land use designation for the Development Areas is Low Residential, which would not be subject to the slope density formula.

Finally, the comment appears to assume that the proposed project does not include any amendments to the land use designations in the Sunland-Tujunga Community Plan with respect to the proposed Development Areas. That is incorrect. As discussed above, the proposed project includes amending the land use designations for the proposed Development Areas to Low Residential, and the proposed zoning designations for the Development Areas are consistent with the proposed Low Residential land use designation.

Comment 13-3:

If zone variances were to be seriously considered, it might well be in the interest of Whitebird to consider a variance inclusive of a K-overlay. This would reduce, to some extent, Community resistance against the development as a whole. These words come not from an equestrian, but from one who has served as President of a Homeowners Association of an equestrian community.

Response:

This comment states an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 13-4:

With one exception, that of Alternative D, all so-called ‘alternatives’ are essentially mere re-orientations of the same picture. This hardly constitutes ‘alternatives’ as should be presented in a DEIR. How about considering a clustered 87-unit equestrian estate development - one that has the somewhat ‘tucked-in’ appearance as seen in the DEIR map Figure IV-N-20 - rather than units placed atop a ridgeline (not necessarily ‘prominent’) from which they might break the skyline as some do in Figures IV-N-13, IV-N-14 and IV-N-17 of the DEIR.

Response:

The statement that the alternatives presented in the Draft EIR “are essentially mere re-orientations of the same picture” is incorrect. Alternative B would eliminate all development in Development Area B and would include all 280 homes in Development Area A. Alternative D is an 87-home “ranchette” development. Alternative E is another reduced-density alternative with 210 homes, 25 percent less than the proposed project. Alternative C is similar to the proposed project, but includes substantially different access to Development Area A. The alternatives analyzed in the Draft EIR constitute a range of reasonable alternatives, as required under CEQA.

With respect to the request that the Draft EIR include a second 87-home alternative, the commenter does not explain how this potential alternative would be different from Alternative D. In any case, the design of the proposed project and Alternative D both comply with the standards and restrictions in the Specific Plan regarding the designated Prominent Ridgelines and corresponding Prominent Ridgeline Protection Areas located on or adjacent to the project site.

Commenter 14: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 5, 2003

Comment 14-1:

The Community is of the opinion that the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR") has sorely understated the increased traffic volume that the proposed Canyon Hills Development will add to the roads of our community. Based on the table IV-I-3, the DEIR assumes each new household to have less than 0.65 vehicles leaving at peak traffic hours of the morning and less than 0.80 vehicles returning at peak traffic hours of the evening. We must keep in mind that these homes are intended to be 4 or 5 bedroom homes with 3 car garages. From this one could easily extrapolate to the need for a two-income family resulting in a minimum of two vehicles leaving and returning at peak morning and evening hours respectively. Even in the rare instance in which a single income would suffice, a second vehicle trip might well be required to bring a child to his/her elementary or middle school. A high school student may well provide his/her own transportation as would the occasional postgraduate student spending a few extra years in the family home while attending community college classes. All these additional potential peak hour drivers need to be considered as there is no reasonable public transportation service available. The nearest bus service is two miles away - and that is from the development entryway. The nearest of homes is still located a great distance further away along the proposed internal access way.

Response:

With respect to the concern expressed regarding the number of vehicle trips associated with the proposed project and the assumptions used in the traffic analysis, see Topical Response 9.

In addition, as required by LADOT, and consistent with normal practice in traffic engineering, the traffic study was prepared based on analyses of the single highest hour of traffic during the morning commuter peak period as well as the single highest hour of traffic during the afternoon commuter peak period. The potential trip-making characteristics described in this comment would likely occur at many of the proposed homes, although it is extremely unlikely that all trips would be made at all homes within a single common hour during the morning and again in the afternoon. The comment does not provide any evidence that this trip generation characteristic occurs at other locations. Therefore, the commenter has not provided any substantiation to support the assertion that the trip generation forecast provided in the Draft EIR is flawed.

Description of the existing transit service provided in the project vicinity is provided on page IV-I.4 in the Draft EIR. As discussed therein, the closest public transit stop is located approximately two miles from the project site. Therefore, the trip generation forecast provided in the Draft EIR has been

prepared in a conservative (i.e., “worst case”) manner such that no reductions in the vehicular trip generation potential of the proposed project have been made based on use of alternative modes of transportation such as public transit.

Comment 14-2:

Even utilizing the figures determined by Linscott, Law and Greenspan Engineers for the Traffic Impact Study Pg 13/14 and Table 2 of the Technical Appendices of the DEIR, the present-day Average Daily Traffic (ADT) on La Tuna Canyon Road is 13,081 vehicles per day. This was based on an automatic 24-hour machine traffic count conducted on La Tuna Canyon Road west of the 1-210 interchange taken on two independent days. The DEIR states: “Over a 24-hour period, the proposed project is forecasted to generate 2,694 net new daily trip ends during a typical weekday.” From these figures alone, the increased traffic volume of a 280 home development would be totally unacceptable, especially if one were to take into account any future cumulative additions. By this, I am also not referring to such things as the Taco Bell on Foothill Blvd which the DEIR lists as a source of potentially significant local cumulative traffic volume increase, but such things as the 34 unit housing development that is now under construction in the western part of La Tuna Canyon itself. We are looking at a 20.6% total increase.

$$2,694 \text{ (New ADT)}/13,081 \text{ (pre-dev ADT)} = X\%/100\%$$

$$X = 20.6\% \text{ increased post-development A+ B ADT}$$

And of this, 15.5% is expected to pass through the proposed single ingress/egress of Development A.

$$211 \text{ (Dev A homes)}/280 \text{ (total homes)} = X\% \text{ (Dev. A homes)}/100\% \text{ (total homes)}$$

$$X = 75.4\% \text{ (of total homes are in Area A)}$$

$$20.6\% \text{ (total post-development increased ADT)} \times 0.754 \text{ (portion coming from Dev A only)} = 15.5\% \text{ (total post-development increased ADT from Area A)}$$

Response:

With respect to the concern expressed regarding the number of vehicle trips associated with the proposed project, see Topical Response 9. With respect to the concern expressed regarding the potential traffic impact on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding the 34-unit home development, see Topical Response 7.

This comment does not identify a specific concern or inadequacy with the analysis identified, but rather suggests an alternative analysis method, which is not consistent with the analysis techniques approved by LADOT or any other accepted traffic methodology. Therefore, no further alternative analysis is warranted or required.

Comment 14-3:

The existing intersection of I-210 and La Tuna Canyon Road can already be terribly congested especially at peak traffic hours. The Canyon Hills Project is proposing to construct it's [sic] single ingress/egress for the 211 Development A homes as a north leg of the existing WB I-210 on/off-ramp and La Tuna Canyon Road (Summary I-34). No traffic signal system can possibly be expected to mitigate the vehicle queue that will develop with the peak traffic of 211 homes and this proposal would certainly further clog the WB on/off-ramps of the I-210 which are already subject to congestion at peak traffic hours. The DEIR admits to the proposed project potentially creating significant traffic impact at this location during the AM and PM peak hours with an increased v/c ratio of 0.087 (0.700 to 0.787) to an LOS C (Summary I-34). This, I feel, is grossly understated for much of the same reasons expressed above for greater AM/PM traffic volume sources. The DEIR claims that at the eight other study intersections, traffic volume would be "incremental, but not significant" (Summary I-35). How can a 20.6% increase in total traffic volume be "incremental, but not significant"?

Response:

With respect to the concern expressed regarding the potential traffic impact associated with the proposed project at the intersection of Interstate 210 and La Tuna Canyon Road, see Topical Response 9.

The assessment in the comment of the potential effects of the project is flawed because, among other things, it fails to recognize that the project trips will disperse from the access points. The forecast changes in the v/c ratio at each of the study intersections due to traffic generated by the project using the LADOT approved analysis techniques are set forth in Table IV.I-6 on page IV-I-28 in the Draft EIR.

Comment 14-4:

Furthermore, the DEIR has given no consideration to non-resident traffic – domestic help, gardeners, pool service, delivery trucks, babysitters, guests, etc.

Response:

See Topical Response 9.

Comment 14-5:

Concern has been expressed by existing residents of Inspiration Way and Verdugo Crestline Drive. While the proposed Canyon Hills Project looks upon these as choices for the potential secondary emergency-only gated access, those gates may come down in the future at the demand of Canyon Hills

residents tired of dealing with a single ingress/egress for daily traffic. This has happened before in a nearby development.

Response:

See Topical Response 11.

Commenter 15: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 6, 2003

Comment 15-1:

We have some serious reservations about the proposed Canyon Hills Project grading plans. Not meaning to be totally facetious, but what will they rename the project after they have cut up to 90 feet off the top of ridgelines (Canyon Hills Draft Environmental Impact Report IV-N-14) and used this to fill the project site canyons in order to maintain “balanced grading”?

4,600,000 or more cubic yards of grading effecting 240.2 acres of land (DEIR IV-N-38)! What happened to the Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan (heretofore to be referred to as the Community Plan) Objective 1-6 which states: “To limit residential density and minimize grading in hillside areas.” We further reference Community Plan Policies:

Response:

See Topical Response 6.

Comment 15-2:

1-6.2 “Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Plan area.”

Response:

See Topical Response 6.

Comment 15-3:

1-6.3 “Require that grading be minimized to reduce the effects on environmentally sensitive areas.”

Response:

See Topical Response 6.

Comment 15-4:

We further reference Footnotes of the Community Plan:

Footnote #7

“Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines (note: this is not limited to “prominent” ridgelines!) and the steeper slopes as open space, limit the amount of grading required and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership.” (Please take note of the phrase “naturally level” as opposed to “artificially created level”.)

Response:

See Response 75-5. With respect to the preservation of ridgelines, the proposed project has been designed to comply with all of the restrictions in the Specific Plan with respect to designated Prominent Ridgelines and related Prominent Ridgeline Protection Areas.

Comment 15-5:

Footnote #19

“There shall be no grading of principal ridgelines (note: this again is not limited to “prominent ridgelines”) within the Plan boundaries.”

Response:

See Response 75-37.

Comment 15-6:

Footnote #4b

“Densities shall not exceed that which would be permitted using the Slope Density Formula in LAMC Section 17.05C for lots which would otherwise require extensive grading, involve soil instability erosion problems or access problems as determined by the Deputy Advisory Agency”.

Response:

See Response 75-10.

Comment 15-7:

Readdressing Footnote #7 above, I quote from the DEIR IV-N-14: “Project development would require cut and fill grading operations to prepare the project site for the proposed residential construction. Within Development Area A, site preparation would require the landform alteration of

approximately 156.7 acres. This grading would include the lowering of a secondary ridgeline, in some places by as much as 80 feet. I now quote the DEIR from IV-N-25/26: From this perspective (Photo simulation Figure IV-N-16), substantial alteration of the skyline would be apparent. The natural irregularities of the skyline would be removed and be replaced by a manufactured plateau effect. While the main portion of Development Area A would not be seen from this location, the edge of the development would appear as a line of homes arranged along the skyline and descending along a minor ridge which is not a designated Prominent Ridgeline in the Draft Specific Plan.” I further quote the DEIR from IV-N-26/27. “Substantial landform alterations would be visible from this perspective. (Photo simulation Figure IV-N-18). Irregularities on the existing skyline would be straightened out and replaced with horizontal lines.” These quotes stand in total disregard of the Community Plan thereby hopefully negating the Canyon Hills Project as proposed. I now quote the DEIR from IV-N-25/26: From this perspective (Photo simulation Figure IV-N-16), substantial alteration of the skyline would be apparent.

The DEIR often refers to being in compliance with the San Gabriel/Verdugo Mountains Scenic Preservation Plan (heretofore to be referred to as the Scenic Preservation Plan). Although technically not required to do so as the Scenic Preservation Plan is not yet a Council approved City Ordinance, the proposed Canyon Hills Project snubs the very essence of one of the major elements of the Scenic Preservation Plan - that of preserving the skyline viewshed as seen from designated Scenic Corridors. While not being constructed atop a designated “prominent ridgeline”, many homes are proposed to be built atop secondary ridgelines and deliberately modified terrain causing them to break the silhouette of the modified skylines as seen from Scenic Corridor Highways such as La Tuna Canyon Road (DEIR IV-N-24, DEIR photo simulation figure IV-N-13). I further quote the DEIR from IV-N-24/25: “...the proposed grading in this area would lower the existing skyline in order to create building sites. While easily visible from La Tuna Canyon Road, the homes in this area are well set back from the highway and several appear to be tucked into their building sites, although others clearly break the silhouette of the graded ridgeline.” (Photo simulation Figure IV-N-14). I further quote the DEIR from IV-N-25: “This view of the eastern portion of Development A illustrates how the secondary ridgeline would be lowered and contoured to create building sites. New homes located along the west face of the ridgeline would not be visible from approaching westbound vehicles. However, new homes along the ridgeline would break the silhouette of the ridgeline as seen from eastbound vehicles.” (Photo simulation Figure IV-N-15). I further quote the DEIR from IV-N-26: As the Prominent Ridgeline descends toward the south, the new homes can be seen to break the silhouette of the ridgeline.” (Photo simulation IV-N-17). UNACCEPTABLE!

Response:

With respect to the concern expressed regarding the compliance of the proposed project to the ridgeline protection policies in the Sunland-Tujunga Community Plan, see Topical Response 6. With respect to

the general concern expressed regarding the aesthetic impacts associated with the proposed project, see Response 10-1.

Commenter 16: Shelley Marie Owen, 3345 Alabama Street, La Crescenta, CA 91214, December 6, 2003

Comment 16-1:

The following comments concern the cultural resources section of the DEIR. I am a member of VOICE, a former Historic Preservation Commissioner for the City of Glendale, and a retired Cultural Resources Consultant and Archaeologist. I have several concerns regarding the adequacy of the impact analysis, and have identified potential flaws in the technical study conducted for the project.

1) The DEIR does not provide the reader with a definition of “cultural resources” as defined by federal, state, and local guidelines. The significance criteria for cultural resources and the thresholds of significance for impacts cannot be applied without an adequate definition of what constitutes a cultural resource under the law.

Response:

As discussed in Section IV.O (Cultural Resources) of the Draft EIR, cultural resources include historical, archaeological and paleontological resources. Section IV.O is divided into three sections that separately analyzed the proposed project’s impacts on historical, archeological and paleontological resources. Each of those sections includes one or more thresholds of significance against which the project’s potential impacts were evaluated. For example, in Section IV.O.1 (Historic Resources), the threshold of significance was whether the proposed project would “cause a substantial adverse change in the significance of an historical resource” (see page IV.O-4 in the Draft EIR). Rather than citing the entire definition of “historical resource”, the Draft EIR referred to the statutory provision and CEQA Guideline where that definition is set forth. Pursuant to Section 15064.5(a) of the CEQA Guidelines, the term “historical resource” includes (1) a resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources, (2) a resource included in a local register of historical resources and (3) any object, building, structure, site, area, place, record or manuscript which a lead agency determines to be historically significant of significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California. As discussed in the Draft EIR, there are no historical resources located on the project site.

With respect to Section IV.O.2 (Archeological Resources) of the Draft EIR, the primary threshold of significance was whether the project would “cause a substantial change in the significance of a unique archeological resource,” and the reader was referred to Section 21083.2(g) of the California Public Resources Code (which is part of the CEQA Statute) for the full definition of “unique archeological resource”. Pursuant to Section 21083.2(g), a unique archaeological resource is an archaeological

artifact, object or site for which it can be clearly demonstrated that, without merely adding to the current body knowledge, there is a high probability that it:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

As discussed in the Draft EIR, the development of the proposed project would not impact any known unique (or non-unique) archeological resources located on the project site.

Comment 16-2:

2) Local City of Los Angeles historic preservation guidelines and ordinances are not referenced and appear to have not been consulted. The City of Los Angeles Cultural Heritage Commission was not consulted, nor was the City of Los Angeles Hillside Ordinance zoning regulations as they pertain to cultural resources and effective mitigation measures for protecting those resources.

Response:

Page IV.O-3 in the Draft EIR includes a list of some of the resources consulted in determining whether any historical resources are located on the project site. Although not expressly stated in the Draft EIR, the consultant who prepared the Cultural Resources Assessment that is summarized in Section IV.O.1 in the Draft EIR did review a list of designated City Historic-Cultural Monuments to determine whether any Historic-Cultural Monuments are located on or within a one-half mile radius of the project site. The consultant determined that there are no such historical resources on the project site. Since no historical resources of any kind are located on the project site, it was unnecessary for the Draft EIR to discuss mitigation measures to protect historical resources.

Comment 16-3:

3) The DEIR references compliance with the California Environmental Quality Act, the National Environmental Policy Act, and the National Historic Preservation Act (NHPA) without mentioning why these are important to the study. Each of these laws defines cultural resources in detail and outline significance criteria utilized by professionals to determine a project's significance on the environment; these should be outlined in the DEIR. In addition, neither the DEIR nor the technical report, are in compliance with NHPA. Potentially affected Native American or other ethnic groups were not

consulted during the cultural resources study. Section 106 of the NHPA is requisite when a project receives federal monies or requires federal permits; the Canyon Hills project is reported to need Army Corps of Engineers Section 404 permits, among others. It is incumbent on the authors of the DEIR to disclose to the public all potential controversy, impacts and legal issues before the report is completed and/or approved. While it is common practice to complete Section 106 review after the project's approval, or when the federal permits are actually applied for, this does not provide the public with an opportunity to comment.

Response:

The Draft EIR does state that the analysis of the proposed project's impact on historic resources complies not only with CEQA, but also with the National Environmental Policy Act and the National Historic Preservation Act (see page IV.O-3, footnote 5 in the Draft EIR). However, for purposes of the Draft EIR, the analysis was only required to comply with the requirements of CEQA.

The statement in the comment that "[p]otentially affected Native American or other ethnic groups were not consulted during the cultural resources study" is incorrect. Samuel Dunlap of the Tongva Council (which the Native American Heritage Commission has recognized as the representative of Native American concerns for virtually all of Los Angeles County) was consulted in December of 2002 regarding potential archaeological resources in the project area.¹⁷ He reported he had no knowledge of any Native American archaeological sites associated with the project area.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties that are included in, or are eligible for inclusion in, the National Register of Historic Places. The only federal permit required in connection with the proposed project is a Section 404 permit on the Army Corps of Engineers. The commenter is correct that it is common practice to complete Section 106 review at the time the project applicant applies for any required federal permit. Since the project applicant has not yet applied for a Section 404 permit, compliance with Section 106 is not required at this time. In any event, based on the analysis in the Draft EIR, it is anticipated that an assessment of adverse effects will not be required under Section 106 because there are no identified historic properties that would be affected by the proposed project.

¹⁷ Telephone communication with Samuel Dunlap, Tongva Council, December 2002.

Comment 16-4:

4) The mitigation measures offered in the DEIR for archaeological resources are vague and would be ineffectual. A “halt work” order if resources are discovered during construction is ineffectual because construction workers are not trained to recognize archaeological remains.

Response:

This comment apparently refers to Mitigation Measure O.2-1 on page IV.O-8 in the Draft EIR, which states that “[i]f buried cultural materials are exposed during construction, work shall be halted in the immediate vicinity of the find until a qualified archeologist can assess their significance.” It is first noted that neither this mitigation measure nor the two others with respect to potential archeological impacts are required under CEQA because the Draft EIR determined that the proposed project would not adversely affect any known archeological resources. Therefore, there is no justification for a full-time monitor at the project site. In addition, the commenter does not provide any evidence that any archeological resources may exist in the proposed Development Areas or anywhere else on the project site. Finally, the commenter presents no evidence to support the statement that construction workers cannot recognize archeological remains.

Comment 16-5:

5) The potential for discovering prehistoric and historic archaeological remains is a lot higher than reported in the DEIR. The technical report points out that less than fifty acres of the 887-acre project site was examined by an archaeologist; the DEIR fails to disclose this fact. The record search conducted for the project also failed to consult relevant local archival depositories. An adjacent portion of the Verdugo Mountains in the City of Glendale, with similar topography and a similar history was found to contain a number of undiscovered and unrecorded cultural resources when subjected to more thorough and rigorous investigations (Archaeological Resources Management Report, Shelley Owen, Compass Rose Archaeological, Inc. 2001; also see VOICE EIR review Oakmont V, 2002).

Response:

An archaeological survey can be conducted only in those areas where access is possible. The project site is located in mountainous areas that are heavily covered with vegetation. It is not possible, nor is it required, that the entire project site be surveyed, only those areas where access is possible. Native Americans generally did not travel through inaccessible areas, nor did they have camps or villages on

the slopes of mountains. Furthermore, the archaeological survey for the Oakmont View Phase V Draft EIR only included terrain “that could reasonably be expected to contain remains of prehistoric and historic archaeological resources. . .”¹⁸ Similarly, all accessible areas of the project site that could be expected to contain archaeological resources were field examined.

In addition, and as discussed on page IV.O-6 in the Draft EIR, the South Central Coastal Information Center, which is part of the State Historic Preservation Information Center and is located at California State University Fullerton, maintains copies of all official State archaeological records for Los Angeles, Orange and Ventura counties. This is the only institution that has primary information on the location of archaeological sites recorded over the years by professionals. It also lists all reports deposited in the State records. Therefore, it was not necessary to search in every local repository.

See Section IV.O.2 (Archaeological Resources) in the Draft EIR for additional information regarding the archaeological analysis.

Comment 16-6:

6) The archaeological consultant surveyed less than fifty acres of the project area. It is statistically true in Southern California that in areas of rugged, steep topography, archaeological and historical cultural resources are often found on ridgetops. The consultant did not survey the ridges and hilltops that are a part of this project area for this impact analysis; therefore the survey is incomplete.

Response:

The commenter does not provide any data to support the assertion that archaeological and historic resources are often found on ridges and hilltops in Southern California. Archaeological sites on ridges and hilltops were found in less than one percent of over 2,000 properties surveyed by W.H. Bonner Associates, the archaeological consultant for the proposed project, over the past 30 years.

Comment 16-7:

7) The archaeological consultant failed to consult the local experts in the history of the Tujunga area at Bolton Hall. Bolton Hall contains a comprehensive archive of primary and secondary research documents, reports, anecdotes and photographs. Long recognized as the local experts on the region’s

¹⁸ City of Glendale, Oakmont View Phase V Tentative Tract No. 51548 Draft Environmental Impact Report, December 1999, page 5.11-3.

history, Bolton Hall contains information not available at the State's regional information centers. Furthermore, ethnographic research suggests that a historic Tongva Indian village once existed on or near the project area (The First Angelinos, William McCawley, 1996). The archaeological consultant completed the bare minimum of acceptable research and survey for this project. Based on my 15 years experience in the field, I contend that the days of bear bones research should be over for professional cultural resource consultants. To do an adequate job one must consult local agencies, local historical societies and repositories, and must review any current professional literature, in addition to the standard records check at the state information center. An archaeological consultant should always oversee the presentation of their findings in environmental documents, as EIR preparers are often unfamiliar with the professional jargon and can misrepresent findings. As noted, the DEIR's omission of the fact that less than fifty acres out of 887 was surveyed reveals that something was lost in the translation from technical report to DEIR.

Response:

See the second paragraph of Response 16-5. In addition, reliable information on archaeological resources is not usually found in local repositories. No specific information is provided in this comment about resources that Bolton Hall may have with respect to the project site. All important archaeological resources are reported to the State Office of Historic Preservation. The official State records do not show a Tongva village on or near the project site.

With respect to the book by William McCawley cited in this comment¹⁹, the map on page 36 in McCawley's book plots the locations of Gabrielino villages in the San Fernando Valley. The village of Wiqanga is clearly shown at the western mouth of La Tuna Canyon. The mouth of La Tuna Canyon is more than two miles west of the flood basin in La Tuna Canyon, which is at the western boundary of the project site. Therefore, the mouth of La Tuna Canyon is at least two miles west of the project site. The two other closest Native American villages are depicted three to four miles northwest of the project site at the mouth of Little Tujunga Wash. These two villages are supported by archaeological evidence. However, there is no archaeological evidence for the village of Wiqanga in La Tuna Canyon. Furthermore, as discussed in Response 16-3, Samuel Dunlap of the Tongva Council reported he had no knowledge of any Native American archaeological sites associated with the project area.

¹⁹ McCawley, William, The First Angelinos, 1996.

The Draft EIR did not omit the fact that less than 50 acres were accessible during the archaeological survey. As stated on page IV.O-6 in the Draft EIR, “a total of less than fifty acres was accessible. No archaeological remains were noted in those portions of the project site where access was possible.”

Comment 16-8:

In conclusion, both the DEIR and the technical study are incomplete and mislead the public about the potential for impacts to cultural resources. The mitigation measures offered are inadequate, based on local preservation guidelines and would be ineffectual (Los Angeles Hillside, Zoning and preservation ordinances).

Response:

The Draft EIR includes a full analysis of the proposed project’s potential impacts on cultural resources based on accepted methodologies. The recommended mitigation measures in the Draft EIR with respect to potential impacts on archeological and paleontological resources are not required pursuant to CEQA because the Draft EIR did not identify any significant impacts with respect to those resources. Therefore, the proposed mitigation measures cannot be considered “inadequate” because they were not required in the first place. In any event, those mitigation measures would be sufficient to mitigate any potential impact with respect to archeological or paleontological resources if those resources are encountered during the grading process.

Commenter 17: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 7, 2003

Comment 17-1:

The Community harbors serious reservations about the grading plans proposed by the Canyon Hills Project. We believe little effort has been made to honor the Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan (heretofore to be referred to as the "Community Plan").

I quote Footnote #7 from the Community Plan: "Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership." I quote from the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR") from IV-N-26: Substantial landform alterations would be visible from this perspective. (Photo simulation Figure IV-N-18). Irregularities in the existing skyline would be straightened out and replaced with horizontal lines." I further quote the DEIR from IV-N-37: "In some places the existing skylines would be lowered and their natural forms reshaped into horizontal planes to support the proposed development." I further quote the DEIR from IV-N-38: "However, the proposed project would cause landform alterations to approximately 240.2 acres of land due to grading." "Within the proposed Development Areas, grading would transform the rugged skyline and complex terrain of the hillsides into more regular ordered patterns of horizontal planes. In some locations, such as the central portion of Development Area A, grading would reduce the height of an existing secondary ridgeline by as much as 80 feet." This hardly constitutes the "minimized grading and hillside viewshed protection" that Footnote #7 of the Community Plan promises us. I further quote the DEIR from IV-N-39: "While there is existing residential development along La Tuna Canyon Road west of the project site, it is tucked in along the sides of the road and does not dominate the landscape. However, some of the proposed homes in Development Area B would be elevated above La Tuna Canyon Road and visible to passersby. Consequently, the substantial increase in the number of homes in the canyon and their high visibility from La Tuna Canyon Road would substantially impact the rural ambiance of that portion of La Tuna Canyon. For these reasons, the project could be considered to substantially degrade the existing visual character or quality of the Development Areas and the proposed projects impact on the visual character and quality of the project site would therefore be considered significant." We ask that Canyon Hills take a very close look at the existing residential development along La Tuna Canyon Road west of the project site and take some development guidelines away with him -- homes set back from the roadway and tucked away at level terrain, undisturbed hillsides, respect for the minimum density development as laid forth in the Community Plan maps, etc. further keeping in mind our Community

Plan Objective 1-3 which states: “To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

Response:

As discussed in greater detail in Topical Response 6, the proposed project has been designed to preserve most of the ridgelines and the steeper slopes on the project site as open space, to limit the amount of grading and, the extent possible, to protect the natural hillside views. In particular, the proposed project would not alter any Prominent Ridgelines or related Prominent Ridgeline Protection Area, would preserve approximately 693 acres of steep hillside open space and would limit grading to only 27 percent of the total project site by clustering development in the more naturally level portions of the project site. Nonetheless, the Draft EIR acknowledges that the proposed project would result in significant adverse impacts to views and scenic resources (see Section IV.N (Aesthetics) of the Draft EIR). Regarding project consistency with Footnote #7, see Responses 123-1 through 123-4 and 75-5. The balance of the comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 17-2:

And what happened to Mitigation Measures?

1. I quote from the DEIR IV-N-39: “All structures on the project site shall comply with the applicable requirements of the Draft San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan.” Frequent breakage of skyline silhouettes hardly exemplifies any effort to honor the essence of the Draft Specific Plan. Furthermore, one might seriously question any honest commitment on the part of the Canyon Hills Project to honor the concept of the “Prominent Ridgeline” as designated “Prominent Ridgelines” have altered altitude in successive proposed Canyon Hills Project Development Maps resulting in the elimination of designation as “Prominent Ridgelines” at the very border of Canyon Hills land ownership.

Response:

The Specific Plan provides for the protection of designated Prominent Ridgelines. As discussed in the Draft EIR, two of the designated Prominent Ridgelines are located on the project site. As further discussed in the Draft EIR, none of the proposed homes would break the silhouette of those Prominent Ridgelines or any other designated Prominent Ridgelines. Please note that the discussion of the project’s consistency with the Specific Plan in Section IV.G (Land Use) in the Draft EIR has been

revised in the Final EIR to account for the final revisions to the Specific Plan that occurred after the completion of the Draft EIR (see Section III (Corrections and Additions) in this Final EIR).

Comment 17-3:

2. I further quote from the DEIR IV-N-41: “Project impacts with respect to scenic vistas, scenic resources and existing visual character would remain significant following implementation of the recommended mitigation measures.” If impacts will remain “significant” despite mitigation, how can this project possibly be approved as proposed?

Response:

Under CEQA and the CEQA Guidelines, a lead agency may approve a project that would result in significant effects on the environment. First, the lead agency must make specified findings for each significant effect pursuant to Section 21081(a) of the California Public Resources Code (see also Section 15091 of the CEQA Guidelines). Then, the lead agency must adopt a statement of overriding considerations pursuant to Section 21081(b) of the California Public Resources Code and Section 15093 of the CEQA Guidelines, which is the lead agency’s explanation as to why a project may go forward notwithstanding its significant effects.

Comment 17-4:

This thoughtless landform alteration is totally unacceptable by a community so wholeheartedly dedicated to preserving the wonderful natural contours of the hills about us while still allowing for reasonable population expansion - here that allowance being for the 87 units permissible by existing zoning, Hillside Ordinance and Slope Density restrictions imparted on the totality of the Canyon Hills 887 acre ownership. As proposed, the Canyon Hills Project irrevocably alters the topography of the project site. I quote from the DEIR IV-N-37: “While some may consider the introduction of a residential development into an undisturbed hillside as a significant intrusion under any circumstances, others may consider a sensitively-designed project as an asset to the community and desire to purchase homes there.” Yes, a “sensitively-designed” project certainly could be an asset to the community, but as so many submitted letters to yourself must be making very clear, Canyon Hills hardly classifies as a “sensitively-designed” project.

Response:

The proposed project is considered to have a sensitive design for the reasons outlined in Response 17-1 and as discussed in greater detail in Topical Response 6.

Commenter 18: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 7, 2003

Comment 18-1:

We find many features of the biological resource impact analysis either woefully inadequate or highly questionable.

Initially, the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR"), implies that the "study area" includes the totality of the 887 acre Canyon Hills Project ownership as well as the adjacent Duke property yet, further down the same page, a statement is made that the focused surveys for special status species and vascular plants were generally limited to the proposed development arm and areas affected by the access road across the Duke Property. Survey's [sic] should have been conducted over the totality of the 887 acres ownership first because a development of this size will surely impact areas far beyond those of actual construction and secondly because one of the Alternatives - Alternative D - will indeed cover the entire ownership.

Response:

See Topical Response 4. In addition, prior to conducting focused surveys for special-status plants and animals, a meeting occurred at the project site with representatives of the USFWS and the CDFG to review the proposed survey protocols and ensure that the surveys were adequate to address the concerns of the agencies. While greater emphasis was placed on the proposed Development Areas, the surveys extended well beyond the proposed Development Areas, as shown in Figure IV.D-2 in the Draft EIR. Figure IV.D-2 depicts special-status species that are well-removed from the proposed Development Areas.

Furthermore, Figure IV.D-21 in the Draft EIR reflects that the entire project site was evaluated during the wildlife movement studies, as well as offsite areas. Also, as stated on page IV.D-1 in the Draft EIR, the entire project site was surveyed for special-status lichens. The focused surveys for the special-status species in the areas proposed for development were more than adequate, particularly since habitat areas outside of the proposed Development Areas are generally identical to habitat areas within the proposed Development Areas, and the survey results would therefore have been very similar.

With respect to the concern expressed regarding Alternative D, the Draft EIR included a full discussion of the potential biological impacts associated with that alternative. As set forth in Section 15126.6(d) of the CEQA Guidelines (see page VI-2 in the Draft EIR), the environmental analysis with respect to alternatives in a draft EIR does not require the same level of detail as the discussion of environmental

impacts associated with the proposed project. The biological analysis in the Draft EIR with respect to Alternative D is appropriate.

Comment 18-2:

A glaring example of a highly questionable survey methodology would be that for the California Gnatcatcher. The preferred habitat for this bird is Coastal Sage Scrub (CSS) and Coastal Sage Scrub/Chaparral Ecotone. I refer to page 305-306 of the DEIR CD Rom Biological File. By reconnaissance survey and examination of aerial photography of the Survey Area, site access and estimation of the extent of CSS and CSS/Chaparral Ecotone habitats which would serve as potentially suitable habitats by the coastal California Gnatcatcher were determined. This determined Survey Area was then broken down into four habitat survey polygons of less than 80 acres each. Protocol surveys were claimed to have been conducted according to the 1997 guidelines issued by the USFWS. Each single biologist surveyed one survey polygon per day. The presence or absence of the coastal California Gnatcatcher was determined by identifying each bird by sight and/or call using a combination of taped vocalizations and “pishing” sounds. Taped vocalizations were played at intervals of approximately 200 feet for at least 10 - 15 minutes. The use of taped vocalizations was utilized only when necessary to illicit a response from birds.

Now, I am not the greatest mathematician in the world, but:

$44,000 \text{ sq. ft./1 acre} = X \text{ sq. ft./80 acres}$ $X = 3,520,000 \text{ sq. ft. of terrain surveyed in one day by one biologist}$

$200 \text{ ft} \times 200 \text{ ft} = 40,000 \text{ sq. ft. (the area covered per observation)}$

$3,520,000 \text{ sq. ft. (total terrain)/40,000 sq. ft. (per observation)} = 88 \text{ observation stops}$

$88 \text{ stops/day} \times 15 \text{ min/stop} \times 1 \text{ hr/60 min} = 22 \text{ hrs./day}$ that our diligent biologist dedicated to this survey

Sorry, but I find this hard to believe.

Response:

Surveys for the California gnatcatcher were conducted in accordance with the 1997 Guidelines issued by the USFWS. The guidelines allow that, during the breeding season, up to 80 acres per day may be covered by the biologist. Each biologist conducted the surveys for the proposed project under a valid Section 10(a)(1)(A) Permit. Each permit holder must demonstrate to the USFWS that he/she has particular and appropriate expertise before a permit is issued, and then must go through multiple layers of review, including demonstration of documented experience and references from other permitted

biologists. In addition, each of the three biologists who conducted the surveys for the proposed project have substantial experience in conducting California gnatcatcher surveys. Most important, the area of coastal sage scrub (CSS) within the proposed Development Areas totals less than six acres (including CSS/Chaparral ecotone), while the remaining areas consist of chaparral, which is unlikely to support gnatcatchers. The survey polygons were all less than 60 acres and, as noted, exhibited a very low potential to support the California gnatcatcher because of a general absence of suitable CSS habitat.

The specific method used in the California gnatcatcher surveys varies from site to site depending on the composition of the vegetation communities, age structure of the vegetation communities, topography and accessibility of each site. Each biologist relies on his experience to determine how to survey each site with a maximum level of accuracy. The characterization of the survey methodology by the commenter is inaccurate and overlooked a number of important points, as discussed below.

The Gnatcatcher Report (an Appendix to the Biological Technical Report contained in Appendix G to the Draft EIR) stated that “(taped) vocalizations were played at intervals of approximately 200 feet, or as needed, after observing a patch of CSS for at least 10 – 15 minutes”. It is important to consider that the judgment of the biologist is key when making a determination regarding the suitability of each site and its potential to support California gnatcatchers. Low-quality sites require less scrutiny and as such, the taped vocalizations are only played in areas that exhibit at least minimal potential for supporting gnatcatchers. Also, California gnatcatcher vocalizations can be heard from many hundreds of feet away when conditions are appropriate (e.g., it is possible to survey dozens of acres from a single location on a ridge overlooking a large canyon), making it possible to survey large areas in a short amount of time. Given these factors, in the context of six survey visits and very limited areas of coastal sage scrub, performance of the surveys as characterized by the commenter is not necessary. Furthermore, California gnatcatchers have very distinctive vocalizations and are easy to detect throughout the year (as they are year-round residents). In addition to the six surveys for each of the four survey polygons, GLA biologists spent hundreds of hours conducting other surveys (e.g., rare plant surveys, tree surveys, jurisdictional delineation, etc.), all of which provided additional opportunities for detection of the California gnatcatcher.

Finally, the faunal compendium lists a large number of bird species that were detected on the project site (see Appendix G to the Draft EIR), which indicates that the surveys captured the vast majority of the species on the project site.

Comment 18-3:

I quote from the DEIR CD-rom Biological File 2.2.12: “Surveys for special-status raptors were conducted in concert with the surveys for the California Gnatcatcher, Least Bell’s Vireo and Rufous-crowned Sparrow. Now, if there were a team of at least two Biologists working together, they might be able to do justice to a survey for such a multitude of species - especially considering these birds are

not extremely obvious - but for one Biologist to do an adequate survey for, each of these at the same time is questionable, especially after about the 10th hour straight in the field.

Response:

The avian surveys were not conducted in the manner stated in this comment. Most birds were identified by call well before they were spotted. A highly trained ornithologist can detect numerous species from a single location by each distinctive call. Furthermore, during performance of focused California gnatcatcher or least Bell's vireo surveys, all species detected during the surveys were recorded. Detection of other special-status species, such as the upper Ashy rufous-crowned sparrow or highly visible raptors, is virtually impossible for an experienced ornithologist to miss.

Comment 18-4:

I further quote from the DEIR CD-rom Biology File 4.3.2: "Coastal sage, scrub vegetation is the preferred habitat for the federally listed threatened Coastal California Gnatcatcher; however, focused protocol surveys conducted within all areas of Coastal Sage Scrub within the proposed development area in 2002 did not detect any Coastal California Gnatcatchers in the Study Area. Many of the slopes that support Coastal Sage Scrub are very steep while Gnatcatchers generally prefer areas that exhibit more gentle topography. As such, the lack of detection of Gnatcatchers is in large measure due to unsuitable topography." This quote makes me highly suspicious that areas of Coastal Sage Scrub (CSS) habitat in steep slope area were never even surveyed just as areas of steep slopes and high concentration of poison oak nullified Oak Tree surveys in those areas. (DEIR CD-rom Biology File 2.2.13-2). According to the current USFWS survey protocol (U.S. Fish and Wildlife Service, Coastal California Gnatcatcher Presence/Absence Survey Guidelines. February 28, 1997.), 6-9 visits are required during a season in all appropriate habitat.

I note also that two gentlemen joined the tree survey team as well as the avifauna survey team - Mr. Rick Riefner and Mr. Jeff Ahrens. Not questioning their knowledge, in my ignorance, I ask if this is appropriate procedure for such a large and complex project.

Response:

All areas of suitable habitat were surveyed, as described in Responses 18-2 and 18-3, above. Also, as noted above, prior to initiating surveys, the biologists for the proposed project met with representatives of the USFWS and CDFG to determine areas that represented the highest probability for supporting the coastal California gnatcatcher (given that essentially no areas on the project site represent prime or optimal habitat for the California gnatcatcher and that there is very limited CSS in the proposed Development Areas). In accordance with the protocol for surveys conducted during the nesting season, six survey passes were performed for each of the four survey polygons.

With respect relative to the tree survey, Rick Riefner is an expert botanist. He has also conducted numerous tree surveys and, given his qualifications and knowledge of the project site gained during botanical, lichen and gnatcatcher surveys, he was an obvious choice to assist in the tree survey. Similarly, Jeff Ahrens has participated in numerous tree surveys and, given his knowledge of the project site gained during gnatcatcher, vireo and wildlife movement surveys, he was also an obvious choice for assisting in the tree survey.

Commenter 19: Roger Baker, Deputy City Planner, City of Burbank
Community Development Department, 275 East Olive
Avenue, P.O. Box 6459, Burbank, CA 91510, December 8,
2003

Comment 19-1:

Thank you for the opportunity to review the Draft Environmental Impact Report prepared for the Canyon Hills Project. The only comment we have is the absence of any discussion of compliance with Senate Bill 610 and Senate Bill 221. Both of these senate bills were intended to address large projects of this type and the limited water resources within Southern California. Even though the project may not technically be subject to the provisions of these bills, we believe the draft environmental impact report should at minimum discuss both of these senate bills and the degree to which the project does comply.

Response:

Senate Bill (SB) 610 and SB 221 amended State law in January 2002 to facilitate the exchange of water supply availability information during the planning processes of certain developments. SB 610, which requires water assessments to be furnished to local governments for inclusion in the environmental documentation for certain projects, primarily relates to the California Water Code. Section 10912(a) of the California Water Code defines those residential projects which are subject to the mandates of SB 610 as any proposed residential development of more than 500 dwelling units or, for projects served by a public water system with fewer than 5,000 service connections, any proposed residential development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections. SB 221, which requires an affirmative written verification of sufficient water supply for the approval of certain residential subdivisions, also only applies to residential developments of 500 units or more. The proposed project involves the development of 280 single-family homes, which would be served by a public water system with more than 5,000 service connections operated by the Los Angeles Department of Water and Power. Therefore, as suggested in this comment, a water assessment is not required for the proposed project pursuant to SB 610, nor is the proposed project subject to the requirements of SB 221.

Commenter 20: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 8, 2003

Comment 20-1:

We seriously question the program of native California Coast Live Oak and Western Sycamore tree loss mitigation on the Canyon Hills Project as proposed in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR"). The proposed plan to mitigate the loss of up to 232 native California Coast Live Oaks and 27 Western Sycamores (DEIR CD-rom Biology File under Summary section Native Trees) is as follows according to the DEIR (Table IV-D-16 and CD-rom Biology File under Summary section Native Trees):

1. Entry points: 15 California, Coast Live Oaks, 60" to 36" boxes
2. Parks and Common Areas: 205 California Coast Live Oaks, 36" to 24" boxes
3. Road Right-of-ways: 515 California Coast Live Oaks, 24" boxes to 15 gal
4. Private Lots: 250 California Coast Live Oaks, 15 gal
5. Detention Basins: 60 California Coast Live Oaks, 15 gal, 5 gal and 1 gal 90 Western Sycamores, 15 gal, 5 gal, and 1 gal
6. Slopes: 100 California Coast Live Oaks, 5 gal and 1 gal
7. Flood Control: 60 California Coast Live Oaks, 15 gal, 5 gal and 1 gal 91 Western Sycamores, 15 gal, 5 gal and 1 gal
8. Fuel Modification Areas: 365 California Coast Live Oaks, 1 gal, seedlings and acorns.
9. Proposed Equestrian Trail: 200 California Coast Live Oaks, seedlings and acorns
10. Damaged Riparian Habitat: 0

This certainly appears impressive at the outset when compared to the requirements of the LAMC Oak Tree Ordinance Section. 46.02 (c)1 which requires the replacement of any oak approved for removal by at least two trees within the same property boundaries and that each replacement tree must be at least a 15-gal specimen. However, one quickly loses faith in the "magnanimous generosity" of Canyon Hills when one realizes that rather than following the intent of the Oak Tree Ordinance, the much larger boxes are quite self-serving as development show-case specimens at development entry points and common areas. What has happened to any effort to replace larger trees where the remaining wildlife could once again use it - the detention basin, the fuel modification areas and most especially as an effort to restore the riparian habitat areas? Without the protection of a "nurse tree", acorns, seedlings, 1-gal specimens and even 5-gal specimens will never survive. Canyon Hills might just as well save their money on this portion of the mitigation program. Larger trees are much needed in the fuel modification areas and most certainly in areas of redeveloping riparian habitats where they can not only

provide a food source, but also provide nesting opportunities. To place seedlings and acorns along equestrian trails is ludicrous. Unseen small trees will succumb to compacted soil and trampling. Larger trees would have some chance of survival as a horse and rider will see them and avoid them.

Response:

One of the primary goals of the conceptual tree planting program is to provide a reasonable, appropriate plan to mitigate the loss of native trees as well as provide aesthetic contributions that will integrate the community with the surrounding natural landscape. See Topical Response 2 for additional information regarding the tree mitigation plan.

Planting acorns, seedlings and one-gallon trees is a successful method for reestablishing oaks in disturbed natural areas or areas intended to naturalize, with or without the presence of a “nurse tree”. The goal is to mimic the natural regenerative process, with varying ages and planting methods. The acorns and seedlings are planted in groupings, near a larger tree when available. Not all acorns will germinate. However, when planted in groups of 3 to 4, there is a high probability for at least one plant to emerge. If they are planted in areas where soil compaction or foot traffic is a potential concern, protective fencing can be used until they reach a size where they are self-protecting. The plantings along equestrian trails would be located in areas where vegetation would be protected while it establishes. This is a suitable area for planting oaks, as they would provide aesthetic improvements as well as additional habitat for wildlife. Protective measures can be used to minimize the potential for human and equine foot traffic. Therefore, Mitigation Measure D.2-7 on page IV.D-120 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR as follows:

D.2-7 All tree plantings shall be subject to a five-year monitoring effort by an independent certified arborist. This monitoring effort shall consider growth, health, and condition of subject trees in order to evaluate the project’s success. This monitoring effort might result in recommendation of remedial actions should any of the tree plantings exhibit poor or declining health. These actions may include more frequent monitoring, installation of protective devices, pruning for larger specimens, integrated pest management (IPM) for pest or disease infestation and other professionally accepted methods to improve the health and vigor of a tree. Fencing and other protective measures could be required for trees less than four (4) feet tall (including acorn plantings) planted in areas where soil compaction, foot traffic, and equine or other recreational uses may occur. These measures shall remain in place until the trees are large enough to be self-protecting. Any coast live oak that fails during the monitoring period shall be replaced with a tree of the same species and equivalent trunk diameter.

Comment 20-2:

I question the authenticity of information provided by the DEIR. According to the CD-rom Biology File under Summary section Native Trees, the largest replacement Oak to be placed at entry points is to be 72" box specimens. According to Table IV-D-16, the largest replacement Oak to be placed at entry points is to be 60" box specimens. Well? Which is it? If such data is found to be inconsistent within the DEIR, how much other data not showing any obvious inconsistencies is in error?

Response:

The reference to 72-inch box specimen trees occurs in the Biological Technical Report, which is included as Appendix G to the Draft EIR. This was a typographic error in the Project Summary section on page 4. However, the conceptual tree planting program shown on Table 9 in Section 7.3 (pages 77 and 78) of the Biological Technical Report is identical to the tree planting program included in Table IV.D-16 in the Draft EIR, which both include the planting of three 60-inch box coast live oaks at entry points.

Comment 20-3:

I quote the DEIR from the CD-rom Biology File under Summary Section "Significance after Mitigation": "With implementation of the mitigation measures described above, the proposed project would not have any significant impacts on biological resources with the exception of native trees." I beg to differ. Destruction of Riparian and Woodland habitat, however "temporary", most certainly will have a significant impact on faunal biological resources dependant on native vegetation for food and nesting opportunities.

Response:

The Draft EIR does conclude that the impact of the proposed project on small amounts of riparian and woodland habitat would be significant prior to mitigation. However, the Draft EIR recommends four mitigation measures (D.1-1, D.1-2, D.1-3 and D.1-4) on pages IV.D-63 and IV.D-64 in the Draft EIR. With the implementation of these mitigation measures, impacts to the riparian and woodland habitat would be less than significant. This comment does not state any specific concern with respect to any of these mitigation measures. Nonetheless, the last sentence of Mitigation Measure D.1-2 has been deleted and the following mitigation measure has been added to Section IV.D.1 (Flora and Fauna) of the Draft EIR (see Section III (Corrections and Additions) of this Final EIR:

D.1-3 The mitigation and monitoring plan with respect to Mitigation Measures D.1-1 and D.1-2, above shall be subject to the approval of the Army Corps, CDFG and the Regional Water Quality Control Board.

Comment 20-4:

Further, the DEIR states that 211 acres of the Canyon Hills ownership affected by grading will never be re-vegetated. (DEIR CD-rom Biology File under Summary section Project Impacts). This too will unquestionably have a significant impact on all biological resources.

Response:

The 211 acres referred to in the Summary Section of the Biological Technical Report and on page IV.D-49 in the Draft EIR consist of the area that would be occupied by houses, streets, parks, landscaped slopes, etc. The loss of vegetation associations was addressed in Section IV.D.1 (Flora and Fauna) of the Draft EIR. As discussed in Response 20-3, the impact to those vegetation associations would be less than significant with the implementation of the recommended mitigation. In addition, extensive landscaping, including native trees and shrubs, together with non-invasive ornamentals, would provide substantial habitat values.

Comment 20-5:

I quote from the DEIR CD-rom Biology File's Draft Tree Inventory and Impact Analysis 7.6 Mitigation Plan: "All tree plantings would be subject to a 5-yr monitoring effort by an independent certified arborist. The monitoring effort would consider growth, health and condition of the subject trees in order to evaluate the projects success. This monitoring effort might result in recommendation of remedial actions should any of the tree plantings exhibit poor or declining health." This alone is too vague and requires greater detail e.g. what would constitute "remedial action" and a clearer definition of what state of growth, health and condition would trigger remedial action, not just "recommend" it.

Response:

Remedial action would be prescriptive, determined by the tree species, planting location, age and conditions that are contributing to poor or declining health. This would need to be done judiciously because too much intervention can be equally detrimental to a tree as non-intervention. The independent certified arborist would provide a professional opinion on whether and what type of remedial action is warranted. See also revised Mitigation Measure D.2-7 in Response 20-1 above.

The tree planting program described in the Draft EIR is conceptual. Prior to implementation, a final tree planting program would be developed that would include standards for success and guidelines for monitoring and tree assessments. Therefore, Mitigation Measure D.2-6 on page IV.D-119 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR as follows:

D.2-6 The project developer shall implement the final tree planting program for the project, which shall be based on the conceptual tree planting program

summarized in Table IV.D-16 in the Draft EIR and the Addendum to the Tree Inventory and Impact Analysis included in Appendix E to this Final EIR, as modified to conform to the specifications for the Development Areas in the approved vesting tentative tract map. The final tree planting program shall be approved by an independent certified arborist and shall include species, sizes, quantities, planting locations and planting specifications, as well as criteria for success and guidelines for monitoring and tree assessments. The plantings would occur within entry points, common areas, road right-of-ways, perimeters of detention basins, common slopes, flood control facilities, fuel modification slopes and private residential lots. Consistent with the conceptual tree planning program, the final tree planning program shall include (1) with respect to all replacement plantings, a minimum replacement ratio of 7.6:1 for impacted coast live oaks and 6.7:1 for impacted western sycamores, (2) with respect to 15-gallon and larger replacement stock, a minimum replacement ratio of 4.6:1 for impacted coast live oaks and 4.1:1 for impacted western sycamores, and (3) a 10-percent planting overage to allow for potential losses of replacement trees.

The following criteria for success serve as an example of what might be expected for the proposed project after a five-year period:

- Average coast live oak tree height is at least six feet tall with canopy spread of at least two feet;
- Trees are free-standing without the need for guys or stakes for support;
- Trees have an average vigor assessment score of 2 based on the rating system shown below, with at least 90 percent survival:
 - 0 – dead tree
 - 1 – tree in poor condition with dieback or sparse foliage
 - 2 – tree generally healthy, showing minimal growth, may exhibit some stress, pest, or non-fatal disease problem
 - 3 – tree with good health and vigor, minimal pest or non-fatal disease problems
 - 4 – tree with good health, growing vigorously, good color, no noticeable problems
- For areas with no permanent irrigation, trees withstand at least one dry season on natural conditions; and
- Trees planted in irrigated areas will continue to be watered.

Remedial action would be in keeping with the success standards included in the tree planting and monitoring program.

Commenter 21: Susan M. De Santis, 19630 Cantara St., Reseda, CA 91335,
December 8, 2003

Comment 21-1:

I am adamantly against the idiotic proposal submitted for the “Whitebird” (should be renamed “Dead Bird” since the proposed development would permanently destroy habitats for birds) development. This horrific proposal for illogical and destructive development along both beautiful scenic sides of the 210 Freeway west of La Tuna Canyon would:

- destroy the last untouched and scenic stretch of highway in L.A. City
- cause unacceptable unplanned crowding, an increase in traffic, and additional air, land, and water pollution
- destroy the natural habitats for resident and traveling indigenous animals and beautiful and historical native plants
- destroy a traditional way of life for generations of people in the area and prevent outdoor enthusiasts from what we have done for centuries: horseback ride, hike, bike, view and appreciate the natural area
- erase a unique area from L.A. geography and obliterate a special historical space

I am a native Californian and spent lots of memorable childhood weekends in the La Tuna Canyon, Sunland, Tujunga, and hills, mountains, and canyons before the 210 was built. As an adult, I spend time hiking the trails with friends searching the area to record sightings of native plants and indigenous animals. I commute on the 210 daily, and I find the drive through this special area relaxing and calming, and I look forward to each seasonal change to watch the fantastic effect on the flora and fauna. I strongly request that the proposal for this and any other development be voted down, and I propose that this wonderful, unique, and precious area be preserved as a protected entity.

As a registered voter who always votes, I will be watching the proceedings of the L.A. City Council very closely.

Response:

Potential impacts to views of the project site from Interstate 210, population, traffic, air quality, land use, water quality, plant and animal habitats and the rural character of the project area are addressed (respectively) in the Draft EIR in Sections IV.N (Aesthetics), IV.H (Population and Housing), IV.I (Transportation and Traffic), IV.B (Air Quality), IV.M (Hazards and Hazardous Materials), IV.C

(Hydrology and Water Quality) and IV.D (Biological Resources). The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 22: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 9, 2003

Comment 22-1:

It is our opinion that a great deal of the final determinations made in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the DEIR) have been made on little or, in some cases, even non-existent data.

I shall refer to the California Live Oak survey as an example. Tree health was rated on subjective observations based on such things as root anchorage, mechanical injury, symptoms of toxic gas and chemical exposure, presence of decay or cavities, etc. Presence of decay and heart rot were made merely on the assumption that it is a common occurrence in trees with cavities. I quote from the DEIR IV-D-87, "Heart rot is also believed to be present on many of the oaks as this defect is common to coast live oaks and the presence of cavities and calluses provide indirect evidence of its presence." No coring or testing was done to check for the actual presence of decay or heart rot (DEIR IV-D-88). While discussion was provided on the relationship of a variety of "mechanical" appearances of a tree and their association to overall tree health, nothing was offered in the way of how toxic gas or chemical damage was evaluated or how the presence of heart rot and extent of decay was determined.

Response:

The tree health assessment was performed by arborists certified by the International Society of Arboriculture (ISA) as well as a botanist and two biologists. The methodology and assessment evaluations conform to ISA standards, as well as the Council of Tree and Landscape Appraisers' evaluation factors. Trees are evaluated based on a visual inspection, general knowledge of project study area conditions and direct knowledge or evidence of unseen conditions that might affect tree health. The project study area is in an undeveloped condition and offers no indication that there might be a presence of toxic gas or chemical damage to the root systems. The factors listed in Table IV.D-7 in the Draft EIR include the full list recommended by the Council of Tree and Landscape Appraisers and are not intended to be specific to the proposed project.

Intrusive or destructive sampling is usually only warranted when a tree will be in close proximity to human activities and public safety is a concern. Based on the tree health assessment, sampling is not warranted. Trees that displayed evidence of some internal deterioration were noted in the inventory. With the presence of calluses and cavities, it is evident they have sustained some form of damage, whether caused by fire or disease. In accordance with the Council of Tree and Landscape Appraisers' evaluation factors, this lowers the tree health rating.

Comment 22-2:

I now wish to address Canyon Hill's perception of the Oak Tree replacement standards. I quote from the DEIR Technical Appendices File G - Biology Draft Tree Inventory and Impact Analysis section 7.5 Determination of Minimum Replacement Standards: "The replacement standards provided in this Section (referring to the LAMC 46.02(c) l) suggest that they were not intended to address mitigation for larger properties with wildland oaks in natural settings. While the mitigation program described below satisfies this replacement standard, the simple straightforward replacement of a targeted tree by two or more 15 gallon or larger trees is generally best suited to scenarios where the impacted oaks are easily viewable by or accessible to the public and aesthetic concerns are paramount." I sorely beg to differ. The 2:1 replacement should be solely directed to replacement of trees to the remaining natural wildland where they may once again become a source of forage, nesting opportunities and cover for the remaining wildlife. Should the developer choose to improve the aesthetics of the development footprint with additional oak trees, that would certainly enhance the viewshed of the development to the general public.

I do most heartily agree with an additional quote taken from the DEIR section 7.5 described above: "The position of the oaks and sycamores in deep canyons and remote hillsides make them less of a community benefit and almost exclusively a wildlife resource. This wildlife resource cannot be replaced by the planting of container stock in a park or urban setting. Rather the replacement of the entire habitat must be undertaken by the restoration of the lost community, in this case of oak woodland, riparian forest and mixed chaparral plant communities." I could not have described the heart and soul of the intent of "mitigation" better myself.

Response:

See Response 20-1 and Topical Response 2. This comment misconstrues the import of the discussion in the Draft EIR that it addresses. The point of that discussion, which is found on pages IV.D-118 and IV.D-119 in the Draft EIR, was that the oak tree mitigation should not be limited to 15-gallon or larger trees at a 2:1 replacement ratio. Accordingly, the tree planting program for the proposed project not only includes the replacement of coast live oaks with 15-gallon or larger trees at a ratio of approximately 4.6:1, but in addition includes the planting of smaller-sized container stock, including acorns, seedlings, 1-gallon and 5-gallon stock, for an overall replacement ratio of almost 8:1.

Comment 22-3:

I quote once again from section 7.5, as described above: "The goal of the mitigation program proposed herein is creation of a landscape that maximizes the compensation for lost habitat values while fully addressing the need to provide a community landscape that reflects the natural heritage of the Verdugo Mountains. This program would be superior to one that simply responded to arbitrary replacement

ratios without concern for an overall landscape theme and wildlife habitat.” I must ask where the Canyon Hill’s Oak Replacement Program makes ANY effort to compensate for lost habitat or show any concern for lost habitat. According to the DEIR Table IV-D-16 and CD-rom Biology File under Summary section Native Trees, all tree replacements are scheduled to take place at development entry points, common areas, road right-of-ways, private lots, detention basins, slopes, etc. Not a single replacement tree has been scheduled for planting in ANY lost habitat area! And nearly 19% of the oaks now located on the project site will be impacted by the project as proposed in the DEIR. (DEIR Technical Appendices File G - Biology - Draft Tree Inventory and Impact Analysis section 6.3)

Response:

See Topical Response 2.

Comment 22-4:

I quote once again from section 7.5 as described above: “Direct seeding of acorns is most appropriate in either non-irrigated or limited access sites where habitat enhancement is the key concern.” First, I see no entry in the oak tree replacement program as described in the DEER, that ANY acorns are scheduled to be seeded in any lost habitat area. Further, without the protection of a “nurse tree,” acorns have little chance of germination and essentially no chance of surviving. The DEIR itself describes the Oak as a very slow-growing tree. The need for functional habitat replacement as soon as possible is paramount - an acorn just won’t do. Failure to replace lost habitat does NOT constitute mitigation! The closest that Canyon Hills comes to providing replaced oak trees that MIGHT be available to wildlife is in the detention basins, flood control areas and possibly the fuel modification areas. Yet it is these areas that receive the least consideration being replanted with a few 15-gal stock, but then 5-gal, 1-gal and seedling stock and acorns. This is unacceptable.

Response:

See Response 20-1 and Topical Response 2.

Commenter 23: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 9, 2003

Comment 23-1:

If approved as put forth in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR"), the Canyon Hills Project is most assuredly a catastrophe in the making. The Project is located in a Very High Fire Hazard Severity Zone (VHFHSZ) in a canyon prone to wind-driven wildfires such as those common to our episodes of Southern California's Santa Ana Winds. This so much the more hazardous as the Project would also be out of compliance with the City of Los Angeles' Fire Code, Los Angeles Municipal Code, Section 57.09.07 which specifies maximum response distances for residential land uses. The maximum response distance specified for an engine company is 1.5 miles. The maximum response distance for a Truck Company is 2.0 miles. A "Task Force Station" consists of a Truck Company, an Engine Company and at least 10 personnel. A Truck Company consists of 2 vehicles, one a truck with a 100 ft aerial ladder apparatus and one an engine which is a vehicle with a pump. An Engine Company has only one vehicle, an engine with a pump. The nearest station to the Project would be Station 74 on Foothill Blvd., a Task Force Station with a truck and engine company as well as a paramedic ambulance and Emergency Medical Treatment rescue ambulance, 2.8 miles away. The Station has 12 personnel. There are two other Stations that would serve the Project. First is Station 24 located 3.4. miles northwest of the Project on Wentworth St. in Sunland which consists of a single engine company and has a personnel count of 4. The third Station that would be available to the Project would be Station No. 77 located approximately 4.25 miles southwest of the Project on Glenoaks Blvd. in Sun Valley. This station has one engine company, a paramedic ambulance and a personnel count of 4. These distances are based on the route from the respective Stations to the intersection of La Tuna Canyon Road and the I-210, the proposed site of the single ingress/egress intended to serve the 211 homes of Development A and does not take into account the additional distance along the access road internal to the Project prior to encountering even the nearest home. In the event of a wildfire, can you picture vehicles from 211 homes attempting to leave from the same single ingress/egress that emergency vehicles are attempting to use to enter?

Response:

With respect to the concerns expressed regarding wildfire risk, see Topical Response 13. With respect to the concern expressed regarding emergency ingress and egress, see Topical Response 11.

Comment 23-2:

The secondary emergency access suggested by the DEIR (DEIR IV-J-7/8) along either Verdugo Crestline Drive or Inspiration way is ludicrous. I have recently driven these roads in my small half ton

pick-up and found it terribly difficult to negotiate the narrow roads with their frequent hairpin turns. There is no way that a fire truck with its 100 ft ladder apparatus could circumvent these roads. Homes often border directly along the roadway, so I find it difficult to believe that these roads could be widened enough to meet Fire Code standards -- and even if they could, the emergency vehicles still would never be able to negotiate those turns. To picture this secondary access to be used merely as an exit route for residents is no less ludicrous. In the panic of trying to leave a dangerous situation, traveling these narrow curving roads would be a slow process resulting in a queue of cars potentially caught in the line of fire within the canyon. Furthermore, to follow the route toward Foothill Blvd. would be next to impossible for anyone not familiar with the path. Without going into the details, please trust me that one might very likely simply drive a circle right back into the canyon one is trying to exit.

Response:

See Topical Response 11.

Comment 23-3:

The DEIR claims an expected 831 resident increase to the area, a number I find sorely understated. However, even at 831, the new resident population would greatly increase the potential for wildfire starts in the area and also the need for paramedic services - an area in excess of Code specified distances from the nearest Station - at a time when every second may be crucial.

Response:

With respect to the concern expressed regarding the estimated number of future project residents, see Response 121-36. The 831 future occupants of the proposed homes in the Development Areas were estimated based on population projections in the Sunland-Tujunga Community Plan. Page IV.H-4 in the Draft EIR states:

The proposed project includes construction of 280 single-family homes on currently undeveloped land. The Sunland-Tujunga Community Plan indicates that approximately 2.97 persons are anticipated to occupy each low density single-family home in 2010.²⁰ Based upon this factor, approximately 831 persons are anticipated to reside on the

²⁰ City of Los Angeles, Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan, 1997, page III-2.

project site upon the completion of construction.

With respect to the concern expressed regarding wildfire risk, see Topical Response 13. With respect to the claim that a new resident population would greatly increase the need for paramedic services, paramedic services would be provided to the project site by the LAFD, which has reviewed the proposed project and has not expressed a concern regarding its ability to provide adequate paramedic services to the project site. In addition, CEQA does not treat social effects as significant effects on the environment (see CEQA Guidelines Section 15131). The adequacy of paramedic services is a safety issue and, as such, a social issue. Therefore, an analysis of the adequacy of paramedic services was not a required in the Draft EIR. In addition, the comment is not supported by any evidence or analysis, and is therefore speculation.

Comment 23-4:

I now quote from the DEIR IV-J-7: “Since the response distance between the Project Site and the primary response fire station is not within Fire Code specifications pertaining to engine and truck companies (1.5 miles and 2.0 miles, respectively, for residential development), impacts with respect to distance criteria are considered to be potentially significant. However, LAMC Section 57.09.07 provides that, where a response distance exceeds the maximum response distance set forth in the Fire Code, all project structures shall be constructed with automatic fire sprinkler systems in order to compensate for the additional response distance. That requirement has been included as Mitigation Measure J.1-7 below.” Note: The DEIR states this Mitigation Measure number in error here - the referred to Mitigation Measure is Mitigation Measure J.1-1 (DEIR 1V-J-9). I further quote from the DEIR (DEIR IV.J-9): “With the implementation of Mitigation Measure J.1-1, the proposed project would not have a significant impact on fire protection services.” This, too, is quite ludicrous. Fire sprinkler systems are intended to control fires starting internal to a structure. How is an automatic sprinkler system going to control a wildfire that burns down a structure leaving the automatic sprinkler system to stand naked. This hardly serves as a primary Mitigation Measure as implied by the DEIR. The majority of the remaining listed “Mitigation Measures” are already specifications of the Fire Code and should not be considered Mitigation Measures unique to the Canyon Hills Project.

Response:

See Topical Response 13. The reference to “Mitigation Measure J.1-7” in the last sentence of the paragraph following the heading “Response Distance and Access” on page IV.J-7 in the Draft EIR has been changed to “Mitigation Measure J.1-1” in Section III (Corrections and Additions) in this Final EIR.

Commenter 24: Randy Perez, 10140 Woodward Avenue, Sunland, CA
91040-3342, December 9, 2003

Comment 24-1:

The EIR is flawed and should be redone!!

This report is downplaying any impact on the area to be developed. For instance, this project impacts coastal sage scrub, deerwood scrub, riparian forest, live oaks and other flora that is significant and necessary for the environment and wildlife in this area.

Response:

The comment states an opinion that the Draft EIR has downplayed impacts to the Development Areas, but provides no evidence or analysis to support the contention. The Draft EIR includes a detailed and well-supported analysis of the biological impacts associated with the proposed project. See Topical Response 1.

Comment 24-2:

This project states in the EIR report and I quote “No state or federally listed species were identified in the study area.”

This statement is completely false. I have lived in south Sunland since 1987 and I have seen with my own eyes deer, bobcat, road runners, red tail hawks, peacock, grey squirrels, raccoon and of course coyotes.

I have seen deer walking trails in the project area. Last summer a cougar was spotted on my street by a police cruiser, and I live just north of the project area.

Response:

While deer, bobcat, road runners, red tail hawks, peacock, grey squirrels, raccoon and coyotes, may occur on the project site, they are not included in any State or federal list of special status wildlife species (i.e., threatened or endangered).

Comment 24-3:

This project will be a blight for our community, it is totally against the community plan for this area.

Response:

As discussed on pages IV.G-16 through IV.G-18 in the Draft EIR, the proposed project includes amendments to the land use designations for approximately 237 acres within the proposed Development Areas from Minimum Residential, Very Low I Residential and Very Low II Residential to Low Residential, with which the proposed project would be consistent. In addition, as discussed on pages IV.G-18 through IV.G-24 in the Draft EIR, the proposed project is consistent with the applicable policies in the Sunland-Tujunga Community Plan.

Comment 24-4:

This project would increase traffic, congestion, and pollution in my area.

Response:

The potential traffic impacts associated with the proposed project are addressed in Section IV.I (Transportation/Traffic) of the Draft EIR. As concluded on page IV.I-46 in the Draft EIR, potentially significant impacts on traffic would be reduced to a less-than-significant level with the implementation of Mitigation Measure I-1. See also Topical Response 9.

The potential air quality impacts associated with the proposed project are addressed in Section IV.B (Air Quality) of the Draft EIR. As concluded on page IV.B-17 in the Draft EIR, the operation of the project would not have a significant adverse impact on regional or local air emissions. The construction activities associated with the proposed project would result in PM₁₀ and NO_x emissions that would exceed the threshold criteria established by the SCAQMD. The recommended mitigation in the Draft EIR (see pages IV.B-17 and IV.B-18) would substantially reduce the projected PM₁₀ emissions, but projected PM₁₀ and NO_x emissions would remain significant after implementation of the recommended mitigation measures. In order to reduce NO_x construction emissions, the following mitigation measure has been added to page IV.B-18 in the Draft EIR (see Section III (Corrections and Additions) of this Final EIR) as follows:

- B-6 Apply appropriate NO_x control technologies, such as use of lean-NO_x catalyst or diesel oxidation catalyst, to the extent feasible.

While NO_x emissions would be substantially reduced, NO_x emissions would remain significant after implementation of this additional mitigation.

Comment 24-5:

I live on Woodward Ave and the proposed access road would greatly increase traffic on my street alone (if not now in the future when they open that road).

Response:

As discussed on pages IV.I-13 through IV.I-16 in the Draft EIR, secondary emergency access connections to Development Area A would be provided via either Inspiration Way or Verdugo Crestline Drive, neither of which would involve the use of Woodward Avenue. The use of Woodward Avenue for secondary emergency access was considered and rejected for numerous reasons, as set forth on pages VI-4 and VI-5 in the Draft EIR. This emergency access point would be gated and locked, and would not be accessible to the public.

Comment 24-6:

Please don't let this project go thru. I moved up to Sunland-Tujunga for the peace and quiet of the foothills. This project would change zoning laws that are necessary for the Sunland-Tujunga area.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 25: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 10, 2003

Comment 25-1:

The Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the DEIR) is highly incomplete in it's [sic] evaluation of it's [sic] potential cumulative impact relative to traffic, fire and police protection services and any number of additional significant public services. The DEIR lists in Table II-3 it's [sic] version of significant cumulative projects which include such relatively insignificant items as a fast-food restaurant, auto-repair shop and single family residence. Such projects as the fast-food restaurant and auto-repair shop would be quite minimally significant to La Tuna Canyon as they are located on Foothill Blvd. No reference is made in this table or anywhere else in the DEIR to the 34-unit development now under construction in a more westerly portion of the Canyon itself and it's [sic] potential cumulative effects on traffic, fire and police protection services, etc.

Response:

See Topical Response 7.

Comment 25-2:

In regard to police services - the Project Site is located in Reporting District RD-1694 of the Foothill Station. Table IV-J-1 provides 2002 statistics for crime rates in RD-1694, however fails to compare this to population levels. One must search the appendices to find statistics prepared by the LAPD Community Relations Section Crime Prevention Unit which notes in it's [sic] Table of 2001 statistics that there were 32 crimes per 1,000 population committed.

Response:

The Draft EIR presents the most current crime data which was available at the time of publication. The 2001 crime data was not included in the Draft EIR because the 2002 crime statistics more accurately reflect the current crime condition in RD 1694. Furthermore, the crime rate is compared to the population in the Foothill Area in the Draft EIR (see page IV.J-17). The Foothill Area is used in the analysis of crime statistics in the Draft EIR rather than the RD because the LAPD did not provide crime rates per population for RDs in 2002.

Comment 25-3:

The LAPD preferred emergency call response time is 7.0 minutes. The DEIR provides statistics for response times for the entire Foothill division (DEIR IV-J-15/16) which is 11.4 minutes, but makes no

reference to average emergency call response times for RD-1694, a statistic that would be far more significant to us. RD-1694's average emergency response time is 14.7 minutes.

Response:

As stated on page IV.J-15 of the Draft EIR, "Response times are not broken down by RD." Therefore, no such data is available.

Comment 25-4:

Should the entire Canyon Hills Project be approved as set forth in the DEIR, each police officer will have to face a 93% increase in crime rate from this development alone.

$$32 \text{ (crimes)/1,000 population} = X \text{ (crimes)/1,831 (pop. in 2001 + pop. of Canyon Hills)}$$

$$X = 58.6$$

$$\text{Increased \# of crimes committed} = 58.6 - 32.0 = 26.6$$

$$26.6 \text{ (increased \# of crimes committed)/32 (\# crimes committed in 2001} = X\%/100\%$$

$$X = 93.1\%$$

Response:

The calculations in this comment are incorrect. As stated in Response 25-2, 2001 crime data is not the most current data available. However, 2001 crime data is used below in order to respond in a meaningful way to this comment.

In order to calculate the increase in crime rate for RD 1694 with development of the proposed project, the following equations should be used, rather than those in the comment. In 2001, the population of RD 1694 was 3,509 with 111 crimes committed. This translates into a crime rate of 32 crimes per 1,000 people.

$$3,509 + 831 \text{ (residents of proposed project)} = 4,340 \text{ persons}$$

$$111 + 27^* \text{ (crimes "committed" due to the proposed project)} = 138 \text{ crimes}$$

*The 27 crimes was calculated by solving for x in the equation $32/1,000 = x/831$.

The 138 crimes translates into approximately 32 crimes per 1,000 persons, indicating that the crime rate would not increase due to the proposed project.

However, the number of crimes due to the proposed project is indeterminable in reality, because a crime is not accounted for by the LAPD until it occurs. For example, the 32/1,000 crime ratio was calculated by the LAPD in 2002 only after all the crimes of 2001 were committed. Furthermore, as stated on page IV.J-13 in the Draft EIR, “because a number of other factors also contribute to the resultant crime rate, such as police presence, crime prevention measures, economic conditions, and ongoing legislative/funding issues, the potential for increased crime rates is not necessarily directly proportional to increases in land use activity.”

Comment 25-5:

The Canyon Hills Project, as set forth in cumulative conjunction with other significant projects as referred to above, will noticeably further strain the already chronic shortage of the Police Department thereby increasing even further the emergency response time to a totally unacceptable level.

Response:

See Topical Response 7.

Comment 25-6:

Fire protection services also will be facing a number of problems. For starters, the primary response Station for the Canyon Hills Development would be Station # 74 on Foothill Blvd, located at a distance of 2.8 miles, a distance out of compliance with the Fire Code which specifies the maximum response distance for a truck company to be 2.0 miles. The primary route that this Station would utilize to reach the Canyon Hills Project area would be via Tujunga Canyon Blvd, a one-lane road with no shoulder on which cars can pull over. A similar condition exists on Lowell Ave., a potential alternate route for Station 74. It is already difficult for Fire trucks to maneuver on these roads in emergency situations due to traffic, the notable increase in traffic levels on Tujunga Canyon Blvd. from the Canyon Hills Project alone would make it next to impossible.

Response:

With respect to the concern expressed regarding response distance, see Topical Response 13.

With respect to the concern expressed regarding existing emergency access on Tujunga Canyon Boulevard and Lowell Avenue, it is noted that Tujunga Canyon Boulevard and Lowell Avenue are two-lane roads, with one through travel lane in each direction in the project vicinity. Pursuant to the California Vehicle Code, motorists must yield the right-of-way to emergency vehicles. Specifically, motorists are required to pull to the right side of the road and stop to allow an emergency vehicle to pass. If required, emergency vehicles drivers are trained to utilized center turn lanes, or travel in the opposing through lanes to pass through crowded intersections.

Comment 25-7:

All entries under the DEIR Fire Mitigation Measures (DEIR IV-J-9/10/11) are already existing specifications under Fire and Building codes and, as such, hardly serve as mitigation measures. Their pat on the back with the following quote from the DEIR (DEIR IV-J-9): “With the implementation of Mitigation Measure J-1-1 (installation of automatic sprinkler systems), the proposed project would not have a significant impact on fire protection services.” Aside from the fact that automatic sprinkler systems are already required in High Fire Zone Districts by Code, in the event of a wildfire what good would a sprinkler system designed to squelch a fire internal to a structure, serve as the structure burns from external flames leaving the sprinkler system to defend a long gone building.

Response:

See Topical Response 13.

Comment 25-8:

The suggested secondary access routes leading to inspiration Way or Verdugo Crestline Drive are unimproved and sub-standard with roadways approaching these access roads i.e. Alene Dr. and Hillhaven Ave. being too narrow, too steep, and with their numerous hair-pin turns making them impossible to mitigate.

Response:

See Topical Response 11.

Comment 25-9:

And what about all the traffic heading for La Tuna Canyon Road - the only real exit - in the event of a wildfire? Does anyone remember the southern California fires of October 2003? The bumper-to-bumper traffic, totally congested and moving at a snail's pace because all developments fed into one main road just like La Tuna Canyon Road!

Response:

As discussed on page IV.J-8 in the Draft EIR:

...the potential funneling of evacuating traffic from Development Area A to a single access point could result in congestion and possible conflicts with entering emergency vehicles. The second emergency access route through either Verdugo Crestline Drive

or Inspiration Way would relieve that potential congestion and provide alternative ingress and egress to the extent that access to La Tuna Canyon Road is not possible.

In addition, mitigation measures are recommended to reduce further the proposed project's less-than-significant fire protection impacts (see page IV.J-9 through IV.J-11 in the Draft EIR).

Commenter 26: Lien Stoorvogel Seese, 9515 Reverie Rd., Tujunga, CA 91042, December 10, 2003

Comment 26-1:

As a Tujunga resident since 1987 living in the neighborhood adjacent to the proposed development, I feel compelled to write after having studied the Canyon DEIR.

While there appear to be many topics which raise question marks, I'd like to focus on an item which is of primary concern to me:

IV-1 Transportation [234k]

After having read the above section, I began to wonder if the expert involved has ever hit Foothill Blvd. on any workday at 0700 or any other time or day of the week. At that time in the morning there already is a high volume of traffic, increasing by the minute, often backing up as soon as there is a slowing down due to a truck trying to make a turn, screeching fire engines, or lane closures. When an accident occurs, and there are many, it is virtually impossible to reach the 210 freeway from either direction on Foothill Blvd. The 210 freeway itself, plus connecting freeways such as the 2 and the 118 already have far more cars and trucks than they can handle, and more often than not, I find myself on a parking lot.

If the developer gets the green light to build 280 homes instead of the 87 that he has permission for [which I don't object to], it doesn't take a genius to work out how many more cars are going to hit the road. Family and friends visiting, the many delivery trucks, from UPS to Department stores, from painters to plumbers, you name it I might not even be able to come near the 210 onramp!!

Based on my observations and theory, I sincerely hope that the City will not allow the developer to exceed the number of homes that they have been granted permission for, but to take into consideration my concerns and that of all other residents who may express different sentiments.

Response:

With respect to the concern expressed regarding the traffic impact of the proposed project on Foothill Boulevard, see Topical Response 12. To the extent that this comment expresses general concern with respect to the traffic analysis in the Draft EIR, see Topical Response 9.

Commenter 27: Thomas Seesee, 9515 Reverie Rd. Tujunga, CA 91042,
December 10, 2003

Comment 27-1:

I have lived in Tujunga for all of my thirteen year old life, and now that I have read sections of the Canyon DEIR, I feel I should voice my opinion.

There are many things I don't approve of in the DEIR, I'm writing about something that concerns me most:

Biological Resources [215k]

I have read the Biological Resources section and to me it seems it is far from being accurate. One sentence even said ,“It is difficult to determine the exact number of coyotes, however based upon documented home range sizes for coyotes it is expected that up to 5 coyotes would use the project site at any one time.” That is not true! There are five coyotes running around the surrounding three-five acres of my house a lone [sic]. I see coyotes almost daily walking around the streets or patrolling our house. (my family keeps five cats) Speaking of, my family has already lost 4 cats to coyotes, plus I have witnessed a coyote attack my friend's dog and I know a couple other neighbors who have had pets attacked.

Response:

As depicted on Figure IV.D-21 in the Draft EIR and as discussed on pages IV.D-150 through IV.D-151 in the Draft EIR, the project biologists determined that coyotes are common on the project site. The commenter is apparently referring to the discussion of coyotes on page IV.D-141 in the Draft EIR, which states that, based on the documented home range sizes for coyote in the applicable scientific literature, the project site would be expected to support on average about five coyotes at any given time. While not expressly stated in that discussion, the reference to “five coyotes” meant five adult male coyotes. During the breeding season, those coyotes are accompanied by the female coyotes and their young. Therefore, at any given time, the 887-acre project site could be used by between 10 and 20 coyotes. However, the total number of coyotes that use the project site during a given year will exceed this range. In any event, as discussed in the Draft EIR, because coyotes are highly adapted to the urban edge, the proposed project would not affect either their persistence on the project site, their function in the local ecosystem or their ability to move locally or regionally. Therefore, no significant impacts to coyotes would occur from development of the proposed project.

With respect to the concern expressed regarding potential impacts to coyotes, see also Topical Response 5.

The purpose of the detailed biological investigations conducted on the project site between January 2002 and January 2003 was to determine whether the proposed project would affect biological resources as measured against the thresholds of significance set forth on page IV.D-49 in the Draft EIR. The loss of domestic cats and dogs to coyotes or other wildlife is an existing condition associated with occupation of the urban/wildland interface. It is well documented that coyotes can exert substantial control over domestic and feral cats at the urban/wildland interface, providing a benefit to native birds.²¹ The potential extinction of coyotes from a localized area, depending upon the potential effects on the local ecosystem, would be a significant impact. However, demonstrated in Topical Response 5, there is no potential that coyotes would be extirpated from the project site resulting in an adverse biological impact to the local ecosystem. The loss of domestic pets, as discussed in more detail below, would not be considered to be a significant impact to biological resources associated with the proposed project.

In considering the use of the residential areas by coyotes, the following points should be considered. First, the coyotes that currently occupy and/or use the project site also currently use the adjacent residential area on a regular basis, as noted in a number of the comments submitted regarding the project (e.g., Comments 52-13 and 57-1). The existing condition along the interface of all urban/wildland areas in Southern California is coexistence with such wildlife. According to the December 20, 2003 comment letter from Tina Krippendorf, coyotes are common in, and adjacent, to the existing neighborhood:

We have 7 coyotes two houses away from us, and another pack across the street. And a friend of mine that lives up the hill from me (about 2 block) has told me that she has a pack of coyotes near her.

Based on this observation and those of project biologists who observed coyotes moving along residential streets and mapped coyote scat in the neighborhood (see Figure IV.D-21 in the Draft EIR) during surveys conducted for the wildlife movement study, it is apparent that a large number of the coyotes use the adjacent neighborhoods for foraging (including predation on domestic pets) and as movement paths. Riley et al. (2003) indicate that coyote home ranges, for individuals occupying open space areas

²¹ Crooks, Kevin and Michael E. Soule, Mesopredator Release and Avifaunal Extinctions in a Fragmented System, *Nature*, Volume 400, August 5, 1999.

adjacent to developed areas, include up to 22 percent of the developed areas.²² Coyote activity in these areas is highest during early morning and at dusk.²³ A consideration of home range characteristics, combined with observations that numerous coyotes are using the residential areas, suggests that the majority of coyotes in this portion of the Verdugo Mountains are already using the neighborhoods as parts of established territories. While grading of the proposed Development Areas could potentially displace some individuals, it would not significantly increase coyote use of these areas, which is already high, nor would it result in a level of displacement that would adversely affect ecosystem functions in the adjacent open space.

Comment 27-2:

The report also stated that mountain lions do not live in our area, which is probably true, but on a Thursday in early November I saw one on the hillside opposite from my home walking away from my house. What do you think of all this?

Response:

The potential presence of mountain lions on the project site is discussed on page IV.D-148, Footnote 31, in the Draft EIR. In addition, see Topical Response 5. As discussed on page IV.D-142 of the Draft EIR, Beier suggests that the Verdugo Mountains could be “a useful part of a home range” for mountain lions with sufficient connectivity to the San Gabriel Mountains. Given the home range sizes for male and female mountain lions (up to 187 square miles for males and 48 square miles for females), the proposed project would affect approximately 290 acres (less than one-half square mile), about 0.3 percent of the home range of a male and approximately one percent of the home range of a female mountain lion. Given that mountain lions are at best only irregular or occasional visitors to the Verdugo Mountains, the development of the proposed project would not result in a significant reduction in home range for any mountain lions that may reach the project site.

²² Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California, Conservation Biology, pages 566-576, Volume 17, No. 2, April 2003.

²³ Tigas, Lourraine, D.H. Van Buren, R.M. Sauvajot, Behavioral Responses of Bobcats and Coyotes to Habitat Fragmentation and Corridors in an Urban Environment, Biological Conservation 108(2002) 299-306.

Comment 27-3:

If the developer does get to build 280 homes after all this, what do you think will happen? With the addition of 280 homes, it is going to be more crowded for the animals, as their territories will be cut into pieces. While the people who live in the new homes may not lose pets to coyotes but we certainly will, by taking out so much of their habitat they will be living even closer to our homes, thus more coyote attacks. And with these homes, there will be roads as well, and animals are likely to cross the roads and get run over occasionally.

Response:

With respect to the potential displacement of coyotes to existing residential areas, see Responses 27-1 and 166-5.

With respect to potential vehicular collisions with animals relating to the proposed project, see Topical Response 5.

Comment 27-4:

Finally, please take into consideration that a couple of my friends and me enjoy hiking in the areas where the homes will be built.

Response:

The project site is privately owned and does not contain any official public hiking trails. Recreational facilities, including hiking trails, are addressed in Section IV.J.3 (Recreation and Parks) in the Draft EIR. As discussed on page IV.J-26 in the Draft EIR, recreational facilities within the proposed Development Areas would include hiking trails. Furthermore, there are numerous hiking opportunities in the vicinity of the proposed project, including Angeles National Forest (offers over 500 miles of hiking trails) and La Tuna Canyon Park.

Commenter 28: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 11, 2003

Comment 28-1:

In my opinion, the Canyon Hills Project as proposed in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred as the "DEIR") fails in it's [sic] obligation to meet the recreational needs of it's [sic] future residents.

Currently, the City's standard ratio of neighborhood and community parks to population is four acres per 1,000 population. However, this standard is not being met in the City of Los Angeles nor in the Project Site vicinity. Table IV-J-2 of the DEIR lists neighborhood and community parks within the vicinity of the Project and their distance from the Project area. I am familiar with the area and could, by no means, accept the mileage figures presented. As it turns out, a notation at the bottom of the page does indicate that the noted distances are linear. I am sorry, but no one flies from their residence to a park facility. The listed facilities are not readily accessible from the Project Site, most with major boulevard as well as true access distance issues.

Response:

The purpose of the linear distances from the project site to local parks that was presented in Table IV.J-2 in the Draft EIR was to provide a fair comparison to the service radii utilized in the Public Recreation Plan, which is part of the Services Element of the City's General Plan. If distances along roadways were used rather than linear distances, then such distances could not be compared to the City's service radii.

In order to provide an analysis of access to nearby public parks with development of the proposed project, a discussion of obstacles to access to local parks is provided on page IV.J-25 in the Draft EIR:

The LADRP expects that access for the new residents to existing parks (other than La Tuna Canyon Park) and recreational facilities would be difficult, especially for future residents in Development Area B. Although La Tuna Canyon Park is approximately 0.3 miles from the Development Area A and 0.5 miles from Development Area B, Interstate 210 would be an obstacle to future residents of Development Area A that could potentially walk to La Tuna Canyon Park. Future project residents in Development Area B could potentially walk to La Tuna Canyon Park. Children and youth residing in Development Area B would need to be driven to nearby parks and recreational facilities, such as the Sunland Park and Recreation Center, to participate in recreational programs and use park facilities appropriate to their age group.

Comment 28-2:

In addition to this, the listed parks have limited or no recreational opportunities such as baseball diamonds, soccer fields, basketball courts, etc. Facilities directed toward youth-orientated activities. Ideally, neighborhood parks are 5 to 10 acres in size having a service radius of approximately ½ mile and pedestrian accessible without having to cross a major arterial street, highway or freeway. Community parks are ideally 15 to 20 acres having a service radius of 2 miles and similarly are easily accessible to the area served. In subdivisions containing more than 50 dwelling units, develops may dedicate parkland in lieu of paying Quimby fees. It would be far more appropriate for Canyon Hills to dedicate 4 few acres for a high-density community park. According to the DEIR, the proposed project would increase the local residential population by approximately 831 persons, a figure I believe to be sorely understated. However, based on the preferred parkland per population ratio of 4 acres per 1,000 persons, the proposed project would require the use of 3.3 acres of new parkland. The added population associated with the proposed project would most assuredly result in the need for new or expanded park facilities thereby notably impacting these recreational facilities according to Appendix G of the CEQA Guidelines. Without onsite active recreational facilities, there would be a local deficiency of active recreational opportunities for children and youth at the project site. The DEIR claims: "There are no available flat areas on the project site that would permit the development of a park with a wide range of active recreational facilities for children and youth." (DEIR IV-J-26). It is very difficult for me to believe that in the entirety of an 887 acre property, there is not a single 3.3 acre piece of near level land that could be molded into a community park. I strongly recommend that Canyon Hills confer with the Los Angeles Department of Recreation and Parks to survey the site for potential community park locations. The planned tot lots, passive open space and picnic areas do NOT offset the need for high-density active recreational facilities with baseball diamonds, soccer fields, basketball courts, etc. The Canyon Hills DEIR claims that the 1.7 acres of tot lots, picnic areas, bbq's, etc. plus the 3 acre equestrian park should satisfy the requirements of the Quimby Act, however if not accepted, Canyon Hills will also pay Quimby fees. Although payment of Quimby fees legally serves as meeting a developer's responsibility in satisfying the need for up-graded recreational facilities, this is just a cop-out for a development the size of Canyon Hills. I beg you, we are far more in need of a new park than we are of fee payments, especially when taking into account the cumulative impact of the two residential-related projects of single-family homes acknowledged by Canyon Hills as well as the 34-unit development under construction in the canyon that is not acknowledged by Canyon Hills.

Response:

See Responses 23-3 and 121-36 regarding the estimated number of future residents associated with the proposed project.

The Draft EIR acknowledges that, without onsite active recreational opportunities, there would be a local deficiency of active recreational opportunities for children and youth in connection with the development of the proposed project. Although there are no available flat areas on the project site that would permit the development of a park with a wide range of active recreational facilities for children and youth, the Development Areas would include approximately 1.7 acres of private recreational facilities. The proposed equestrian park, in combination with the recreational facilities, would provide approximately 4.7 acres of recreational opportunities for future project residents. If and to the extent that these recreational opportunities do not fully satisfy the requirements of the Quimby Act with respect to the proposed project, the project developer would be required to pay Quimby fees to the City to satisfy the balance of its obligations under the Quimby Act.

The project applicant did consult with the the City Department of Recreation and Parks regarding the proposed project prior to the completion of the Draft EIR. In addition, a letter dated October 30, 2002 from the Department of Recreation and Parks addressing the proposed project was included in Appendix C to the Draft EIR.

With respect to the concern expressed regarding the 34-unit development, see Topical Response 7.

Comment 28-3:

Currently, there is no proposed direct connection between Development A and Development B, so the equestrian trail system of the Verdugo's would be severely limited-especially considering that the Equestrian Park is to be on the south side of I-210 whereas the dedicated open space and the greater portion of the project site is on the north side of I-210. It would make far more sense to locate the Equestrian Park on or near Development A.

Response:

This comment is incorrect in several respects. First, the fact that the proposed project does not include a direct connection between Development Area A and Development Area B would not "severely limit" the equestrian trail system in the Verdugo Mountains. There is no existing link between the proposed Development Areas and the proposed project would have no impact on existing equestrian trails. In addition, as shown on Map Nos. 3 and 4 in the Specific Plan, there are no official or non-public equestrian trails located anywhere on the northern portion of the project site.

Second, it is untrue that all of the "dedicated open space" is located on the northern portion of the project site. As discussed in the Draft EIR, approximately 350 acres of the proposed open space is located on the northern portion of the project site, while approximately 343 acres of the proposed open space is located on the southern portion of the project site.

Third, the proposed location for the equestrian park was necessary and appropriate for the reasons set forth in Topical Response 8.

Comment 28-4:

Further, according to an NOP response letter submitted by a Mr. Matthew C. Thompson, the area of the Equestrian Park, as proposed in the DEIR, is highly subject to annual flooding and subsequent erosion.

Response:

It is acknowledged that the equestrian park is potentially subject to occasional flooding. However, this is not considered a significant impact. It is common design practice to place equestrian facilities, recreation areas, ball fields, golf courses and similar facilities in areas that are subject to occasional flooding. Such facilities are suitable for flood-prone areas since they can be easily rebuilt if damaged in a storm without the threat of loss of life or habitable structures. In addition, no horses would be stabled at the equestrian park that might require evacuation during a storm. Furthermore, annual erosion control measures for the proposed project (including the equestrian park) are required by the City and are addressed by the "drainage matters" associated with the proposed project. The proposed project's drainage matters would be subject to review and approval by the City Engineer to satisfy the Conditions of Approval.

Comment 28-5:

The proposed Equestrian Park is not located directly on La Tuna Canyon Road, but across a stream which would require the construction and maintenance of a bridge to access the facility.

Response:

It is acknowledged that that a bridge would be required to provide access to the proposed equestrian park. At this time, the bridge has not been designed. As discussed on page III-4 in the Draft EIR, it is anticipated that the proposed equestrian park would be operated by the City's Department of Recreation and Parks or a nonprofit organization. As such, the agency or organization that would operate the proposed equestrian park would be responsible for maintaining any associated bridge.

Comment 28-6:

Mr. Thompson also states that the turn into and out of the proposed Park is directly across from one of the most dangerous curves on La Tuna Canyon Road.

Response:

The project's potential impacts to traffic safety on La Tuna Canyon Road are discussed on pages IV.I-39 through IV.I-43 in the Draft EIR. The analysis focused on the segment of La Tuna Canyon Road located west of the Interstate 210 interchange. It is concluded therein that the small increase in traffic on this portion of La Tuna Canyon Road attributable to the proposed project would not significantly increase the rate of accidents along the roadway (see page IV.I-42 in the Draft EIR).

Vehicular access is typically reviewed by LADOT and the Bureau of Engineering prior to issuance of building permits. Engineering design issues related to the proposed access, including its location, width of entry and exit lanes, motorist sight distance, roadway horizontal and vertical curvature, drainage, etc. are appropriately reviewed at that time.

Comment 28-7:

Mr. Thompson also makes note of the fact that access to equestrian trails above the canyon initially traverses private land owned by a Mr. Cliff Beck. To date, Mr. Beck has permitted passage to the occasional equestrian, however he would be fully within his right to deny this access if equestrian traffic increases substantially.

Much further thought must be given to the recreational options provided by the Canyon Hills DEIR.

Response:

As indicated on Figure IV.G-5 in the Draft EIR, and as acknowledged in the comment, the proposed equestrian park is located in close proximity to a segment of the non-public equestrian trail located on the southern portion of the project site, and is situated to provide the closest access to that non-public equestrian trail. As acknowledged in the comment, the owner of the intervening private property has historically permitted access to the non-public equestrian trail. The comment claims that the owner of the private land "would be fully within his right to deny this access if equestrian traffic increases substantially," but that statement is unsupported by any legal analysis and is speculation. In addition, there is no evidence that equestrian traffic would begin to "increase substantially" following the development of the equestrian park. The limited improvements proposed for the equestrian park are not intended to accommodate a substantial number of equestrians at any given time.

As discussed in the Specific Plan, the non-public equestrian trail next to the equestrian park site consists of an unimproved trail over private property, as shown on Map No. 4 in the Specific Plan, in which the public may possibly have a prescriptive easement. Similarly, as noted in the comment, the short access trail between the equestrian park and that segment of the non-public equestrian trail shown on Map No. 4 is located on private property and can therefore be similarly described as a non-public equestrian

trail. The project applicant cannot guarantee that any portion of the non-public equestrian trail system will remain available for public use in perpetuity. However, the project applicant has proposed the equestrian park in a location that would maximize access to the non-public equestrian trail system. In any event, the comment does not include any evidence that the access trail between the equestrian park and main segment of the non-public equestrian trail, which is located on property that has not been occupied for many years, would not be available for public use in the foreseeable future.

Commenter 29: Karl Johnson, 9631 Crystal View Dr., Tujunga, CA 91042,
December 12, 2003

Comment 29-1:

I have been a resident of Tujunga for 11 years and live near the proposed Canyon Hills project. After reviewing the DEIR I have found many falsehoods.

According to the current laws the area is not zoned for 280 homes. The current laws do not allow grading ridgelines by as much as 80 feet and permanently altering 310 acres.

Response:

The commenter is correct that the current zoning designations for the project site do not permit the development of 280 homes in the proposed Development Areas. However, as discussed in Section IV.G (Land Use) of the Draft EIR, the proposed project includes zone changes for the proposed Development Areas that would permit the development of 280 single-family homes there.

With respect to the concern expressed regarding the grading of ridgelines, see Topical Response 6.

Comment 29-2:

The DEIR underestimates the affect on wildlife. The plan says it would only affect up to 5 coyotes. That is incredibly understated. Living in this area for 11 years I am a citizen expert and I know that this development will affect many more coyotes, rabbits, deer, cougars, owls, and raccoons. This DEIR does not take into consideration the enormity of this projects [sic] development area or the fact that these animals food source will be removed when the mature trees, (Oaks, Sycamores, etc.) are destroyed.

Response:

See Response 27-1. As noted on page IV.D-139 in the Draft EIR, coyotes have a variable diet that includes cottontails and jackrabbits where they occur. They further supplement their diet with small mice and ground squirrels, and also with fruits, berries, insects and carrion. There is no direct or indirect relationship between the loss of oaks (and sycamores) and potential effects on the diet of coyotes as none of their food sources are dependent on oaks or sycamores.

Impacts to common animal species such as deer, rabbits, roadrunners, raccoons would not be considered significant pursuant to the CEQA Guidelines, as discussed on page IV.D-49 in the Draft EIR. Similarly, impacts to common plant species would not be considered significant pursuant to CEQA. As noted on page IV.D-156 in the Draft EIR, mountain lions are not currently resident in the

Verdugo Mountains, although, as noted in footnote 31 on page IV.D-148 in the Draft EIR, visits may occur on occasion. Development of the project site would not have any direct or indirect impacts on the mountain lion and, as discussed on page IV.D-156 in the Draft EIR, there would be no significant impacts to mountain lion regional movement associated with the proposed project.

It is unlawful to “take” nesting or breeding birds of prey (e.g., hawks and owls) as discussed under the heading “Migratory Bird Treaty Act Considerations” on page IV.D-60 in the Draft EIR. The same restrictions apply to other resident or migratory birds. Implementation of Mitigation Measures D.1-5 and D.1-6 would ensure that impacts to active bird nests are avoided (see pages IV.D-64 and IV.D-65 in the Draft EIR).

Comment 29-3:

There will be a significant loss of at least a few hundred mature trees. There is an Oak Tree Law that states that when Oak Trees are removed that they be replanted where wildlife has access to them to preserve and protect the wildlife. This plan is not following the Oak Tree Law. The plan is going to have a gated community which does not allow the wildlife to use the land and the Oak Trees are going to be planted near the streets and right of ways. This project will affect and kill off more wildlife than has been addressed in the plan. Also the large oak trees should be protected not torn down for development.

Response:

A full suite of wildlife species would have full access to the replacement coast live oak trees. First, a large number of the avian species that currently utilize the oaks would utilize the planted oaks as they gain maturity. For example, three species of woodpecker were identified on the project site: acorn woodpecker, Nuttall’s woodpecker and the northern flicker (all are very common and do not exhibit any special status). Stokes describes habitat for the acorn woodpecker as “oaks and pine woods, parks and suburbs” and habitat for the northern flicker as parks, suburbs, farmlands and woodlands.²⁴ Neither species is sensitive to human interaction and would utilize the oaks planted throughout the project site, including those in parks and as street trees. Nuttall’s woodpecker inhabits oak woodlands and riparian forests and would utilize the oaks associated with the wetland/riparian creation areas, slopes and detention basins.

²⁴ Stokes, Donald and Lillian Stokes, Stokes Field Guide to Birds: Western Region, 1996.

Similarly, a variety of wildlife species typically found in oaks, such as the house wren and oak titmouse, along with more generalist species such as the scrub jay, northern mockingbird, common raven, Cooper's hawk, Anna's hummingbird, yellow-rumped warbler, song sparrow, common yellow-throat, spotted towhee, mourning dove and others would utilize the planted coast live oaks (and western sycamores) throughout the project site. None of these species would be affected by the presence of a gated community.

The impacts of the proposed project on wildlife were fully evaluated, and there would be no significant impacts to wildlife (see pages IV.D-59 through IV.D-63 in the Draft EIR).

Impacts to oak trees have been identified as a significant impact in the short-term and would be mitigated to a less-than-significant level in the long-term as discussed on pages IV.D-123 and IV.D-124 in the Draft EIR. See also Topical Response 3.

Comment 29-4:

Public safety is another concern. We currently do not have proper police protection. Our response time in this area for police is double the standard time. This area does not have proper police coverage and with the number of homes proposed in the DEIR, which is not legal to build will make police coverage worse.

Response:

Police protection is addressed in Section IV.J.2 (Police Protection) of the Draft EIR. As discussed therein, development of the proposed project would not create the need for new or expanded police facilities. Therefore, the proposed project's impact on police protection would be less than significant. Nevertheless, mitigation measures are recommended on page IV.J-19 to reduce further the proposed project's police protection impacts. See also Response 189-4.

The concern stated in this comment relates to existing and future police response times are social issues rather than a physical environmental issue. Section 15131 of the CEQA Guidelines provides that social effects of a project shall not be treated as significant effects on the environment. Therefore, concerns regarding safety are not addressed in the Draft EIR. In any event, the current response time is not "double the standard time". As stated on page IV.J-16 in the Draft EIR, the average LAPD response time in the Foothill Area is 11.4 minutes, while the preferred response time is seven minutes.

Comment 29-5:

The DEIR does not take accurately take into consideration the accumulative affect of all the development projects that have just recently been completed or that are in the works. Our streets cannot handle the additional traffic that this 280 development will bring. The DEIR does not

adequately address how this development will affect Foothill Boulevard and the surrounding small streets.

Response:

The traffic analysis in the Draft EIR includes a forecast of on-street traffic conditions prior to the occupancy of the proposed project, which was prepared by incorporating the potential trips associated with other known development projects (i.e., related projects) in the project site vicinity. With this information, the potential traffic impact of the proposed project was evaluated within the context of the cumulative impact of all present and reasonably foreseeable future development. The list of the related projects included in the traffic analysis and Draft EIR is provided on pages II-8 and IV.I-22 in the Draft EIR. The list of related projects was reviewed and approved by the LADOT. The development located on Foothill Boulevard near Wentworth Street referenced in this comment was included on the list of related projects. In addition, to account for unknown related projects not included in this analysis, the existing traffic volumes were increased at an annual rate of two percent per year to the year 2009 (i.e., the anticipated year of project build-out). The inclusion of this annual ambient growth factor yielded a conservative worst-case forecast of future traffic volumes in the area. See also Topical Response 7.

The traffic analysis fully analyzed the potential impacts of the proposed project on the adjacent roadway system. Pages IV.I-1 and IV.I-2 in the Draft EIR include a description of the study area (i.e., the nine study intersections). As discussed therein, the Foothill Boulevard and Tujunga Canyon Boulevard intersection was analyzed as part of the traffic analysis in the Draft EIR. LADOT reviewed and approved the intersection locations. As shown on Figures IV.I-6 and IV.I-7 (pages IV.I-20 and IV.I-21) in the Draft EIR, the proposed project is forecast to add less than 15 new trips to the segment of Foothill Boulevard west of Tujunga Canyon Boulevard during the morning and afternoon peak hours (i.e., less than one new trip every four minutes during the peak hours). This relatively minor increase in traffic on Foothill Boulevard would not result in a significant impact.

Comment 29-6:

Another concern is public works. Public works is lacking already in this area. Foothill is becoming a very dangerous street to drive. I know this because I have lived here for 11 years and have seen the enormous increase in traffic. For example: Haines Canyon and Foothill is a very dangerous Intersection. The DEIR does not address how public works is going to handle the additional work from this project.

Response:

The comment expresses an opinion that the roadway and example intersection is dangerous, but does not provide any specific evidence to support that opinion (see Topical Response 1). The traffic analysis

included in the Draft EIR includes a review of the increases in traffic due to the ambient growth in the area, development of related projects as well as the proposed project. See Response 29-5 regarding the proposed project's contribution to traffic on Foothill Boulevard.

Comment 29-7:

I urge Los Angeles City officials to disapprove any portion of the Canyon Hills project that requires changes to the current Los Angeles City General Plan, Los Angeles Municipal Code, local Community Plans, the Hillside Ordinance, the Slope Density Ordinance, the Oak Tree Ordinance and all current zoning and all current laws.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 30: Yvonne Johnson, 9631 Crystal View Dr., Tujunga, CA
91042, December 12, 2003

Comment 30-1:

I have lived in Tujunga for 11 years very close to the proposed Canyon Hills project. After reviewing the DEIR I have found many inaccuracies and omissions.

According to the current laws the area is not zoned for 280 homes. The current laws do not allow grading ridgelines by as much as 80 feet and permanently altering 310 acres.

Response:

With respect to the concern expressed regarding the grading of ridgelines, see Topical Response 6. With respect to the concern expressed regarding the zoning for the project site, as discussed in the Draft EIR in Section III, the project applicant is seeking approval of proposed zone changes that would permit the development of 280 homes in the proposed Development Areas. With respect to the statement that the proposed grading is unlawful, the commenter does not explain what law would be violated, so a specific response is not possible.

Comment 30-2:

Living in this area for 11 years I am a citizen expert and I know that this development will affect many more coyotes than the up to 5 that the plan states. The development's negative impact on roadrunner, birds, raccoons, owls and rabbits, plants and trees is understated. It does not take into consideration the enormity of this project's development area, or the fact that these animals' food source will be removed when the mature trees are destroyed and replaced by small trees and seedlings in the right-of-way where the wildlife will not be able to get to them. Also there was a Cougar sited on this property, which the DEIR does not mention.

Response:

See Response 27-1.

Comment 30-3:

Public safety is another concern. We currently do not have proper police protection. It takes over 14 minutes for police to respond in this area (if they respond at all), when it is only supposed to take 7 minutes. My neighbor has asked police to drive by her home because people were loitering in cars outside her door. They dispose of their cigarettes in a non-smoking area (due to fire hazard) and liquor bottles on her property. We have not seen a police car yet. This area does not have proper police

coverage and with the number of homes proposed in the DEIR, which is not legal to build will make police coverage worse.

Response:

See Response 29-4.

Comment 30-4:

The DEIR does not take accurately into consideration the accumulative affect of all the development projects that have just recently been completed or that are in the works. For example, the development at Wentworth and the development planned on the hillsides above Day St. in Tujunga. The traffic on Foothill has increased tremendously over the last 11 years. Our streets cannot handle the additional traffic that this 280-development will bring. The DEIR does not address how this development will affect Foothill Boulevard, where all locals do their shopping.

Response:

See Topical Response 12.

Comment 30-5:

Another concern is public works. Public works is lacking already in this area. I am a citizen expert on this issue. I have asked the city for years to repair our torn up road and all I get is a work order number and told that it is on the list. The DEIR does not address how public works is going to handle the additional work from this project.

Response:

Assuming "our torn up road" refers to Crystal View Drive, the road on which the commenter resides, future residents of the proposed project would not have access to or from the project site via Crystal View Drive, which is located north of the project site. The proposed project therefore would not generate any vehicle trips on this road, and the current road conditions of Crystal View Drive would not be affected. In addition, the internal roadways within the proposed Development Areas would be privately owned and maintained by the homeowners association(s), not the City Department of Public Works.

The current condition of the unnamed road cited in this comment is not related to a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 30-6:

The DEIR does not adequately address the affect that this project will have on air pollution during the construction and after the construction with the additional 280 homes and at least 2,700 extra trips per day on La Tuna Canyon and surrounding streets. This area used to be where kids with asthma could come to breathe better. South Coast Air Quality Management should do a study on how this project will affect the air pollution in the area. This area is a commuting workforce because there is no industry close by so all of these new homes will require a significant commute time that will make the air quality worse.

Response:

Section IV.B (Air Quality) of the Draft EIR includes an analysis of the total air pollutants from vehicle trips associated with the construction and operation of the proposed project. The air quality analysis in the Draft EIR is consistent with SCAQMD requirements and the guidelines set forth in the SCAQMD CEQA Handbook, updated with the most current emission factors, air quality data and computer models.

The SCAQMD regularly conducts a complete review of existing and future air quality throughout the air basin and incorporates this new information in the updated regional AQMP. To obtain information throughout the South Coast Air Basin, the SCAQMD employs a computer model that divides the air basin into 5-kilometer grids, then assigns to each grid the population and traffic increases projected to occur there over the next 20 years. It then applies to these emissions the reductions that will occur through already adopted rules and regulations. From the resulting air quality in each grid, the SCAQMD determines how much additional reduction would be required by new rules to achieve the state and national air quality standards. The most recent comprehensive update to the AQMP occurred in 2003. The 2003 AQMP was adopted by the SCAQMD on August 1, 2003 and approved by the California Air Resources Board in October 2003.

Because vehicle trips extend over a long distance from their point of origin, the emissions also are distributed over this extended distance. Vehicle emissions of volatile organic compounds and nitrogen oxides are further disseminated because these emissions do not form ozone until they react photochemically in the presence of sunlight. This reaction occurs miles from where the pollutants are originally emitted. Therefore, emissions from project-related traffic would not have a significant adverse impact on local air quality.

With respect to potential local impacts associated with the operation of the project, the Draft EIR states on page IV.B-15 that “because of carbon monoxide controls that have been implemented in the past decade, the number of potential CO hotspots has greatly decreased everywhere in the SCAB.” The reduction in CO hotspots has occurred because per vehicle emissions have decreased faster than

emissions have increased due to more vehicles on the road. These emissions do not react in the atmosphere. The greatest impact is near the source of emissions and the analysis in the Draft EIR is based on a worst-case scenario. As discussed in the Draft EIR, there would be no significant adverse local impact on carbon monoxide air quality.

Comment 30-7:

I urge Los Angeles City officials to disapprove any-portion of the Canyon Hills Project that requires changes to the current Los Angeles City General Plan, Los Angeles Municipal Code, local Community Plans, the Hillside Ordinance and all the current zoning and all current laws.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 31: Jane Harrison, 613 San Jose Avenue, Burbank, CA 91501,
December 13, 2003

Comment 31-1:

This letter is in protest of the project to build homes on these hills.

The Verdugo Mountains in Burbank and Glendale are blighted with a multitude of large houses, destroying the beauty of these mountains.

This is an extraordinary area for a wide variety of outdoor activities.

I enjoy hiking the hills, seeing the wildlife and the wild flowers.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 31-2:

I am very concerned about the lost [sic] of habitat for the four legged wildlife.

This area supports a variety of small birds, hawks and turkey buzzards.

Response:

As discussed in Section IV.D.1 (Flora and Fauna) of the Draft EIR, no significant impacts to native wildlife would occur with implementation of the proposed project. This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 31-3:

This area is "paleolithic sensitive" as the developer well knows and deserves protection.

Response:

As discussed in Section IV.O.3 (Paleontological Resources) of the Draft EIR, no significant impacts to paleontological resources would occur with implementation of the proposed project. This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 31-4:

I visit friends and shop in the Tujunga, Sunland and La Crescenta area. 280 homes with a minimum of one car per house, will create more congestion on the Foothill Freeway, Foothill Boulevard and on La Tuna Canyon Road.

Gardeners, cleaning ladies, other services and deliveries, will create additional traffic.

This development may also create extra traffic congestion in the Burbank area where I reside.

Response:

See Topical Responses 9, 10 and 12. In addition, none of the nine study intersections analyzed in Section IV.I (Transportation/Traffic) of the Draft EIR are in the City of Burbank (see Figure IV.I-1). Therefore, it is not anticipated that traffic associated with the proposed project would impact traffic in the City of Burbank.

Finally, this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 31-5:

I urge the Los Angeles City Planning Department to protect the hills, preserve the history, the wildlife and maintain this space for outdoor activities.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is

not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 32: Rick Pruetz, 6 Fleet Street, #301, Marina Del Rey, CA 90292, December 13, 2003

Comment 32-1:

The project site is within the Verdugo Mountains Significant Ecological Area (SEA) as identified in Los Angeles County's 1976 SEA Study. However, as far as I can tell, the DEIR does not mention this. Even though the SEAS are a County rather than a City concept, the DEIR should nevertheless let the public know that the project area was one of only 61 sites in the entire county that met the County's selected criteria. To quote from that study, the location of the Verdugo Mountains "...makes them important for scientific study, genetic interchange between otherwise isolated populations, and recreation to urban residents." "The area serves as an island refuge, providing what remains of a link between plant and animal populations found in the Santa Monica and San Gabriel Mountains. Genetic interchange, by way of this linkage is important in perpetuating the genetic variability in isolated populations, and consequently the maintenance of healthy ecosystems."

In not mentioning the project site's SEA status, relevant information is not given to the general public. Discussing this fact would raise awareness about the ecological significance of the Verdugo Mountains generally. And, given the importance of genetic interchange in this SEA, a complete discussion of the SEA would focus attention on the critical location of the Canyon Hills project site. This project site occupies much of the land between the bulk of the Verdugo Mountains to the south and the Tujunga Wash and the San Gabriel Mountains to the north.

Response:

The Draft EIR addresses the fact that the project site is within the County of Los Angeles Verdugo Mountains SEA No. 40 on pages II-5, IV.D-28 and IV.G-13. As discussed therein, County SEA policies only apply to unincorporated areas within the County, while the project site is located entirely within the City. Therefore, the proposed project is not subject to any requirements regarding SEA No. 40.

A complete and comprehensive discussion of wildlife movement and linkages is set forth in Section IV.D.3 (Wildlife Movement) in the Draft EIR.

Comment 32-2:

Given the importance of wildlife connectivity at this location, I looked at Alternative B, which proposes no development south of the I-210. The analysis for that Alternative concludes that the "...impacts to wildlife movement under Alternative B would be the same as under the proposed project." In other words, according to this analysis, it will have no effect on wildlife mobility if the entire area south of I-

210 is in open space or whether it contains homes that require wildlife to either filter through this neighborhood or follow the narrow corridor that leads to the La Tuna Canyon Wash. Once at the La Tuna Canyon Wash, the analysis asserts that wildlife will be equally inclined to proceed east along the wash regardless of whether open space or homes are located north of the wash. I am having difficulty buying that conclusion. If the Final EIR maintains that Alternative B has no advantages for wildlife movement over the Proposed Project, it should support these conclusions by citing studies showing that residential development in these relative locations would not discourage wildlife movement.

Response:

See Responses 4-4, 4-5 and 4-13.

Furthermore, in considering potential impacts to wildlife movement along La Tuna Canyon Wash, two additional considerations should be noted. First, the separation between individual homes and the northern bank of deeply-incised drainage is generally 400 feet or more, with an additional 150 to 300 feet of separation between the northern bank and La Tuna Canyon Road.²⁵ Therefore, the corridor width as measured between proposed lots nearest La Tuna Canyon Road and the northern edge of La Tuna Canyon Road is a minimum of 550 feet with an average of well over 600 feet. This corridor exhibits high function due to the shelter provided by dense riparian and adjacent upland woodland habitat.

The second consideration is the requirements of the animals expected to use the corridor. Animals such as coyotes and gray foxes are highly adapted to urban areas and can move easily along the urban/wildland interface without restriction. Habitat fragments for gray foxes can actually increase in abundance in such areas.²⁶ Bobcats exhibit more sensitivity than coyotes and gray fox, but will still move through and forage in urbanized areas (especially adult males and young females), while

²⁵ Two lots off the main entry road from La Tuna Canyon Road are at 300 and 350 feet, respectively, from the edge of the heavily vegetated wash. Substantial separation is also provided by differences in elevation (approximately 150 to 170 feet between the elevation of the proposed home lots and the elevation along La Tuna Canyon Wash).

²⁶ Crooks, Kevin, Relative Sensitivities of Mammalian Carnivores to Habitat Fragmentation, Conservation Biology, pages 488-502, Volume 16, No. 2, April 2002.

requiring adjacent open space for denning and rearing of young.²⁷ For all of these animals, the well-separated and vegetated 550-foot wash would provide for a highly functional corridor. Occasional reports of mountain lions in the Verdugo Mountains indicate that they may be reaching the Verdugo Mountains in the absence of any functional movement corridor. Given these observations, the well-protected and well-vegetated 550-foot-wide wash would provide more-than-sufficient area for mountain lions that reach La Tuna Canyon Wash. There would be no significant impact associated with Development Area B on wildlife movement in La Tuna Canyon Wash.

Comment 32-3:

I recall that the Santa Monica Mountains Conservancy is trying to assemble a right of way for a Rim of the Valley Trail system. I apologize for not doing my homework on this, but what land is proposed to serve as the connector between the Tujunga Wash and the Verdugo Mountains for this Rim of the Valley Trail? If the route is already acquired somewhere else north of La Tuna Canyon Road, please discuss that fact in the final EIR. If this segment of the Rim Trail is still unresolved, please discuss why it could not be incorporated into the portion of the site south of the I-210. If in fact this area would make an appropriate route for the Rim Trail (as well as the wildlife connectivity discussed above) this would also seem to increase the relative benefits of Alternative B, putting all 280 homes north of the freeway and preserving everything south of the freeway for wildlife habitat and trail corridor.

Response:

The Rim of the Valley Corridor is “the name given to the Conservancy’s jurisdictional boundary encircling the edges of the San Fernando, La Crescenta and Simi Valleys to the south, and large portions of the Santa Clara River from its headwaters by Palmdale to the Santa Clarita Woodlands by the City of Newhall.”²⁸ The Rim of the Valley Trail is one component of the Rim of the Valley Corridor. The Rim of the Valley Trail does not traverse the project site. Furthermore, according to

²⁷ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, *Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California*, *Conservation Biology*, pages 566-576, Volume 17, No. 2, April 2003.

²⁸ Santa Monica Mountains Conservancy and Mountains Recreation & Conservation Authority, *Outdoors in Los Angeles*, 2002.

the Santa Monica Mountains Conservancy, the proposed project would not impact the Rim of the Valley Trail.²⁹

Comment 32-4:

Finally, the success of the open space component of this project will be affected by who owns and manages the open space. If this was mentioned in the DEIR, please let me know where this information is located.

Thank you very much for the opportunity to comment on the DEIR. I look forward to reading your responses.

Response:

The development of the proposed project would be subject to a condition that requires the transfer of the open space outside the Development Areas to the Santa Monica Mountains Conservancy or another qualified entity to further conservation efforts within the Verdugo Mountains (see page III-8 in the Draft EIR). Prior to that transfer, a qualified surveyor would survey the open space area and prepare a legal description that would be subject to approval by the project applicant, the City and the recipient of the open space.

²⁹ Email correspondence with Jan Wolterstorff, Santa Monica Mountains Conservancy, February 2, 2004.

Commenter 33: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 14, 2003

Comment 33-1:

We feel that the grading program as proposed in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR") is far too expansive, far too dangerous for long-term stability and far too incomplete in it's [sic] pre-grading testing program.

Cut slopes up to 100 ft. in height with gradients up to 1.5:1 are proposed. (DEIR Appendix D: Geotechnical Evaluation Pg 7). While technically not obligated to abide by the restrictions of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (heretofore do be referred to as the "Scenic Plan") as it has not yet been adopted as an Ordinance by the City of Los Angeles, the DEIR frequently claims to be in compliance with the standards of this Plan. This claim of the DEIR is false. I quote from the Scenic Plan Sec. 6A5: "In order to create slopes that reflect as closely as possible the surrounding natural hills, graded hillsides should have a variety of slope ratios, should not exceed a ratio of 2:1 and should transition to the natural slope in a manner that produces a natural appearance." Additionally, I quote from the Sunland - Tujunga - Lake View Terrace - Shadow Hills- East La Tuna Canyon Community Plan (hereto to be referred to as the "Community Plan") Footnote #15: "Development located between the Sunland-Tujunga-Lake View Terrace-Shadow Hills-La Tuna Canyon Community Plan boundary line on the south, the DWP right-of-way on the northeast, and Sunland Boulevard [sic] on the northwest having a natural average grade of 2:1 or steeper shall be limited to Minimum Density." Whether "natural" or "man-made", these grades are not only unacceptable, but should most certainly limit development density to minimum density.

Response:

Following the submission of this comment, the Los Angeles City Council adopted the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (the "Specific Plan") on December 19, 2003, which included the provision quoted above from Section 6A.5. However, the use of the word "should" in that sentence reflects that the provisions therein are permissive, not mandatory, and intended as guidelines only, consistent with the City's policy. The grading guidelines are intended to foster creative grading design. The guidelines discourage designs that appear engineered, are mass graded and look like typical hillside subdivisions.

The analysis in the Draft EIR reflects that the proposed project would be carried out using landform grading techniques and otherwise in compliance with these guidelines to the extent feasible and practical (see, e.g., pages IV.N-13 through IV.N-14 in the Draft EIR). The site plan includes non-loaded streets and single-loaded streets to reduce the project's grading and visual impacts. Horizontal and vertical

curves have been designed to reduce the cut and fill. The planned use of back cut grading and the curvilinear streets included in the site plan required help keep the topography close to the natural grade. The site plan also proposes custom hillside sloping lots where the lots are not graded. On these lots, the foundations would vary to the ground instead of making the ground change to create a flat pad.

The proposed project includes some cut slopes that would exceed a 2:1 ratio, up to a ratio of 1.5:1. The purpose of having cut slopes at a ratio of 1.5:1 is to reduce grading and reduce visual impact. The few tall cut slopes that are currently 1.5:1 could be designed at a 2:1 ratio with a 25 percent increase in the height of the bank. However, the natural grade is often 1.5:1 or greater. By varying the slope ratios to reflect the natural surrounding slopes and landscaping the slopes with natural looking plants, the slopes would look very natural. The resulting additional grading and visual scarring that would occur in absence of any slope that exceeds a 2:1 ratio is not a preferred condition, which is why the LAMC permits slope ratios that exceed 2:1. The select use of 1.5:1 slopes is intended to minimize impacts on hillside cut slopes and riparian areas and avoid easement areas and oak trees.

The grading program for the proposed project includes an appropriate level of detail for discussion in the Draft EIR. Following the approval of the vesting tentative tract map for the proposed project, a more detailed geotechnical analysis would be completed, and each slope bank would be individually studied, prior to the issuance of any grading permits. It is standard practice to increase the level of specificity as the process proceeds to go from the general approvals to the more specific approvals.

The general overview of the geotechnical information available indicates a very stable hillside condition with fractured granitic materials. Bedrock is achieved at relatively shallow depths. The subsurface materials are evident from the existing cut slopes on the existing dirt roads. The geotechnical consultant also prepared velocity studies to look at the subsurface structure.

Finally, Footnote 15 in the Sunland-Tujunga Community Plan has no application here because the project site is not located within the area, if any, discussed in that footnote. See also Response 75-6.

Comment 33-2:

Fill slopes up to heights of 200 feet are proposed (DEIR Appendix D: Geotechnical Evaluation Pg 7). Several retaining walls are proposed in both Development A and Development B to accommodate these design grades. While certainly necessary from a safety point-of-view, this is hardly in keeping with any effort to work with the natural terrain of the site or giving any consideration to the natural aesthetics of the site as frequently claimed by Canyon Hills.

Response:

There are a few fill slopes over 200 feet high (at a 2:1 slope) in areas that are not highly visible. The fill slopes are located in the back of small canyons and in limited areas that are down and away from primary views. None of the fill slopes are considered large in surface area (the largest is approximately 1.5 acres) or located in highly visible areas. The fill areas are concentrated next to the cut areas to avoid long dirt hauls. The design of small cut and fill areas next to each other reflects a sensitive grading plan. Also, the fill areas were designed to avoid the primary drainages whenever possible. The fill slopes are all engineered slopes, and engineered slopes of this height are quite common in hillside residential projects throughout Southern California.

Retaining walls have been incorporated into the project's design in areas where conventional grading techniques in steep terrain would otherwise result in excessively high slopes. These walls help to reduce the total graded area and thereby contribute to the retention of existing terrain features and vegetation. The retaining walls would be visually enhanced through a number of techniques, including use of plant materials and color. The installation of retaining walls would include the planting of fast-growing vines that would self-attach to the walls. The retaining walls could also incorporate landscape pockets within the structure of the wall design. With appropriate landscaping, the retaining walls should be virtually covered with plant materials within 10 years. The retaining walls may also be enhanced by the application of a natural-appearing modeled wash of color on the wall that complement the colors of the native soil and vegetation on the project site.

Both cut slopes and fill slopes would be landscaped with native vegetation to help blend the slopes back into the natural hillsides. Within a few years, it would be difficult to tell the natural hillside from the man-made slopes.

See Figures IV.N-12 through IV.N-20 in the Draft EIR for computer simulations of the anticipated visual impact of the proposed project as seen from selected locations.

Comment 33-3:

Investigation of geotechnical issues on the Project Site were woefully inadequate. I quote from Section 4.0 of the DEIR Appendix D, Geotechnical Evaluation:

Based on the limited vehicular access, rugged terrain and anticipated shallow hard bedrock conditions, mechanical exploration techniques, including drilling and trenching with heavy equipment, would be extremely difficult to carry out on the project site. Among other things, extensive grading and alteration of the existing topography would be required to create the access roads and drill pads that would be necessary to undertake that type of subsurface exploration program.

Based on discussions with Building and Safety, the exploration program was developed in order to avoid impacts to the project site. The program utilizes surface geologic mapping of numerous bedrock exposures throughout the project site augmented with (33) hand-dug excavations within the proposed Development Areas. (2) Hollow-stem auger borings were excavated in the few areas that were accessible by vehicle to further verify subsurface conditions.

In addition, there was a review of published regional geologic and geotechnical literature, maps and aerial photographs (DEIR Appendix D Geotechnical Evaluation Section 7.0).

The 33 hand-excavated test pits referred to above were located throughout the Development Areas (DEIR Appendix D - Geotechnical Report Section 6.0) at 1 foot to 7.5 feet in depth. The DEIR claimed that "the same geological data can be obtained from either a hand-dug test pit or a mechanically-excavated test pit." (DEIR Appendix D Section 6.0). 2 Hollow-stem auger borings were taken to depths of 35 feet and 41 feet respectively at which point they encountered refusal. In-situ representative earth material samples were retrieved at 5-ft. intervals, recorded, sealed and transported for laboratory analysis. One hollow-stem auger boring was located in Development Area A adjacent to the Verdugo Crestline Road and one in Development Area B adjacent to La Tuna Canyon Road. I must seriously question whether 2 hollow-stem borings, one on Development Area A (a 142 acre site), one on Development Area B (a 52 acre site) could possibly give a thorough overall accurate picture of the geological structure of the project site - all-the-more because they are taken from Development Area footprint borders, not central to the respective footprints. As for the statement that hand-dug test pits provide the same data as hollow-stem borings - am I really expected to believe that information gleaned from a 1 to 7 foot test pit could possibly equal that of a 35 to 41 foot boring?

Response:

Exploration of the project site has been primarily accomplished by geologic surface mapping of vertical and horizontal exposures of the entire site. In areas with hilly terrain, such as the project site, geologic mapping can gather data over a wide area and provide a three dimensional picture of the entire site, rather than at one point, as is typically gathered with borings. The geologic mapping was supplemented by hand dug test pits, seismic refraction surveys, hollow stem auger borings, aerial photographic interpretation, published maps and geologic data for the area.

Geologic surface mapping is the basic technique and building block used by geologists to determine the geologic nature and structure of bedrock materials. As indicated in Appendix D (Geotechnical Evaluation) to the Draft EIR, the surface mapping was supplemented by the hand dug test pits in order to gain information where minor surficial soil cover prevented direct geologic mapping. The geology of the project site generally consists of granitic bedrock materials. The nature of this type of bedrock

material is generally such that the weakest most fractured material is near the surface. In granitic materials, the bedrock typically becomes stronger and less fractured with depth.

Additional geologic data was gathered for the project site using seismic refraction surveys. This data provided information relative to the depth of hard bedrock, bedrock jointing and faulting. The two hollow stem borings excavated at the project site were used to obtain in-place samples for laboratory testing and to confirm the depth of bedrock hardness. They were not used as a primary source to determine the geologic structure of the bedrock.

As discussed in the Draft EIR, information and evaluations developed for this analysis were also based, in part, on previous studies conducted on areas either adjacent to or near the project site. This information was supplemented by published references. The information gathered was used as a basis for the geotechnical site studies. A summary of information that is relevant to the project site is provided below.

In February 1968, Caltrans produced a project report titled, "Complete Materials Report for the Proposed Construction of the Route 210 Freeway from Sunland Boulevard to West City Limits of Glendale". In this report, pertinent data regarding the construction of Interstate 210 was summarized and presented for a section of freeway roughly 4.6 miles long. Since the freeway alignment bisects the project site, it was utilized for the preparation of the geotechnical study. Important data contained in the report includes detailed descriptions of soil and rock types, geologic features of the freeway alignment, as well as storm drain culverts beneath the freeway embankment.

The Duke Property is located adjacent to the eastern portion of the project site. As part of the environmental review for the Duke Project, Pacific Soils Engineering, Inc. produced a report titled, "Preliminary Geologic/Soil Engineering Investigation for Tentative Tract 48754, 7201 La Tuna Road, City of Los Angeles, California", dated June 21, 1990. That report was based on review of referenced reports and field exploration consisting of nine mechanically dug exploratory trenches to depths of four to seven feet, two hand-dug test pits to a depth of two feet, a seismic refraction survey and field mapping. The report also contained pertinent data such as slope stability calculations and onsite materials laboratory testing data.

In 1991, the Dibblee Geological Foundation published map number DF-32 titled, "Geologic Map of the Sunland and Burbank (North Half) Quadrangles". This map is a compilation of mapping by previous investigators for the area. It includes regional geologic information regarding the project site and surrounding area.

The California Geologic Survey produced a report titled, "Seismic Hazard Evaluation of the Burbank 7.5-Minute Quadrangle, Los Angeles County, California (Open-File Report 98-07)", in 1998. This investigation encompassed an area that includes the project site and the Duke Property. Pertinent

information was extracted and incorporated within this report with regards to areas delineated as potential seismic hazards and earthquake-induced landslides. The Seismic Hazard Map for the Burbank Quadrangle, dated March 25, 1999, was the result of this study.

The Alquist-Priolo Earthquake Fault Zone maps for the Burbank and Sunland quadrangles (which include the project site and the Duke Property) depict known fault ruptures from previous earthquakes, as well as recommended fault setback zones from known active faults.

The City of Los Angeles General Plan Safety Element (1996) also includes maps for fault rupture hazard zones, landslide hazard zones, and liquefaction hazard zones.

The California Department of Water Resources Bulletin 118, "California's Groundwater" identifies groundwater basins throughout the State, including the project site and the Duke Property. This publication was utilized to provide information regarding groundwater resources with respect to the project site.

Therefore, the geotechnical consultant obtained more than adequate information to assess the geologic structure of the project site. Additional hollow stem auger borings would not have yielded any information that would have materially changed the analysis and conclusions in the Draft EIR. In addition, due to the steep topography on the project site, considerable grading would have been required to create the roads necessary to transport track and wheeled drilling vehicles into the proposed Development Areas. It was considered ill-advised to carry out these grading activities, which would have an adverse visual impact on the existing hillside land, until the City has granted the discretionary approvals for the proposed project.

Comment 33-4:

The Project Site will one day be subject to the secondary ground-shaking of sympathetic faulting or fracturing or near-source ground movement as a result of a primary fault-line activity from one of the many known and classified-as-"active" fault zones within close proximity to the project site. The thrust or reverse Verdugo Fault 2 miles to the south, the thrust fault of the Sierra Madre fault zone 1.5 miles distant, the San Fernando fault zone responsible for the 1971 Mw 6.6 earthquake located 2 miles distant, the San Gabriel fault zone 5 mi to the north, the Hollywood and Raymond Hill fault zone 8 mi distant, the blind thrust Northridge fault responsible for the 1994 Northridge Earthquake located 7 mi from the project site - all considered active by the California Geological Survey. (DEIR Appendix D -- Geotechnical Evaluation Section 7.4.3) With such a surrounding landscape, so criss-crossed with fault zone systems and their potential for producing seismic events, can one reasonably accept the extensive cut-and-fill design proposed in the Canyon Hills DEIR? Slopes of 100 and even 200 ft in height? This extensive, tall, steep grading program can only be foreseen as a massive disaster in the making in the event of even just the sympathetic movements to primary shaking of a nearby fault zone.

Response:

Numerous active and potentially active earthquake faults exist within the general Southern California area. The project site is at no higher or lower risk from seismic shaking, fault rupture, or other seismic effects than any other similar site in Southern California and should be considered typical of the Southern California area. If the recommended mitigation measures are implemented as described in the Draft EIR, the proposed cut and fill slopes shown in the current development plan would meet current Los Angeles Building Code factors of safety criteria.

In any event, the larger proposed fill and cut slopes with 2:1 and 1.5:1 ratios have the same factor of safety engineered into the slope stability as smaller slopes. Larger cut slopes are required to meet the same criteria for stability as smaller cut slopes. The proposed cut slopes of 2:1 and 1.5:1 would be flatter than, for the most part, approximately the same angle of steepness as the natural angles of the existing hillsides. Fill slopes are all designed at a 2:1 ratio and would be placed as engineered fill.

The cut slopes into fractured granitic materials are not inherently prone to failure. Those slopes that exhibit unstable conditions would be replaced with buttress or stabilization fills. Recommended Mitigation Measures A-4 and A-5 on page IV.A-34 in the Draft EIR would require the project developer to incorporate buttress and stabilization fills slopes to mitigate cut slopes exposing adverse geologic conditions.

Comment 33-5:

Eight areas of potential seismic induced rockfall have been identified within the project development areas. A number of landslides have been identified within the development areas leaving it subject to slope and/or foundation instability (DEIR Appendix D Section -7.4.5, 7.5, and 8.3.1).

I quote from Section 8.3.3 of the DEIR Appendix D - Geotechnical Evaluation: "The grading of south and northwest facing cut slopes for the proposed project may result in slope and/or foundation instability." "The majority of the proposed cut slopes on the project site will expose highly weathered and/or highly jointed bedrock, which will be susceptible to possible surficial [sic] failure or deep-seated slope failures and will require stabilization measures." Section 7.5.1 indicates that all five Sectors of the Development Areas are subject to potential slope instabilities that could lead to slope failures and subsequent hazard to property and risk of injury. Mitigation measures: most cut slopes will require replacement with stabilization fill or the construction of retaining walls. Being aware of the potential for slope instability as a result of these steep 1.5:1 cut slopes, why create such tall artificial instable slopes in the first place? Slopes that will become so subject to rockfall and landslide? Why not make a stronger effort to work with the natural terrain in the first place? Similarly, fill slopes will require marked mitigation to deal with slope instability. (DEIR Appendix D Section 8.3.5) Again, why create

artificial 200 ft fill slopes often at a 2:1 slope that require such immense mitigation as use of geogrid or retaining walls, rather than design the development more around the natural terrain of the property.

Response:

The areas of natural slope instabilities and rock fall are discussed in Section IV.A (Geology and Soils) of the Draft EIR. The areas indicated are unstable in the current natural condition, prior to mitigation of the potential hazard. The potential impacts from the natural slope instabilities and rock fall would be reduced to a less-than-significant level with implementation of the recommended mitigation measures during grading and construction. All final constructed cut and fill slopes are designed to be stable. The use of geogrids in fill slopes would mitigate unstable cut slopes at gradient similar to the original natural gradient without disturbing additional surrounding natural terrain. Retaining walls would be used in a similar manner, while allowing for a flatter gradient fill slope.

Comment 33-6:

A further point of contention for the community can be found in Section 8.3.4: "The majority of the cut pads proposed in the development plan are situated along ridgelines...." What happened to frequent claims of compliance to the Community Plan? Footnote 19 of the Community Plan states: "There shall be no grading of the principal (note: not just "prominent") ridgelines within the Plan boundaries."

Response:

The principal ridgelines referenced in Footnote 19 of the Sunland-Tujunga Community Plan were determined through the Specific Plan process and designated as "Prominent Ridgelines". The proposed project is in compliance with all restrictions and requirements in the Specific Plan relating to the designated Prominent Ridgelines and associated Prominent Ridgeline Protection Areas located on or adjacent to the project site.

Commenter 34: Michael and Victoria Gaffney, 10254 Sunland Boulevard,
Shadow Hills, CA 91040, December 15, 2003

Comment 34-1:

After reviewing the above noted EIR on-line as well as attending a meeting in October 2003 hosted by the Whitebird Development Group, we state the following concerns and strongly oppose the above referenced project.

The EIR inadequately identifies and analyzes the environmental impacts and how they can be reduced or avoided. There is actually quite a bit more wildlife that exists in this project location than the EIR indicates; wildlife that once again will be threatened by a housing project of this magnitude. The wildlife we speak of and know exists, includes: Coyote, Deer, Hare/Rabbit, Raccoon, Skunk, a wide variety of birds and of course, California's beloved Oak Trees.

Response:

A complete list of mammals and birds that are known or expected to be found on the project site or in the vicinity of the project site is included in Appendix D to the Biological Technical Report (Appendix G to the Draft EIR). In addition, each oak tree with a DBH of eight inches or greater and all other trees with DBHs of 12 inches or greater located in the project study area were identified by the project biologists and are shown and described in Figures IV.D-7-18 and Table IV.D-10, respectively, in the Draft EIR (except as discussed in Response 149-105). See Topical Response 1 regarding the adequacy and focus of review of the Draft EIR.

Comment 34-2:

Both my husband and I have lived in Shadow Hills for 5 years and in the general Sunland-Tujunga-Shadow Hills-La Tuna Canyon area for 10 years. We have hiked the foothills, biked the trails and have seen the wildlife and beauty of these foothills directly. We currently reside at 10254 Sunland Boulevard in Shadow Hills, this is the main artery for this entire area, as there is only one way in and one way out, on Sunland Boulevard, which becomes Foothill. This project will increase traffic tremendously, thus causing more pollution, noise pollution, accidents; traffic jams and also creates a negative quality of living in these areas.

Response:

Sections IV.B (Air Quality), IV.E (Noise) and IV.I (Transportation/Traffic) in the Draft EIR address the traffic, air quality and noise impacts associated with the proposed project. As shown on Figures IV.I-6 and IV.I-7 in the Draft EIR, the proposed project would add less than 15 new trips to the segment of Foothill Boulevard west of Tujunga Canyon Boulevard during the morning and afternoon

peak hours (i.e., less than one new trip every four minutes during the peak hours). This relatively minor increase of traffic on Foothill Boulevard is not anticipated to adversely affect traffic or safety.

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 34-3:

According to the EIR, only one signal light has been proposed by the project, and that is to be placed at the La Tuna Canyon location. This by no means is anywhere near a significant amount of effort in providing both public safety and alternative methods of properly flowing traffic in and around the project area. All of the people that will not only reside in these new homes, but visitors, as well as the builders, contractors, trucks that will need to come in and out, will be congesting Sunland Boulevard as well as La Tuna Canyon. All of the supermarkets, drug stores, retail stores, restaurants, post office, cable companies, water and power, etc., are all located on Sunland/Foothill Boulevard and because of this fact, this new project brings a problem of traffic congestion and again an issue of safety as all the people directly involved in the project will be heading to Sunland Boulevard for all their shopping and every day living needs.

Response:

As discussed at length in Section IV.I (Transportation/Traffic) of the Draft EIR, the proposed project would only result in a significant impact at one intersection (Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road). Mitigation Measure I-1 on page IV.I-45 in the Draft EIR recommends the installation of a traffic signal at that intersection, which would mitigate that significant impact. Since no other intersections would be significantly impacted by the proposed project, no additional street signals or other traffic mitigation is required under CEQA. However, as discussed in Response 7-2, the project applicant has proposed the installation of two additional traffic signals at the eastern access to proposed Development Area A and at the entrance to the proposed equestrian park, subject to the approval of the City.

Comment 34-4:

Importantly, there is no police station located in or near the proposed project area, nor adequate fire stations. With a project of this magnitude, adding more than likely thousands more people to come to this location, the inadequacy of police and fire is definitely a concern and one in which we all need to address. Obviously, we need more of these services to be in place, physically in place, before a project of this magnitude even begins.

Response:

The impact of the proposed project on police protection services is addressed in Section IV.J.2 (Police Protection) of the Draft EIR. As discussed on page IV.J-15 in the Draft EIR, police units are most often in a mobile state. Therefore, actual distance between a headquarters facility and the project site is of little relevance. Rather, the number of patrolling police officers is more directly related to the realized response time. Also see Response 29-4.

With respect to the impact of the proposed project on fire protection services, see Responses 23-1 and 23-3.

Comment 34-5:

Overall, we see this project as a threat to the public's safety, a threat to the environment and a threat to the quality of life we all enjoy now. We do not want to see this project succeed. If it were to succeed, we would like to see only half of the proposed homes built and all of our concerns addressed and fulfilled, including not removing Oak Trees as they are still on the endangered list and are protected under law.

Thank you for the opportunity to voice our concerns about this proposed project. We strongly urge you to take our noted concerns, facts and opinions seriously and act upon them accordingly.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 35: Barbara E. Trees, 6903 Beckett Street, Tujunga, CA 91042,
December 15, 2003

Comment 35-1:

1. California Live Oaks to be removed.

Biological Resources - Native Trees (p.IV.D-122) states that a 234.32 acre area will be graded or significantly disturbed. In this same section, experts determined that there are 3.75 Live Oaks per acre. This would cause the removal of 879 protected California Live Oaks. However, two pages later (p.IV.D-123) the EIR reduces the removal to the "area of occupation" which is 69 acres, and states that 259 trees will be removed.

Concern: How many trees will actually be removed? If 234 acres will be graded or significantly disturbed, the removal will extend far beyond the "area of occupation." The EIR significantly understates by over 70% the number of trees that will be removed.

Response:

The Draft EIR did not determine that there are 3.75 coast live oak trees per acre in the proposed grading areas. As stated on pages IV.D-110 through IV.D-111 in the Draft EIR, 259 trees are subject to impact from the proposed project (an impact is defined as either removal or substantial disturbance, such as compaction of large areas of the root zone and loss of bark and cambium layer due to contact with construction equipment). This includes 234 trees within the proposed project's footprint and 25 trees within the 20-foot disturbance area (see Table IV.D-14 in the Draft EIR). In addition, as discussed in Response 149-105, following the completion of the Draft EIR, three additional coast live oaks were identified within the project impact area, increasing the estimated number of trees that would be impacted to 262.

In contrast, the reference to 3.75 coast live oak trees per acre (as set forth on page IV.D-123 in the Draft EIR) relates to the calculation of the fair market value of the impacted coast live oaks, the results of which were used to determine the appropriate level of mitigation. As discussed therein, the coast live oaks are not uniformly distributed across the project site. Rather, they are typically clustered at the bottom of the canyons and along north or east-facing slopes or canyons. To develop a reasonable valuation for mitigation, the Draft EIR considered the actual "Area of Occupation" of these trees rather than the project impact area because the value of the trees is related to their location. An acre-square grid was overlaid on the entire project site, using a reference point of Range 13 West, Township 2 North, Section 30. Any acre that supported at least one impacted coast live oak or sycamore was counted. From this analysis, 72 acres were determined to be in this category (69 acres identified in the Draft EIR plus three acres subsequently identified, as discussed in Response 149-105). As a verification of reasonableness, the total number of impacted trees (262) was divided by acres supporting

impacted trees (72), yielding an average of 3.64 trees per acre. This average is verified by actual counts, where density of some surveyed areas is greater and some less with only one or two trees on a hillside or in a narrow canyon. The 72 acres and 3.64 trees-per-acre average were only used to determine the fair market value of the impacted trees and do not represent acres of disturbance or actual trees impacted.

Comment 35-2:

2. Sunland-Tujunga Community Plan

The Community plan was in place when the developer purchased the property. The Plan is designed to protect the rural character of the area. La Tuna Canyon is one of the six remaining areas identified as a “Designated Scenic Highway and Scenic Highway Corridor.” The Community Plan (1-1.3) requires preservation of existing views of hillside and mountainous areas and (5-1.5) Protect Scenic Corridors by establishing development controls in harmony with each corridor's individual scenic character. (Table IV.G-4, Land Use, pIVG.20)

Concern: The “cut and fill” process (Project Description, p. 111-6) involves removing the tops of natural peaks to fill natural hillside depressions, thereby removing the existing hillside views in direct violation of Community Plan (1-3.3). The “cut and fill” process will also be applied to the area south of Interstate 210, which is La Tuna Canyon, a Protected Scenic Corridor. (5-1.5) Portions of La Tuna Canyon are protected areas because of the natural beauty of the Canyon, which would be adversely affected by the proposed development.

Response:

With respect to the consistency of the proposed project with Policy 1-3.3 in the Sunland-Tujunga Community Plan, see Topical Response 6. As discussed on page IV.G-21 in the Draft EIR, as modified in Section III (Corrections and Additions) of this Final EIR, the Specific Plan includes the development controls described in Policy 5-1.5 in the Sunland-Tujunga Community Plan and the proposed project is consistent with the applicable provisions in the Specific Plan relating to scenic corridor protection.

Comment 35-3:

3. Public Safety and Security

The Foothill area is served by Fire Department #74, located 2.8 miles front the proposed development.

Concern: In a serious omission, the EIR does not address paramedic response time nor does it deal with the fact that the proposed development is a gated community, creating barriers for paramedic services.

Response:

See Response 23-3 and Topical Response 11.

Comment 35-4:

I also found serous [sic] problems with the Biology and Wild Life [sic] portions of the EIR, in which animals common to La Tuna Canyon simply were not found. They found only five coyotes, no deer, no bobcats, no Peregrin Falcon. Other problems such as loss of stream canyons and habitat were not addressed.

Response:

With respect to the concern expressed regarding the number of coyotes on the project site, see Response 27-1 and Topical Response 5. With respect to the potential impact of the proposed project on the Peregrine falcon, see Response 41-1. With respect to the concern expressed regarding mule deer, see Response 143-18. With respect to the concern expressed regarding bobcats, see Response 143-18 and Topical Response 5.

Section IV.D.1 (Flora and Fauna) of the Draft EIR analyzed the impact of the proposed project on stream canyons and habitat (see discussions of Corps and CDFG Jurisdiction and Non-Jurisdictional Riparian Habitats on pages IV.D-56 through IV.D-58 in the Draft EIR).

Comment 35-5:

I think that the EIR is seriously flawed. I request that another EIR be required to insure a fair and realistic appraisal of the effects of the proposed development.

Thank you for addressing my concerns.

Response:

This comment expresses an opinion about the Draft EIR, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the recirculation of the Draft EIR, see Topical Response 3.

Commenter 36: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 16, 2003

Comment 36-1:

However minor a concern, we would like to address the level of mitigation set forth in the Canyon Hills Draft Environmental Impact Report relative to the controversy over the potential effects of Electro-Magnetic Fields. There is such great controversy over whether there is or is not any significant effect on public health to those living in the vicinity of transmission towers emitting high levels of electro-magnetic waves that we do not wish to take a stand on one side or the other. However, we do feel that persons wishing to purchase homes in the Canyon Hills Project should be provided with information publicly available regarding suspected potential health risks. In the DEIR, EMF mitigation is defined as providing purchasers with information on where they themselves must go to obtain this information. Not everyone is computer-savvy enough to utilize the Internet to research this information and to obtain this information from public offices is not always the easiest. We feel that Canyon Hills should provide purchasers pamphlets with information about the controversy and do this not as a part of the purchase package, but as part of an information packet that al[sic] real estate agents make available to potential buyers.

Response:

In light of the scientific community's uncertainty regarding potential hazards that may be associated with EMFs, the Draft EIR recommends a mitigation measure that requires the project developer to provide a disclosure statement to prospective buyers that includes a variety of information. Contrary to the inference in this comment, the disclosure statement would include a statement that the Final EIR includes a discussion of EMF and that the Final EIR is available at the Department of City Planning. No computer expertise would be required to obtain that information.

In addition, as alluded to in this comment, the disclosure statement would provide that additional information regarding the potential health effects from EMF exposure may be obtained from the California Department of Health Services by contacting the California EMF Project at the mailing address and/or the internet address set forth in the statement. This approach is preferred to providing specific information on the EMF literature. As new studies are continuously being released and undergo scientific peer review, certain positions or scientific information may be subject to change. Referring individuals to the EMF Program's main web site would provide an accurate and up-to-date account on the official position of the California Department of Health Services. However, the commenter's suggestion to provide specific literature will be forwarded to the decision makers.

Comment 36-2:

A totally different subject: The DEIR did mention that excavation of cut slopes adjacent to existing neighborhoods may expose seepage associated with the drainfields of existing private sewage disposal systems. The DEIR claims that even if this were to happen they do not expect any negative effect to groundwater and that due to it's [sic] distance from Development A fails to suggest potential impact. We beg to differ with this evaluation. Odors that would be associated with exposure of the drainfields would most certainly effect not only Development A, but the existing neighborhoods to the northeast. Cut slopes anywhere near possible sewage drainfields must be eliminated from the site plan.

Response:

The author of this comment has made the assumption that actual drain fields or septic systems would be exposed during grading. As stated in the Draft EIR, existing drain fields and/or septic systems would not be exposed by the proposed grading. The Draft EIR notes that the cut slopes may expose seepage associated with the drain field. The closest proposed building pad area with any proposed grading is over 200 feet away from any current development and any potential drain field.

Comment 36-3:

The DEIR also is highly lacking in full consideration of all "Cumulative Impacts" within the area. As per CEQA Section 15355, all EIR's [sic] are required to consider the environmental impacts not only of the project itself, but also of impacts of ALL other projects in the vicinity. The DEIR has referenced only projects in already crowded urban and suburban areas totally different in character from the La Tuna Canyon with no reference to the more open, more rural neighborhoods of the canyon itself nor the mountains of the Verdugos as a whole that have been or may be notably impacted in the near future. The language of the CEQA regulations also implies that within a single project there can be cumulative environmental impacts. While addressing each individual issue and providing mitigation measures for individual factors, the DEIR never looks at the entire project, along with all it's [sic] environmental impacts, as a cumulative whole to be addressed. A true picture of the entire impact of the Canyon Hills Project due to losses of biological resources is never addressed as a whole, but segregated into eg "trees" with no connection of the tree's place in the whole biological picture in terms of their integration with animals, soils, aesthetics etc. Thus the DEIR lacks focus on the total environment which this development would impact thereby missing the whole inherent purpose of an EIR.

Response:

As discussed on page II-6 in the Draft EIR and in accordance with Section 15130(b)(1)(A) of the CEQA Guidelines, cumulative impacts are anticipated impacts of the proposed project along with past, present and probable future projects. Furthermore, Section 15130(b) of the CEQA Guidelines states:

The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.

The list of related projects used in the cumulative impacts analyses in the Draft EIR was developed in coordination with the City of Los Angeles Department of Transportation, City of Los Angeles Department of City Planning and the City of Glendale Department of Transportation (see page II-7 in the Draft EIR). The list of related projects was comprehensive, with the exception of a 34-unit residential project, which is addressed in Topical Response 7. The related projects were not selected based on location or land use type, as asserted in this comment. Although most of the related projects do happen to be located within urbanized areas, no project was excluded because of its non-urban characteristics.

Furthermore, page II-7 in the Draft EIR states:

Cumulative impacts analyzed in this Draft EIR were conservatively assessed. Some of the related projects may not be approved, and some approved projects may not be developed. In addition, many of the related projects have been or will be subject to a variety of mitigation measures that will reduce the potential environmental impacts associated with those projects. However, with limited exceptions, those mitigation measures have not been taken into account in projecting the environmental impact of the related projects. Therefore, the cumulative analyses set forth below are conservative and result in greater impacts than actually anticipated.

Analyses of the cumulative impacts associated with the development of the proposed project are presented throughout Section IV (Environmental Impact Analysis) of the Draft EIR. With respect to the concern expressed regarding the “whole biological picture”, see Topical Response 5.

Comment 36-4:

The full impact of issues even within the Canyon Hills Project itself is often not undertaken using the excuse of “unable to evaluate due to inaccessible terrain.” This illustrates a lack of true firsthand knowledge of the specific terrain on the part of the surveyors and the developers. The DEIR repeatedly cites other studies failing to integrate them into a comprehensive analysis of the total impacts of Canyon Hills.

Response:

With respect to the survey of the project site for the biological, geotechnical and archaeological evaluations, see Topical Response 4 and Responses 33-3 and 16-5. As discussed therein, the surveys conducted for the Draft EIR were comprehensive and appropriate.

Comment 36-5:

Cumulative Impact Analyses should include current, past AND reasonably foreseeable future projects in the region of the proposed project. A current project, of far greater impact than eg the Taco Bell on Foothill Blvd, is the 34 unit development under construction in the western portion of the canyon itself. Cumulative impacts of projects of the recent past - Oakmont I-IV which has markedly impacted the environmental habitat of the Verdugos. And the reasonably foreseeable future - there are a lot of sale signs - some for multi-acreage. What potential for future development and it's [sic] cumulative effect on the environment do these bring to the Verdugo's [sic]. The EIR should discuss the cumulative effects of all proposed or planned projects in the region. The EIR should identify all private holdings in the Verdugo Mountains with some reference to their potential as future development areas. It is necessary to have a complete cumulative impact analysis to ensure that a project is not approved that when viewed separately may not appear to have a markedly significant environmental impact, but when taken together with others have a very significant adverse effect on the environment.

Response:

With respect to the 34-unit development referenced in this comment, see Topical Response 7. With respect to the Oakmont View Phases I-IV project, it is located nearly four linear miles from the project site. Furthermore, the Oakmont View Phases I-IV project was approved by the City of Glendale prior to the issuance of the Notice of Preparation for the proposed project. Therefore, the Oakmont View Phases I-IV project would not be considered a related project as it was included as part of the environmental baseline for the proposed project.

Contrary to this comment, the Draft EIR did discuss the cumulative impacts with respect to all reasonably foreseeable proposed or planned projects in the area. Pursuant to Sections 15130 and 15355 of the CEQA Guidelines, the Draft EIR was required to consider the cumulative impacts associated with closely related and reasonably foreseeable probable future projects, which are referred to as "related projects" in the Draft EIR. Section 15130(b)(1) states that probable future projects may be limited to those projects requiring an agency approval for an application which has been received at the time the notice of preparation for a draft EIR is released, unless abandoned by the applicant. The related projects described and analyzed in the Draft EIR comply with these requirements, except that the Draft EIR inadvertently omitted the 34-home project discussed in Topical Response 7. Contrary to the suggestion in this comment, the Draft EIR was not required to "identify all private holdings in the

Verdugo Mountains with some reference to their potential as future development areas.” With respect to that contention, see also Response 149-368.

Comment 36-6:

The ever-shrinking habitat for Verdugo wildlife, the ever-increasing traffic congestion of La Tuna Canyon Rd and the I-210, the ever-increasing demands on already over-taxed services and the very worse for us in the northeast corner of the city, the precedent for ever-increasing higher density zone changes that will forever totally alter the rustic rural equestrian atmosphere of the canyon and it's ecosystem. I reference Section 12.27 of the LAMC related to the subject of Variances. A Variance shall not be used to grant a special privilege or to permit a use substantially inconsistent with the limitations upon other properties in the same zone and vicinity. It should be denied if the need for the variance were self imposed. Canyon Hills as designed in the DEIR is totally inconsistent with the rural, equestrian lifestyle of the remainder of the canyon and is totally contrary to the zoning in the map of the Sunland-Tujunga -Lake View Terrace -Shadow Hills- East La Tuna Canyon Community Plan. The so-called need for variance is strictly financial for a land speculative company.

Response:

The proposed project does not include any zone variances (see Response 12-2). This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 37: Nancy Cleary, 10135 Hillhaven Avenue #112, Tujunga, CA 91042, December 17, 2003

Comment 37-1:

As a resident of Tujunga, CA, by way of this letter, I am voicing my complaint and opinion regarding the Canyon Hills Project.

There are many objections to this project, most notably the affect on the equestrian community and resident hikers who will lose their rights to have this availability..

Response:

See Response 27-4 regarding hiking trails on the project site. With respect to the concern expressed regarding equestrian impacts, see Topical Response 8.

Comment 37-2:

As our community stands currently, we do not have adequate police response/protection now, what would happen with the enormity of this project.

Response:

See Response 29-4.

Comment 37-3:

The obvious impact on traffic, parking etc. will greatly affect our environment.

Response:

The potential impacts on traffic from development of the proposed project are addressed in Section IV.I (Transportation/Traffic) in the Draft EIR. With implementation of Mitigation Measure I-1, potentially significant impacts on traffic would be less than significant.

Comment 37-4:

We do not need our mountains torn away or diminished. I greatly urge the City to vote against this project.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 38: William C. and Marva M. Grove, 7162 Estepa Drive,
Tujunga, CA 91042, December 17, 2003

Comment 38-1:

This letter is a prefix to my comment so that I (also speaking for my wife, Marva) can explain my perception that the "PROJECT" as proposed by Whitebird will unacceptably exacerbate the risk of great losses in the event of a Santa Ana wind driven brush fire.

We have reached our seventies with some difficulty and lived at our present address on the very edge of Tujunga with nothing but brush and tree covered Verdugo Hills, La Tuna Canyon and the 210 Freeway between us and Burbank for 46 years. We have observed first hand at least four major brush fires; some destroying structures. I witnessed two that started from contacting power lines.

Previous fire storms, including last October's multiple conflagrations, show that even the best equipped, trained and motivated single fire crew (as is Engine Company # 74) cannot stop one of these fires - and what we have in Sunland-Tujunga is just one single fire crew. Fire Station #74 was installed on Foothill Blvd in the early 1950's. Since then hundreds of homes have been built in Tujunga, mostly into the hills and often closely clustered

As you are aware, the "PROJECT" is to be located in a "Very High Fire Hazard Severity Zone." Instead of just repeating that compliance will be in accordance with existing fire codes and regulations, in light of the October disasters and various politicians calling for a review of the way we develop these VHFHS Zones, why does the LAFD not come out positively against any variances to the existing General Plan for the site and the City's slope density ordinance? In other words, why wouldn't the Fire Dept. insist that only Alternative D is acceptable. [sic]

Response:

See Topical Response 13 with respect to the potential fire risk associated with the proposed project. The balance of this comment expresses opinions about the LAFD, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 38-2:

In fact, my own personal experience with LAFD is that they are unwilling to enforce compliance with the LAFD's 100 foot brush clearance and 200 foot fuel modification from structure regulations when they affect adjacent undeveloped property. If the "PROJECT" were allowed to proceed, there would initially be hundreds of undeveloped adjacent properties and many even when the "PROJECT" is

completed (est.10 to 15 yrs.) I have been trying to get the city to enforce those rules on the hillside (that I do not own) next to my home since the regulations were first issued. Perhaps the greatest concern is that with only a few initial responding units the well spaced homes in the older sections, such as Estepa Drive and Tranquil Drive and Place, will be ignored in favor of the new closely grouped, larger and more expensive homes in the "PROJECT." There is precedent for this fear. Some years ago the Glendale and LAFD did just that with the arson started fire adjacent to the 2 freeway. Houses were lost near the area of origin while the fire engines scooted eastward. There was much negative press on this for a time, and some similar rising out of the 2003 fires. Further substantiating this concern is the brush and forest fire chapter in the FIRE PROTECTION HANDBOOK. (My copy of this authoritative text is the fourteenth edition.) It states in section 5 of chapter 12 under fire control operations "Frequently, when insufficient forces are available at the early stages of a fire, the decision must be made to abandon certain areas in order to prepare a more efficient stand further back." Why allow a variance that will make this more likely to happen. [sic]

Response:

As recommended in Mitigation Measure J.1-18 on page IV.J-11 in the Draft EIR, "the brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowners' association(s) under supervision of the LAFD in order to reduce the risk of brush fires spreading to the homes." The commenter first implicitly assumes that the homeowners' association(s) would not maintain properly the fuel modification zones that would be created as part of the proposed project. However, there is no reason to believe that the homeowners' association(s) would not do so. To the contrary, the homeowners' association(s) would collect fees from the individual homeowners for that very purpose, and it is in the homeowners' self-interest to do so. In the very unlikely event that the homeowners' association(s) fail to do so, then as acknowledged in this comment, the LAFD can enforce maintenance of the fuel modification zones. Notwithstanding the personal experience of the commenter, there is no reason to believe that the LAFD would not discharge its responsibilities in a timely and effective manner. It should also be noted that fuel modification is not required for adjacent undeveloped properties. The fuel modification requirements are applicable to the proposed homes on the project site and to those offsite homes within 200 feet of the project site's native vegetation.

In addition, it is important to note that modern residential developments, such as the proposed project, are subject to more stringent regulation in the Los Angeles Fire Code (Article 7 of the LAMC) - than older residential developments. As a result, new residential projects include design elements, such as less combustible building materials and fuel modification areas, that substantially reduce the risk of fire as compared to older developments. Therefore, the proposed project would not include any design elements that would increase the risk of fire as compared to existing residential hillside developments in Southern California.

Finally, the suggestion in this comment that, in the event of a fire, the LAFD would abandon the homes in the existing residential community in order to protect the homes in the proposed project is speculation. The alleged evidence cited in this comment does not support the commenter's conclusion. At best, it reflects that the LAFD sometimes must make difficult decisions as to which homes can be saved in a fire and which cannot, based on a variety of factors, including the severity of a fire in a particular location and potential risk to fire fighters.

See Topical Response 13 for a discussion of the potential fire risk associated with the proposed project.

Comment 38-3:

The developers state in several places that "homeowner's associations "will [sic] take care of this and that including some brush maintenance. Again, personal experience (with my son's property) indicates there is no certainty and little recourse in this.

My education and profession was in aircraft engineering, which has nothing to do with brush fires. I will remark though, that one of my specialties was aircraft fire protection and I was responsible for fire protection and extinguishment for the Lockheed L1011 TriStar passenger aircraft, among other things.

Thank you for considering my specific comments to the DEIR which follow.

Response:

See Response 38-2.

Comment 38-4:

The following Comments address the fire protection implications of the DEIR, particularly section IV.J-1, Fire Protection, under IV Environmental Impact Analysis, J Public Services.

As residents of this VHFHSZ for 46 years and being exposed to brush-not on our property- on two sides, we have observed some local brush fires and followed others on the TV and newsprint with great interest. Therefore relying on that experience we offer the following comments on the DEIR pertaining to fire protection.

IV.G LAND USE DESIGNATION

- A. The section on Land Use Designation states in part- "In addition, the Chief Engineer of the Fire Department is required to report that adequate fire Protection exists or is in the process of being provided. (see Section IV.J.1)"

One nearby fire station might be adequate for one house fire with fireproof roof and inside sprinklers. Two or three might be adequate to protect a few houses with required brush and tree clearance in a light wind. October's fires and previous Verdugo Hills brush fires have shown that dozens of fire engines protecting hundreds of houses in a fire storm are inadequate. Since such fire storms occur with some frequency and sometimes at night with strong winds and no air cover, the Chief Engineer of the Fire Dept. can not and should not report that "adequate fire protection exists or is being provided." After the October conflagrations, various people have called for review of the way we develop the hills. The EIR should be shelved (except possibly for Alternative D) until such reviews take place.

Response:

See Topical Response 13. Mitigation Measures J.1-1 and J.1-21 reflect the conditions of approval that have been recommended by the LAFD during its preliminary review of the proposed project. Also, as stated on page IV.J-9 in the Draft EIR, additional LAFD review would occur during the vesting tentative tract map stage. The incorporation of the LAFD's requirements would ensure that the proposed project would not result in a need for new or expanded fire facilities in order to maintain acceptable service ratios, response times, or other performance objectives of the LAFD, and impacts to fire protection services would thus be less than significant.

Comment 38-5:

IV.J FIRE STATIONS

The DEIR does not tell us how many more homes in Sunland-Tujunga VHFHSZ have been built since Fire Station #74 was installed on Foothill in the early 1950's. Fifty years and no additional S-T fire stations - but a lot more houses - argue against further zone changes. The other two stations mentioned in the DEIR and any others are, of course, even more remote.

Response:

Section IV.J.1 (Fire Protection) of the Draft EIR describes the current state of fire protection services in the project area, including the location of the closest fire stations and their respective distances from the project site. As discussed in Section IV.J.1 and in Topical Response 13, while the response distance from the primary response fire station (Fire Station No. 74) to the project site is exceeds 2.7 miles, that response distance is acceptable so long as all of the structures in the proposed Development Areas include automatic fire sprinkler systems, which has been recommended in Mitigation Measure J.1-1 on page IV.J-9 in the Draft EIR. In addition, although Fire Station Nos. 24 and 77 are located slightly farther from the project site (see Topical Response 13), they still would provide effective supplemental fire protection services, as would the Los Angeles County Fire Department.

See Topical Response 13 with respect to the potential fire risk associated with the proposed project, including a list of design features and measures to address potential impacts associated with the VHFHSZ.

Comment 38-6:

IV.J FIRE HAZARDS

The Los Angeles Fire Department Brush Clearance program is mentioned in footnote 10 on page IV-J-4, but not explained. The requirements in the program are specific regarding 10 feet, 100 feet and 200 feet clearance and fuel modification zones, but they State [sic] “you are only required to clear only on your own property.” From the map each lot will be adjacent, at least on one side, to undeveloped land. On Estepa Drive, at least, we have found the LAFD can not [sic] be relied upon to force clearance on the absentee owner, therefore the hazard may be greater than perceived depending on each lot’s configuration. This would be especially true before all the lots are developed. See also comment to recommended Mitigation Measure J-1-18.

Response:

The statement in this comment regarding brush clearance requirements is incomplete. The LAFD’s Brush Clearance website states:³⁰

You are only required to bring your own property into compliance, but must provide clearance on any portion of your property that lies within 200 feet of ANY structure (yours or a neighbors) as follows:

Clear ALL native brush, grass and weeds within the first 100 feet surrounding any structure. Reduce the amount and/or modify the arrangement of native brush, grass and weeds within the area comprising a second 100 feet for a total distance of 200 feet from any structure.

This brush clearance requirement is listed as recommended Mitigation Measure J.1-18 on page IV.J-11 in the Draft EIR, which states: “The brush in the area adjacent to the proposed development shall be

³⁰ Los Angeles Fire Department Brush Clearance Program, Brush Clearance Requirements, website: <http://www.lafd.org/brush/>, April 5, 2004.

cleared or thinned periodically by the homeowners' association(s) under supervision of the LAFD in order to reduce the risk of brush fires spreading to the homes."

With respect to the concern regarding the LAFD's enforcement of brush clearance requirements, see Response 38-1.

Comment 38-7:

IV.J ENVIRONMENTAL IMPACTS

A. Short - Term Construction Impacts

Construction activities often start brush fires and in a VHFHSZ on a dry, Santa Ana wind day, the local LAFD is not equipped and prepared to deal with such fires three to five miles from the fire station. Therefore there should be no construction activity on such days.

Response:

The Draft EIR states on page IV.J-5 that "construction of the proposed project would increase the potential for accidental wildfires," but that "implementation of 'good housekeeping' procedures by the construction contractors and the work crews would minimize these hazards." The Draft EIR also states on page IV.J-6 that "construction is not considered to be a high-risk activity and the LAFD is equipped and prepared to deal with such fires should they occur," and that "project construction would not be expected to tax fire fighting and emergency services to the extent that there would be a need for new or expanded fire facilities" Furthermore, the commenter provides no evidence to support the contention that "construction activities often start brush fires." Therefore, no further response is required. However, it should also be noted that the Draft EIR included recommended Mitigation Measure B-4, which requires that grading operations be stopped when winds exceed 25 miles per hour.

Comment 38-8:

IV.J LONG TERM OPERATIONAL IMPACTS

The DEIR indicates two water tanks will be installed. The DEIR locates one 1.5 million gallon tank adjacent to the existing one on Estepa Drive (my street) but gives no Impact Information on Estepa Drive. More water is good. The impact details should be listed specifically, since this is outside the "Project."

What is it's [sic] effect on adjacent property? Will Estepa Drive be open during construction? Will Estepa Drive, which is in poor condition, support the heavy equipment traffic? Will water flow be

interrupted to Estepa residents? Does the Project own this site or access? How will residents be protected from water tank rupture? Will higher street berms affect Access to driveways?

Response:

Page IV.L-3 in the Draft EIR discusses the likelihood of a second water tank at the Estepa site, adjacent to the existing DWP tank. The site of the proposed second water tank, as well as the existing DWP tank, is owned by the City. The tank would be part of a public water system and would be designed and constructed according to DWP standards, which provide safety features for tanks and other water facilities to ensure that rupture would not occur. Construction of the proposed water tank and associated water lines on Estepa Drive would occur over a period of approximately two and one-half to four months and would result in short-term, temporary effects with respect to installation of the water lines. As discussed on page IV.L-3 in the Draft EIR, the short-term, temporary effects to traffic and access due to construction within public right-of-ways. LADWP usually connects new customer water service without interrupting existing customers. However, if such a disruption to interrupt customers were required during construction of the proposed water tank and associated facilities on Estepa Drive, it would be for a very short duration.

With respect to the concern expressed regarding street berms, no street berms would be constructed on Estepa Drive with the installation of the proposed water tank and associated water lines. With respect to the concern expressed regarding the ability of Estepa Drive to “support the heavy construction traffic”, it is anticipated that no improvements to Estepa Drive would be needed to support the construction equipment associated with the proposed water tank and water lines.

Comment 38-9:

The other 1.5 million gallon tank is to be located in the northern portion of the development at 1900 feet. This means it may be atop one of the protected ridges. The location and visual impacts should be addressed.

Response:

Contrary to the comment, the proposed water tank for proposed Development Area A would not be located in the northern portion of the project site. Rather, the new tank would be located offsite on Estepa Drive, adjacent to the existing water tank. While the proposed water tank would add to the sense of water tank “mass” at that location, the aesthetic impact would be less than significant since one water tank already exists there, the community has adapted to its presence and the proposed water tank would be no more visible than the existing tank.

Comment 38-10:

Page IV.L. 3 of the DEIR states water from the “new” Estepa Drive tank “would be delivered to Development A via a new water main constructed within the Inspiration Way public right-of-way” and “to supply the two new water tanks the existing 16-inch water main located within the La Tuna Canyon Road would be extended approximately 5,000 feet to the impact site.” It is confusing which way water is flowing to the project. If they are getting water from La Tuna Canyon, why from Estepa Drive via Inspiration Way? A revised DEIR is needed to better explain water flows and head for comment. The impacts on Inspiration Way residents and services need to be presented in a revised DEIR for comment.

Response:

Domestic water and fire flows for proposed Development Area A would be provided by a new 1.5 million gallon water tank to be constructed on Estepa Drive, adjacent to an existing DWP water tank. The existing 16-inch water main located within La Tuna Canyon Road would be extended to the tank in order to supply it with water. As discussed in Response 118-11, the proposed water line extension would be located entirely within public rights-of-way and private roads. Water from the new tank would be delivered to proposed Development Area A through the construction of a new water line in the public right-of-way in Inspiration Way. See Response 118-11 for a discussion of construction-related impacts.

Comment 38-11:**IV.J LONG TERM OPERATIONAL IMPACTS RESPONSE DISTANCE AND ACCESS**

The DEIR states that Station # 74 is 2.8 miles from the intersection of the 210 freeway and La Tuna Canyon Road. What it does not say is that the distance from Station # 74 to the farthest house is 4.7 miles and about 4.0 miles to more than half of the home sites. (by scaling figure III-2) Impacts with respect to distance criteria are indeed significant. The required maximum of 2.0 miles is not mitigated by sprinkler systems in the homes when the EMT, the rescue ambulance is needed.

Response:

See Topical Response 13.

Comment 38-12:**IV.J FIRE PROTECTION****LONG -TERM IMPACTS****EMERGENCY ACCESS /EVALUATION**

On page 1V.J-8, second paragraph, it is stated “The potential funneling of evacuating traffic from Development Area A to a single access point could result in congestion and possible conflicts with entering emergency vehicles.” HOW TRUE! This statement also applies to Hillhaven Street which is the traditional route for emergency vehicles to homes in Enfolding Hills, i.e., Amoret and Estepa Drive into Crystal View Estates and of course the egress for those places. The proposed alternates of Verdugo Crestline Drive or Inspiration Way each join up with Hillhaven and would thus impede emergency access to/from Estepa Drive, et al. Add this to the inadequacy of the two candidates and it is obvious neither is acceptable, hence the whole project DEIR must be rejected.

Response:

See Topical Response 11.

Comment 38-13:

IV.J FIRE PROTECTION

LONG -TERM IMPACTS

FIRE HAZARDS

These last two sentences on page IV.J -8 are puzzling. “Also, the LAFD has received preliminary plans for the proposed project and would again review the plans prior to approval of the vesting tract map. This would ensure that adequate fire protection facilities would be provided, particularly in light of the project site’s location within a VHFHSZ, and that new or expanded fire protection facilities would not be necessary.” It seems the developer has anticipated the LAFD’s approval before the review has taken place. After the October fires and various fire officials post-fire admissions that they lacked resources and politicians and other officials recommending a review of hillside and forest land development practices, how could the LAFD be expected to bless this project. The project would put homes now existing at risk by draining resources. The FIRE PROTECTION HANDBOOK, Fourteenth Edition, by National Fire Protection Association, in, chapter 12, section 5 titled “Forest, Brush & Grass Fires” under “Fire Control Operations” advises “Frequently, when insufficient forces are available at the early stages of a fire, the decision must be made to abandon certain areas in order to prepare a more efficient stand further back...” This is what the fire fighters did in the arson fire started at the 2 Freeway, giving up many homes.

Response:

This statement in this comment that “the developer has anticipated the LAFD’s approval before the review has taken place” is incorrect. As expressly stated in the first of the two sentences quoted in this comment, the LAFD will review the vesting tentative map for the proposed project prior to its

consideration by the Advisory Agency. The paragraph on page IVJ-9 that follows the two sentences quoted in this comment reinforce that additional LAFD review will be required:

As previously noted, the LAFD has preliminarily reviewed the proposed project and has requested a number of conditions of approval. These are presented below as recommended mitigation measures. Additional LAFD review would occur during the vesting tract map stage. The incorporation of the LAFD's requirements would ensure that the proposed project would not result in a need for new or expanded fire facilities in order to maintain acceptable service ratios, response times, or other performance objectives of the LAFD.

With respect to the suggestion that, in the event of a fire, the LAFD would respond to the proposed project over other areas in the surrounding community, see Response 38-1.

Comment 38-14:

IV.J FIRE PROTECTION

LONG TERM IMPACTS

LAFD REVIEW

Based on the preceding cumulative comments, the following statement, "proposed project's operational-related impacts to fire protection and emergency services would be less than significant," is not valid.

Response:

See Responses 38-1 through 38-13.

Comment 38-15:

MITIGATION MEASURES J.1-3 Through J.1-16

It was indicated in the prior hearings on the DUKE DEIR that recommended mitigation measures are not mandatory. These should be labeled mandatory in the next revised DEIR. It is not clear if J.1-3 through J.1-16 apply to emergency egress road or to just the road within the project. This should be clarified.

Response:

Mitigation Measure J.1-1 on page IV.J-9 in the Draft EIR is required since the project site is more than 1.5 miles away from the nearest fire station. The other 20 mitigation measures recommended in Section IV.J are not required pursuant to CEQA because the proposed project would not have any other

significant impacts with respect to fire protection services. However, these additional mitigation measures have been agreed to by the project applicant and would be included as conditions to the approval of the various entitlements required for the proposed project. Therefore, Mitigation Measures J.1-3 through J.1-13 apply to the proposed roads in the Development Areas, while Mitigation Measures IV.J-14 to IV.J-16 do not relate to roads.

With respect to the implied concern expressed regarding improvement of offsite roads for emergency access, see Topical Response 11.

Comment 38-16:

MITIGATION MEASURE J.1-18

Homeowners associations were also mentioned in section III as performing fuel modification and in J.1-18 clearing or thinning the brush in adjacent areas under the Supervision of the LAFD. This invites the following questions:

- Where are these associations defined?
- Who sets them up and pays for them?
- Are they in play before any homes are developed through perpetuity?
- Who takes care of the adjacent property, if there is no homeowner's association? After all this is just a recommended mitigation.
- What guarantee is there that the LAFD will supervise brush clearing on adjacent property. [sic]

Experience on Estepa Drive and in Saugus suggests mitigation J.I-18 will not materialize.

Response:

With respect to the concern that the homeowners' association(s) would not carry out its responsibilities with respect to the maintenance a few modification zones, see Response 38-2. The creation of one or more homeowners' association(s) is required under State law because, among other things, the proposed Development Areas include common areas for open space and recreational amenities. The CC&Rs that would create and govern the operation of the homeowners' association(s) must be reviewed and approved by the California Department of Real Estate before development of the proposed project begins. The project developer has the responsibility for preparing the CC&Rs. Among other duties, the homeowners' association(s) would be responsible for maintaining all of the common areas within the proposed Development Areas, including portions of the fuel modification zone. The individual

homeowners would be responsible for maintaining the portions of the fuel modification zone located on their individual lots, but the homeowners' association(s) would have the ability, through the CC&Rs, to maintain private portions of the fuel modification zones if individual homeowners fail to do so. The homeowners' association(s) would be funded by the fees paid by individual homeowners.

With respect to the question: "What guarantee is there that the LAFD will supervise brush clearing on adjacent property", see Response 38-2.

Comment 38-17:

LEVEL OF SIGNIFICANCE AFTER MITIGATION

Implementation of the so called mitigation measures will have little impact on a Santa Ana condition fire storm. The impact of this development on fire protection has the potential to be disastrous.

Response:

See Responses 38-1 through 38-16.

Commenter 39: Barbara Howell, 10445 Fernglen Ave., Tujunga, CA 91042,
December 17, 2003

Comment 39-1:

I am writing in response to the Draft EIR for the Canyon Hills project in the La Tuna area of Tujunga. My experience that qualifies me to comment on the EIR is twofold:

- I am a resident of Tujunga, and will be walking and driving close to the project on a continual basis.
- I am an avid hiker, and have hiked many times in and around Tujunga and the Verdugo mountains.

My main concern with this project is that in order to build it, the zoning for the area must be changed. Zoning is law, and is intended to provide proper planning for a city. I am appalled that the city is willing to change the law in order to allow the project to be built, in violation of the planning for the area. The quality of life in Tujunga will suffer from the loss of yet more rural acres. The qualities that make this town attractive will disappear if the city is willing to change zoning law to please developers.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 39-2:

I have the additional concerns with the EIR:

1. During the Northridge earthquake, the Los Angeles Times reported that the quake was caused by a hitherto-unknown fault, and that technology as it existed then could not adequately determine whether or a fault exists somewhere below the areas that can be measured. Has this technology been advanced, and what techniques were used to look for faults in the project area? I am not convinced that the area does NOT lie within an active fault zone, or that no active faults cross the site.

Response:

As discussed on pages IV.A-13-14 in the Draft EIR, the project site does not exhibit surface expression that indicates the presence of active or potentially active faulting onsite or in the immediate vicinity of the project site. While the commenter is not “convinced” that this is true, no evidence or analysis is set forth to support that concern. See Response 33-4.

Comment 39-3:

2. No mitigation was listed for handling construction emissions of NO_x and PM₁₀ on the peak day and peak quarter. Why are no mitigation measures contemplated, what effect will these emissions have on residents around the site, and for what distance?

Response:

Contrary to this statement, the Draft EIR includes five recommended mitigation measures that would reduce PM₁₀ emissions by approximately 60 percent (see pages IV.B-18-19). With respect to reductions in NO_x construction emissions, see Response 24-4. In addition, dust emissions from construction of the proposed project would be subject to the SCAQMD’s Nuisance Regulation, which requires projects to take whatever steps are necessary to prevent visible emissions from causing harm to persons or property outside the project boundaries.

Comment 39-4:

3. What assurances are there that all construction workers will conform to all the mitigation measures listed on page 11 of the Summary, items B1 through B5?

Response:

The project developer would be responsible for implementation of Mitigation Measures B-1 through B-5. Section V (Mitigation Monitoring Program) of this Final EIR indicates the party responsible for implementing each mitigation measure, the party responsible for monitoring the implementation of each mitigation measure and the party responsible for enforcing each mitigation measure included in the Draft EIR. In addition, the mitigation measures outlined on page I-11 in the Draft EIR are typical mitigation measures for this type of project and are not considered infeasible, similar to the use of Best Management Practices (BMPs). However, if the project developer failed to implement properly the recommended mitigation measures, it would be subject to enforcement action by the SCAQMD.

Comment 39-5:

4. What assurances do we have and what enforcement measures will be put in place to ensure that all homeowners will always comply with the mitigation measures listed on page 14 of the Summary, items C12, C 13, and C15?

Response:

Mitigation Measures C-12 and C-13 are not directed at homeowners. Mitigation Measure C-12 requires action from the project developer and the homeowners' association(s) to educate homeowners about recycling. Mitigation Measure C-13 requires the placement of signage on storm drain inlets. The project developer would be responsible for implementation of these mitigation measures. Mitigation Measure C-15 requires the inclusion of "pooper-scooper" regulations in the CC&Rs. Homeowners that fail to comply with that requirement in the CC&Rs would be subject to homeowner association sanctions. See also Response 39-4.

Comment 39-6:

5. Has any study been done on the impact to the environment for any non-native species of plants used to cover slopes with protective vegetation?

Response:

Indirect impacts on native plant and vegetation communities from invasive non-native landscaping are discussed on pages IV.D-63 and IV.D-64 in the Draft EIR. To avoid such impacts, the proposed project would use non-invasive native landscaping.

Comment 39-7:

6. Why is it legal to impact Venturan coastal sage scrub, Southern mixed riparian forest, and Southern willow scrub?

Response:

Venturan coastal sage scrub receives protection in certain instances. If it is located in an NCCP area developed for conservation of the California gnatcatcher, it can only be removed pursuant to authorization under Section 4(d) or Section 10 of the federal ESA. The project site is not within an NCCP and these provisions therefore do not apply. If the coastal sage scrub is in an area designated as critical habitat pursuant to the federal ESA, it can only be removed following consultation under Section 7 of the federal ESA. The project site does not include any designated critical habitat and this provision therefore does not apply. If the coastal sage scrub is occupied by the California gnatcatcher

or other federally listed species, it cannot be removed without authorization under either Section 7 or Section 10 of the federal ESA. Since the project site is not occupied by the gnatcatcher, this provision does not apply. The CNDDDB has designated Venturan coastal sage scrub as a sensitive habitat and removal of it is subject to evaluation under CEQA. As discussed in the Draft EIR, because only a small amount of coastal sage scrub would be impacted by the development of the proposed project, and because the habitat exhibits low value, this impact was determined to be less than significant.

Southern mixed riparian forest and southern willow scrub are regulated pursuant to Section 1600 of the Fish and Game Code, and the removal of these habitats requires authorization from the CDFG through a Streambed Alteration Agreement (SAA). The SAA is not a discretionary permit and must be issued by the CDFG when requested (though mitigation is typically required to offset impacts). Upon issuance of the SAA, the applicant is legally authorized to remove the habitat.

Southern mixed riparian forest and southern willow scrub may occur within areas regulated pursuant to Section 404 of the Clean Water Act, either within wetlands or within non-wetland waters of the United States. Where these habitats occur within areas of Corps jurisdiction, the Corps does not regulate the removal of the habitat per se, only the discharge of fill material in the jurisdictional waters. Where such a discharge would eliminate the habitat, authorization is required under a Section 404 Permit. Upon issuance of that permit, the applicant is legally authorized to remove the habitat incidental to discharge of the fill material.

Where southern mixed riparian forest and southern willow scrub are occupied by federally listed or state listed species, a permit is required from either the USFWS and/or the CDFG to affect the listed species. None of the habitat on the project site supports any such listed species. Therefore, this provision does not apply.

Comment 39-8:

7. How extensive and long-term was the study that searched for the California gnatcatcher and Bell's vireo in the area, and was any search done to discover if these species are in adjoining areas; if so, was any study done to discover the impact on the birds?

Response:

Surveys were conducted in strict accordance with guidelines issued by the USFWS. Surveys for the gnatcatcher consisted of six surveys, at least one week apart, for each gnatcatcher survey polygon during the nesting season (March 15 to June 30). Surveys for least Bell's vireo included eight survey visits, at least 10 days apart, conducted between April 10 and July 31. See also Topical Response 4.

Comment 39-9:

8. Was any long-term study done to assure that the mitigation measures actually handle effects of the project on the San Diego coast horned lizard, the silvery legless lizard, the orange-throated whiptail, and any riparian species?

Response:

No significant impacts to the San Diego horned lizard, silvery legless lizard, or the orange-throated whiptail were identified. Therefore, no mitigation is necessary. See also Response 9-1.

With respect to the general concern expressed regarding the effectiveness of the proposed mitigation, the CDFG has been issuing SAAs, which authorize impacts to streambeds and associated riparian habitats, since the early 1970s and typically requires a minimum of five years of monitoring established mitigation procedures pursuant to conditions set forth in SAAs. Furthermore, the CDFG carefully reviews riparian impacts under both CEQA and the Section 1600 Program for each project and requires suitable mitigation by restoration professionals with established track records in successfully implementing riparian restoration programs. Furthermore, CDFG biologists responsible for issuing SAAs have been tracking mitigation sites for decades and have demonstrated that, with proper implementation, riparian areas can be successfully restored or created.

Comment 39-10:

9. What guarantee is there that the project arborist will actually implement any of the mitigation measures to native trees, since final authority rests in him, and is not subject to any official control?

Response:

The project developer would be responsible for implementation of recommended Mitigation Measures D.2-1 through D.2-7 (as revised in Section III (Corrections and Additions) of this Final EIR). Section V (Mitigation Monitoring Program) of this Final EIR indicates the party responsible for implementing each mitigation measure, the party responsible for monitoring the implementation of each mitigation measure and the party responsible for enforcing each mitigation measure included in the Draft EIR. If the project developer fails to properly implement the recommended mitigation measures, they would, at a minimum, be subject to enforcement action by the City in accordance with Section 46.03(b) of the LAMC.

Comment 39-11:

10. The replacement trees include trees planted in residential lots - what guarantee is there that future homeowners will not remove the trees, thereby reducing the mitigation measures?

Response:

Oak trees planted on private lots would be afforded protection through the CC&Rs for the homeowners association(s) to ensure that oak population levels are sustained. After the oak trees have matured, their removal would be subject to the restrictions set forth in the Specific Plan and Section 46.00 et seq. of the LAMC.

Comment 39-12:

11. There is significant short-term impact to cost [sic] live oaks - why is this legal?

Response:

Under CEQA and the CEQA Guidelines, a lead agency may approve a project that would result in significant effects on the environment. First, the lead agency must make specified findings for each significant effect pursuant to Section 21081(a) of the California Public Resources Code (see also Section 15091 of the CEQA Guidelines). Then, the lead agency must adopt a statement of overriding considerations (pursuant to Section 21081(b) of the California Public Resources Code and Section 15093 of the CEQA Guidelines) with respect to each significant effect, which is the lead agency's explanation of why a project may go forward notwithstanding its significant effects.

Comment 39-13:

12. The EIR lists several areas that will still be open to wildlife movement, but does not mention whether any study was done to ensure that, with any changes done to those areas or to nearby areas, that wildlife will still feel safe in those areas and will be willing to actually use the areas.

Response:

Two of the wildlife corridors, La Tuna Canyon Wash (which would be bridged) and Drainage 14, would not be affected by the proposed project. Drainage 4 would be subject to impacts during construction and would be subject to extensive restoration. The eastern portion of Verdugo Crestline Drive could be paved, but would otherwise remain intact and would continue to provide access to Drainage 4. Once project construction is complete, all of the corridors would exhibit full function. Because the animals expected to use these corridors (coyotes, raccoons, gray fox and bobcats) all exhibit tolerance to development (coyotes, gray foxes and raccoons actually are aided by development, as discussed in Response 32-2), there would be no impacts on wildlife movement associated with the proposed project.

Comment 39-14:

13. The impact of additional population to local parks was listed in the EIR as handled by the equestrian park, but this is not a suitable replacement, because an equestrian park will not necessarily appeal to or be useful to the rest of the population.

Response:

Contrary to this comment, the Draft EIR did not state that the proposed equestrian park would fully satisfy the recreational needs of future project residents. The Specific Plan includes a number of restrictions relating to the protection of scenic corridors, including La Tuna Canyon Road and Interstate 210, and the proposed project would comply with those restrictions. See Response 28-2.

Comment 39-15:

14. Why is it legal to create a substantially adverse effect on the two scenic highways, La Tuna Canyon and Interstate 210?

Response:

With respect to scenic highway status of La Tuna Canyon and Interstate 210 see Response 89-5. With respect to the legality of a significant adverse effect, see Response 39-12.

Commenter 40: Paul Armbruster, 9618 Hillhaven Avenue, Sunland, CA 91042, December 18, 2003

Comment 40-1:

I have great concerns about the Canyon Hills Project that is being proposed. At recent meetings, the attorneys for the project ensured the community that the environmental impact on our community has been studied and would be considered throughout the process of the project. It was presented to us, for example, that the coyote population has been studied and that the project would not interfere with their tracking and movement throughout our community based on the data they have collected. It was also presented that the sensitive ecology of our community would not be compromised based on recent data they collected as well. I do not think that Canyon Hills has taken into consideration what actually happens to our community when the natural ecology of our community is interrupted. For example: Recently, a property owner in the area that Canyon Hills is proposing to build, "clear cut" five acres of land expecting to build a small housing development. He did this under the guise of fire/brush clearance. The beautiful trails, oak trees, and other native foliage were completely destroyed. The daily hikes that we enjoyed with our dogs and son were not only compromised, they were eliminated. In response, the coyote population who had dens and territorial establishments in the area were absolutely displaced. We lost more cats and dogs in our area than we have in many years. This was a direct response to eliminating an established ecology on merely five acres. We, as neighbors, had to keep close watch on our children - as they were threatened as well. Imagine what could happen if 300 acres were involved. Certainly the city would not like to risk the extraordinary amount of lawsuits that will likely follow if the safety of our children and pets was consistently compromised. Ironically, when this developer realized that he could not build his proposed homes - due to restrictions regarding the support of hillside septic tanks - he immediately sold the property and was released from liability for all the natural flora and fauna that he decimated.

Response:

See Response 27-1.

Comment 40-2:

After thoroughly reading the proposed DEIR, I'm confident that these concerns have already been addressed in letters opposing the Whitebird/Canyon Hills Project already, - that fact that the beauty and existing aesthetics of the neighborhood we all purposely purchased homes to live in will be severely compromised by a development the size that Whitebird is proposing. Therefore, I will express another one of my greatest concerns about the pending development. Canyon Hills has proposed -that Hillhaven avenue will be utilized as an emergency access road providing response to the community that they intend to build. Although Hillhaven is an avenue, there is less than 16 feet of paved road in

front of my home at 9618 Hillhaven. When neighbors drive through, we respectfully move to one side to let other “regular sized” vehicles pass by - as our access is compromised by the size of our neighborhood streets. When the occasional urgency vehicle attempts to access emergency response through our limited space, they have difficulty responding to the population that already exists. If Hillhaven is designated to accommodate emergency access to a proposed 300 more homes - possibly over 1000 new residents - the response time to these new neighbors will be greatly compromised. I can only imagine the amount of lawsuits that will be generated against the city if this new “proposed” neighborhood is allowed to be built.

There is no possible way that emergency access can be provided adequately due to the nature of our existing roads - that we as residents already have a hard time driving through with “regular sized” vehicles. Canyon Hills is proposing an emergency response nightmare that will happen if the project is approved. Our roads can barely support the existing traffic in an adequate manner. To add 300 more residences above us - potentially 1000 more individuals, is a disaster in the making.

Response:

See Topical Response 11.

Comment 40-3:

I urge you to consider all of the impacts that a development like Canyon Hills will create. If you are prepared for more lawsuits, loss of life, loss of aesthetic beauty, loss of natural ecology, and the loss of a community that supports the city, and all the services you provide, then I suppose the revenue of a new development is clearly more important than the quality of life that we all purchased our properties in this area for. I [sic] saddens me to think that my family may someday have to move because the power of “big business” outweighs the desires of a community of taxpayers that already exists. I certainly hope that you take into consideration the feelings of those of us who have established community and appropriate growth when you make you [sic] decision to approve or disapprove a development of this magnitude. I sincerely believe that the Canyon Hills project only cares about profit - profit that they will take out of state - and feels no commitment or concern about the lifestyle and community that we value as a small neighborhood - a neighborhood that supports local business and government.

Again, I urge you to look at all the impacts that this project will create - a lack of safety, security, a deluge of traffic, and an absolute disregard for a community that those of us in the Verdugo Mountains have assiduously worked hard to create and maintain.

Response:

Potential environmental impacts to public services, aesthetic issues, the surrounding ecology, population, traffic and the rural character of the project area are addressed in Sections IV.J (Public Services), IV.N (Aesthetics), IV.D (Biological Resources), IV.H (Population and Housing) and IV.I (Transportation and Traffic) in the Draft EIR. This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 41: David Hedge, 8530 Wentworth Street, Sunland, CA 91040,
December 18, 2003

Comment 41-1:

I am certain your office is quite busy fielding the concerns of the citizens in my neighborhood (Sunland), and the surrounding areas being affected by the many gross inaccuracies of the Canyon Hills Project - DEIR. I'll be brief; I know how important your time is.

The Canyon Hills Project - DEIR is misleading, flawed, inaccurate, and wrong in countless areas. Is Whitebird Inc. perhaps referring so sane other holding in some other state? Those mountains, I do know well.

Whitebird states in the DEIR:
Section IV.D.1, page I
Environmental Setting –
(The last sentence of the Introduction states:)

“No Federally- or State-listed threatened or endangered plant or animal species were detected/identified on site”

I know first hand of the Peregrine Falcons, and others, have seen on this land. I worked with these birds at a Raptor rescue during High School. I was introduced to these beautiful birds and taught about declining populations, and delicate habitat.

The Peregrine Falcon is an ENDANGERED animal in California as of 1998. The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) sets guidelines and directives on these matters. Does the Federal government need to be involved with this as well? This DEIR does not fly (to use a horrible pun). Regardless of the bird's status, for Whitebird to negate it from their report horrifies me, and makes me extremely cautious of them. It's a lie. And it is just one of many in the deeply flawed DEIR.

We, the concerned constituents, need to rely on you to demand that Whitebird make accurate studies and true statements when undertaking such a project and release the new EIR for further study and additional comments.

Response:

No federally or State listed threatened or endangered species were detected during hundreds of hours of surveys by six experienced biologists on the project site during the 12-month survey period in 2002.

According to the Los Angeles Audubon Society Website, which can be found at http://www.laaudubon.org/index.php?option=com_birdList&Itemid=109, peregrine falcons are considered as “currently a scarce, irregular, or very localized breeder” in Los Angeles County. In addition, chaparral and oak woodlands are not the preferred habitats for this species, which is described in National Geographic Field Guide to the Birds of North America: “Peregrines inhabit open wetlands near cliffs; prey chiefly on birds. Now established in cities; nest on bridges, tall buildings.”³¹ Kaufman describes their habitat as:

Over its wide range, found in a variety of open habitats, from tundra to desert mountains. Often near water, especially along the coast, migrants may fly far out to sea. Limited by availability of nest sites and prey; thus it often moves into cities, nesting on building ledges and feeding on pigeons.³²

There is no suitable cliff habitat or wetlands on the project site and the predominant habitat is dense chaparral, rather than habitat that could be characterized as “open” under any definition. As such, peregrine falcons would not be expected to use the project site other than as a very infrequent visitor.

It is also noted that Jeff Ahrens, the biologist that conducted the wildlife surveys on the project site, is very familiar with the peregrine falcon, having performed surveys for this species in coastal Alaska where it inhabits cliffs overlooking the Pacific Ocean. Mr. Ahrens is also an expert on Southern California raptors, having conducted numerous focused raptor surveys and detailed raptor foraging studies. During his hundreds of hours on the project site over the course of 12 months, no peregrine falcons were observed either on the project site or nearby (including as a “flyover”). Development of the proposed project would not result in a potential impact to the peregrine falcon as the project site does not exhibit suitable nesting areas and has very limited foraging area with, at best, infrequent visits.

³¹ National Geographic Society, Field Guide to Birds of North America (Fourth Edition), 1987.

³² Kaufman, Ken, Lives of North American Birds, 1996.

Commenter 42: Brad Monsma, 10315 Westcott Ave., Sunland, CA 91040,
December 18, 2003

Comment 42-1:

The current DEIR seriously underestimates the effects of the Canyon Hills Development on the local community. Its defects are so numerous that the DEIR is misleading. To be fair to the community and to the legal process, the Planning Department should require the consultant to redo the EIR and re-release it for public comment when the defects have been corrected.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

Comment 42-2:

The defects of the DEIR are numerous in the areas of population estimates and impacts on traffic, schools, and public services. However, I'll confine my detailed comments on the areas in which I have the most experience as a Sunland resident and a local educator in California ecology.

Aesthetic Values and Visual Impact: One of our community's most important resources is its rural character. This is the reason I have chosen to live here. The DEIR attempts to mislead us by suggesting that 4.6 million cubic yards of grading and filling, years of construction, massive structures, and vastly increased light pollution will have minimal impacts.

Response:

See Topical Response 6.

Comment 42-3:

Recreational Impact: The aesthetic qualities of the site are inherent and vital to the quality of recreational opportunities in our neighborhood. The EIR mentions trails in the Verdugo Mountains adjacent the proposed development, but it makes no mention that the northern portion of the site itself is one of the most beloved recreational resources in Sunland-Tujunga. I regularly ride bike and walk along Verdugo Crestline Drive and the trails near it, and I see other riders, moms with toddlers, couples walking dogs, teens on romantic strolls. In other words, a cross section of the community uses this local resource to "get away from it all." The EIR pretends we don't exist. For example, a footnote on page IV.F-2 suggests that it is "unlikely that material numbers of the public" hike the hillsides in the Verdugos at night. However, the trail they mention is one of the most popular night rides for mountain

bikers in all of Los Angeles County, and many people hike it at night. The majority of this network of trails overlooks the proposed development, and the glare of light pollution and the aesthetic degradation would seriously reduce the quality of this experience. The EIR fails to account for how the project would impact local residents and recreational visitors.

Response:

The project site was visited at night on four separate occasions during the preparation of Section IV.F (Artificial Light and Glare) of the Draft EIR. No indications of night hiking or mountain biking were observed either on the project site or in the general vicinity during those visits. Nonetheless, Footnote 3 on page IV.F-2 in the Draft EIR has been revised to acknowledge that Hostetter Mountainway and Verdugo Crestline Drive are sometimes used at night by hikers and mountain bikers (see Section III (Corrections and Additions) of this Final EIR). Therefore, in response to this comment, Footnote 3 on page IV.F-2 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR as follows:

The project site is also visible from some local trails in the Verdugo Mountains. In particular, portions of the project site are visible from portions of Hostetter Mountainway and Verdugo Crestline Drive, which are sometimes used at night for hiking and mountain biking.

However, this footnote correction does not change any of the conclusions of the Draft EIR. Relatively small numbers of people hike and ride mountain bikes at night on the aforementioned trails, and only portions of the proposed Development Areas would be visible from portions of the various trails at any given time. Furthermore, the project site is not located in a pristine environment and its lighting would not be the only light visible from those trails. Headlights from vehicles on Interstate 210 and residential glow from the existing housing on Verdugo Crestline Drive, as well as from the established residential community to the northeast and east of Development Area A are readily visible from these trails and already compromise the dark night environment. In addition, as discussed at length in Section IV.F (Artificial Light and Glare), the proposed project has been specifically designed to minimize the kind of up-lighting that would be most visible from higher elevations overlooking the Development Areas. Finally, while vehicular access along Verdugo Crestline Drive would be restricted within the project boundaries, it is anticipated that pedestrian access would be permitted through the northern portion of Development Area A to provide access to the segment of Verdugo Crestline Drive west of Development Area A. Therefore, the proposed project does not prevent or interfere with any recreational use of the trails that overlook Development Area A. Therefore, while the night views from trails might be adversely affected by the proposed project, the impact would not rise to a level of significance. However, the Draft EIR does conclude that the proposed nighttime lighting in Development Area B would have a significant impact on the adjacent residential community.

Contrary to this comment, the Draft EIR provides substantial and detailed analyses with respect to the proposed project's impacts on local residents (see, e.g., Sections IV.F (Artificial Light and Glare) and IV.N (Aesthetics)). While portions of the proposed Development Areas would be visible to hikers and mountain bikers on portions of Verdugo Crestline Drive, this visibility would not constitute a significant adverse impact to recreation since the proposed project would not interfere with access to or along Verdugo Crestline Drive.

Comment 42-4:

Biological Impacts: I teach classes in California natural history and ecology at Woodbury University in Burbank. Our classes make considerable use of the "living classroom" provided by the Verdugo Hills ecosystem. The EIR underestimates the use and value of wildlife corridors that provide essential links to the San Gabriel Mountains. If these links are lost, the principles of island biogeography make it clear that species within the resulting "island" will become extinct over time. The EIR repeatedly asserts that the development will have minimal impact on plant and animal life, yet it offers no reasoning to contradict the tenets of conservation biology that suggest otherwise.

Response:

See Topical Response 5.

Comment 42-5:

Traffic Impacts: As a south Sunland resident, I'm concerned that the EIR does not mention the likelihood that emergency access roads would eventually be opened to public use when residents of the proposed development demand it, as has occurred in other developments. This would cause our neighborhood streets to become dangerous commuter routes. It would also exacerbate current traffic problems such as the rush hour bottle-neck at Foothill and Sherman Grove. It would also increase the volume and speed of traffic on Apperson, which is already perilously close to being a thoroughfare.

Response:

See Topical Response 11.

Commenter 43: Patricia Nelson, 6638 Street, Estaban Street, Tujunga, CA 91042, December 18, 2003

Comment 43-1:

In reference to the above mentioned EIR, I am writing to register my opposition to this project for many reasons including the following:

1. In order to construct 280 homes, the applicant wants to amend our Community Plan, which is designated rural/equestrian, and make zoning changes.
2. The land the applicant wants to develop is rugged and steep. Much grading, up to 80' per ridgeline, and scarring would take place, altering the overall aesthetics of this pristine mountain area. Many native oaks and sycamores would be lost. The applicant's EIR underestimates the number of trees and a new inventory should be made.
3. Removal of these trees, along with years of construction would affect wildlife and their corridors.

I feel that the applicant's EIR is flawed and should be redrafted.

Response:

With respect to the concerns expressed regarding grading and aesthetics, see Topical Response 6. With respect to the statement in this comment that the Draft EIR underestimates the number of trees, see Responses 149-105 and 149-112. With respect to the concern regarding the potential impact of the proposed project on wildlife corridors, see Topical Response 5. Regarding the recirculation of the Draft EIR, see Topical Response 3.

The balance of this comment does not state specific concerns or questions regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 44: Richard Seeley, 3924 El Caminito, La Crescenta, CA
91214, December 18, 2003

Comment 44-1:

The conclusion in the DEIR section on hazards and hazardous materials, with respect to electromagnetic fields created by the Edison transmission lines traversing the housing project, is that, “the projects impact would be less than significant prior to implementation of the recommended mitigation measure.”

The mitigation measure requires, for lots within 150 feet of the edge of the transmission line, that the developer provide an electromagnets field, (EMF), information and disclosure statement to each prospective buyer and that the statement include the following:

- a) The location of the SCE transmission line
- b) The fact that the subject has been addressed in the EIR and is on file with the Department of Planning, Los Angeles
- c) That additional health information may be obtained from sources listed in the EIR basically the State Department of Health and the Internet

There have been a myriad of studies on electromagnetic fields created by power lines, home applies, home wiring, etc. The DEIR refers to a report by the Special Committee of the National Research Council which reviewed 11 epidemiological studies relative to powerlines and childhood leukemia. They concluded that children living in such high configuration houses are 1.5 times more likely to develop childhood leukemia than children in other homes. They were, however, unable to explain this elevated risk and recommended more research. Your experts indicate that one explanation could be that houses with “high wire codes” have higher electromagnetic fields levels but may “also be a proxy for some type of exposure besides magnetic fields that is not yet understood.” What does that statement mean?

Response:

The statement referenced in the last paragraph of the comment was taken verbatim from a document titled Electric and Magnetic Field Measurements and Possible Effect on Human Health – What We Know and What We Don’t Know in 2000, prepared by the California Department of Health Services and the Public Health Institute. That document is cited in footnote 5 on page IV.M-21 in the Draft EIR. As discussed on page IV.M-17 in the Draft EIR, the term “wire code” relates to the type and proximity of power lines to homes. The statement referenced in the comment means that, while children living in homes with high wire-codes are more likely to develop childhood leukemia than children in other homes, the elevated risk may relate to some type of exposure other than power lines,

such as exposure to increased air pollution levels from higher traffic density. The overall discussion indicates that the National Research Council could not identify a causal link between power lines and childhood leukemia.

Comment 44-1:

A 1997 National Cancer Institute report found no association between living in high wire code houses and childhood leukemia but children did have higher rates of cancer in general.

In 1998 a group of experts gathered together by a federal agency reviewed the research on possible EMF health risks. A majority of this panel felt that the epidemiology studies of childhood leukemia provided enough evidence to classify EMF as a “possible human carcinogen”, [sic] meaning, from the person writing the DEIR, that it MIGHT cause cancer but it does not mean that it DOES cause cancer??

Response:

The comment summarizes information presented in Section IV.M.2 (Electromagnetic Field Emissions) in the Draft EIR. The information in this comment is correct.

Comment 44-2:

The final report in 2002 was conducted by three experts who reviewed the most relevant existing scientific literature, discussed it with peer reviewers and contracted with various specialists to make sure the literature was up to date through June 2000. While there were some important differences, the scientists were more inclined, in some cases significantly more inclined, to believe that EMF exposure increased the risk of certain health problems, more so than other groups such as the British National Radiological Protection Board and the National Institutes of Environmental Health Sciences Working Group! These three scientists were also inclined to believe in varying degrees that EMF can cause some unspecified degree of increased risk of childhood leukemia, Adult[sic] brain cancer, ALS and miscarriage. One scientist strongly believed that EMF contributed to childhood leukemia while another believed that EMF can contribute to adult brain cancer.

The writers of the DEIR downplayed these reports with such comments as, “No significant impacts associated with developing homes in proximity to the Transmission Line Right of Way (ROW) have been identified.” And, “existing EMF exposure to existing homes along the Transmission ROW would not be increased or diminished by development of the proposed project.”

Response:

The Draft EIR provided a comprehensive overview of the California EMF Program, including the most recent and comprehensive review of the scientific literature concerning the health effects of EMF

exposure, as presented in An Evaluation of the Possible Risks From Electric and Magnetic Fields (EMFs) From Power Lines, Internal Wiring, Electrical Occupations, and Appliances, Final Report dated June 2002, which was prepared by the California Department of Health Services as part of the California EMF Program. The analysis and conclusions in that report were discussed accurately and at length in the Draft EIR. Based on the analysis in the EMF report and the other studies referenced therein and in the Draft EIR, the potential EMF impacts associated with the proposed project are not considered significant because there is insufficient scientific data from which to conclude that the project would cause substantial adverse effects on the occupants of the proposed homes in proximity to the Transmission Line ROW.

The statement that “existing EMF exposure to existing homes along the Transmission ROW would not be increased or diminished by development of the proposed project” does not downplay the conclusions of the EMF report because the statement is limited to the impact of the proposed project on “existing homes”. The proposed project would not include any modifications to the existing SCE transmission lines that traverse the project site. As such, development of the proposed project would not have any effect on the exposure rates for existing homes that are located in proximity to the SCE Transmission Line ROW.

Comment 44-3:

My research uncovered about 90 articles, pro and con, respecting EMF and its connection to cancer and leukemia. One study by a Dr. David Savitz, an epidemiologist, found that Electric Utility workers with high exposure to magnetic fields were more than twice as likely to develop brain cancer as those with lower exposure. A UCLA epidemiologist praised the study stating that “it’s a well designed and executed study.” Published research by Dr. James Trosko, a professor of pediatrics and human development at Michigan State University indicated that EMF, similar to those found in overhead power lines, can have a biological effect on human cells, as effect that could contribute to the complex cellular process that leads to cancer. Other studies claim that EMF bears no relation to cancer or leukemia.

In conclusion, the DEIR writer’s rather ludicrous mitigation factors lead me to believe that, despite the controversy, even they believe there is a danger, some danger of childhood leukemia, childhood cancer, and adult brain cancer infecting the people who may purchase these homes. While there appears to be no out and out, set in concrete proof that electromagnetic fields cause cancer and/or leukemia, there is enough evidence to show that, among other things, children are especially vulnerable to EMF radiation. Therefore, the powers that be should indicate, in no uncertain terms, that building homes under or in reasonable proximity to overhead power lines should neither be advised nor accomplished.

This Canyon Hills Project should be totally reconsidered. Thanks for your consideration.

Response:

The recommended mitigation measure relating to potential EMF exposure does not constitute an acknowledgment that the existence of power lines in proximity to a home would cause a substantial adverse effect on the occupants of that home. The prefatory language for the mitigation measure states that, although the Draft EIR did not identify any significant impacts associated with developing homes in proximity to the Transmission Line ROW, the mitigation measure was recommended to provide prospective buyers with information regarding the potential, but undetermined, health effects from EMF exposure.

Commenter 45: John Crother, 2539 Rockdell Street, La Crescenta, CA 91214, December 19, 2003

Comment 45-1:

I am writing you concerning the proposed "Canyon Hills Development" in the town of Tujunga. I do not think this project is in the best interests of the neighborhood or the Crescenta Valley. I am against granting any variances or exemptions concerning Hillside Grading Regulations or Zoning Ordinances. I am opposed to altering any existing protections given wildlife or habitat.

Response:

The proposed project does not include any zone variances or any proposal to alter existing laws with respect to wildlife or wildlife habitat. However, the proposed project includes rezoning the Development Areas, as set forth in Table IV.G-5 and Figure IV.G-7 in the Draft EIR. In any event, this comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 45-2:

The construction of so many homes on that hillside is not practical, it will look like a land fill from below, a giant wall of dirt.

Response:

See Topical Response 6.

The Draft EIR discusses the project's appearance in Section IV.N (Aesthetics). As indicated in the Draft EIR, because of the complexity of the terrain, the proposed Development Areas cannot be seen from any one vantage point. In some places, some fill slopes will be visible. However, substantial portions of undisturbed hillsides would be retained and integrated into the Development Areas. This is demonstrated in the visual simulations (Figures IV.N-13 through IV.N-20). It is not clear what "it will look like a land fill from below" means. If this is a reference to views from Interstate 210, it should be noted that a majority of Development Area B lies below the freeway grade and cannot be seen from Interstate 210. Conversely, Development Area A is not visible from La Tuna Canyon Road.

Comment 45-3:

Issues concerning drainage and run off must be addressed.

Response:

Issues relating to drainage and storm water runoff are discussed in the Draft EIR in Section IV.C (Hydrology and Water Quality) on pages IV.C-1 through IV.C-20.

Comment 45-4:

This development will also put a greater burden on roads, water and power, waste, sewer, schools, police and emergency services. Please help me and the community by opposing any “cut and fill” projects in your district.

Response:

Potential impacts to roads, water and power, solid waste, sewer, schools and police are addressed in the Draft EIR in Sections IV.I (Transportation/Traffic), IV.L.1 (Water), IV.K (Energy Conservation), IV.L.3 (Solid Waste and Disposal), IV.L.2 (Sewer), IV.J.5 (Schools) and IV.J.2 (Police Protection).

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 46: John Crother, 2539 Rockdell St., La Crescenta, CA 91214,
December 19, 2003

Comment 46-1:

I am writing you concerning the proposed "Canyon Hills Development" in the town of Tujunga. I do not think this project is in the best interests of the neighborhood or the Crescenta Valley. I am against granting any variances or exemptions concerning Hillside Grading Regulations or Zoning Ordinances. I am opposed to altering any existing protections given wildlife or habitat.

Response:

See Response 45-1.

Comment 46-2:

The construction of so many homes on that hillside is not practical, it will look like a land fill from below, a giant wall of dirt.

Response:

See Response 45-2.

Comment 46-3:

Issues concerning drainage and run off must be addressed.

Response:

See Response 45-3.

Comment 46-4:

This development will also put a greater burden on Roads, Water and Power, Waste, Sewer, Schools, Police and Emergency Services. Please help me and the community by opposing any "Cut and Fill" projects in your district.

Response:

See Response 45-4.

Commenter 47: Betty T. Hori, 6564 Elmhurst Drive, Tujunga, CA 91042,
December 19, 2003

Comment 47-1:

I have lived at this address (6564 Elmhurst Drive) for 34 years, raised a family, lost a husband and am now a widow, living alone. When I learned of the Canyon Hills Project, my three concerns were as follows and, as I am sure we are all aware, our state is now fiscally in bad shape, which will, of course, affect especially the first concern I will mention.

1. Our community is now facing a problem of proper police and fire protection; by that, I, being a retired nurse, mean response time for real emergencies. With 280 more homes added to this problem, no amount of talk from the builders or promises of plans will solve what real issues are certain to arise at that time and will the state be fiscally able to afford more aid at that time to give us the proper response time? The response time is an important fact of life and one concern to me and should be to all who live in this area.

Response:

See Responses 129-1 and 34-4.

Comment 47-2:

2. I moved into this area to get a little away from congested areas. We are going to have to face the traffic and congestion of grocery stores, gas stations and especially our roads (traffic) which this project will indubitable create. The existing roads will not carry all of it, I'm sure.

Response:

See Topical Responses 9, 10 and 12.

Comment 47-3:

3. I moved to Tujunga because it is known for cleaner air. It originally was the site of a few asthma hospitals. I have known many days when I can look down toward the San Gabriel Valley and San Fernando Valley and see nothing but a blanket of smog while we are clear. I fear this will no longer be the case when 280 more homes are built here.

Response:

See Response 30-6.

Comment 47-4:

For these three very important reason, which will affect all residents now living in the area, both medically and psychologically, I request that the City reconsider the building of 280 homes in the Canyon Hill Project.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 48: Heiko Krippendorf, 9755 Hillhaven, Tujunga, CA 91042,
December 19, 2003

Comment 48-1:

I have lived and worked in Tujunga for over 12 years, and my home is located on the emergency access road proposed from Area [sic] leading to the Canyon Hills Project. I have studied portions of the DEIR, and find that there are many inaccuracies and omissions in regards to the environmental impacts, and I would like to address a few impacts:

The Canyon Hills Project being a Gated Community:

The equestrians and hikers will no longer be able to access this area, which has always been an open community. And the aesthetics of a gated community doesn't fit the character of Tujunga.

Response:

With respect to the use of the project site for hiking, see Response 27-4. With respect to equestrian uses on the project site, see Topical Response 8. With respect to the aesthetic concern regarding the proposed project, see Response 10-1.

Comment 48-2:

Emergency Access Proposed from Area A:

Access from Inspiration and Verdugo Crestline Drive doesn't conform to road width standards. Hillhaven is too steep for heavy trucks. There are no sidewalks, which could be potentially dangerous for walkers, cyclist [sic], and the children I see playing in the currently non-trafficked streets that will be sharing the roads with large and heavy trucks.

Response:

See Topical Response 11.

Comment 48-3:

Zoning Change:

Tujunga has beauty and aesthetic appeal because of the rural character. Changing the zoning from horse property lots to smaller non-horse property lots changes the appealing community character. I urge the City not to approve this zoning change.

Response:

With respect to the concern that the proposed zoning for the project would impact the equestrian nature of the community, see Topical Response 8. The balance of this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 48-4:

We want to keep our mountains. The DEIR did not disclosed [sic] how open space will be preserved.

Response:

See Response 32-4.

Comment 48-5:

I urge the City to have the consultant redo the EIR so that it is corrected to adequately addresses [sic] issues that have be inaccurate, vague or not addressed in the DEIR, and then have the City re-release the EIR for additional comments. Thank you very much.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Commenter 49: Richard Seeley, 3924 El Caminito, La Crescenta, CA
91214, December 19, 2003

Comment 49-1:

One of the major defects, and perhaps the major defect, in this DEIR is that it does not address the fact that the ecological balance of Nature in the project area will NEVER again be achieved. When the digging starts, insects, rodents, reptiles, birds and animals will flee for their lives. Some will die or be killed on the spot, other will die or be killed attempting to escape, while some will successfully escape their natural homeland and be gone forever.

Response:

The commenter is correct that wildlife species within the area affected by grading would be subject either to displacement or direct mortality for less mobile species. The habitat functions associated with chaparral, for example, would be lost in the area affected by grading. However, evaluation of a project pursuant to CEQA is based on specific thresholds of significance pursuant to CEQA Guidelines Section 15064.7. The Draft EIR sets forth the thresholds of significance for the evaluation of the impacts from the development of the proposed project on flora and fauna. As stated on page IV.D-49 in the Draft EIR, these thresholds of significance are:

. . . [A] project may have a significant impact on the environment if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

The Draft EIR has identified specific impacts that would be significant with the proposed project (see pages IV.D-52 through IV.D-63 in the Draft EIR) and mitigation measures have been proposed to reduce the impacts to levels considered to be less than significant (see pages IV.D-63 through IV.D-65 in the Draft EIR). The loss or displacement of common wildlife species associated with the proposed project, including invertebrates, small mammals, reptiles and amphibians or avifauna, would not be considered significant.

In any event, the “ecological balance of nature” within the preserved areas of the project site would remain fully functional for the following reasons:

1. The common species that currently occupy the area to be affected by grading would continue to persist in the open space areas with no expected loss of biodiversity (see Topical Response 5 for expanded discussion of impacts to biodiversity).
2. Many of the common species that currently occupy the project site would continue to persist in the proposed Development Areas. For example, many of the avifauna species that occupy the open space are adapted to residential or park settings. Species such as song sparrows, yellow-rumped warblers, bullocks orioles, western bluebirds, western kingbirds, common yellowthroats, American robins, black phoebes, wrentits, bushtitis and house wrens will breed in ornamental vegetation or gardens in parks and suburban settings.³³ Other species, such as spotted towhees, bewick’s wrens, lesser goldfinch and ash-throated flycatchers, will forage in residential areas that are either adjacent to occupied native habitat or during periods of migration or dispersal.³⁴ The presence of human habitation does not pose a risk to the vast majority of bird species that occupy the project site. Very few of the bird species identified on the project site are “edge sensitive”. One such species, the California thrasher, while requiring large blocks of habitat away from urban edges, is not a special-status species, and following project development there would be sufficient habitat (693 acres of open space) for this edge sensitive species. There would be no material impact to native avifauna associated with the project site.

³³ Kaufman, Ken, *Lives of North American Birds*, 1996.

³⁴ Bomkamp, Tony, personal observations of avian species in backyard of personal residence located I heavily urbanized portion of Placentia, northern Orange County, California. Observations span 2002 to early 2004.

3. Even some special-status species, such as the Cooper's hawk, which are well-adapted to urban areas would not experience a long-term loss in habitat availability as residential trees in the proposed Development Areas would mature and provide suitable habitat for both foraging and nesting. For example, Kaufman states the following:

Habitat: Mature forest, open woodlands, wood edges, river groves. Also found in trees along rivers through open country, and increasingly in suburbs and cities where some tall trees exist for nest sites.³⁵ (Emphasis Added).

Similarly, in referring to a recent study of Cooper's hawks conducted in Arizona, Riley et al. comment:

For some predators such as red foxes (Harris 1981), raccoons (Riley et al. 1998) and Cooper's Hawks (*Accipiter cooperii*; Mannan & Boal, 2000), density increases and home range size decreases in urban areas, presumably because of high-density food supplies and sufficient habitat requirements.³⁶ (Emphasis Added)

Peter H. Bloom, one of the foremost raptor experts in Southern California, has also confirmed this use of urban areas in Southern California, not just for foraging, but also for successful breeding based on a number of observations in Los Angeles and Orange Counties.³⁷

Comment 49-2:

The attempts, in the DEIR at "mitigation", all the varied concerns about flora and fauna, and all the illogical writing that the movement of 125 million cubic feet of earth, the uprooting of nearly 300 native trees and their replacement, by and large with acorns, the addition of more than 3000 daily vehicle trips, the elimination of hiking, equestrian and biker trials, and the carving away of ridgelines, will have little, if any SIGNIFICANT impact on the La Tuna Canyon area are for naught. Example: Page I-16, paragraph 2; 259 acres of mixed chaparral will be permanently impacted. However, "mixed

³⁵ Kaufman, Ken, *Lives of North American Birds*, 1996.

³⁶ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, *Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California*, *Conservation Biology*, pages 566-576, Volume 17, No. 2, April 2003.

³⁷ Bloom, Peter, H., personal communication to Tony Bomkamp regarding use of residential neighborhoods for successful breeding.

chaparral is not listed as a Rare Natural Community. Therefore, impacts to mixed chaparral is considered adverse, but is not considered "SIGNIFICANT." The same faculty thinking is taken with about 19 acres of deerweed, chamise chaparral, coastal sage scrub, et al, the destruction of which is not SIGNIFICANT. Further, although neatly 300 acres of its habitat will be excavated or otherwise damaged, there will be no SIGNIFICANT impact to the San Diego coast horned lizard, the silvery legless lizard, or the orange throated whiptail!

Response:

As noted in the Response 49-1 above, CEQA sets forth standards for determining whether impacts to biological resources are significant. Mixed chaparral and chamise chaparral are common vegetation associations that cover large areas of low- and mid-elevation California. According to Hanes, "Chaparral is the most extensive vegetative type in California covering about 3.5 million ha [hectares],³⁸ or one-twentieth of the state".³⁹ As such, neither community is considered rare and, as such, the proper finding is that the loss would not be considered significant. Deerweed scrub on the project site occurs on a fill slope adjacent to Interstate 210. This habitat is common and widespread, especially after disturbance and is not considered as rare and does not support any special-status species. As such, the proper finding is that the loss would not be considered significant. The loss of coastal sage scrub associated with the proposed project would be minimal and the areas affected exhibit low value, which does not constitute a significant impact. Finally, the San Diego coast horned lizard and western whiptail are widespread and common, and impacts to these species (if any impact would occur at all) would not be significant. The silvery legless lizard was not detected during focused surveys and may be subject to potential impacts as noted on page IV.D-59 in the Draft EIR. However, the oak woodlands associated with Drainages 5 and 14, which would be preserved in open space, exhibit the highest potential for supporting this species and any potential impacts would not be significant. Additionally, a total of 14.34 acres of oak woodland or forest occurs on the project site and only 0.84 acre would be affected by the proposed project, meaning that about 94 percent of oak habitat would be preserved as potential habitat for this species.

³⁸ 3.5 million hectares equals approximately 8.6 million acres.

³⁹ Hanes, Ted. L., California Chaparral, (Eds.) Michael Barbour and Jack Major: Terrestrial Vegetation of California, New Expanded Edition, California Native Plant Society, Special Publication 9, 1988.

Comment 49-3:

While some of Nature's creatures will remain in surrounding areas, the peaceful, pristine nature of La Tuna Canyon or Canyon Hills will be replaced with more vehicles, more pollution, both air and water, more noise and, more importantly, more people at a time when reason dictates that we attempt to stabilize population, not to increase it!

Response:

Potential environmental impacts to plant and animal habitats, the rural character of the project area, traffic, air and water quality, noise and population are addressed (respectively) in Sections IV.D (Biological Resources), IV.N (Aesthetics), IV.I (Transportation/Traffic), IV.B (Air Quality), IV.C (Hydrology and Water Quality), IV.E (Noise) and IV.H (Population and Housing) of the Draft EIR. This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 49-4:

In addition, the grading and scarring of the hillsides in the canyon and especially the construction of access bridges across the canyons off La Tuna Canyon Road will completely despoil the aesthetics and pristine nature of the La Tuna Canyon forever.

Response:

The comment expresses an opinion regarding the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, it should be noted that the comment is not correct in several aspects. First, La Tuna Canyon is not pristine. A major freeway (Interstate 210) runs through it and there is substantial development in the canyon to the west of the project site, including a major Los Angeles County debris basin, housing, horse ranches, schools and so on. Second, development of the proposed project would only affect a portion of La Tuna Canyon, not the entire canyon as the comment implies. Homes within Development Area B (south of Interstate 210), would only occupy 52 acres and would only be visible from approximately a one mile stretch of La Tuna Canyon Road. In comparison, La Tuna Canyon Road extends approximately 4.3 miles from Interstate 210 to Sunland Boulevard.

Comment 49-5:

The citizens of L.A. County and the State of California are presently facing a decrease in public services, overcrowded and, in some areas, dilapidated schools without textbooks and other supplies,

infrastructure in need of attention, in some cases immediate attention, potable water in ever decreasing quantity, an increasing shortage of agricultural land due primarily to overdevelopment, near traffic gridlock, a total lack of adequate alternative forms of transportation, and a lack of respect for the physical environment including increasing air, water and ocean pollution!

This DEIR is not only flawed in its concept, but, in many areas, inexact and, frankly, supercilious. This project is misconceived and is beneficial only to the developer! Your complete attention should be on its impact upon the community as a whole, not on the profit motive of an out of state corporation.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, the commentor does not provide any factual material to support the assertion that the Draft EIR is flawed, inexact or supercilious (see Topical Response 1).

Commenter 50: Eric Sorensen, 13326 Borden Avenue, Sylmar, CA 93542,
December 19, 2003

Comment 50-1:

My sister lives in Tujunga and I visit here frequently, and I lived in Tujunga for approximately 12 years. Although I no longer live in Tujunga, I frequently visit the area to spend recreational time hiking and cycling, and visiting my sister.

I have the following concerns after reading portions of the EIR:

Traffic -

The EIR states an additional 2,700 daily vehicle trips on La Tuna Canyon and surrounding streets; I think this number is understated, because the traffic counts that were conducted don't account for traffic that will occur on the weekends on La Tuna Canyon Blvd. at the recreational areas. It also fails to consider other sources of traffic, such as residence of the Canyon Hills Development taking their children to schools, and picking them up, service people, trash trucks driving to and from the Canyon Hills Development, etc.

Response:

See Topical Responses 9 and 10.

Comment 50-2:

The widening from one lane to two lanes from La Tuna Canyon to Foothill Blvd. are not adequately addressed in the EIR.

Response:

The comment does not identify a particular roadway segment from La Tuna Canyon Road to Foothill Boulevard. Thus, a detailed response cannot be provided as there are several roadways in the project vicinity that span from La Tuna Canyon Road to Foothill Boulevard (i.e., Sunland Boulevard, Tujunga Canyon Boulevard). However, with respect to the general concern expressed regarding La Tuna Canyon Road and Foothill Boulevard, see Topical Responses 10 and 12.

Comment 50-3:

The bike lanes on La Tuna Canyon are not adequately addressed. Many cyclists use La Tuna Canyon.

Response:

See Topical Response 10.

Comment 50-4:

I believe the increased traffic will decrease quality of life for the residents of Tujunga, Sunland, LaCrescenta[sic] and LaCanada [sic] due to the increase in population.

Response:

See Topical Response 9.

Comment 50-5:

Emergency access proposed from Area A -

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 and Foothill Blvd. to accommodate for the increase in traffic due to the residence of the Canyon Hills Development traveling to their homes using the emergency access road. Hillhaven is too steep to have heavy truck traffic on. The increase in traffic on the emergency access road would, I believe, decrease the quality of life for the people living on the roads due to the higher volume of traffic and pollution. The EIR is inadequate in its failure to properly analyze the possible impacts on this emergency access road.

Response:

See Topical Response 11.

Comment 50-6:

Trees -

Approximately 240 large trees will be cut down, and replaced with small trees. The new trees will be planted in entryways and common ways of properties. I don't believe this is adequate, because placing the trees in commons ways and entryways does not protect habitat. Protecting habitat would be to place the new trees in undisturbed areas., [sic] or not to cut so many trees down in the fist place.

Response:

See Topical Response 2.

Comment 50-7:

Zoning Changes -

I urge the City not to approve the zoning changes, and only allow the 87 houses to be built, because I think 280 would just have too much of a negative impact on this community.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 50-8:

I believe the cumulative impacts on the community will be huge. I strongly recommend that you have the consultant redo the EIR and have the City re-release the EIR for additional comments when issues that haven't been adequately addressed are corrected. I believe the EIR is insufficient and should be redone because it seriously understates the impact of this development on the community.

I very much hope you will consider my concerns. I am just very concerned because this development threatens the quality of life that this community knows. Thank you very much for taking the time to read my letter.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3.

The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 51: Lew Stone, 901 Andover Drive, Burbank, CA 91504,
December 19, 2003

Comment 51-1:

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.

Response:

See Topical Response 10.

Comment 51-2:

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.

Response:

See Topical Response 10. In addition, this comment does not include any evidence of an existing "dangerous" traffic condition with respect to merging onto La Tuna Canyon Road from the Verdugo Mountain trailheads located along La Tuna Canyon Road.

Commenter 52: Devon and Randall Vaughn, 6543 Greeley Street, Tujunga,
CA 91042, December 19, 2003

Comment 52-1:

We want to begin by stating that we believe a property owner has the right to build on their property- however, that right assumes that any building would be accomplished in accordance with existing guidelines. Our concerns over the proposed Canyon Hills Development is that the existing guidelines (Community Plan) are clearly not being adhered to and the proposed development project is well beyond the scale that would be in accordance with the best interests of the neighboring community.

We believe the draft Environmental Impact Report (EIR) for Canyon Hills Project grossly underestimates the impact that a development of this nature will have on the neighboring communities and our chosen semi-rural lifestyle.

There are several key impacts from the proposed Canyon Hills project which have been understated in the DEIR including:

Traffic and Overcrowding

Visual Impacts

Rural Quality of Life and Equestrian Issues

Public Safety & Services

Noise

As a citizen expert, resident, and user of the area to be impacted, I believe I am qualified to address these issues.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 52-2:

Traffic and Overcrowding

Traffic: We have lived in Tujunga, for 11 years and have been visiting friends and relatives in the in the immediate area since 1968. The changes that have occurred in the area over that period have been

dramatic, yielding increased population, increased crowding and traffic, and overall, reducing the quality of life that our foothills area once enjoyed. The proposed Canyon Hills project would only contribute further to that decline.

For several of those years I traveled up and down La Tuna Cyn Rd. twice daily in my drive to and from work. The traffic increased noticeably, over that period, on the stretch of road that will be directly impacted by the Canyon Hills project: La Tuna Cyn Rd. from Sunland Blvd., and specifically at the point where the La Tuna Cyn off-ramp of the 210 Freeway meets La Tuna Cyn Blvd. Now, I travel daily on Lowell and the stretch of Tujunga Cyn. Blvd. from the Verdugo Hills Golf up to Foothill Blvd. Traffic is congested morning and evening, regardless of the time that I depart and return. The widening of sections has really not impacted the traffic load, which is already significant; I cannot believe that the potential added traffic derived from the proposed 280+ homes (stated as approximate-- which really translates that there may be more than that number) will not have further significant impact on an already crowded traffic situation. I believe this fact is either clearly and deliberately understated in the DEIR or has been vastly under-estimated out of failure to significantly observe traffic patterns in the impacted areas. Either way, it bears reevaluation and is grounds for redoing the DEIR.

Response:

With respect to the concern expressed regarding traffic on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding traffic on Foothill Boulevard and Tujunga Canyon Boulevard, see Topical Response 12.

Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 52-3:

My husband currently chooses to utilize the Sunland Blvd. on and off-ramps of the 210 Fwy, driving up congested Foothill Blvd. on his daily route to and from work in the Valley. Despite the pleasure he derives from viewing the panorama of open hillsides and the sense of being in the country, on the stretch of 210 Fwy between the Sunland Blvd. off-ramp and the Lowell off-ramp, he chooses to drive busy Foothill to avoid the delay and danger associated with the La Tuna Cyn. off-ramp -- which is already dangerous due to the speeds and volume of traffic flowing on La Tuna Cyn Rd, and the excessive waits to make the needed left turn to proceed East on La Tuna Cyn Blvd, and then the 2-lane stretch of Tujunga Cyn. Blvd. that must be traveled to get back up to Foothill Blvd.

Response:

With respect to the concern expressed regarding traffic and safety on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding traffic on Foothill Boulevard, see Topical Response 12.

Comment 52-4:

People living near the Convalescent Center and the golf course cannot now easily get out of their driveways. One cannot imagine how they will ever ingress/egress once the additional projected traffic from Canyon Hills materializes. And of course the DEIR has minimized the traffic congestion and delays on major thoroughfares that will be the result of construction traffic (heavy equipment, dump trucks, etc.) on the proposed project- over the course of the several years that this development will take to be built!

Response:

With respect to the general concern expressed regarding the traffic impacts associated with the proposed project, see Topical Response 9.

With respect to the concern expressed regarding the construction traffic associated with the proposed project, an analysis of potential traffic impacts associated with construction of the proposed project is provided on pages IV.I-11 through IV.I-12 in the Draft EIR. It is anticipated that construction vehicles would primarily access the project site from the Interstate 210 interchange at La Tuna Canyon Road, and would not travel on Tujunga Canyon Boulevard. Therefore, the Draft EIR concludes that the traffic impacts related to construction would be less than significant.

Comment 52-5:

We cannot even imagine the nightmare the traffic situation would become on La Tuna Cyn. Rd. with the addition of the Canyon Hills project and the projected number of people who will inhabit those homes on both sides of the freeway! And the number of additional ingress and egress trips generated by outside service providers who will be needed for maintaining those home-the maids, gardeners, pool cleaning services, trash collectors, etc. that accompany the maintenance of residences of the significant proportions proposed.

Response:

With respect to the concern expressed regarding traffic on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding the traffic analysis assumptions and service providers, see Topical Response 9.

Comment 52-6:

Even installing a traffic signal at the La Tuna Cyn Rd. off-ramp location would be ineffective as the rest of La Tuna Cyn. Blvd is sorely inadequate to handle the additional traffic that would be generated by the project. In some places the road is already dangerous due to the nature of the curves, and the additional volume of traffic generated by the proposed project would certainly result in overcrowding at best, and potentially, could turn La Tuna Cyn. Rd. into a parking lot at peak traffic times.

Response:

With respect to the concern expressed regarding traffic and safety on La Tuna Canyon Road, see Topical Response 10. With respect to the additional traffic signals proposed by the project applicant on La Tuna Canyon Road, see Response 7-2.

Comment 52-7:

And of course the increased traffic would have a significant impact on the homes in that community, due to the noise and pollution created by such volume. Homeowners on La Tuna Cyn. will effectively be living out a major highway--with 4 lanes of bumper to bumper traffic, noise, and pollution, from pre-dawn till after dusk! And I'm not even addressing the details of deterioration of quality of life for the horse owners and their animals who currently populate the La Tuna Cyn and Shadow Hills areas. But it's certain that the equestrians and horses who currently utilize the trails at the western end of La Tuna Cyn. Rd. (who we enjoy watching) will be kept from doing so by the traffic volume and noise levels. It would be suicide to try to ride your horse under those conditions!

Response:

With respect to the concern expressed regarding traffic and safety on La Tuna Canyon Road, see Topical Response 10. In addition, to the extent that La Tuna Canyon Road is currently used for equestrian purposes, the small increase in traffic that would occur on that road with the implementation of the proposed project would not prohibit that use. With respect to the additional traffic signals proposed by the project applicant on La Tuna Canyon Road, see Response 7-2. While these additional traffic signals are not required to mitigate a significant traffic impact, they would enhance the safety of equestrians along La Tuna Canyon Road.

Comment 52-8:

Overcrowding: The residents of this area are painfully aware that there are not currently enough business establishments to serve the existing community. With the latest Seven Hills development it

became obvious that there are not enough markets and other retail and business establishments in the immediate area to service the existing population.

It's a 20-minute trip on surface streets through mostly residential neighborhoods just to get to the market! The parking lots of the few grocery stores are full at peak after-work hours and on weekends. The number of restaurants in the area is seriously limited. There are no movie theatres or other entertainment outlets in the immediate neighborhood. And there is very little available property on which to expand these types of needed establishments. Residents must and will continue to go to drive to Glendale, Burbank, or Pasadena to enjoy a night on the town!

And by simply adding more population-the residents of the proposed 280+ homes, the City of Los Angeles will get some additional property tax and other service dollars, but realize no gain from the expenditures of that population base-who will all be spending their money elsewhere! Not a bright move for the City of Angels...

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 52-9:

Visual Impacts/Noise

The La Tuna Cyn, Sunland / Tujunga area is a bedroom community nestled in the foothills. Homes have traditionally been on the smaller side, in nice tree-shaded communities. The proposed Canyon Hills project goes totally against that semi-rural nature supported by the Community Plan for the impacted area, as evidenced by the variances it is requesting.

The developer is seeking a General Plan Amendment and numerous zone changes in order to increase the density of the project from what is currently permitted. That in itself clearly indicates they know how seriously the development will visually impact the area! Only 87 homes would be supported by the existing community plan, but the proposal is for developing 280+ homes (approx...) on the same acreage- some of which exceed 4,000 sq. ft. and many of which would be perched near the ridgelines, with some just a mere 10' apart, and many others on tiny 9,000 sq ft lots! That density will have a major visual impact on the neighboring community-yet it is given inadequate attention in the DEIR.

Response:

The proposed project's consistency with the Community Plan is discussed in Section IV.G (Land Use) of the Draft EIR.

With respect to the concern address regarding the visual impact of the proposed project, see Topical Response 6. In addition, visual impacts are addressed in Section IV.N (Aesthetics) of the Draft EIR. The Draft EIR concluded that proposed project would have significant aesthetic impacts. While some homes would be placed on descending secondary ridges, none of the proposed homes would be located in whole or in part in any designated Prominent Ridgeline Protection Area in the Specific Plan. In addition, each home would be constructed so that the highest point of the roof, structure or parapet wall is at least 25 vertical feet from any designated Prominent Ridgeline directly above the highest point of such structure. The project does not include any homes that are spaced 10 feet apart. As stated in the Draft EIR on page IV.N-11, "the proposed homes would be located on large lots with ample side-yard spacing, and would appear dispersed and informally organized within the landscape." The spacing of proposed homes is clearly demonstrated in the Draft EIR in Figures IV.N-13 through IV.N-20. In addition, the proposed project does not include "tiny" lots. As noted in the Draft EIR, the average lot sizes for the existing homes to the north and northeast of Development Area A ranges from approximately 4,000 to 8,000 square feet. In comparison, lots on the project site would range from 9,038 to 64,827 square feet in size. Table FEIR-8 provides a further breakdown of proposed lot sizes.

**Table FEIR-8
Lot Size Summary**

	Maximum Lot Size (Square Feet)	Minimum Lot Size (Square Feet)	Mean Lot Size (Square Feet)
Development Area A	64,827	9,038	17,312
Development Area B	34,844	16,259	23,676
Development Areas A and B	64,827	9,038	18,984

Comment 52-10:

This proposed development clearly changes the visual impact of the community and shows disdain for the desires of the local population who have chosen to live in these narrow valleys ringed with mountains. The undeveloped hillsides surrounding us are one of the major attractions of the areas! Their loss to development, characterized by graded hillsides and slopes and homes of enormous proportions, will have significant adverse impacts on the quality of life in the surrounding areas.

Response:

Visual impacts are addressed in the Draft EIR in Section IV.N (Aesthetics). The Draft EIR concluded that the project would have significant aesthetic impacts. However, the Draft EIR also discussed the ways in which the proposed project has been sensitively designed to reduce the aesthetic impacts associated with the project.

Comment 52-11:

The DEIR for Canyon Hills Project does not adequately address the loss of visual resources that provide the very atmosphere this area is noted for. The depiction of how and where the proposed homes will be located is purposely vague. No mention is made of how significantly the proposed development will impact the urban wilderness that provides the visual backdrop and recreational areas for the neighboring communities.

Response:

The Draft EIR presented a detailed assessment of aesthetic impacts (41 pages of text and graphics, including six visibility analysis graphics and eight visual simulations). The location of each of the 280 proposed building pads is accurately plotted and presented on the visibility analysis graphics (Figures IV.N-6 through IV.N-11), as well as on the Site Plan and Site Plan Detail (Figures III-1 and III-2, respectively). The Draft EIR concluded that the proposed project would have significant impacts with respect to scenic vistas, scenic resources and the existing visual character or quality of the project site and its surroundings. The suggestion that the Draft EIR is not adequate since it does not specifically address the proposed project's impact on the urban wilderness is incorrect. A detailed analysis of the project's impact on natural areas adjacent to and in the vicinity of the project site is presented in Section IV.D of the Draft EIR (162 pages of text and graphics).

Comment 52-12:

And the statements concerning the mitigation for the hundreds of oak trees that will be removed is ridiculous: Planting acorns will not replace the stately trees for generations! As the DEIR acquiesces: "over the short term (i.e. 10 to 20 years) it is anticipated that impacts to coast live oaks would remain significant with implementation of mitigation measures.

Response:

See Topical Response 2.

Comment 52-13:

And the questions of wildlife that populates the hills, as addressed by the DEIR is woefully inadequate. Wildlife encounters are currently frequent in the foothill communities. Coyotes, skunks, deer, and even mountain lions, as well as hawks and other birds and rodents, etc. inhabit the proposed development area in numbers far greater than those mentioned in the EIR. On any given evening the coyotes are heard and often seen, in packs numbering greater than 5, and sometimes the nighttime din is truly awesome! Encounters with skunks are also well known to the community. With the construction of the proposed development the wildlife will have no alternative but to migrate into the adjacent currently populated neighborhoods, further increasing human / animal encounters and seriously impacting the fate of domesticated animal pets kept by area residents. We have firsthand knowledge that coyotes are currently a major problem in the Crystal View area and that problem will only be compounded by the construction of the Canyon Hills project.

Response:

See Responses 29-1 and 27-1 and Topical Response 5.

Comment 52-14:

And despite the fact that Pages 3-6 of the Community Plan set precedent for the horse keeping nature of the community, the developers of Canyon Hills promise equestrian amenities but the plan doesn't even provide enough space for two horse trailers to turn around to their 3 acre proposal "equestrian park." The developers also would have us believe that the purchasers of the 4,000 sq ft. multi million dollar monuments (so vaguely depicted in the graphics and their web site) will be horse people. Not likely! The "horse people" who can afford those types of homes already live in La Canada Flintridge, and it is not likely that they would choose to relocate to another hilltop community just a stones throw away. The homes in this pricey gated community will not be owned by horse people, nor by the locals... thereby irreparably changing the nature of the adjacent hillside communities.

Response:

See Topical Response 8. As discussed on page III-4 in the Draft EIR, the proposed equestrian park would include a staging area for horses, an equestrian arena, a parking area for approximately two cars with trailers and potable water facilities.

The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR.

Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 52-15:

And finally, what will the visual impact be of the hundreds of dump trucks and graders and other heavy equipment that will be crawling over and through our beloved hillsides and canyons doing the years of construction that are required for a development of this size and nature? The DEIR states "there would not be a significant noise impact (no visual impact is mentioned) from the slight construction-related truck volume increase on La Tuna Canyon Road." Excuse me...but where are those trucks and other heavy equipment going to be driving if not on La Tuna Cyn Rd? You cannot build 280+ homes without a convoy of heavy equipment creating noise and visual impact during the hours of 7AM to 9pm! Ensuring mufflers and engine covers on vehicles weighing several tons is certainly not an effective method of mitigating the noise on neighboring residences!

Response:

As stated on page IV.B-12 in the Draft EIR, the equipment required for the first phase for Development Area A (the phase that requires the largest amount of heavy equipment) includes eight twin diesel Cat 657 scrapers, four off-highway rock trucks, two Cat loaders, six D-9/10 dozers, two water trucks and one excavator. The grading for Development Area B would require six Cat 657 twin-diesel scrapers, four off-highway rock trucks, two Cat loaders, four D-9/10 dozers, two water trucks and one excavator. The project engineer estimates that all equipment would operate above idle for 15 minutes each hour during an eight-hour construction day. Subsequent grading phases would employ fewer pieces of equipment.

The visual impact of the grading activities is a highly subjective issue. Some people may object to the graded appearance of the hillsides. Depending on the location of the viewer and the location and the nature of the grading activities being conducted at that moment, the views can be expected to vary widely. Initial grading activities would involve the removal of the vegetation and the exposure of the mineral earth. This would occur relatively quickly and viewers in the right location could watch it unfold. Subsequent stages of earth movement would occur at a slower pace, and the transformation of the site would not be so evident, particularly when viewed for short periods of time. If viewed from vehicles on Interstate 210 or from La Tuna Canyon Road, the views would last only for a minute or perhaps slightly more. If viewed from hiking trails and fire roads in the vicinity, the views could last for longer periods of time. Another factor that would affect views of the grading activities is the complexity of the project site terrain – only portions of the project site can be seen from any given location. Therefore, some grading operations would not be visible from some locations. Furthermore, grading operations are by nature mobile. Consequently, depending on when and where the viewer is standing and where the grading operations are taking place at that moment, grading activities would

appear to be distant activities or nearby. Finally, as stated above, most of the grading equipment would be at idle a good portion of the time. Views of idling equipment, particularly when viewed from a distance, would not be particularly interesting or displeasing. To the extent that the views of construction equipment may be unpleasant to some people, these temporary views would not result in a permanent environmental impact under CEQA.

Regarding noise impacts from construction activities, the Draft EIR acknowledges that construction noise impacts with respect to Residential Areas 2 and 3 (as shown in Figure IV.E-1) would remain significant with implementation of mitigation measures (see Section IV.E (Noise) in the Draft EIR). However, Mitigation Measures E-1 and E-2 would limit construction activities within 500 feet of any existing home to 7:00 a.m. to 6:00 p.m. during weekdays and 8:00 p.m. to 6:00 p.m. on Saturday or any national holiday, and would prohibit construction on Sunday.

Since grading would be balanced within each Development Area and for the overall project site, there would be no trucks hauling dirt to or from the project site. Furthermore, construction equipment would not be transported between the Development Areas during construction activities. Although trucks would deliver construction materials and equipment to the project site, there would not be a “convoy” of trucks, as is alleged in this comment. As discussed on page IV.E-17 in the Draft EIR, the noise impact from trucks associated with construction on La Tuna Canyon Road is expected to result in an increase of less than 1 dBA, which is less than the 5-dBA significance threshold for construction noise. Therefore, construction-related traffic would not result in a significant noise impact.

Comment 52-16:

Public Safety and Services

The issue of public safety and services is also not adequately addressed in the DEIR.

Schools are said to be able to accept the proposed number of children. Yet teachers at several local schools have differing opinions. (And this is probably irrelevant anyway as people who can afford the price of the proposal homes can afford the price of private schools elsewhere). However, wherever the schools are located, the impact on local traffic by increased congestion will be felt by the surrounding communities.

Response:

With respect to the concern expressed regarding the assumptions used in the traffic analysis, see Topical Response 9.

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is

not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 52-17:

Police, fire and paramedic services are already in short supply as residents will attest. Response time is already currently inadequate and significantly above the norm for the City of Los Angeles. Adding another significant development, separated by a freeway and accessible via only 2 or 3 ingress/egress points, is not going to reduce the emergency response time! And despite the fact that we are talking hillside canyon homes, The[sic] DEIR calls for no extraordinary mitigations, only those required under the standard laws. Yes, fire station #74 may be within the requisite distance, but the response time is the crucial factor, not distance... and with the overcrowded traffic conditions that would be generated by the proposed project, we are seriously concerned by the lack of attention paid to this critical issue. With the recent firestorms still fresh in our minds, this issue is one left distressingly unanswered by the DEIR. When fires are raging, the major thoroughfares already become a parking lot for emergency equipment... and adding a new, massive development in the hills will only increase the need for more equipment and add to the problem of appropriate response time.

Response:

See Topical Response 13.

Comment 52-18:

In summary, we believe the current EIR is inadequate because it seriously underestimates the impact that the proposed Canyon Hills development and its alternatives B, C, D, and E, will have on the neighboring communities, and urge the Planning Dept. to have the consultant redo the EIR and have the City of Los Angeles re-release the EIR when the deficiencies are addressed. To advance the current DEIR would be a travesty.

Further, we are of the opinion that only Alternative A, whereby the project would not be constructed and the property would remain in its current condition, is in the best interest of the neighboring communities.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3.

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is

not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 53: Mr. and Mrs. Paul Brunton, 3916 El Caminito, La Crescenta, CA 91214, December 20, 2003

Comment 53-1:

There appear to be some questionable assumptions and conclusions in the school segment of the DEIR. First of all, the conclusion that the impact of this project will not significantly impact the school system is flawed inasmuch as it assumes that a new high school will be constructed by the year 2005 even though, apparently, the location of this school has not as yet been chosen. There is also the question of financing it with the budget crunch all cities are presently facing.

Response:

Based on the Los Angeles Unified School District (LAUSD) website (www.laschools.org), the East Valley Area New High School #2, which is currently under construction, is on a 12.6-acre site located at 14200 Van Nuys Boulevard, with an estimated date of completion in the first quarter of 2005, four years prior to completion of the proposed project. In addition, the construction of East Valley Area New Middle School #1 is expected to begin during the third quarter of 2004, with an estimated date of completion the second quarter of 2005.^{40, 41} It is anticipated that the completion and operation of these two new schools would relieve the overall high school capacity shortfall and potential middle school capacity shortfall in the project area. With the increase in school capacity the project area, the 122 additional students generated by the proposed project would not warrant the need for new or physically altered schools.

The proposed project's contribution of new students would not exceed overall enrollment capacities. Therefore, impacts on school facilities resulting from implementation of the proposed project would be less than significant. In addition, as recommended by SB 50, the developer would pay a school facility fee, which is currently \$3.73 per square foot of residential construction, to help offset the costs of new school construction. On October 14, 2003, the LAUSD approved an increase in school facility fees to \$3.73, an \$0.18 increase from \$3.55, the dollar amount stated in the Draft EIR (see page IV.J-35). Therefore, the reference to "\$3.55" in the first sentence of the last paragraph on page IV.J-35 under

⁴⁰ Written correspondence with Rena Perez, Director, Master Planning and Demographics, LAUSD, April 3, 2003.

⁴¹ Phone correspondence with Chris Merrick, Office Assistant, LAUSD Local District 8, March 30, 2004.

“School Facility Fee Plan” in the Draft EIR has been changed to “\$3.73” in Section III (Corrections and Additions) of this Final EIR.

Comment 53-2:

Secondly, the number of children this project will create, per the DEIR, is most conservative, to say the least, The [sic] figure of 122 new students is unrealistic.

The birth rate in this nation is about 2.5 children per family. The proposed cost of the residences in this project will eliminate the elderly, the young and the singles leaving only the married’s [sic] with children or those planning to have children free to occupy the homes! The projects 280 homes may create 700 children and even allowing 50 homes to be childless only brings the total down to 575 kids. That’s a far cry from the 122 in the DEIR!

Response:

As the project site is located within the boundaries of the LAUSD, it is appropriate to utilize its student generation rates to analyze the school impacts of the proposed project. The number of school-age children to be generated by the proposed project was based on the School Fee Justification Studies for Los Angeles Unified School District.⁴² The LAUSD student generation rates “were calculated by matching student records with building information from various sources including District certificates of compliance, building permit records, and County Assessor data.”⁴³ Using these rates, a total of 122 students would live in the proposed project. Furthermore, LAUSD’s rates are appropriate because they reflect the trend that higher-income households generate fewer school-age children than lower-income households. It is anticipated that higher-income households would occupy the proposed homes. In addition, some of the school-age children in Canyon Hills may attend private schools. Therefore, the 122 students generated by the proposed project is an appropriate estimate.

Comment 53-3:

The third point is that if the new high school is not constructed, that means both high schools now in existence will be much more over their maximum as will the elementary and middle schools. That

⁴² School Fee Justification Studies for Los Angeles Unified School District, prepared by LAUSD, September 2002.

⁴³ Ibid.

means crowded classrooms, overstressed teachers and, most importantly, a decline in learning not to mention the need to hire more teachers, do more maintenance, etc. So the impact will be SIGNIFICANT.

Response:

See Response 53-1.

Comment 53-4:

If the high school is built, it may lessen the student impact, but increase the traffic congestion through taking children to and from school five days a week!

This school traffic coupled with about 3000 additional daily vehicle trips on La Tuna Canyon and surrounding streets spells traffic congestion and something on which the writers of the DEIR either avoided or did not care to comment??

Lastly, the impact on the school system and the increase in traffic congestion from this project is something the EIR writers should have studied further and more completely.

Response:

See Topical Response 9.

Comment 53-5:

But just studying the school impact problem and the other problems and negatives of this proposed development is really just “window dressing.” The real disaster here is that this project is just the beginning. If it is approved, with its bridges and roads, more development will occur with hundreds of acres turned into residential enclaves, strip malls and parking lots.

Accordingly, this development should be most carefully studied and considered and then, disapproved. Thank you.

Response:

Regarding potential impacts to schools, see Responses 53-1, 53-2, 53-3 and 53-4. The growth-inducing impacts of the proposed project are discussed in Section V.C (Growth Inducing Impacts of the Proposed Project) of the Draft EIR. Section IV.H (Population and Housing) of the Draft EIR also addresses the potential for the proposed roadways and other infrastructure associated with the proposed project to induce growth. As discussed in Sections V.C and IV.H, the proposed roadways and infrastructure

would be contained within the proposed Development Areas and would only serve project residents. Therefore, the infrastructure for the proposed project would not induce growth

Commenter 54: Gloria Harber, 7079 Highcliff Trl., Tujunga, CA 91405,
December 20, 2003

Comment 54-1:

There is much wildlife along the La Tuna Canyon Rd. This development as planned will destroy their natural habitat. Additionally the noise & pollution created during the years of construction will drive out wildlife from the adjoining areas.

Response:

With the exception of two entry roads and associated bridges and temporary grading to modify existing slopes, there would be no development within approximately 550 feet of La Tuna Canyon Road. Impacts to slope areas would be temporary and the slopes would be revegetated with native vegetation following grading. No special-status species occupy the areas affected by the grading or bridge construction, and there would be no significant impacts to biological resources associated with these activities.

Wildlife that currently use La Tuna Canyon Road and the adjacent areas have adapted to and are otherwise not affected by its associated noise. Noise generated by construction activities would be temporary and, at worst, would have only a short-term localized effect on songbirds in the vicinity. This short-term effect would be minimal (i.e., below a level of significance). This is supported by the conclusions of Awbrey, who looked at traffic noise and its effect on native birds, including birds living under the flight path at Lindbergh Field in San Diego:

We find no evidence of acute sensitivity to traffic noise in bird species we recorded, all which live in the greater metropolitan area of San Diego. However, these inferences do not answer all the questions about whether noise harms birds. We only know that they call apparently normally in places that humans would find intolerably noisy. Questions about whether population densities or reproductive performance differ as a function of noise were beyond the scope of this study. However, two of the gnatcatchers we recorded, and a number of other species, nested successfully in an area directly under

the incoming flight path for Lindbergh Field, where ambient sound levels were very high.⁴⁴

Pollution associated with construction would largely consist of dust generated during grading. As discussed on pages IV.B-17 and IV.B-18 in the Draft EIR, mitigation measures have been recommended to reduce the impact from construction-generated dust. In addition, the species that occupy these areas exhibit adaptations to dust generated by Santa Ana winds and other sources.

Comment 54-2:

The people/voters of Tujunga/Sunland have voted before on land use & zoning plans. This development violates virtually every agreement we have with our politicians, from grading ordinances to the environment.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. See also Topical Response 6.

⁴⁴ Awbrey, Frank T., Effects of Traffic Noise on Songs and Associated Behavior of California Gnatcatchers, Final Report, November 1993.

Commenter 55: Gloria Harber, 7079 High Cliff Trl., Tujunga, CA 91042,
December 20, 2003

Comment 55-1:

The finding in the DEIR that Traffic will not be a significant problem is specious. The construction itself will create considerable disruption of traffic flow with trucks hauling dirt & heavy equipment.

The high density housing may create up to four vehicles per dwelling using La Tuna Canyon Road plus service and visiting vehicles.

Response:

The traffic impacts associated with the proposed project were fully evaluated in Section IV.I (Transportation/Traffic) of the Draft EIR. Section IV.I includes the analysis of potential traffic impacts relating to construction of the proposed project on pages IV.I-11 through IV.I-12. As discussed therein, the development of the proposed project would not result in any significant traffic impacts, provided that a traffic signal is installed at the intersection of Development A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road. With respect to the statement that construction of the project would create considerable disruption of traffic flow with trucks hauling dirt and heavy equipment, see Response 52-4 and the final paragraph of Response 52-15. With respect to the traffic impacts on La Tuna Canyon Road, see Topical Response 10.

Commenter 56: Matthew Kearl, 9426 Carlynn Place, Tujunga, CA 91042,
December 20, 2003

Comment 56-1:

I have lived in the foothill area for over 35 years and my house is located in the Crystal View area of Tujunga-less than a mile from the proposed Canyon Hills project area. I believe that my opinion qualifies as a “citizen expert” in this area for the purposes of the reported impact this project would have. I have recently been elected as a “Community Representative” in a local election for the area in which the development is proposed. I have had the opportunity to review the DEIR and have noticed many glaring inaccuracies in the report that you should be aware of.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 56-2:

First, I frequent the proposed building area and know it to be a favorite of mountain bikers and hikers as well as those on family and pet walks, especially on the weekend. The DEIR doesn't propose what happens to the multi-use of this area when homes are put there.

Response:

The only hiking and biking trails that are known to be commonly accessed on the project site are: (1) the shortcut to the Hostetter Mountainway hiking trail that transects the eastern panhandle of the project site; and (2) Verdugo Crestline Drive. With respect to the shortcut to the Hostetter Mountainway hiking trail, see Response 67-1. With respect to Verdugo Crestline Drive, with development of the proposed project, vehicular access along Verdugo Crestline Drive would be restricted within the project site. However, it is anticipated that pedestrian and bicycle access within the project site would be permitted in order to maintain continuity of access to the segment of Verdugo Crestline Drive west of proposed Development Area A. Therefore, the proposed project would not prevent or interfere with recreational use of the portion of Verdugo Crestline Drive that transects proposed Development Area A. Furthermore, the proposed project includes the dedication of open space which may be used for recreational purposes, at the discretion of the applicable qualified entity to whom the open space is transferred (see Response 32-4).

Comment 56-3:

In this area of Los Angeles we have been largely ignored as to our constant requests for a greater police presence and more fire stations. We have inadequate policing and fire resources at our present

population level. This current urgency would become a full blown emergency should the development proceed without the multi-million dollar commitment from the City to adequately staff emergency personnel. As a recent example I would point to the wildfires we have had in this area which included that area where the proposed development lies. If the proposed development were in place already I do not see any reason why Tujunga would not suffer the fire disaster of Oakland, California where the dense residential area coupled with sparse fire personnel resulted in many millions of dollars in property loss.

Response:

The commenter does not provide any evidence or analysis to support the statement that the proposed project would suffer from a fire disaster similar to the one witnessed in Oakland, California. As discussed in Section IV.J.1 (Fire Protection) of the Draft EIR, with the implementation of the recommended mitigation measures, the proposed project would have a less-than-significant impact on fire protection services. See also Topical Response 13.

In addition, as discussed in Section IV.J.2 (Police Protection) of the Draft EIR, the proposed project would have a less-than-significant impact on police protection services.

Comment 56-4:

In my recent campaigning/election to town council, every resident I have talked to in my area without exception is vehemently against this proposed development for various valid reasons including those mentioned above. For example, many residents both long term and recent arrivals have moved to this area specifically for the benefit of living among relatively undeveloped mountain ranges especially along the 210 freeway from the Lowell exit to the Sunland Blvd exit. Developing this area would defeat the very reason these residents have invested so much of their lives moving here.

Response:

This comment expresses concerns regarding the proposed project's compatibility with the existing environment and potential impacts to the quality of life of adjacent residents, both of which are addressed (respectively) in Sections IV.G (Land Use) and IV.N (Aesthetics) of the Draft EIR. This comment also expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 56-5:

Additionally, this report states that there will be a minor effect on the current schooling population in this area. This is ridiculous. Even the most conservative estimate adds over 450 new school age children to the population which is already overcrowded in local schools. This new addition would mandate at least one new elementary and high school to be built which is completely ignored by the DEIR.

Response:

The commenter does not provide any evidence or analysis to support the statement that the proposed project would add over 450 new school age children to the population or that local schools are currently overcrowded. However, as discussed in Section IV.J.5 (Schools) of the Draft EIR, based on student generation rates provided by the LAUSD, the proposed project would generate a total of 122 students, including 61 elementary school students, 30 middle school students and 31 high school students. Because it cannot be determined which specific project-serving elementary school, middle school or high school new students would attend, this analysis is based on grouping the school capacities, enrollments and the generation of new students into the appropriate school level. The elementary schools that would serve the proposed project are 551 under capacity, the middle schools are 526 under capacity and the high schools are 252 over capacity. However, with the completion of East Valley Area New High School #2 in 2005 and completion of East Valley Area Middle School #1 in 2006, it is anticipated that they will relieve the overall high school capacity shortfall and the potential future middle school capacity shortfall in the project area. Therefore, the schools that would serve the proposed project would have adequate capacity to meet the school demands of the 122 students generated by the proposed project.

Comment 56-6:

It has also been proposed that the main surface street to be used by the new population would be Tujunga Canyon Road-an undivided and dangerous two lane road lined with private homes on both sides and only one lane in each direction. Should the DEIR be correct in adding the new traffic to this country road it would impossibly clog the road since it cannot be widened any further due to the presence of private homes. This is unacceptable to the thousands of residents who already suffer through the present traffic on this road.

Response:

See Topical Response 12.

Comment 56-7:

The proposed development is excessively broad in scope and does not address the concerns of literally thousands of affected residents of this area. The DEIR is simply inaccurate and requires a re-study and submission taking into account the myriad of underreported or wholly omitted effects the development will have on this unique area of Los Angeles. Nowhere in the City is there a remaining refuge like we have here in Tujunga. The residents here tell me that they expect the City to ignore their views as has been done to them by the City so many times in the past. Please prove them wrong by requiring a new Canyon Hills DEIR and to require that the proposed project comply with the existing laws and Scenic Plan, as well as limiting the proposed development to a maximum of 87 homes. Thank you for your consideration.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3. In addition, this comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 57: Tina Krippendorf, 9755 Hillhaven Ave., Tujunga, CA
91042, December 20, 2003

Comment 57-1:

I have lived in Tujunga for 9 years, and take walks in the Verdugo Mountains at least 5 times a week. I have intimate knowledge of the area, it's [sic] roads, animals and traffic patterns. I have read sections of the DEIR that interest me, and after doing so, I feel the DEIR is inaccurate in many areas, and neglects to be specific about the negative environmental impacts on our community. I feel the DEIR should be redone. Below I have listed some areas I feel the DEIR is inaccurate or vague in:

1. WILDLIFE:

Coyotes

I feel I am a citizen expert in the area of wildlife in the Verdugo's, [sic] and as a citizen expert I have observed the wildlife in the Verdugo's [sic] for 9 years. I have seen many coyotes in the Verdugo's [sic] where I've been hiking. We have 7 coyote' [sic] two houses away from us, and another pack across the street. And a friend of mine that lives up the hill from me (about 2 blocks) has told me that she has a pack of coyote near her. The DEIR states only 5 cyotee [sic] are living in the Canyon Hills Project area. After my observations, I feel that is inaccurate and definitely an understatement. With so many packs of coyote in such a small area near my home, and with the coyote I've seen in the Verdugos, I am confident that the DEIR is incorrect in it's [sic] statement of 5 coyote in the project area.

Response:

See Response 27-1 and Topical Response 5.

Comment 57-2:

Mountain Lions

Page IV.D-139 of the DEIR states, "Mountain lions are not found in the study area or any portion of the Verdugo Mountains, therefore regional movement by the mountain lions with or through the study area does not occur." I have seen one mountain lion in the Verdugos, and I know there have been many sightings of the mountain lion by other people, so the DEIR is inaccurate in stating that there are no mountain lions in the Verdugos.

On page IV.D-139, the DEIR states, "mountain lions require home ranges with average home range of a female covering approx. 48 sq. miles and male requiring up to 187.3 square miles....." I am

concerned that the mountain lion I saw is now on 18 sq. miles, and what space will the mountain lion have once the Canyon Hills Project begins?

I believe the DEIR minimizes the impacts of the Canyon Hills Project on wildlife, and the DEIR fails to address how it will protect the wildlife on or near the project site.

I don't think the new community in the Canyon Hills Project area will tolerate mountain lions, coyotes and rattlesnakes, etc. in their area. I feel the project will have detrimental effects on wildlife and rare habitat.

Response:

With respect to the concern expressed regarding the presence of mountain lions on the project site, see Response 4-16. With respect to the concern expressed regarding home range requirements for mountain lions, see Response 27-2.

The assertion that the Draft EIR minimizes impacts on wildlife is incorrect. All special-status species that exhibit potential for occurring on the project site were addressed through extensive surveys listed in Topical Response 4. As discussed in Sections IV.D.1 (Flora & Fauna) and IV.D.3 (Wildlife Movement) of the Draft EIR, the development of the proposed project would not have any significant impacts on wildlife, wildlife movement or rare habitat.

It is also important to note that the residents in the existing residential areas adjacent to the project site do not detrimentally affect the mountain lions (if any), coyotes and rattlesnakes in the area. Likewise, future residents of the proposed project would not be expected to adversely affect mountain lions, coyotes and/or rattlesnakes in the area.

Comment 57-3:

TRAFFIC:

I believe the expected traffic the DEIR predicts is inaccurate and an understatement. What about other sources of traffic (gardeners, delivery trucks, maids, visitors, baby-sitters, driving to schools, etc.); the DEIR did not account for such traffic.

I think the traffic will have a huge negative impact on the community, and decrease the quality of life for the current residence. (Increase of smog and traffic on streets, in markets and in stores).

Response:

See Topical Response 9.

Comment 57-4:

EMERGENCY ACCESS PROPOSED FROM AREA A:

Dangers:

In my opinion there will be dangers to the cyclist, pedestrians walking, and children that play in the streets on Hillhaven, Inspiration Way and Verdugo Cresline [sic] Drive if large construction trucks are allowed to use these roads. Most of these streets have no sidewalks. I walk from my house at 9755 Hillhaven Ave. up to the Verdugo Mountains very often, and I already feel the walk is a bit dangerous because of the lack of sidewalks. When I am walking and lined up with two cars that are passing each other, I have to get off of the street and stand on the side of the road until the two cars pass by, because when there are two cars passing each other, the cars usually move to the side of the road where pedestrians may be walking. When the cars are gone, then I can return to the street. How is this going to work with a large construction truck? There is just no room on these narrow streets to allow for the proposed 20-foot minimum.

There is a blind curve on Hillhaven, which makes it close to impossible for any vehicles to see the opposing traffic and any pedestrians, which might be walking in the street in the area of the blind curve, and there are no sidewalks in the area of the blind curve. Large construction trucks will endanger any other cars, pedestrians or even adjacent properties since it is also plagued with a very steep incline. A truck losing control in this curve due to its adverse conditions could have catastrophic consequences.

What about the children that live in the area of the emergency access road and play in the streets - I believe that the driver of a construction truck has restricted vision of the road, and that could be unsafe for children or anybody on such narrow streets that have no sidewalks. I let my 2 ½-year-old walk these streets because there are very few cars that drive by on Inspiration Way and Verdugo Crystalline Drive, but what are we and people like me going to do when large trucks start using these streets? It's currently a very popular spot for cyclist, and the localist [sic] to walk.

Response:

See Topical Response 11.

Comment 57-5:

What about after the project - is this emergency access road proposed from Area A going to be open to the home owners that live in the new Canyon Hills homes? Though the access is proposed as limited with a locked gate, there is precedence for such gates to be removed by area residents, which occurred in the Crystal View development.

Response:

See Topical Response 11.

Comment 57-6:

What will this do to the quality of life for the people who live in the homes on the way to the Canyon Hills homes. They will have much more traffic and pollution. My real-estate agent informed me that the value of our home has already decreased because of increased traffic on Hillhaven Ave., due to new scattered houses that were built above us, and the same will be for all of these homes on the emergency road, the new traffic after the project will decrease the value of their homes.

The potential impact of this access road needs a more complete study. The DEIR is inadequate in its failure to address many issues about the access road.

Response:

With respect to the concern expressed in this comment that the proposed project would increase traffic in the existing residential area adjacent to proposed Development Area A, see Topical Response 11. Regarding the adequacy of the Draft EIR, see Topical Response 1. The balance of this comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 57-7:

Pollution:

Large construction trucks that run on diesel fuel will increase pollution on the streets on the emergency access road.

Response:

See Topical Response 11.

Comment 57-8:

Noise:

Large construction trucks are loud, and some of the houses on the narrow emergency access road don't have much of a front yard and are close to the street, and thus will experience a significant decrease in quality of life due to the trucks [sic] noise and pollution.

Response:

See Topical Response 11.

Comment 57-9:

CONCLUSION:

I urge the City to require the Canyon Hills DEIR, to be re-issued after all of the issues are adequately analyzed. I believe the EIR is inadequate and seriously understates the impact of this development on the community.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 57-10:

The current zoning law allows for the building of no more than 87 homes on the Canyon Hills property. I urge the City to require the Canyon Hills project to stay within all the current laws and codes, and within the guidelines of the Scenic Preservation Specific Plan and the Community Plan.

Thank you for giving me and many others the opportunity to express our comments. I hope you will take my considerations and those of other people in mind. Many of the people I know that live in this area chose to move here because of the rural atmosphere and beauty, and would like to preserve it. I feel I really know this area, and I moved here for the same reasons many others I know did. All of my neighbors I've talked to about the project are very disappointed that there may be an increase in traffic on Hillhaven Ave.

Response:

Pursuant to the slope density formula set forth in Section 17.05C of the LAMC, as incorporated into the Sunland-Tujunga Community Plan, a maximum of 87 homes is currently permitted on the project site. However, as discussed in Section IV.G (Land Use) of the Draft EIR, the project includes proposed amendments to the Community Plan land use designations and the zoning designations for the proposed Development Areas that would permit the development of 280 single-family homes there. Except for those proposed amendments, and as discussed at length in Section IV.G, the proposed project is consistent with all of the applicable policies and requirements in the Sunland-Tujunga Community Plan, the Specific Plan and the LAMC.

In any event, this comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 58: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 20, 2003

Comment 58-1:

We find several aspects of the cultural, archeological and paleontological surveys of the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR") to be inadequate.

References in the body of this letter come from the DEIR IV-O and Appendix L. Cultural, archeological and paleontological records reviews were conducted through a variety of information sources seeking any references to recorded resources on or within ½ mile radius of the Project Site. This records check revealed no presence of these reviewed resources. Mention was made in the DEIR of two prior field surveys that had assessed "portions of the property." The DEIR did not clarify what constituted "portions of the property", failed to define the nature of the items sought nor provided even the slightest indication of how thorough these "assessments" were. The DEIR mentioned five additional field surveys conducted on adjoining parcels, however references to these assessments were no more complete than those for the project site itself. A two-day, field survey of the project site was conducted on July 24/July 25, 2001. Quoting the DEIR: "This was necessary to determine the current status of previously recorded cultural resources and to document any prehistoric or historic sites or features which have not been previously recorded." "Because of the lack of a previous survey over the entire 887-acre of the project site, it was prudent to conduct a survey of the project site in order to determine if any cultural resources would be impacted during the construction phase. Only those portions of the parcel possessing an angle of slope of fifteen degrees or less could be examined. The survey was conducted by two field persons walking parallel tracts approximately ten meters (30 feet) apart over all accessible portions of the property. Access to much of the project site was limited due to private roads, lack of access from I-210 and overall ruggedness of the project site. More than two thirds of the project site is located on slopes greater than 15 degrees. It is highly unlikely that archeological remains would exist in these locations. A total of less than fifty acres was accessible. No cultural remains, either prehistoric or historic, were noted in those portions of the project site where access was possible." Fifty acres? What happened to "because of the lack of a previous survey over the entire 887-acre of the project site it was prudent to conduct a survey of the project site". I am not the worlds [sic] greatest mathematician, but:

50 acres surveyed/887 total acreage = X% project site surveyed/ 100%
X% = approximately 5.7%

Even considering nothing more than the Development footprint acreage:

50 acres surveyed/ 194 acres Dev. A + Dev. B = X% development footprint surveyed/100%

X% = slightly less than 30%!

5.7% (or even 30%) hardly constitutes a thorough cultural or archeological survey of the site. Additionally, the archeologists conducting the field survey did not indicate whether they disturbed any earth looking for artifacts that might be buried. There should have been some field search, however simplistic, for buried artifacts in areas which may have harbored human habitation or nomadic hunting/gathering camps - however unlikely they may be.

Response:

The first portion of this comment apparently refers to seven different archeological assessments with respect to portions of the project site and adjoining property, as discussed on pages IV.O-7 and IV.O-8 in the Draft EIR. The citation for each of those studies is set forth in Footnote 2 on page IV.O-8. The combined area surveyed in the seven archeological investigations encompassed over 140 acres in or near the project site, including areas such as the SCE Transmission Line ROW, the Interstate 210 right-of-way, and a 20-acre area near McGroarty Street. All of these prior studies support the conclusion in the Draft EIR that no archeological resources are located within the proposed Development Areas or elsewhere on the project site. In addition, see Topical Response 1 regarding the completeness and adequacy of the Draft EIR. With respect to the concern expressed regarding the portions of the project site that were surveyed for archaeological resources, see Response 16-5.

Comment 58-2:

The paleontological survey should also be expanded to include a number of cuts or bores in areas of potential fossil bearing strata.

Response:

Cuts, bores and trenches are not used as part of a paleontologic assessment in an area that, based on literature and archival reviews, is considered to have only a low potential for containing fossil remains. Moreover, these tasks are not required by the 1995 Society of Vertebrate Paleontology standard measures for assessing potential adverse impacts on paleontologic resources in such an area.

Comment 58-3:

If access to even just the development footprint of the acreage is so limited on foot, one can not [sic] even begin to imagine the magnitude of grading that the Canyon Hills Project will require and the immense impact this grandiose operation will have in this otherwise environmental island of nature encircled by the City of Los Angeles.

Response:

See Topical Response 6.

Comment 58-4:

While perhaps not listed on any official historic register, the Cross of San Ysidro has been of great historic significance to the residents of the Sunland-Tujunga Valley. The Cross was named in honor of San Ysidro, the Patron Saint of Little Homes, which held great significance to the early inhabitants of Tujunga known as the Little Landers. (Sunland and Tujunga from Village to City, Marlene A. Hitt, Pgs 111-113). While itself not located directly on Canyon Hills property, the original trail walked annually since 1923 for the Easter Sunrise Service does cross the property. Many people today still walk this trail for this annual event and fear that Canyon Hills may eventually block this original access. The Cross, being on adjacent property, also should classify as Cumulative Impact of a historical resource.

Response:

There are currently three trails that lead to the Cross of San Ysidro (the "Cross"). Two of the trails can be accessed from Verdugo Crestline Drive, in the northern portion of proposed Development Area A. The first, and most commonly used, trail from Verdugo Crestline Drive is via an unnamed gated fire road that begins near the northernmost intersection of Verdugo Crestline Drive and Development Area A, just outside of the project site. This unnamed gated fire road runs northwesterly from Verdugo Crestline Drive to the Cross. Construction of the proposed project and related road improvements to Verdugo Crestline Drive would not alter or obstruct this means of access to the Cross.

The second trail is a small footpath that begins approximately one-quarter of a mile west of the northernmost intersection of Verdugo Crestline Drive and Development Area A (west of the existing gate on Verdugo Crestline Drive) and traverses uphill toward the Cross. The second trail would be obstructed by several proposed homes. However, people who normally access the Cross from the second trail can alternately continue to walk along northeasterly along Verdugo Crestline Drive until they reach the unnamed gated fire road discussed above.

The third access to the Cross is from Foothill Boulevard through the existing residential neighborhood. This third trail does not cross onto the project site and therefore would continue to provide access to the Cross following implementation of the proposed project.

In summary, two of the three trails would remain unobstructed and the third trail would be rerouted. Therefore, the development of the proposed project would not obstruct access to the Cross.

Comment 58-5:

While noted mitigation measures for cultural resources are standard and the best one can expect once grading has commenced, it is obvious that by the time an unearthed resource is recognized, the damage done to the site by the large earth moving equipment would be irreparable. It is for this reason that the inadequacy of this cultural survey is unacceptable.

Response:

See Responses 16-4 and 16-8.

Commenter 59: Melinda A. Lirones, 7032 Flora Morgan Trail, Tujunga,
CA 91042, December 20, 2003

Comment 59-1:

I have been a resident of this area since 1990 and we have owned property here since 1978. Our property is just north, across the mountain, from the proposed Canyon Hills Project. The main reason for loving this area is the magnificent mountain views and wildlife.

This project, in my opinion, would involve much grading, which is an obvious destruction of the natural terrain. There was an impact study of the wildlife which lasted 4 days. How can they possibly come to a definite conclusion after only 4 days! Our own observations of the coyotes (just one species) are that they move in-and-out of our area on a constant basis. Sometimes we observe them daily and hear them nightly for weeks at a time, and then they migrate to another area for a short time, before returning. Over the years, I have observed deer, skunks, raccoons, opossums, bobcats, and, mountain lions, plus the many birds.

Response:

With respect to the concern expressed regarding the required grading for the proposed project, see Topical Response 6. With respect to the concern expressed regarding the amount of time spent on the wildlife surveys, see Topical Response 4. To the extent that the commenter is concerned that the proposed project could have an adverse impact on coyotes, see Response 27-1 and Topical Response 5.

Comment 59-2:

Also of major concern is the traffic and safety issue. This project is supposed to take 5 years to complete, and the traffic problems are supposed to be solved by putting a traffic light at La Tuna Canyon and the 210 Freeway. Who are they trying to convince?

Response:

With respect to the general concern expressed in this comment regarding the adequacy of the traffic analysis in the Draft EIR, see Topical Response 9. In addition, as discussed in Section IV.I (Transportation/Traffic) of the Draft EIR, the implementation of Mitigation Measure I-1, which recommends the installation of the traffic signal at the intersection of Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road, would fully mitigate the traffic impact of the proposed project on that intersection. See also 7-2.

With respect to the concern expressed regarding construction traffic associated with the proposed project, as discussed on page IV.I-12 in the Draft EIR, the number of trips that would be generated to

and from the project site during construction is approximately 17 percent of the proposed project's daily traffic volume upon build-out. Since the operational traffic impacts associated with the proposed project would be less than significant, the substantially lower construction traffic impacts would also be less than significant.

Commenter 60: Samuel S. Lirones, 7032 Flora Morgan Trail, Tujunga, CA
91042, December 20, 2003

Comment 60-1:

I have been a property owner in the mountains of Tujunga since 1978 and have been a resident since 1990. We love the natural scenic beauty and wildlife of this area.

I also own 1.7 acres of mountain and view property (2 lots) just a short distance from our home, which we built. We would like to build one single-story house on this property to eventually live in when we are no longer able to climb stairs. I am finding it nearly impossible (2 years of trying) to get a permit to begin this building process. The previous owners of this property, who happened to be developers, had plans to build four houses on these lots. I purchased them to decrease the number of homes in our area.

Why should a developer from another state be able to get a variance to build 280 cluster homes and destroy this area's natural beauty and wildlife?

I think very strongly that the maximum amount of homes, even with a variance, should not exceed the total allowed in the previous (1987) scenic plan.

Response:

The project applicant has not requested any variance with respect to the proposed project. In any event, this comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 61: David Long, 8015 Glenties Lane, Sunland, CA 91040,
December 20, 2003

Comment 61-1:

I am David Long, a resident of Sunland for 11 years. As an interested member of the community, I reviewed a copy of the Draft Environmental Impact Report (DEIR) for the proposed Canyon Hills Housing Project.

This DEIR is certainly a bulky document, but as I began to read it, I felt that much of it was “word padding” that could give it the appearance of being a comprehensive evaluation without it actually addressing many serious impacts this proposed development would have on our community FOREVER. I urge the City to have the developer re-do this environmental impact study addressing the issues others and I may bring up. Additionally, I urge the City to allow time for community members to respond to this second DEIR so that further inadequacies in can be brought to light. This project and its impact are HUGE and care must be taken to not overlook important consequences or rush through this process.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3. The Draft EIR was circulated for review and comment by the public and other interested parties, agencies and organizations for 90 days, which is 45 days longer than the public comment period required under CEQA.

Comment 61-2:

I feel the DEIR is inadequate in the areas of aesthetics, noise, light pollution, detrimental impact on habitat for wildlife, violation of the community plan, and understated impact of a highly concentrated development (whether acknowledged by the developer as such or not).

Response:

The Draft EIR adequately addressed all of the potential impacts with respect to the environmental categories described in the comment. Since the commenter does not identify any specific concern with respect to the analysis in the Draft EIR, no further response is possible.

Comment 61-3:

I have decided to pick one area of the DEIR to comment upon in detail-Traffic Congestion. As a resident of Sunland, this is a subject I know.

There is no mention in the DEIR of potential impact to existing neighborhoods regarding traffic congestion resulting from the proposed connection of either Inspiration Way, Verdugo Crestline Drive, or especially, Woodward Avenue as a secondary emergency access for Development Area A of the project. The impact is potentially devastating to the residential neighborhoods along the McGroarty Corridor and adjacent areas.

Response:

With respect to the concern expressed regarding emergency access, see Topical Response 11. With respect to the concern expressed regarding the use of Woodward Avenue as an emergency access road, see Response 24-5.

Comment 61-4:

The DEIR indicates that an existing road (Inspiration Way, Verdugo Crestline Drive, or Woodward Avenue) would be extended to the new development Area A to provide secondary emergency access for Area A. Open passage by residents and visitors would be restricted. How this restriction would occur is not even mentioned in the DEIR but it is presumed to be a locked gate. My wife attended a Neighborhood Council meeting and she said the Canyon Hills representative that spoke stated the gate would be locked and only the firemen would have a key.

Using a locked gate or other similar means to restrict access to emergency vehicles is potentially catastrophic because for fire and paramedic services, seconds count. Wild fires or heart attacks do not wait while someone is fumbling with a padlock on a gate. Or what if some young vandal stuffs bubble gum in the lock, forcing the fire department to backtrack and go all the way around, wasting precious minutes. These existing padlocked gates I see around the hillside areas are mostly used to control access to dirt fire roads. They probably work fine for occasional passage by forest service personnel, but to have such a gate as emergency access for a community the size of proposed Area A is a very inadequate solution.

The DEIR is inadequate in discussing the other important purpose of this secondary emergency access route and that is the evacuation of the residents of the new development because of fire, earthquake, landslide, etc. The Fire department clearly requires this access route is usable by the residents to evacuate, but there is no mention of how the residents are to get through this locked gate.² What if the residents need to get out before the fire department can unlock the gate? Will each resident be given a key or a pair of industrial strength bolt cutters?

Response:

With respect to the concern expressed regarding secondary emergency access to Development Area A, see Topical Response 11. With respect to the concern expressed regarding the use of Woodward Avenue as an emergency access road, see Response 24-5.

Comment 61-5:

So if this proposed extension of Inspiration Way were to be built, and blocked by a locked gate, it is only a small step for the residents to then petition to have the access opened up and allow free flow of traffic. This is not wild conjecture; this is a real likely hood. All it takes is for one resident in the new development to suffer or possibly die because the fire dept. couldn't get to them in time. Then the residents of the new development would get into an uproar, or file a lawsuit and even. the fire dept. would likely support opening the gate at that time.

Once the gate is opened and traffic unrestricted, it is easy to see that residents of the proposed development would begin to use the route as a shortcut to Sunland, rather than going around via La Tuna Canyon and up Tujunga Canyon Blvd. to Foothill. Such a shortcut would cut about 10 minutes from the drive, and more during busy times, and thus would be very attractive.

Additionally, the residents and businesses in Sunland around the Mt. Gleason Corridor would discover this same route as a shortcut to the 210 freeway, going up over the hill and through the proposed new residential area to enter or exit the 210 at La Tuna Canyon.

Thus, this route that began as "emergency access only" could become an unplanned busy thoroughfare through residential areas for access to the 210 freeway by residents and businesses in the entire Mt. Gleason region of Sunland and Tujunga. Nowhere in the DEIR is this mentioned. The DEIR does not describe anything about this gate other than the statement: "The access to this portion of the project site would be controlled so that it could only by utilized on an emergency basis (i.e., not available for day-to-day use by project residents or visitors.)" 1.

Response:

See Topical Response 11.

Comment 61-6:

In the DEIR, Section. VI Alternatives to the Proposed Project mentioned extending Woodward Avenue as a possible emergency access route. Although the developer less favored this option than either an extension of Inspiration Way or Verdugo Crestline Drive, it is still, on the table as an alternative. As a resident living near Woodward, I know that on weekdays around 8:00am and 2:00pm, the traffic flow

on Woodward Avenue between Day Street and Apperson slows to a crawl because of parents, school kids and school busses dropping off and picking up children at Apperson School. Emergency vehicles would be slowed when attempting to travel that section of Woodward. Elementary school children that might be in the path of fast moving fire dept. vehicles would be endangered. There is nothing in the DEIR about this.

Response:

See Response 24-5.

Comment 61-7:

In Summary:

- The DEIR does not specify exactly how traffic on Inspiration Way, or another emergency route is going to be restricted to emergency vehicles only, nor is there any indication in the report that the Fire Dept. or the LAPD has approved of this plan. A locked gate is not adequate for a community the size of the proposed Area A.

Response:

See Topical Response 11.

Comment 61-8:

- There is no indication in the DEIR of how this vague traffic restriction is guaranteed to be in place FOREVER so that the emergency access road does not become a de facto freeway access route for Sunland and Tujunga in general.

Response:

See Topical Response 11.

Comment 61-9:

- The DEIR does not cover how the residents of Area A could self evacuate through the Inspiration Way gate if it somehow did not get unlocked during a fast moving emergency (such as a Santa Ana driven wild fire breaking out on La Tuna Canyon, landslide, etc.)

Response:

See Topical Response 11.

Comment 61-10:

- The DEIR does not mention how the emergency vehicle route through the existing quiet neighborhoods leading up to Inspiration Way (or other emergency route) will adversely affect these quiet neighborhoods or how this emergency vehicle traffic through residential streets will affect the safety of residents and school children.

Response:

See Response 25-6.

Comment 61-11:

- The DEIR does not cover if there is adequate response time to Area A for Fire Dept and Police who will need to travel at reduced speeds through the narrow residential streets leading up to the proposed emergency access route at Inspiration Way (or alternate) including time to gain access through a locked a[sic] gate or other means of restriction. Should the alternate plan of extending Woodward Avenue for emergency access be selected there is no study showing the impact of fast-moving emergency vehicles attempting to travel up Woodward during the two busy times each day the area is swarming with elementary school kids.

Response:

With respect to the concern expressed regarding emergency access, see Topical Response 11. With respect to the concern expressed regarding the use of Woodward Avenue as an emergency access road, see Response 24-5.

Comment 61-12:

- There is no study on how such a thoroughfare would affect the migration of animals along the ridge above the proposed development. In my estimation, a busy road bisecting the whole mountain would drive the local coyotes and other wildlife down into both the proposed new residential neighborhoods of the development and the older neighborhoods on the Sunland side of the hill.

Response:

As depicted on Figure IV.D-21 and discussed on page IV.D-146 in the Draft EIR, Verdugo Crestline Drive is the most commonly used wildlife movement path along the northern edge of Development Area A. As noted on pages IV.D-154 and IV.D-155 in the Draft EIR, modifications to Verdugo Crestline Drive associated with the proposed project would not affect wildlife movement.

The extension of Inspiration Way for emergency access would likely result in a net benefit to wildlife movement. As noted on page IV.D-146 in the Draft EIR, much of the movement by coyotes and gray foxes occurs on existing roads. The extension of either of these roads for emergency access would therefore provide additional routes through Development Area A. Because use by emergency vehicles on either of these roads would occur on an infrequent basis, there would be no measurable affect on wildlife movement by coyotes, gray foxes or other species (see Topical Response 5 for additional details regarding coyotes). Therefore, the infrequent use of either of these roads by emergency vehicles would not measurably affect wildlife movement patterns.

Comment 61-13:

- Should the emergency access route be the alternative of Woodward Avenue, there is no study of how the grading would affect the existing neighborhoods, nor how McGroarty would be widened to allow for passage of emergency vehicles.

Response:

See Response 24-5.

Comment 61-14:

I urge the city to have this DEIR redone so that it is more complete, accurate, and correctly states the impact on the existing community. Also, I urge the city to allow an additional community comment period so that the impact of adding this many homes in such a concentrated area is fully assessed as to the consequences to our community.

Should this project be approved and then constructed, the developer will eventually leave with hundreds of millions of dollars and for DECADES we in the community will be left dealing with the problems overlooked or understated in this Draft Environmental Impact Report.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3. The Draft EIR was circulated for review and

comment by the public and other interested parties, agencies and organizations for 90 days, which is 45 days longer than the public comment period required under CEQA.

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 62: Elisa Orozco, 10704 Memory Park Ave., Mission Hills, CA
91345, December 20, 2003

Comment 62-1:

This letter is in protest of the project to build homes in the above stated area for the following reasons:

The Verdugo Mountains in Burbank and Glendale are already blighted with a multitude of large houses. Further development will destroy the beauty of these mountains.

This is an extraordinary area for a wide variety of outdoor activities such as hiking, bird watching, and the simple appreciation of nature.

Development will impact the well being of the native flora and fauna in the area.

The area has been found to be "Paleolithic sensitive" and should be protected.

The addition of 280 new homes will inevitably result in more cars of the residents, gardeners, cleaning ladies, and service and delivery personnel, which will create increased traffic and noise and air pollution in the area.

I urge the Los Angeles City Planning Department to protect the hills and preserve the history and wildlife of this space as they exist. Thank you.

Response:

Potential impacts to the rural character of the project area, plants, animal habitat, paleontological resources, traffic, noise and air quality have been addressed in the Draft EIR in Sections IV.G (Land Use), IV.N (Aesthetics), IV.D (Biological Resources), IV.O (Cultural Resources), IV.I (Transportation and Traffic), IV.E (Noise) and IV.B (Air Quality).

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 63: Craig Ward Durst, 7350 Verdugo Crestline, Tujunga, CA
91042, December 21, 2003

Comment 63-1:

I have been a resident of the Tujunga Valley for over 13 years now, first in Lake View Terrace and for the past 3 years in the Verdugo Mountains of Tujunga. I work as an independent television producer with a special interest in documentaries. Many years ago, after falling in love with this community, I began to study and research the history and development of the Sunland and Tujunga areas for an eventual documentary which I continue to work on to this day. What I discovered was a community with a very special uniqueness since the beginnings of its conception. I feel that the research that I have done as well as many years of residency put me in a position to speak with authority to the numerous inaccuracies and omissions in the Canyon Hills DEIR. It is my expert opinion that Whitebird must reissue the DEIR in light of its gross inadequacy in correctly predicting the cumulative environmental impacts of the Canyon Hills Project.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 63-2:

1) LAND USE AND COMMUNITY UNIQUENESS

First and foremost, the most glaring omission, in my opinion, is the complete and utter disregard of the fact that the people of this area have fought for decades to maintain the unique and special lifestyle I previously spoke of. This is a community of misfits of sorts; it's a place that draws the kind of people who, while intensely loving their city of the angels, just can't breathe in a Westwood, Long Beach, or Encino. They need their open spaces and their horses and their wildlife to survive! For over a hundred years now these Mountains have been a beacon for such souls to come and settle and raise their families. From the first moments that development threatened this way of life the fight was on. Many decades later we find ourselves with a Scenic Preservation Specific Plan and a Community Land Use Plan that it seems would send a very clear message to all those that would ponder excessive development here. Just when you may begin to think that the misfits have won their fight they're confronted with Whitebird's Canyon Hills Project. It is clear to me that the current project plan flies in the face of everything this community has ever stood for and is! I believe it is a flagrant insult to all those who have toiled for so many years in effort to protect this communities way of life. Every rule, every zoning restriction, every requirement now in place should be enforced to its full extent and NO LESS! This, in my expert -opinion, is the only way to respect this community and its spirit. I myself

moved to Los Angeles in 1983 from a rural equestrian town in Southern Michigan. After many years of living in and around Hollywood I began to contemplate moving back home, then I found Sunland/Tujunga. As I stated earlier I fell madly in love with this community and its people. I rented a house in the area and I felt at home.

In my further pursuit of happiness I immediately began to save for a down payment and I searched for years among the hills of the Verdugos for a home that I could call my own. I was well aware (and found it somewhat miraculous) that some very insightful people had come before me and had had the foresight to protect these mountains, from overdevelopment. With the knowledge and comfort that the adjacent hills were protected by the words "SHALL BE VERY LOW DENSITY" in the Specific Land Use Plan, I put down my life's savings and purchased my current home. I have heard grumbling surrounding the subject of Whitebirds land owner rights and expectations. Well as far as I know those rights go both ways and the adjacent land owners have an extremely valid expectation that the City of Los Angeles will hold Whitebird to the limited number of homes allowed per the existing Slope Density Formulas, Hillside Ordinances, building codes and all other current Plan zoning. Whitebird has requested zone changes and while they have the right to develop their land responsibly this DEIR does not specify why any zoning regulations, carefully and thoughtfully put in place to protect this unique and special place in our city from environmentally harmful development, should be varied for any particular group or individual, and for this project specifically. The "Objectives" of this project do not substitute as reasons why this project should be developed beyond the regulations which apply to the surrounding community.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 63-3:

2) FLORA & FAUNA

Living in this community for so many years has given me the opportunity to observe a great variety of flora and fauna, it is one of the extremely unique and wonderful aspects of life in the Verdugo Mountains. It's a living classroom or museum of sorts, a priceless commodity, an undeniable resource for the residents of the entire City of Los Angeles to commune with nature, right on their own back porch. With the Canyon Hills Project being proposed in what I would call the heart of these Verdugos, it is my educated assumption that much of the extraordinary wildlife will ostensibly be eradicated from this area given the current irresponsible plans for development. The DEIR fails to identify this

eventuality for several reasons. The primary reason the environmental impacts to the areas wildlife is severely underestimated in the DEIR is because their expert's evaluation methods were fundamentally flawed. The environment here goes through dramatic changes with both the seasons and the variations in rainfall and weather in general. It is clear from the DEIR that very little time was spent in the field, not nearly enough for viable estimations of both wildlife present and wildlife movements in what I am certain is an active wildlife migration corridor. With many examples and stories of Deer and Mountain Lion sightings in the project area and with my own personal sighting of a Cougar making her way under the Foothill overpass of Little Tujunga Wash into the Verdugos, it is clear to me that this wildlife corridor is alive and well and should be preserved at all costs.

Response:

Contrary to this comment, the project site is located at the extreme northeast corner of the Verdugo Mountains with development immediately adjacent to the east and northeast and expansive development just to the north. Also, Interstate 210 bisects the project site, essentially severing the northern portion of the project site from the main body of the Verdugo Mountains, which is located south of La Tuna Canyon Road.

See Topical Response 4 regarding the amount of time that was spent on the biological surveys.

Comment 63-4:

My many years of observation of local wildlife during periods of both draught and high precipitation as well as regular exposure to both Nocturnal and Diurnal animal activities have led me to believe that the DEIR grossly underestimates not only the numbers of expected species in the project area, but more importantly the existence of many other species of both plants and animals claimed not to exist in the project area, some endangered. This defect to the DEIR is reason enough to require further study of this very delicate but vibrant zoo, aviary, and botanical garden.

Response:

The commenter does not cite a specific species of concern, so that specific response to this comment is not possible. Nonetheless, with respect to the concern expressed regarding the analysis in the Draft EIR and identification of species expected to occur on the project site, see Response 96-14. With respect to the concern expressed regarding the adequacy and effectiveness of the botanical surveys, see Response 9-6. With respect to the concern expressed regarding animals that have been evaluated for potential to occur on the project site and the associated potential impacts, see Response 41-1 and Topical Response 5.

Comment 63-5:

The DEIR also does not address:

The inevitable introduction of non-native invasive plants and their overtaking natural habitat

Response:

See Response 11-6.

Comment 63-6:

Increased predation by household pets and the devastating impact to the wildlife food chain, especially the Owl and Hawk populations.

Response:

The area east and northeast of Development Area A currently includes residential development with dogs and cats that are pets of the occupants. During surveys, GLA biologists regularly observed dogs and cats along the urban/wildland edge. As such, the existing condition on the project site includes potential impacts to native fauna due to the presence of domestic cats and dogs. With development of the proposed project, the urban/wildland edge would be shifted such that the newly developed areas would become the urban/wildland edge. Pets that roam the current edge would be “buffered” by the new development and their impacts on native fauna would be reduced or eliminated. The shift in the urban/wildland edge would not result in changed conditions, just a shift in the area that would be potentially affected. There would be no significant impact associated with the shift in the urban/wildland edge.

Furthermore, in response to this comment, the project applicant has proposed a homeowner education program regarding the potential impacts on wildlife by domestic animals that would also inform the residents regarding the potential affects on domestic animals left outside that can be taken by coyotes and killed. This program would be implemented in accordance with the following mitigation measure that has been added on page IV.D-65 in the Draft EIR (see Section III (Corrections and Additions) of this Final EIR):

Homeowner Education

D.1-8 All prospective homebuyers will be advised of the implications of living adjacent to natural open space areas. The educational materials will be written to foster an appreciation of native ecosystems, and will identify appropriate measures that

homeowners should take to minimize conflicts between wildlife, domestic animals, and humans, including:

- (1) Responsibilities and benefits associated with living near a wildland area (e.g., residents will be required to avoid planting invasive plant species, and will receive benefits related to maintaining the natural beauty of nearby open space areas).
- (2) Warnings of dangers and nuisances posed by wildlife that may forage at the development edge (e.g., dangers posed to humans and potential loss of pets from naturally occurring predators such as coyotes).

With implementation of the homeowner education program, it is expected that there would be a net decrease in impacts to wildlife along the urban/wildland edge from domestic animals over the existing conditions.

Avian surveys, including focused surveys for raptors, did not identify nesting hawks or owls within the proposed Development Areas and no direct impacts to hawks or owls would occur. Furthermore, sufficient open space would remain to ensure an adequate prey base for hawks and owls on the project site.

Comment 63-7:

Incompatibility of a gated community and its likely residents with the likes of Bobcats, Cougars, and Coyotes.

Response:

As detailed throughout the Wildlife Movement Study (see Appendix G to the Draft EIR) and in Section IV.D.3 (Wildlife Movement) of the Draft EIR, coyotes and bobcats are well-adapted to the urban edge and would not be affected by the proposed project. See also Response 27-1 and Topical Response 5.

Comment 63-8:

Finally the DEIR states that Whitebird will follow regulations when removing Oak trees by replacing them as required but it seems that the reintroduced trees will be placed in areas which will only enhance the intended developed areas of the project site and not where they need to be in the remaining open undeveloped areas as to replace the destroyed nesting sites of innumerable birds and small animals. This is not in line with the true intentions of the Oak Tree removal regulations.

Response:

See Topical Response 2.

Comment 63-9:

TRAFFIC

Traffic is probably the number one problem facing all residents of Los Angeles these days. I think that just being a resident here is enough to claim expert status on the negative effects of extensive traffic on the quality of our lives. Again Sunland/Tujunga stands out as an exception to the general rule. Although I have seen a great increase in traffic along our main thoroughfare of Foothill Blvd. over the past 13 years, it's still one of the few major streets in the entire city that you can drive down at rush hour and never wait more than one cycle to get through any traffic light. Looking at the current status of traffic in Los Angeles it's sometimes hard to believe that planning is actually taking place at all. The DEIR is completely fails to examine any of the potential traffic hazards that the Canyon Hills Project presents to our community.

The increased traffic as a result of the currently planned development is in my opinion far beyond anything the existing roadways can handle safely. Specifically the potentially deadly increase of traffic on Tujunga Canyon Blvd.

The recently built commercial development at the South-East corner of Foothill and Tujunga Cyn. included a driveway onto Tujunga Cyn. Blvd. just south of the main intersection. It is currently nearly impossible to use this exit safely because of a blind curve directly adjacent to the exit driveway. This is the exact location that I believe will be most problematic with the overly increased traffic generated by the currently proposed Canyon Hills Plan. It is my educated contention that the surrounding roadways will be significantly and adversely affected throughout the entire communities of Sunland/Tujunga and La Crescenta. The DEIR falls very short of any sort of comprehensive study into the real effects to quality of life for the residents of these communities as well as the inherent dangers therein. These traffic issues are exasperated by the intention to build 288 units which has been estimated to be over 330% of the currently allowed unit density for this project area.

Response:

Section IV.I (Transportation/Traffic) of the Draft EIR fully analyzed the potential impacts of the proposed project on the adjacent roadway system. With respect to the concern expressed regarding the adequacy of the traffic analysis in the Draft EIR, see Topical Response 9. With respect to the concern expressed regarding the potential traffic impacts to Foothill Boulevard and Tujunga Canyon Boulevard, see Topical Response 12. With respect to the concern expressed regarding access to an existing

commercial center several miles from the project site, that concern is not related to the potential traffic impacts associated with the proposed project.

Comment 63-10:

Again, I believe it is imperative that Whitebird have their consultant redo this EIR simply because it is inadequate and seriously understates the impact of this development on the community. I have pointed out only deficiencies that I have personal knowledge of and these alone warrant reexamination. Combined with the overall response from the community it would seem overwhelmingly obvious that further study must be conducted.

Thank you very much for your thoughtfulness and consideration,

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. Regarding the adequacy of the Draft EIR, see Topical Response 1.

Commenter 64: Andrea and James Gutman, 10511 Mahoney Drive,
Sunland, CA 91040, December 21, 2003

Comment 64-1:

Density: The designation “open space” is a misnomer. At this time, there is no land being dedicated or deeded as permanent open space (OS); therefore we can assume that a proposal for development in the OS area will be in the offing shortly. Because of the density proposed for parts A and B, precedent will be set with this designation and not only the remaining 600 acres will easily acquire this intensive zoning, but all surrounding acreage as well. It is our opinion the resulting impact will be significant on infrastructure such as police, fire, and recreational services. With this in mind, we believe the developer should now be required to set aside land to accommodate the future demand for services.

Response:

See Response 32-4.

Comment 64-2:

Fire Response Time: Because the issue of fire is of critical concern in the mountain/hillside districts and the fire department considers the existing facilities inadequate to attend Canyon Hills, both the density and the number of units should be revisited.

Response:

As discussed in Section IV.J.1 (Fire Protection) of the Draft EIR, the proposed project would have a less-than-significant impact on fire protection services with the incorporation of mitigation measures. With respect to the concern expressed regarding wildfire, see Topical Response 13.

Comment 64-3:

Recreation: Recreational opportunities will be inadequate for residents of the 280 homes. When recreational opportunities are lacking, youngsters gravitate to unsavory activity (even youngsters from affluent homes). And it is in fact difficult to reach or participate in recreational activity on hillside acreage. We therefore suggest that the developer be required to provide parkland for this hillside community.

Response:

See Response 28-2.

Comment 64-4:

Traffic: We do not dispute the existing traffic figures compiled by the department. We do however have some concerns regarding future traffic projections and the impact on the existing canyon neighborhood. Apparently calculation formulas for projected traffic in hillside areas has not changed in the last 30 years or so, as 9-10 trips per day was the figure suggested in those years. We are concerned, however, that the numbers do not adequately reflect present service vehicle trips per day. For example, trash pickup in the city of Los Angeles is now accomplished by 3-4 trucks instead of the original single truck; and the omnipresent '2-3 cable repair trucks' visit our Shadow Hills neighborhood on a daily basis as do the services of gardening and housekeeping that are required for maintenance of the homes of two income families. By themselves, these numbers do not represent a significant impact, but multiplied in relation to 280, we believe the cumulative figure will affect both the traffic and level of noise in this semi-rural/rural canyon area significantly.

Response:

With respect the concern expressed regarding the trip generation assumption rates and forecasts utilized in the traffic analysis, see Topical Response 9.

Comment 64-5:

Open Space: The issue of open space designation proposed for the Canyon Hills Development leaves many questions unanswered. For example, what is the future for this area described as open space (OS)? Who will own it? Who will maintain the fire buffers required by the fire department? Are there existing plans for future development or will the open space be someday converted to public parkland? Can this acreage be closed to the public due to issues of liability or for any other reason? Will the Canyon Hills Homeowners association want this acreage as a liability in perpetuity?

Response:

See Responses 32-4 and 38-2.

Commenter 65: Louise Henshaw, 6616 S. Esteban Street, Tujunga, CA
91042, December 21, 2003

Comment 65-1:

I have lived at my present address for 54 years as of January 2004. We moved here to raise our family in the rural atmosphere. I do not believe that the Canyon Hills developer should be able to exceed the present restrictions [sic] on building in this area.

The impact of more than tripling the number of homes would be destructive. We already have inadequate police, fire and emergency facilities. The destructive grading of hillsides, removal of 425 Live Oak trees, the extra noise, high density housing, increase in traffic congestion, increased demand for schools, and public services, are only a few of the unfavorable aspects that are not addresses in this EIR draft. We need a new EIR report that is adequate and unbiased.

Response:

Potential impacts to the rural character of the project area, the project site's compatibility with applicable land use plans and codes, geology and soils, oak trees, noise, population, traffic, schools and public services are addressed in Sections IV.N (Aesthetics), IV.G (Land Use), IV.J (Public Services), IV.A (Geology and Soils), IV.D (Biological Resources), IV.E (Noise), IV.H (Population and Housing) and IV.I (Transportation and Traffic) of the Draft EIR. The proposed project would not require the removal of 425 coast live oak trees. Rather, up to 235 coast live oaks would be impacted by the proposed project (as discussed in Response 149-105, the number of impacted coast live oaks has increased from 232 to 235).

Regarding the concern that the Draft EIR is inadequate, see Topical Response 1.

Commenter 66: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 21, 2003

Comment 66-1:

We find the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR") highly misleading in it's [sic] impact analysis of the Canyon Hills Project with respect to the issue of overcrowding of the school system.

Firstly, we feel that the estimate of school-age children that will come with the Canyon Project at full residential capacity to be woefully underestimated. Additionally, conversations with PTA leaders of neighborhood schools lead us to believe that the present over/under school capacity numbers quoted in Table IV.J-3 of the DEIR to be highly questionable.

Response:

With respect to the concern expressed regarding the estimated number of school-age children who would potentially be generated by the proposed project, see Responses 53-2 and 56-5. With respect to the concern expressed regarding the school capacity numbers included in Table IV.J-3 in the Draft EIR, as indicated in the footnote to Table IV.J-3, these numbers were provided by the Director of Master Planning and Demographics of the LAUSD, and are thus highly credible. Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 66-2:

Further, the DEIR cumulative analysis dealt with anticipated effects of the Canyon Hills Project alone. A true cumulative impact analysis relative to increased school-age population is not limited to the entries of "Related Projects" as listed in Table 11-3 of the DEIR which concentrates on urban commercial projects located primarily on Foothill Blvd which include such things as a fast food restaurant and gas station, but on an analysis of the cumulative effect of a radius of all communities impacting a given school's population. That would include the entire radius of cumulative impact surrounding eg [sic] John H. Francis Polytechnic High School, Verdugo Hills High School, etc. That radius of impact would include the community of Shadow Hills. I am not familiar with the entire impact radius of these schools, but I can speak for the small portion of the impact radius that is Shadow Hills. A 15-unit single family home development recently fully sold out. A 57-unit single family home development is under active construction and has already sold a number of it's [sic] units. A 21-unit single family home development, fully approved, will soon begin construction. A 14-unit single family home development, not yet applied for, but imminently coming. A number of additional 1 to 4 unit single family homes under construction throughout the community. This speaks for the impact of

Shadow Hills alone. What further developments are under active construction throughout the impact radius that should be included in this School Impact Cumulative Analysis of the DEIR?

Response:

See Topical Response 7. In addition, with respect to the 14-unit single-family residential development noted in this comment (Tentative Tract No. 53884), the Environmental Assessment Form for that project was filed with the City in the spring of 2003, several months after the Notice of Preparation for the proposed project was distributed to the public on September 6, 2002. Therefore, the 14-unit project was not included in the list of related projects in the Draft EIR for the proposed project because that project was unknown at the time the list was compiled. In any event, as discussed in Section IV.J.5 (Schools) of the Draft EIR and in Topical Response 7, the cumulative school impacts associated with the proposed project would be less than significant.

Comment 66-3:

Following is a response to a totally different subject - that of the Equestrian Park. The DEIR leaves much to the imagination rather than effective planning. The DEIR Project Description III-4 states that "It is anticipated that the City's Department of Recreation and Parks or a non-profit organization would operate the Equestrian Park." There is no evidence of any formal conversations with or negotiations with either of the above to assure that this will come to pass. In the absence of such outside support, the DEIR presents no alternatives to assure the construction of and maintenance of the Park.

Further, there is a serious oversight in the design of the Park. The Verdugos are much enjoyed and used by equestrians. Weekend rides are often a group activity. Parking capacity for only two horse trailers in a Public Equestrian Park is markedly inadequate. They do not easily stack one atop the other.

Response:

None of the statements in this comment relate to the environmental impacts associated with the proposed project. Rather, the statements in this comment reflect concern as to whether the proposed equestrian park would be constructed and maintained and whether it provides adequate equestrian opportunities. Therefore, a response is not required pursuant to CEQA. It should be noted, however, that, as discussed in the Draft EIR, the project developer would be responsible for the development of the proposed equestrian park. In addition, this comment apparently assumes that equestrians can only use the proposed equestrian park by driving there with their horses, which is incorrect. As discussed in the Draft EIR and Topical Response 8, the proposed equestrian park is adjacent to a segment of the non-public equestrian trail system on the north side of La Tuna Canyon Road. Therefore, equestrians would be able to ride directly to the equestrian park. See also Topical Response 8 with respect to the

potential installation of a traffic signal at the entrance to the proposed equestrian park that would provide a connection to the portion of the non-public equestrian trail system located on the south side of La Tuna Canyon Road.

Commenter 67: Douglas Moore, 9774 Samoa Ave., Tujunga, CA 91042,
December 21, 2003

Comment 67-1:

I have been visiting and living in the Tujunga area for 10 years. I enjoy its mountain and ridgeline views. As well, I enjoy its open spaces, dirt roads, trails, and diverse wildlife. So much so, I decided to purchase a home on Samoa Ave in Tujunga.

I have studied the DEIR for the Canyon Hills Project. It is a large document with many oversights and inaccuracies based on the fact that I can be considered a resident "citizen expert" in respect to many of the topics it both addressed and omitted. The Los Angeles City Planning Dept CANNOT accept this document as a whole or a complete insight with respect to the project area. As well, it would be very naïve to rely on this document for accurate information needed for informed decisions that you must make in regard to the variances that the Developer is requesting. I would like to mention an example in which the DEIR Report is in ERROR:

Section II Environmental Setting -- Page II-3, 4, 5

This section describes the project area and its current setting, yet does not mention a critical hike and bike way (trail) that exists on the Duke Property, but bisects the Canyon Hills property at the proposed entrance way near the intersection of La Tuna Canyon Road and the 210 Fwy en route to Hostetter Mtwy. If the proposed plan were approved, this very popular trail would be eliminated and would cut off access to La Tuna Canyon road which is needed to ascend Hostetter Mtwy. As a resident who uses this trail many times per week, this forces hikers and mountain bikers to circle around the project area using the heavily used and shoulderless Tujunga Canyon Blvd, to La Tuna Canyon road.

As a resident, citizen expert on this matter and avid mountain biker, several groups and riders and or hikers ascend and descend Hostetter Mtwy on any given day OR EVENING. Most that come from neighborhoods along the north or south side of Foothill Blvd in Tujunga, Sunland and La Crescenta DO NOT endanger themselves or resident motorists by accessing Hostetter Mtwy via riding on Tujunga Canyon Blvd to La Tuna Canyon road. Instead, this trail is used and accessed via Dorothy St and Estapa [sic] Dr as it descends to La Tuna Canyon very near Hostetter Mtwy.

This trail has been the answer to safe biking and hiking access to Hostetter Mtwy for over 10 Years!

If this access is cut off, it would force hiking and biking residents to either ride on dangerous roads that have No bike lanes, or increase traffic by driving to Hostetter parking area. No mention of this concern to bikers or hikers is mentioned in the DEIR and therefore the report must be considered in error and needs to be corrected in this regard.

I urge the City to require the Canyon Hills DEIR to be Re-Issued after this and All Other environmental impacts have been adequately addressed. I also must urge the City to hold the Project to compliance with all laws as well as the Scenic Plan for this area.

Response:

With respect to the concern expressed regarding hiking on the project site, see Response 27-4. With respect to the concern expressed regarding use of the project site for hiking at night, see Response 42-3. In addition, as described in this comment, a footpath begins at approximately the intersection of Estepa Drive and Dorothy Drive⁴⁵, then traverses south through the Duke Property and through the eastern panhandle of the project site (which would include the proposed primary access road to proposed Development Area A) and ends at La Tuna Canyon Road. This footpath is used by residents who live in the neighborhood north of the Duke Property as a shortcut to access the Hostetter Mountainway hiking trail, which is located south of the Interstate 210/La Tuna Canyon Road intersection. The development of the proposed project would obstruct this footpath with a retaining wall that would be constructed along a portion of the north side of the proposed primary access road to proposed Development Area A. However, the development of the approved Duke Project would, in any event, obstruct access. Furthermore, while the obstruction of this footpath would create an inconvenience for people who currently use it as a shortcut to Hostetter Mountainway, there are other options to access Hostetter Mountainway. For example, residents may travel through the existing residential neighborhood to Tujunga Canyon Boulevard and then south to La Tuna Canyon Road. Therefore, the obstruction of this footpath due to the development of the proposed project would result in a change in access to Hostetter Mountainway for some residents, rather than preventing access, as implied by the commenter.

With respect to the concern expressed regarding the proposed project's consistency with the Specific Plan, see Response 57-10. Regarding the recirculation of the Draft EIR, see Topical Response 3.

⁴⁵ Dorothy Drive is not shown on The Thomas Guide and RandMcNally street maps. Source: Thomas Bros. Maps, The Thomas Guide Los Angeles Counties, page 504, 2003; Rand McNally, Get a Map, website: <http://randmcnally.com/>, May 19, 2004.

Commenter 68: Douglas Moore, 9774 Samoa Ave., Tujunga, CA 91042,
December 21, 2003

Comment 68-1:

I have been visiting and living in the Tujunga area for 10 years. I enjoy its mountain and ridgeline views. As well, I enjoy its open spaces, dirt roads, trails, and diverse wildlife. So much so, I decided to purchase a home on Samoa Avenue.

I have studied the DEIR for the Canyon Hills Project. It is a large document with many oversights and inaccuracies based on the fact that I can be considered a resident "citizen expert" in respect to many of the topics it both addressed and omitted. The Los Angeles City Planning Dept CANNOT accept this document as a whole or a complete insight with respect to the project area. As well, it would be very naive to rely on this document for accurate information needed for decisions that you must make in regard to the variances that the Developer is requesting. I would like to mention an example in which the DEIR Report is in ERROR:

Section IV Environmental Impact Analysis –

Sub-section F: Artificial Light and Glare –

Page IV.F-2; Foot Note #3 states "While the project site is still visible from hiking trails in the Verdugo Mountains to the south of La Tuna Canyon Road, it is unlikely that material numbers of the public hike those hillsides at night."

As one of several dozen mountain bikers in the area, I must bring to your attention the fact that night biking is quite popular on Hostetter Mtwy year round. There are several groups and riders that descend Hostetter on any given weeknight after dark. As well over the last three years, in warmer months, I have witnessed increased numbers of hiking groups ascending and descending this same road. Hostetter is much more popular at night than what the report indicates. The project site makes up a very large part of the view while descending Hostetter from Verdugo Mtwy especially past the 1.00mi mark along the last 2.5mi till the trail head at La Tuna Canyon Rd. The DEIR is in ERROR by omitting details of this in the Artificial Light and Glare section.

Currently these views from Hostetter have little nighttime Light Pollution from the project site or surrounding streets, roads and freeways. Night time views of the sky with lower levels of Brightness and Glare are one of the qualities residents currently enjoy that live near the project site. This includes those increasing numbers of people descending Hostetter at night. If the project site were to be developed as requested, the resulting increase of night time Light Pollution, Glare and Brightness would have a devastating negative impact on these large views to these residents.

As the foot note [sic] #3 in the DEIR indicates, "...it is unlikely that material numbers of the public hike those hillsides at night." The dozens of riders and hikers that hike those hillsides at night expose this as untrue and the report needs to be corrected to reflect the growing popularity of Hostetter Mtwy at night.

As well, I also urge the City to require the Canyon Hills DEIR to be Re-Issued after this and All Other environmental impacts have been adequately addressed. I also must urge the City to hold the Project to compliance with all laws as well as the Scenic Plan for this area.

Response:

With respect to night hiking on Hotstetter Mountainway and Verdugo Crestline Drive, see Response 42-3. With respect to recirculation of the Draft EIR, see Topical Response 3. With respect to the proposed project's consistency with the Specific Plan, see 57-10.

Commenter 70: Kyle Springer, 9765 Tujunga Cyn. Blvd., Tujunga, CA
91042 December 21, 2003

Comment 70-1:

I am writing this letter in response to the Canyon Hills Project Draft EIR Case # ENV-2002-2481-EIR Reference# SCH 2002091018. I have lived in Tujunga my entire life and I enjoy its rural characteristics greatly. There are few areas left in the Los Angeles area with Tujunga's unique rural character and open space. Having lived in Tujunga my entire life I have seen a lot of growth and changes, and while both can be good, I feel it is extremely important that it is done with very careful planning.

After reading section IV. Environmental Impact Analysis J. Public Service and I. Fire Protection I see many inaccuracies as well as complete omissions of very crucial information. I am a Municipal City paid Professional Firefighter-Paramedic and feel more than qualified to comment in these areas.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1.

Comment 70-2:

To begin with on page IV.J-3 and IV.J-4 under response distance and access

The DEIR points out the fact that the project site is not within the Maximum allowable response distance per the LAFD FIRE CODE being that the project site is 2.8 miles from the closest Fire station. The project site is almost twice the Maximum allowable distance for the Closest Engine Company and 1/3 greater than the Maximum allowable distance for the Closest Truck Company. If there should ever happen to be a significant structure fire or other incident the closest Fire station #74 would quickly deploy its entire resources (1 engine company, 1 Truck company with a pumper, and 1 rescue ambulance). This leaves the rest of the city to be covered by Fire station #24 which is approximately 3.4 miles from Tujunga (well over twice the maximum allowable distance) Fire station #24 provides a single Engine Company and provides no paramedic service. The Third closest station #77 is approximately 4.25 miles from Tujunga (again well over two times the Maximum allowable response distance) Fire station #77 provides Paramedic service, but does not provide ambulance transport of patients. Another concern and factor regarding response times and distances is the possibility and probability that the second closest Fire station #24 and third closest Fire station #77 are either on another call in their own districts or were already dispatched to the first mentioned incident response with fire station #74. During this type of incident the rest of the city is unprotected and at best, eligible Fire Protection will be coming from as far away as Pacoima (Fire Station 98) Van Nuys

(Fire Station 89) or North Hollywood (Fire Station 60). These Fire units will have incredibly long response times and distances, (again given only if they are available to respond and not already on a call in their own districts). The DEIR acknowledges the fact that the Canyon Hills Project will increase the likelihood and threat potential of fires in this already "Very High Fire Hazard Zone" during temporary construction operations as well as the long term by introducing the new population to the area (page IV.J-5 and J-6). The DEIR mentions the developers intended mitigation measures for complying with the LAFD's Fire Code for an area of residential development outside of the Maximum response distance. The developer intends to comply with LAMC Section 57.09.07 by providing automatic fire sprinkler systems to the project structures. This measure will in no way reduce response times or reduce the threat of a wild land fire.

Response:

See Topical Response 13.

Comment 70-3:

In speaking with several members of the LAFD's Fire Suppression crew at Fire Station #74, I found that the members there by and large feel that Fire Protection and services in this area are already spread out thin and Fire Station Personnel feel extremely challenged to accommodate the citizens of Tujunga and surrounding areas. The DEIR also mentions there are currently no plans to increase or augment area Fire Stations or personnel numbers (page IV.J-1). Existing mutual aid agreements and back up support from the County of Los Angeles Fire Department is only during Wild land fires and not structure fires or Emergency medical services.

The mitigating solutions provided in the DEIR by the developers and their team mentions efforts to aid against the threat of structure and wild land fires.

I find that this current DEIR is severely flawed in its attempt to down play the serious nature of a structure fire and or a wild land fire. The DEIR states it feels the mitigation measure's it provides for will adequately reduce the recognized potential and significant impacts the Canyon Hills Project will have on Fire protection Services, furthermore the DEIR then concludes these threats to be less than significant (page IV.J-12). This statement is a gross misunderstanding of the intensive use of equipment, resources and manpower a single structure fire demands. This type of incident is always a significant threat and impact to fire protective services even under the best staffing, mitigation efforts and conditions. The same is true for a Wild land Incident. I feel it safe to say we have all seen the devastation a wild land fire can bring regardless of the best-intended mitigating efforts and Fire Equipment available.

Response:

See Topical Response 13. The commenter is correct that backup support through mutual aid agreements between the LAFD and the Los Angeles County Fire Department exist. However, the mutual aid agreements apply to all situations in which the LAFD need assistance (e.g., paramedic services, structural fires and wildfires). With respect to the concern expressed regarding paramedic services, see Response 23-3.

Comment 70-4:

Taking all of the above mentioned into consideration, the single most significant under estimation of the DEIR as it relates to Public Services and Fire Protection, is the complete omission and lack of mention regarding Emergency Medical Service (EMS) provisions. Aside from the statement the DEIR does make in that the LAFD is the primary provider of Paramedic and ambulance service to 911 patients in the area. There is no mention of what impact this project (Canyon Hills) will have on the already challenged Emergency Medical Services for this area. As it stands currently the only ambulance serving Tujunga and the surrounding area is Rescue Ambulance #74 there is not another ambulance capable of patient transport anywhere near this area once Rescue #74 is in use and on a response. Please note that fire apparatus such as an Engine Company or Truck Company cannot transport a patient at any time. There are only two hospitals in the general Tujunga area that accept patients from LAFD Paramedics, the first being Pacifica Hospital in Sun Valley approximately 5 miles from Tujunga and Verdugo Hills Hospital in La Canada approximately 5 miles from Tujunga (Verdugo Hills Hospital will frequently make itself closed to LAFD patients during times of heavy Emergency Room use such as FLU season, I was told it is not uncommon for Verdugo Hills Hospital to be closed to LAFD patient traffic). A third Hospital available for LAFD patients would be Providence Holy Cross located in Granada hills approximately 15 miles from Tujunga, (Holy Cross is the nearest Trauma Hospital and generally would only accept patients from the Tujunga area that meet the Trauma center criteria).

Understanding these factors it is quite easy to see how with just one patient being transported to the hospital by Rescue Ambulance #74 the entire retraining Tujunga area is without patient transport capabilities for extended periods of time. The typical turn around time for a Paramedic Ambulance in the LAFD is one hour. It is very easy to see that the LAFD is already extremely challenged to provide patient care in this area without adding the estimated 831 residents the Canyon Hills project would add, (this number of residents is highly subjective and most likely inaccurately low).

According to the American Heart Association which has developed and published the ideal guidelines and criteria for rapid EMS response systems, as well as Advanced Cardiac Life Support criteria and guidelines, that of which the LAFD Paramedics are trained in and follow as their Standard field Treatment protocols. The American Heart Association states that a response time greater than four minutes for a person suffering a heart attack or other life-threatening emergency is too long! (pp. 17-7

Advanced Cardiac Life Support-American Heart Association 1997). The ideal goal is to have advanced life saving personnel (Paramedics) on scene within four minutes.

Currently the LAFD finds itself severely challenged to meet this goal. The second part of this is that the American Heart Association also calls for rapid transport of critical patients to the receiving hospitals. Patients such as those having heart attacks, strokes or that are critically injured require rapid Ambulance transport. It is simply not enough to provide Fire Department members to the scene via an Engine or Truck Company with out the ability to transport a patient within an acceptable period of time. The DEIR as it relates to the Canyon Hills Project has already acknowledged the fact that existing Fire Protection Service in this Area is not able to provide emergency response within acceptable LAFD time frames. This undoubtedly puts the citizens of this community at great risk! No amount of fire sprinklers or fire resistant shrubbery will change these inadequate response times and patient transport abilities.

I am asking that further research be conducted regarding the LAFD's EMS Services in the Tujunga and surrounding areas and the Impact the Canyon Hills Project will further negatively impact Life Safety Issues.

Response:

See Response 23-3 and Topical Response 13.

Comment 70-5:

In closing I am not against change and or growth in this area, however I am asking the Los Angeles City Planning Department and The Los Angeles City Council members to reject this DEIR as it is currently written as well as asking that the Developers and the Canyon Hills Project be limited from building the proposed 280 homes and be held to strict compliance of the current existing Los Angeles City Building code requirements of the 87 homes this zoned area would provide.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 71: Janice Vogel Ackles, 7100 Flora Morgan Trail, Tujunga,
CA 91042, December 22, 2003

Comment 71-1:

As a resident of Tujunga for the past 26 years, I have become quite attached to the natural beauty and cultural diversity of the surrounding communities. Because I live in the Verdugo Hills, I am situated a short distance from the proposed Canyon Hills project area and therefore take an interest in the impact this project will have on the community:

I have studied the DEIR and have noted dozens of inaccuracies and omissions in the total environmental impact. While I recognize I am not an environmental expert, I feel it is important to underscore two major existing conditions which have far-reaching ramifications for the well-being of all citizens.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1.

Comment 71-2:

1) Fire Protection:

There are only three fire stations in an already heavily taxed, high fire area. The total area to be covered by these facilities is vast in both wild, mountainous terrain and close-density urban sprawl and the resources are currently stretched to the limit. Should we experience fires in this vicinity like those of the past months in Simi, San Bernardino and Riverside counties, I suspect the death toll could be even higher and hundreds of acres of wilderness would perish. This area cannot support another cluster of high-density homes as proposed by the Canyon Hills developers.

Response:

See Topical Response 13.

Comment 71-3:

2) Police Protection:

There are currently two police officers assigned to cover all crime-related incidents in a huge, sprawling area of the Northeast San Fernando Valley. While they are diligent in their assignment, they are unable to respond to most calls in under 1/2 hour. This certainly can mean the difference between life and death in many instances. Any more additional strain on the current system will inevitably result in greatly increased crime rates. We want our community to be as safe as is possible.

Response:

See Response 29-4.

Comment 71-4:

While I can certainly understand anyone wanting to better themselves through commerce, land development being one such area, I also believe it is possible to make money and still have regard for the people in a community and for the environment.

Perhaps Edward Abbey, noted writer and naturalist, expressed it best, "Though men now possess the power to dominate and exploit every corner of the natural world, nothing in that fact implies that they have the right or the need to do so."

I urge the City to require the Canyon Hills DEIR to be re-issued after all the environmental impacts have been adequately addressed, and to hold the Project to comply with all laws and to the Scenic Plan.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Regarding recirculation of the Draft EIR, see Topical Response 3.

Comment 72-3:

Thirdly, approximately 200 acres which can be most economically developed are zoned A1 for very light residential and should remain so. He is asking to put over 200 homes where only about 50 are permitted. Most residents of our area are opposed to this and they do not want the city to concede to his demands or threats. The fact that he has the resources to buy access to city hall does not make it right. He has the right to build the maximum number of homes the code permits on the land he owns, like any other property owner.

And finally, your adherence to the city zoning plan is our best protection against further degradation of the environment and overtaxing of our infrastructure. There is no rule of law when the wealthy and powerful can simply have changed any regulation that they don't wish to abide by. We are so sick of developers getting huge favors because of their well placed campaign contributions.

In complete seriousness I can say that we are depending on your commitment, as a public servant, to protect our city and the Plan that protects our remaining rural and open areas.

Response:

This comment expresses opinions about the proposed project and the project applicant, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

old, I walked through those hills and learned how to identify the indigenous vegetation so seldom seen in the metropolis we call Los Angeles. As a teacher for Glendale Unified School District, I can not tell you how disheartening it is to hear that some students have not been to their local mountains. I believe this land would be better used to educate our children about nature. If we rid ourselves of open space now our children and their children may never know the pure serenity of being in nature. They may never know the sound of wind rustling through the leaves of a great oak tree, or what an oak tree is.

Response:

The Draft EIR does not state that impacts to trees would be insignificant. On page IV.D-114, the Draft EIR states the loss of coast live oaks “would be considered to have a substantial adverse effect on a species identified as worthy of protection in a local regulation, and would therefore constitute a significant impact prior to mitigation.” However, the Draft EIR concludes that, the implementation of the conceptual tree planting program would be sufficient to mitigate the proposed project’s long-term impact on coast live oaks to a less-than-significant level. See also Response 149-105.

With respect to open space, the proposed project includes the permanent preservation of 693 acres of open space (approximately 78 percent of the project site). This open space outside the proposed Development Areas would be donated or dedicated to the Santa Monica Mountains Conservancy or another qualified entity.

Comment 73-4:

The impact on animals has been understated. The threat to the animals that live in these hills is immense. The author of the report stated that he did not notice any tracts of mountain lion or bobcat. Could it possible [sic] be that he did not know where to look? Anyone who has lives[sic] in this area for a time can tell you that there is an actual corridor leading to the Tujunga Wash, and the animals have learned to travel in the early hours of the morning. We have not had the problems that other communities have had with wild cats. Perhaps this is because of the open space that currently exists. Develop houses on this area and trouble will be around the corner.

Response:

Potential impacts to resident and migratory wildlife were evaluated during surveys conducted between November 2001 and February 2003 (see Survey Activity Table in Topical Response 4). As noted on pages IV.D-58 through IV.D-60 in the Draft EIR, no significant impacts to wildlife were identified during the detailed biological investigations.

Figure IV.D-21 in the Draft EIR depicts graphically the results of the wildlife movement study. As reflected in that graphic, the wildlife biologists who conducted the wildlife movement surveys and

compiled the data knew where to look for signs of wildlife. The fact that sign for neither bobcats nor mountain lion was detected suggests that these animals are far less common than coyotes and gray foxes in the study area (though the Draft EIR notes that each may occur on the project site on occasion, with bobcats far more common). In addition, see the detailed discussion of wildlife movement in Topical Response 5.

Figure IV.D-20 in the Draft EIR depicts the “Missing Link” (i.e., the area between the Tujunga Wash and the project site that provides a tenuous link for regional wildlife movement between the San Gabriel Mountains and the Verdugo Mountains), which is referred to in this comment. As discussed in some detail in Section IV.D.3 (Wildlife Movement) in the Draft EIR (see, e.g., pages IV.D-142 through IV.D-143 and IV.D-153), the proposed project would not impact this potential corridor.

Comment 73-5:

A few more matters close to my heart are those of the impact of artificial light and police protection. Many of the residents of Los Angeles have not had the luxury of seeing a star filled night by simply looking out of their own back door. Adding 280 houses with some 70 odd street lights to the development will take away that luxury from current residents, not to mention the traffic and population pollution that will come as well.

Response:

As discussed in Section IV.F (Artificial Light and Glare) of the Draft EIR, the proposed project has been designed to reduce, to the extent possible, night sky illumination. For example, the use of exterior lighting would be limited by the CC&Rs for the project. Specifically, the CC&Rs would prohibit the use of all exterior uplighting fixtures for building facades and trees, limit the amount of landscape lighting per foot, require a downlight component for all exterior-building mounted fixtures and prohibit “glowing” fixtures that would be visible from existing communities or public roads. In addition, the City requires a minimum lighting level of 0.4 footcandles (fc) between street lights on public roads, but that standard does not apply to private streets. This provides the project developer with the opportunity to design a street light system with a substantially lower level of illumination that minimizes the lighting impacts. For the proposed project, the minimum maintained average illuminance level would be reduced from 0.4fc to 0.2fc by reducing the wattage of the street lighting fixtures.

Comment 73-6:

The city prides itself on a 7 second response time for police calls. Except in the Foothill Division there is only one patrol car in this area at a time, and the response time average is about 14 seconds. That is twice of what it is suppose to be currently. Add another thousand people (not to mention any visitors)

to the mix, and response time will take even longer. Do our tax paying citizens need to put their lives at risk so some out-of-state developer can get rich?

Response:

See Response 29-4.

Comment 73-7:

Last, I just wanted to say that I have a 15 month old daughter. I bought my house in Sunland because I wanted her to have as high a quality of life as I had growing up in Tujunga. I wanted her to know open space with trees and creatures, not just concrete and buildings. There is no place else like La Tuna Canyon in Los Angeles and if you take it away there never will be again.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 74: Edward Condit, 7080 Flora Morgan Tr., Tujunga, CA
91042, December 22, 2003

Comment 74-1:

I am a home owner in Tujunga and appreciate this community for the availability of untouched nature. The natural slopes with the trees and native plants and the wildlife that they support are an important factor in my decision to live here.

I believe that the referenced DEIR is diffident in regards to the proposed removal of trees. It is estimated that over 300 oaks and sycamores will be cut or moved. The DEIR proposes to mitigate this loss by replacing them with trees they will move in. This mitigation is not acceptable in that their plan will replace the trees in the areas of the proposed homes. Along walkways and roads leaving the wildlife areas empty of their original trees. The California State Environmental Agency that regulates there issues has guidelines and laws that state that trees must be replaced in the areas that are used by the wildlife that originally depended on them. (Planting acorns is not acceptable as germination is far from guaranteed.)

I therefore urge that the draft environmental impact report be rejected due to this deficiency.

Response:

See Topical Response 2 regarding the tree mitigation plan.

In addition, see Topical Response 1 regarding the adequacy of the Draft EIR.

Commenter 75: Steve Crouch, Canyon Area Preservation, P.O. Box 633,
Tujunga, CA 91043, December 22, 2003

Comment 75-1:

The LA City Planning Department has issued a Draft Environmental Impact Report (DEIR) for a proposed development of 280 homes within the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan (the Community Plan) area known as Canyon Hills.

In the DEIR Summary under “Land Use - Consistency with Land Use Plans, Policies and Regulations” on Page I-33, it declares “The proposed project would be consistent with the applicable policies in the Sunland-Tujunga Community Plan” and “the proposed project’s land use impacts would be less than significant and therefore no mitigation measures are recommended”.

These declarations are FALSE and NOT CONSISTENT, and the proposed project should be rejected on Land Use issues alone, though there are numerous other reasons to reject this proposal or at the least to require the DEIR to be rejected, modified, and resubmitted.

Response:

See Response 57-10.

Comment 75-2:

As part of their application, the developer is required to secure the following entitlements from the City Council before receiving the necessary permits to build the project. By definition, the fact that they are requesting these amendments and variances is proof that their initial assertions about consistency are false:

- Major Plan Review
- General Plan Amendment to change the land use designation in the Sunland-Tujunga Community Plan on a portion of the project site from Minimum Residential, Very Low I Residential, Very Low II Residential and Open Space to Minimum residential and Low Residential.
- Zone changes to change the zoning designations for portions of the project site from AL (agricultural) and RE 11 (Residential Estate) to RE9-H (Residential Estate Hillside) and RE 11-H (Residential Estate Hillside).
- Oak Tree Removal/Relocation Permit
- And many other requests such as variances from the Hillside Housing Density Ordinance and the 15% Slope Plan Amendment.

Response:

This comment is incorrect in several respects. First, the Draft EIR does not assert that the proposed project is consistent with the current land use and zoning designations for the proposed Development Areas. However, as discussed in the Draft EIR, the project includes the proposed amendments for the land use and zoning designations for the Development Areas referenced in this comment, and the proposed development would be consistent with those designations. Second, the fact that the project applicant is seeking an oak tree removal/relocation permit from the City with respect to the impacted coast live oak trees does not reflect any inconsistency of the proposed project with applicable zoning requirements. Contrary to the implication of this comment, the Specific Plan and Section 46.00 *et seq.* of the LAMC permit the removal of coast live oak trees. Pursuant to Section 8B of the Specific Plan, the Advisory Agency would determine whether the required findings for the issuance of the permit can be made. Third, the project applicant has not requested any variances as part of the proposed project.

Comment 75-3:**Transfer of Density**

One of the key elements proposed by Whitebird is to transfer the density of development proposed for the entire 887 acre project area to a 194 acre section of the property. To enable this, they are requesting that the zoning for a 194 acre area be changed to RE-9H (9,000 square foot lots) and RE-11H (11,000 square foot lots) to allow them to build their 280 homes in an area that is currently zoned primarily as A1-1 Minimum - two structures per five acres with a minimum lot width of 300 feet. As a point of fact, the total number of homes allowed under current zoning and land use regulations for the entire 887 acres is (allegedly) 87 houses - approximately 1 house every ten acres.

I decided to review the Community Plan to check the actual wording when it comes to the concept of clustering or “transfer of density”. The results of my study are presented here with references to the specific sections of the Plan. The Community Plan along with maps and footnotes is available on-line for anyone to check these facts (for the Community Plan <http://www.ci.la.ca.us/pln/complan/pdf/sldcptxt.pdf>, for the map and footnotes, <http://www.ci.la.ca.us/pln/complan/valley/sldplan.htm>).

Response:

The proposed project does not involve the transfer of density. In addition, the statement in the comment that the project applicant is “requesting that the zoning for a 194 acre area be changed to RE-9H (9,000 square foot lots) and RE-11H (11,000 square foot lots)” is incorrect. As discussed in the Draft EIR (see Table III-3), and as modified in Section III (Corrections and Additions) of this Final EIR, and Topical Response 8, the project developer has proposed rezoning approximately 237 acres of the project site as RE9-1-H, RE11-1-H and RE20-1-H.

Comment 75-4:

The San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (the Scenic Plan) will have additional information regarding this issue. Since the Scenic Plan was only approved on December 19 2003, Canyon Area Preservation will write a separate letter commenting on the Canyon Hills DEIR's conformance with the Scenic Plan. The Applicant has included many references to the Scenic Plan in the DEIR and these references are entirely inappropriate considering that the Scenic Plan continued to undergo major revisions past the time of submission to the City Council of the DEIR, though we appreciate their awareness of how this will ultimately have a major effect on this project and how it may require the Applicant to revise the DEIR. Still, the provisions of the Community Plan will prevail in all areas outside of the Prominent Ridgeline Protection Areas outlined in the Scenic Plan, as per the City Council's endorsement of the Scenic Plan in September 2002 where Councilmember Wendy Greuel of CD 2 read aloud the sentence declaring this fact.

Response:

The references to the draft Specific Plan in the Draft EIR were not inappropriate. It is true that CEQA does not require analysis of the proposed project's consistency with the draft Specific Plan because it had not been adopted by the Los Angeles City Council at the time the Draft EIR was completed and circulated for public comment. However, given the strong public interest in the Specific Plan, it was considered appropriate to include a description and consistency analysis in the Draft EIR with respect to the draft Specific Plan for informational purposes. As indicated in the comment, the City Council subsequently adopted the Specific Plan during the public comment period on the Draft EIR. As a result, the text in the Draft EIR with respect to the Specific Plan has been revised in Section III (Corrections and Additions) of this Final EIR to account for the changes made to the Specific Plan between September 18, 2002, the date on which the City Council preliminarily approved the draft Specific Plan, and December 19, 2003, the date on which the City Council adopted the final Specific Plan.

Comment 75-5:

Here are the statements in the Community Plan I was able to find that mention the concept of clustering, although the term "transfer of density" is not specifically used:

Community Plan

- Chapter One, Community Issues and Opportunities, Page I-3 "Opportunities" – Un-developed or underdeveloped land allowing opportunities for clustered development.

- Chapter Four, Coordination Opportunities For Public Agencies, Page IV-3 “Housing” - Item 6: Allow for the assembly and trade of public land in order to encourage the construction of housing in appropriate locations within the Plan area.
- Map Footnotes, Page F-1 Footnote 7.- Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership. Density in the clusters shall not exceed that permitted in the Low density housing category for areas that are not in “K” districts, and shall not exceed that permitted in the Very Low I category for areas that are within a “K” district.

If one examines these passages for specific legal wording or intent, one sees that the Community Plan is primarily telling future developers and regulatory agencies that they shall “cluster” development in “appropriate locations” in the “more naturally level portions of the ownership”.

But what does this say about moving a homesite that is affected by a hillside from one lot to another and therefore creating a higher density than the zoning allows for the second lot? Only Footnote 7 in the third sentence says “Density in the clusters shall not exceed that permitted in the Low density housing category for areas that are not in “K” districts, ...”. The previous sentence in Footnote 7 says that clustering should be done in the more naturally level parts of the land, but that simply means to get the homes off the hillsides. The phrase “...Shall not exceed” can be taken literally - it is not a requirement that Low Density zoning be used for every parcel a developer wants to build.

If these are the only-three statements that mention this concept in the entire 50 page Community Plan document, what else is written about land use that might have a modifying effect. [sic] It turns out there is plenty.

Response:

With regard to the preservation of ridgelines, the commenter is correct that Footnote 7 in the Sunland-Tujunga Community Plan permits the clustering of residential units at the maximum density permitted under the Low Residential land use designation. The commenter is also correct that the Sunland-Tujunga Community Plan states that undeveloped land allows opportunities for clustered development. Regarding development in the “more naturally level portions” of the project site, see Topical Response 6.

Comment 75-6:

Before going into that section of this report, I would like to highlight one particular passage that specifically mentions the land owned by Whitebird intended for the Canyon Hills development. This is one of the few places in the entire document where a specific piece of land is singled out for a comment:

Community Plan, Footnotes, Page F-2, Footnote 15 –

“Development located between the Sunland-Tujunga Lake View Terrace-Shadow Hills-La Tuna Canyon Community Plan boundary line on the south, the DWP right-of-way on the northeast, and Sunland Boulevard on the northwest having a natural average grade of 2:1 or steeper shall be limited to Minimum Density.”

Note that Footnote 15 states “...Shall be limited to Minimum Density”. It doesn’t say “may” or “if a developer wants to”. Since both Footnote 7 and 15 coexist in the Community Plan, one must conclude that the more restrictive footnote should prevail when it specifically identifies a boundary. Footnote 15 exists because this area is particularly steep terrain requiring protection from the kinds of grading that would be necessary to make high density development possible here. Minimum Density standards should be enforced for this land. Canyon Hills is NOT CONSISTENT with the concept of Transfer of Density.

Response:

This comment apparently assumes that all or a portion of the proposed Development Areas are located on the land described in Footnote 15 of the Sunland-Tujunga Community Plan. However, that is incorrect. As written, Footnote 15 has no effect because there is no land in the Community Plan area that has the boundaries described in Footnote 15. Based on discussions between the project applicant and Department of City Planning officials, it appears that the reference to the “DWP right-of-way” is incorrect, and that the intended reference apparently was to the SCE Transmission Line ROW that bisects the Community Plan area in a generally west-east direction. With that correction, Footnote 15 describes a large parcel of land located far to the west of the proposed Development Areas. That parcel of land includes a few acres of the southern portion of the project site that currently have a land use designation of Minimum Residential under the Sunland-Tujunga Community Plan. The proposed project does not include the development of any portion of that land, nor does the proposed project include any amendment of the Minimum Residential land use designation for that land.

Comment 75-7:

Minimize Grading In Hillside Areas

Another key aspect of the Community Plan and several long-standing City ordinances has to do with grading of hillsides. This has been a contentious issue in Council District 2, ever since Councilman Howard Finn first proposed the concept of the Scenic Preservation Specific Plan over 20 years ago and continued with the efforts of Joel Wachs, who shepherded the Scenic Plan through the planning process until his resignation in 2002, at which time Wendy Greuel inherited the initiative.

The grading of hillsides to accommodate development on slopes has been discouraged for many years in this Council district by ordinance. This is spelled out in the Community Plan in several places, most prominently in Chapter III:

Chapter III, Goal 1 Objective 1-6, Page III-5 - To limit residential density and minimize grading in hillside areas. Policy: 1-6.2: Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Plan area. Program: The Plan designates hillside areas in the Minimum and Very Low Densities of the General Plan and use designations and corresponding zones. Continue implementation of the Citywide Hillside Ordinance and the 15% Slope Density Ordinance. Policy 1-6.3: Require that grading be minimized to reduce the effects on environmentally sensitive areas.

The purpose of this Goal is to eliminate the need for wholesale grading of hillside areas by enforcing Minimum density zoning so as to preserve the unique character of the land and the community. The Canyon Hills project fails to minimize grading.

Response:

See Topical Response 6. As discussed in the Draft EIR, while the proposed project would require a substantial amount of grading, it is a low-density residential development and clusters homes in a manner that minimizes grading and other effects on environmentally sensitive areas. The proposed project has been designed to avoid the project site's steeper slopes and to use landform grading to the extent practical.

Comment 75-8:

According to the DEIR (Project Description Page III-6), 240.23 acres would be affected by the grading of approximately 5.52 million cubic yards of earth (4.6-million cubic yards + 20% remedial grading). However, this figure does not include an additional 23 acres of the project site that is part of their "natural open space" designation and would be subject to remedial grading (Project Description Page III-8 Open Space Paragraph 2); nor does it apply to an additional 73 acres of "modified open space" in

the fuel modification area (Project Description Page III-8 Paragraph 3). These graded areas now total 336.23 acres, or nearly 38% of the total Site.

There are a lot of conflicting statements in the DEIR regarding exactly how much total grading will be done. In the Hydrology section, it states that 439 total acres will be affected by development - 360 acres in Area A north of the 210 Freeway and 79 acres in Area B south of the 210 Freeway (Hydrology Page IV.C-5). In the Project Description I noted above they initially identify 240.23 acres that would be affected by grading. In the Land Use section (Page IV.G-15) they talk about 693 acres of the 887 are project as being preserved as open space, leaving 194 acres of development - a misleading figure when it comes to grading impact on the land. In the initial Summary section (Page I-15&16), they say 304.77 acres would be "disturbed" (211 acres affected by grading and not revegetated,..., An additional 23.32 acres would be subject to remedial grading impacts, but would be revegetated..."), so by my count 234.32 acres would be graded according to this section. Diagram IV.D-4 "Zones of Temporary and Permanent Impact With The Project" shows 33.32 acres of temporary impact and 304.77 acres of permanent impact totaling 338.09 acres.

I cannot find one single sentence in the DEIR that definitively states how much actual grading will take place in. total on this project. By "total" I mean everything, even in the "open space" they will be dedicating to a public agency. At the very least, I can assure you that the 194 acre figure that is constantly used to describe the size of this project is MISLEADING.

Response:

Contrary to the comment, as discussed on pages III-6 and III-8 of the Draft EIR, the 240.23 acres of the project site that would be disturbed by grading do include the 23 acres of remedial grading and the 73 acres of fuel modification zone. For further information about the area disturbed by grading, see Topical Response 6.

The Draft EIR does not state that there would be 439 acres affected by development. Rather, page IV.C-5 in the Draft EIR states that "the total study drainage area for the proposed project consists of approximately 439 acres" The runoff from those 439 acres is calculated in order to determine the appropriate sizes and capacities of the proposed project's storm drainage improvements. The fact that 439 acres have been studied for hydrological purposes is unrelated to the proposed grading.

Section III (Project Description) of the Draft EIR correctly indicates that approximately 693 acres of the project site would be preserved as open space (see also Topical Response 6 regarding the increase in open space). As discussed on page III-8 in the Draft EIR, this open space consists of 559 acres that would not be graded, 23 acres subject to remedial grading and 111 acres of modified open space. The 194 acres of land in the proposed Development Areas are not a measure of grading disturbance, it is the portion of the project site that would not be preserved as open space (887 - 693).

Figure IV.D-4 in the Draft EIR does not indicate that 33.32 acres of the project site would be temporarily impacted by grading. Rather, it indicates that 23.32 acres would be temporarily impacted. As discussed above, this is the area of remedial grading, which was included in the 240.23 acres of total grading disturbance and should not be double-counted as suggested by the commenter.

Comment 75-9:

If Diagram IV.D-4 is used, 338.09 acres (38%) of the project Site will be graded. This figure includes many hillsides that extend way beyond the “more naturally level portions of the ownership” as envisioned even in Footnote 7 of the Community Plan. In order to accommodate the proposed number of houses, roads, and utility easements hillsides will have to be leveled and “shaved” down by as much as 80-100 feet, something that is prohibited by the existing ordinances and the spirit and word of the Community Plan. The hillsides are a feature of the area to be preserved, not destroyed - regardless of whether they are considered “Prominent” or not.

Response:

As discussed in Response 75-8, the statement that 338.09 acres of land on the project site would be graded is incorrect. Regarding the statement that the project site would be “shaved down by as much as 80-100 feet,” see Topical Response 6.

Contrary to the comment, the development of the proposed project would include the preservation of most of the ridgelines located on the project site. The Specific Plan has identified the Prominent Ridgelines subject to protection under the Specific Plan. The proposed project has been designed to comply with all requirements and restrictions in the Specific Plan relating to designated Prominent Ridgelines and related Prominent Ridgeline Protection Areas. Neither the Sunland-Tujunga Community Plan nor the Specific Plan prohibit the alteration of secondary ridgelines.

Comment 75-10:

Footnote 4 of the Community Plan states: “Densities shall not exceed that which would be permitted using the slope density formula in LAMC Section 17.05C for lots: (a) in areas of steep topography planned for Very Low I, Very Low II, and Minimum density; and, (b) which would otherwise require extensive grading, involve soil instability erosion problems or access problems, as determined by the Deputy Advisory Agency.”

This Footnote basically says that density should be reduced if the alternative is to extensively grade the hillsides. There can be no doubt that the Canyon Hills project involves extensive grading just to create level lots for 280 homes. Canyon Hills is NOT CONSISTENT with the goals of the Community Plan regarding grading.

Response:

Footnote 4 in the Sunland-Tujunga Community Plan only applies to property with land use designations of Very Low I Residential, Very Low II Residential and Minimum Residential. In contrast, the proposed land use designation for the Development Areas is Low Residential. Therefore, provided that the proposed Low Residential land use designation for the Development Areas is approved, Footnote 4 is not applicable to the proposed project.

Comment 75-11:**Land Use Compatibility**

The area to the north and northeast of the proposed Canyon Hills project has been developed for many years (built in the 1920's to the 1980's). The area has many high density parcels, as well as sections of unpaved roads with houses spaced far apart including lots ranging from a half to several acres.

The area to the south of Canyon Hills generally includes the equestrian estates of La Tuna Canyon, but there are also small pockets of higher density housing on side streets. La Tuna Canyon is all about horsekeeping and riding in the nearby hills, despite the constant threats to build at higher densities in the community. Even in the higher density clusters in La Tuna Canyon, horse trails abound near every house.

The fact is, though, that the Community Plan - developed with public input over the past 20 years since most of the initial development occurred - recognizes that the region containing Canyon Hills should be kept compatible to horsekeeping activities when new developments are proposed.

Community Plan Chapter III, Land Use Policies and Programs, Page III-2 - The community includes large areas of open space and natural landforms. It is one of the more rural areas of the City and supports a substantial equestrian oriented population. It is a policy of the Plan to protect these areas from encroachment by incompatible uses.

Chapter III, Goal 1 Objective 1-7, Page III-5 - To insure compatibility between equestrian and other uses found in the RA Zone. Policy 1-7.1: Place a high priority on the preservation of horsekeeping areas.

Chapter III, Goal 1 Objective 1-8, Page III-6 - To promote and protect the existing rural, single-family equestrian oriented neighborhoods in RA zoned areas and "K" Districts. To caution against possible precedent setting actions including zone variance, conditional use, or subdivision that might endanger the preservation of horsekeeping uses. Policy 1-8.1: Protect existing single family equestrian oriented neighborhoods and horsekeeping districts from encroachment by higher density residential and other incompatible uses. Policy 1-8.2: Horsekeeping areas should be developed at Minimum to Very

Low densities appropriate to such use. Policy 1-8.3: new horsekeeping districts should be expanded where appropriate and feasible.

Chapter III, Goal 14 Objective 14-2, Page III-25 - To provide for the maintenance, linkage, and development of equestrian trails for recreational use. Policy 14-2.3: Encourage the development of equestrian trails through residential areas appropriate for horsekeeping. Program: All future subdivisions should provide access to the equestrian trail system in these areas. Policy 14-2.4: Existing trails should be protected from encroachment by incompatible land uses. New trails should be expanded where appropriate and feasible.

Taken together, these Goals, Policies, and Programs of the Community Plan are a strong statement that any new project in the area should be compatible with the horsekeeping uses of the area that now predominate. Canyon Hills will actually have more impact on the La Tuna Canyon community than it will on the neighborhoods to the north and northeast due to the planned isolation from the northerly homes (at least as far as traffic, if not noise, visual impact, and light pollution are concerned!). Not only is Area B located directly adjacent to La Tuna Canyon homes, but Area A's main road uses La Tuna Canyon Road as its access point so it is more likely that residents in Area A will come in contact with people in La Tuna Canyon.

The equestrian community is rightfully concerned that this part of the City of Los Angeles be maintained in the unique character that exists because once the open spaces are gone there are no other places in the entire City to ride or keep horses. It's worth repeating the policies of the Community Plan Chapter III Goal 1-8 above: Policy 1-8.1: Protect existing single-family equestrian oriented neighborhoods and horsekeeping districts from encroachment by higher density residential and other incompatible uses. Policy 1-8.2: Horsekeeping areas should be developed at Minimum to Very Low densities appropriate to such use.

Canyon Hills represents an encroachment on the region by higher density development that will serve as a precedent to other high density development. This project would be the death knell for horsekeeping in CD 2. The 3-acre equestrian park proposed for Canyon Hills would not mitigate the encroachment by incompatible land uses. In fact, it is misleading to say, as Whitebird does in the DEIR (Land Use, Page IV.G-16), that "The proposed extension of permanent open space and equestrian and hiking uses are compatible with the existing open space, equestrian and recreational uses in the project vicinity". Their equestrian park is inadequate regarding parking and public access and makes assumptions that it will be run by some public agency for the good of the community. It is more appropriate to recognize that the hill that will be graded for Area B will completely block any horse trails or outside access, and the developer does not plan for any horse trails in the entire Area A, even though there are now several trails that run through the property. In other words, this development "encroaches" upon the existing equestrian oriented neighborhoods in La Tuna Canyon and prevents -

for all time - any future trails that residents may want inside the development due to high density clustering.

Whitebird could have designed its Canyon Hills project to accommodate horse trails through the development areas, and planned for lots large enough to accommodate horsekeeping facilities if residents wanted them at some point in the future, but these ideas are not contained in any of the alternative development proposals. Though not strictly required by the Community Plan, Policy 14-2.3 cited above “encourages the development of equestrian trails through residential areas appropriate for horsekeeping”, and urges a “program that all future subdivisions should provide access to the equestrian trail system in these areas”. Canyon Hills is NOT CONSISTENT with the Community Plan in regard to land use compatibility with adjacent neighborhoods.

Response:

See Topical Response 8.

Comment 75-12:

If compatibility with adjacent neighborhoods is to be a hallmark of the Canyon Hills project, how can a high density project ever be compatible with the most immediate feature of the area, the Santa Monica Mountains Conservancy open space that is directly south and southeasterly (even east) of Whitebird’s property? This area is described in the DEIR (Land Use, Page IV.G-2): “A large portion of the land immediately south of the project site is permanent open space, conserved as part of the Santa Monica Mountains Conservancy’s La Tuna Canyon Park.” This is complete open space, with trails for hikers, bike riders, and horses. This land is on Verdugo Mountain itself, and the Whitebird property is part of the foothills that extend down to Hansen Dam Park. Whitebird’s Area A and B will effectively cut off the 693 acres of open space proposed by Whitebird from Verdugo Mountain and prevent equestrian access between the mountain and their open space. This would be an encroachment by an incompatible project, something discouraged in the Community Plan.

Response:

The proposed Development Areas would not “effectively cut off the 639 acres of open space proposed by Whitebird from Verdugo Mountain and prevent equestrian access between the mountain and their open space,” and the comment includes no evidentiary support for that statement. As discussed in Section IV.D.3 (Wildlife Movement) of the Draft EIR, the development of the proposed project would not affect any current regional wildlife movement between the San Gabriel Mountains and the main body of the Verdugo Mountains. With respect to the concern expressed that the proposed project would prevent equestrian access, see Topical Response 8.

Comment 75-13:

Precedent

The most recent project in the immediate area that sought major variances from the Community Plan and zoning was Duke Development (CF 00-2016). Their project was finally approved in December 2001- after the project was modified to comply with existing zoning and ordinances, and they were forced to take homes OFF the ridges and hillsides!

Duke's proposal in 1997 asked for permission to amend the Community Plan and sought zoning variances to allow the construction of 41 luxury homes on their 55 acres immediately east of the current Canyon Hills project. The Duke project would have graded 640,000 cubic yards of hillsides to create the lots, and the plans called for many of the homes to be located on the ridges of the hillsides.

After years of meetings and hearings, it was finally determined that Duke could only build what was legally allowed by the zoning and various land use ordinances -10 homes. The denial of their original bid, and subsequent approval of a plan that followed existing zoning and land use laws (including taking homes off the ridges and hillsides), is a legal precedent that must be considered, in light of Whitebird's Canyon Hills proposal to seek the same types of variances and discretionary approvals.

The same issues arise in Canyon Hills as were present in the Duke proposal - only Canyon Hills will have nearly 7 times the number of homes, involve nearly 9 times the grading, and negatively affect over 6 times the amount of acreage!

Whitebird specifically identifies the Duke Project (Related Project: No. 7) as being similar to the proposed (Canyon Hills) project. They say, "All of the related projects, including the Duke Project, are subject to the same development standards and environmental review as the proposed project. The Duke Project is considered to be compatible with the proposed project and the existing residential uses northeast of the project site. The Duke Project is similar in nature to the proposed project (i.e., low-density, single-family homes) and has been subject to the same environmental review and regulations as the proposed project". If, in their own words what they say is true, then it necessarily follows that Canyon Hills will abide by the same rules that the Duke Project was forced to follow - the Community Plan, existing zoning and land use regulations!

Furthermore, the Duke property is currently in the process of being acquired by the Santa Monica Mountains Conservancy to be preserved as open space. When this acquisition is complete, it will render the Canyon Hills project as categorically incompatible with its most immediately adjacent neighbor.

Canyon Hills (as it is proposed in the DEIR) is so far out of acceptable bounds for consideration that it would be an insult to the community that opposed Duke Development, to the Councilpersons and staff from CD2 that opposed it, and to the very process by the City Planning Department and Planning Commission that led to this precedent setting decision in late 2001. Perhaps the Planning Commission will recall that 50-80 people attended every advisory agency and committee meeting and over 100 people wrote comments on their DEIR opposing it. Public interest in the outcome of Duke extended all the way to the City Council hearing where it was finally laid to rest. The Canyon Hills proposal is already generating more controversy than Duke ended up causing after 4 years, so one can expect that public opposition to Canyon Hills will reach record levels for any proposal in our area since the golf course in Big Tujunga Canyon.

Of the alternatives proposed by Whitebird in the DEIR, the only interesting one (besides Alternative A - No Project) is Alternative D - Reduced Density 87 Lots, if it indeed complies with existing zoning and land use ordinances. Unfortunately, the section detailing this alternative is inadequately written to fairly consider it at this time. However, the Planning Department should request more accurate information to see if this is a viable alternative.

Response:

The controversy with respect to the Duke Project has no bearing on the environmental review for the proposed project. As reflected in this comment, the Draft EIR stated (on pages IV.G-28 through IV.G-29) that the Duke Project and the proposed project are similar in nature because they are both low-density, single-family home residential projects. The statements referenced in this comment relate only to the determination that the proposed project and the Duke Project were compatible land uses.

This comment does not include any evidence to support the statement that “the Duke property is currently in the process of being acquired by the Santa Monica Mountains Conservancy to be preserved as open space.” In any event, it appears that this statement is incorrect. As discussed in Comment 135 (Exhibit 1) and Response 118-16, the owner of the Duke Property recently placed an advertisement in the Burbank Leader offering to sell the property. With respect to the statement that Alternative D “is inadequately written to fairly consider it at this time,” the commenter provides no justification for that conclusion. Contrary to this unsupported statement, the 20-page analysis of Alternative D in the Draft EIR satisfied the requirements of CEQA and the CEQA Guidelines.

Comment 75-14:

Level of Significance, Even After Mitigation

The proposed project's land use impacts would be precedent-setting, counter to the intent and the actual wording of the Community Plan, and extremely significant in a negative way in terms of grading and incompatibility with surrounding communities.

Most significant over all, though, is that the Community Plan specifically identifies this area, the land that Whitebird has purchased or optioned over the past 6-10 years, be maintained as Minimum Density due to its steepness and incompatibility with hillside grading (Map Footnote #15).

Response:

See Responses 75-6 through 75-9.

Comment 75-15:

Conclusion

The Community Plan has been in existence for many years prior to Whitebird purchasing the land they want to develop. Sophisticated developers, and Whitebird is one, will always be aware of the rules and regulations under which they must operate. There is no excuse for ignorance of the laws, and as far as I can tell Whitebird has never claimed ignorance. There is also no "right" for any developer to receive discretionary approvals for the kinds of amendments and variances they are requesting simply because, as they state, they cannot make a profit if they are forced to follow the rules. The rules were in place before the property was purchased.

So the only approach they have available is to request changes to the zoning and amendments to the Community Plan (and the General Plan, when altering land use designations) in the public forum known as the "planning process". Amongst other things, the purpose of this process required by the City of LA is to hear facts and opinions as to why a change or amendment should be denied or allowed when it contradicts the stated rules and intent of the Community Plan. If the Planning Department truly considers all the facts of this DEIR, it must conclude that Canyon Hills be denied as proposed since it is inconsistent with the letter and intent of the Community Plan. Quoting from the "Citizen's Guide to Planning" on the City of LA's web site:

"The local general plan can be described as the city's or county's "blueprint" for future development. It represents the community's view of its future, a constitution made up of the goals and policies upon which the city council, board of supervisors, and planning commission will base their land use decisions. To illustrate its importance, all subdivisions, public works projects, and zoning decisions must be consistent with the General Plan. If inconsistent, they must not be approved." (emphasis added).

Furthermore, directly from the Community Plan: Chapter II, Role Of The Community Plan, Page II-2 - "The General Plan clarifies and articulates the City's intentions with respect to the rights and expectations of the general public, property owners, and prospective investors and business interests. Through the Community Plan, the City can inform these groups of its goals, policies and development standards, thereby communicating what is expected of City government and the private sector to meet its objectives."

The Planning Department cannot lightly make changes to the Sunland Tujunga-et al Community Plan (through the granting of variances and amendments) since many thousands of people have already made home purchasing decisions based on the characteristics of the general community as expressed in this plan. If Whitebird is allowed to alter the character of the existing neighborhood with their amendments and variances, the rights of existing residents and taxpayers who based their purchasing decisions on the zoning and land use rules would be permanently affected.

In closing, I want to emphasize that the Community Plan is intended to be a guideline under which we all must live to have a semblance of order to our communities upon which we can rely. It is the responsibility for each of us to know about the Community Plan and the rights it conveys to all property and business owners. If major changes are required to the Community Plan itself, it is incumbent on the City Council to open up the process once again to public hearings specific to the purpose of amending or changing the plan, not within the context of one developer's proposal to build high density housing within the Plan boundary. Specific requests to amend the Plan, if they are precedent-setting, should be subject to a democratic vote of the public at large.

I hope this information has been helpful. Please contact me with any comments.

Response:

This comment describes general concerns with the proposed amendments to the land use and zoning designations for the Development Areas, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 75-16:

Chapter I - Introduction, Community Participation, page I-2 - The State of California requires citizen participation in the preparation of the General Plan. Government Code Section 65351 reads "During the preparation or amendment of the General Plan, the planning agency shall provide opportunities for involvement of citizens, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the city or

county deems appropriate.” Community participation occurred through focus group meetings and through the open house and public hearing process to assist in identifying community issues and formulating land use policies and objectives. [Canyon Hills requires public hearings specifically on the amendments to the General and Community Plan, not simply on an application for a specific development.]

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 75-17:

Chapter I - Community Issues And Opportunities, Residential, Page 1-2 through 1-3 - Issues:

- Need to preserve single family neighborhoods [Consistent]
- Need to preserve and enhance existing housing stock [Partially Consistent]
- Need to limit expansion of multi-family designated areas [Consistent]
- Need for more affordable housing [Not Consistent]
- Need for regulation of hillside development [Not Consistent]
- Need for housing, jobs, and services in mutual proximity [Not consistent, will result in pressure or commercial development near this project, which is inconsistent with zoning]
- Undeveloped or underdeveloped land allowing opportunities for clustered development [Partially Consistent]

Response:

The statements referenced in this comment are set forth in Chapter I (Introduction) of the Sunland-Tujunga Community Plan and summarize community planning and land use issues and opportunities. The Draft EIR was not required to discuss whether the proposed project is consistent with those issues and opportunities (see Response 12-5). Chapter III (Land Use Policies and Programs) includes all of the land use policies in the Sunland-Tujunga Community Plan. The Draft EIR includes a detailed analysis of the consistency of the proposed project with applicable land use policies in the Sunland-Tujunga Community Plan.

Comment 75-18:

Chapter I - Community Issues And Opportunities, Neighborhood Character, Page I-4 - Issues:

- Scale, density, and character of buildings that complement surrounding uses [Not Consistent]
- Effects of residential development on commercial corridors [Not Consistent, over-loads streets feeding existing commercial corridors]
- New hillside buildings blocking views or presenting an unsightly view from below [Not Consistent, development of the Duke Ridge, which is “Prominent” according to the Scenic Plan in the upper areas, will block views and create an unsightly view from below]
- The need to preserve and rehabilitate areas with sensitivity to the character of established neighborhoods [Not Consistent]
- Efforts aimed at preservation of the low density, rural character and of the equestrian lifestyle [Not Consistent]
- Potential development of large parcels provide opportunities to enhance community identity [Not Consistent]

Response:

See Response 75-17.

Comment 75-19:

Chapter II, Function Of The Community Plan, Statutory Requirements, Page II-1- The Land Use Element has the broadest scope of the General Plan elements required by the State. Since it regulates how land is to be utilized, many of the issues and policies contained in all other plan elements are impacted and/or impact this element. [Not Consistent. Requested amendments and zone changes fundamentally alter land use in the area, and should require public hearings]

Response:

The statement referenced in this comment is not a goal, objective or policy in the Sunland-Tujunga Community Plan. In any event, the proposed project cannot be consistent or inconsistent with the referenced statement because it does not embody any standard or requirement.

Comment 75-20:

Chapter II, Organization and Content of Community Plan, Page II-3 - The principal method for the implementation of the Land Use Map is the Zoning Ordinance. The City’s Zoning Map must be updated to remain consistent with the adopted Land Use Map. Together, the Zoning ordinance and the Zoning Map will identify specific types of land use, intensity of use and development standards applicable to specific areas and parcels of land within the community. [Not Consistent. Requested zoning changes redefine land use beyond what was envisioned in the Community Plan. Any

variances from established zoning must be part of a general public debate, and not obscured by the selfish needs of an individual developer.]

Response:

See Response 75-19.

Comment 75-21:

Chapter II, Plan Consistency, Page II-5 - City actions on most discretionary projects require finding that the action is consistent or in conformance with the General Plan. In addition to the required general finding, decision-makers acting on certain projects in the Plan area shall refer to each of the applicable additional findings that the Plan identifies as programs in Chapter 3 of the Plan. To further substantiate the consistency findings, decision makers [sic] may cite other programs, policies or objectives which would be furthered by a proposed project. In addition, Chapter 5 of the Plan requires a decision maker to a finding of conformance with applicable design standards for discretionary projects. [Not Consistent. Proposed project is in direct violation of Chapter III. Decision makers should not be allowed to approve this project as proposed.]

Response:

See Response 75-19.

Comment 75-22:

Chapter III, Land Use Policies and Programs, Page III-2 - The community includes large areas of open space and natural landforms. It is one of the more rural areas of the City and supports a substantial equestrian-oriented population. It is a policy of the Plan to protect these areas from encroachment by incompatible uses. [Not Consistent]

Response:

See Response 75-19.

Comment 75-23:

Chapter III, Goal 1 Objective 1-2.1 - Locate higher residential densities bear commercial centers, and major bus routes where public service facilities, utilities, and topography will accommodate this development. [Not Consistent. Canyon Hills is a high density housing project, located far from commercial centers and major bus routes, necessitating the use of cars for every errand.]

Response:

This comment actually references Policy 1-2.1 in the Sunland-Tujunga Community Plan. This policy is not applicable to the proposed project because it does not involve “higher residential densities” as contemplated in the Sunland-Tujunga Community Plan. The Sunland-Tujunga Community Plan includes seven different residential land use designations, ranging from Minimum Residential, which permits up to one dwelling unit per net acre, to Medium Residential, which permits up to 55 dwelling units per net acre. The proposed land use designation for the Development Areas is Low Residential, which permits up to nine dwelling units per net acre, well below the midpoint of residential densities permitted under the seven residential land use designations. In any event, the actual density for the proposed project is approximately 1.8 dwelling units per net acre (see page IV.G-18 in the Draft EIR), which represents a very low density along the continuum of residential densities permitted under the Sunland-Tujunga Community Plan. It should also be noted that this is a very conservative calculation of residential density because it is based solely on the net acreage within the Development Areas and therefore excludes all of the land on the project site outside the Development Areas that would be preserved as open space as part of the proposed project. If the density for the proposed project was calculated based on the net acreage of the entire project site, the density would be less than 0.33 dwelling units per net acre ($280 \div 851$).

Comment 75-24:

Chapter III, Goal 1 Objective 1-3.1, Page III-4 - Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, impacts on traffic levels, and environmental impacts when changes in residential densities are proposed. [Partially Consistent. The Canyon Hills DEIR does indeed consider these issues, but reaches incorrect conclusions regarding every point.]

Response:

See Response 12-5. This comment includes no explanation as to why the consistency discussion regarding Policy 1-3.1 on page IV.G-19 in the Draft EIR is inaccurate. Therefore, no further response is possible.

Comment 75-25:

Chapter III, Goal I Objective 1-3.3, Page III-4 - Preserve existing views of hillside and mountainous areas. Program: retention of the low density rural character of the community and height limitations, scenic highway designations, implementation of the Citywide Hillside Ordinance and the 15% Slope Density Ordinance will contribute to the preservation of these views. [Partially Consistent. Canyon

Hills will follow the height restrictions, but fails on the Hillside and 15% Slope Density Ordinance because they will grade down the hills that cause them problems.]

Response:

This comment appears to agree with the consistency discussion regarding Policy 1-3.3 on page IV.G-20 in the Draft EIR. However, to the extent that this comment disagrees with such analysis in the Draft EIR, see Topical Response 6. In addition, to the extent that the comment claims that the proposed project does not comply with the City's slope density ordinance, the proposed project would not be required to comply with that ordinance so long as the proposed amendment of the land use designation for the Development Areas to Low Residential is approved.

Comment 75-26:

Chapter III, Goal 1 Objective 1-6, Page III-5 - To limit residential density and minimize grading in hillside areas. Policy: 1-6.2: Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Plan area. Program: The Plan designates hillside areas in the Minimum and Very Low Densities of the General Plan and use designations and corresponding zones. Continue implementation of the Citywide Hillside Ordinance and the 15% Slope Density Ordinance. Policy 1-6.3: Require that grading be minimized to reduce the effects on environmentally sensitive areas. Program: Compliance with the California Environmental Quality Act (CEQA) requires that local and state governmental agencies consider and disclose potential environmental effects of a project before rendering a decision, and provide methods to mitigate those impacts. [Not Consistent in a big way! They certainly consider the steepness of the topography and conclude that the steep hills should be graded flat so they can build!]

Response:

See Response 75-7 and Topical Response 6.

Comment 75-27:

Chapter III, Goal 1 Objective 1-7, Page III-5 - To insure compatibility between equestrian and other uses found in the RA Zone. Policy 1-7.1: Place a high priority on the preservation of horsekeeping areas. Program: A decision-maker involved in a discretionary review should make a finding that the zone variance, conditional use, or subdivision does not endanger the preservation of horsekeeping uses within the Community. [Not Consistent. A 3-acre equestrian park with limited parking and no plan for management fails to address the needs of the equestrian community. This DEIR does in fact threaten the future viability of horsekeeping in the area.]

Response:

The goal, objective and policy referenced in this comment do not apply here because no portion of the project site is located in the RA zone.

Comment 75-28:

Chapter III, Goal 1 Objective 1-8, Page III-6 - To promote and protect the existing rural, single-family equestrian oriented neighborhoods in RA zoned areas and “K” Districts. To caution against possible precedent-setting actions including zone variance, conditional use, or subdivision that might endanger the preservation of horsekeeping uses. Policy 1-8.1: Protect existing single-family equestrian oriented neighborhoods and horsekeeping districts from encroachment by higher density residential and other incompatible uses. Policy 1-8.2: Horsekeeping areas should be developed at Minimum to Very Low densities appropriate to such use. Policy 1-8.3: new horsekeeping districts should be expanded where appropriate and feasible. [Not Consistent on all counts!]

Response:

See Topical Response 8.

Comment 75-29:

Chapter III, Goal 5 Objective 5-1, Page III-13 -To preserve existing open space resources and where possible develop new open space. Policy 5-1.2: Protect significant environmental resources from environmental hazards. Program: A minimum 100 foot buffer zone should be designated from the top of channel bank for all riparian habitats. Policy 5-1.4: Preserve as much of remaining undeveloped hillside land, as feasible, for open space and recreational uses. Program: The City should encourage continuing efforts by the County, State, and Federal agencies to acquire vacant lands for publicly-owned open space. [Partially Consistent. The open land that is already open will remain open in Canyon Hills plan. However, there are several riparian habitats on their Site that will not be protected as per Policy 5-1.2. The City should explore ways to acquire the entire project from Whitebird to ensure it will remain compatible. This developer is not proposing responsible development.]

Response:

The comment appears to acknowledge that the proposed project is consistent with the objective, policies and program referenced therein, except for Policy 5-1.2. However, the proposed project is generally consistent with Policy 5-1.2. The proposed project has been designed to minimize impacts on environmental resources located on the project site. See Response 11-1 and Topical Responses 5 and 6. One of the five programs under Policy 5-1.2 states that a minimum 100-foot buffer zone “should” be

designated from the top of the channel bank for all riparian habitats. The use of the word “should” reflects that this program is permissive in nature, not mandatory, and should therefore be considered a guideline, consistent with the City’s policy. In any event, there is a minimum 100-foot buffer zone between proposed residential development and the top of the channel bank for the riparian habitat in or around the Development Areas.

The proposed project includes three drainages that would support riparian habitat: La Tuna Canyon Wash (also described as Drainage 2 in the Draft EIR, as shown on Figure IV.D-5), Drainage 4 and Drainage 14 (see pages IV.D-5 and IV.D-20 in the Draft EIR). With the exception of the span bridges that would cross La Tuna Canyon Wash, the nearest proposed development to that drainage is approximately 400 feet from the top of the bank nearest the development. Therefore, the buffer substantially exceeds the 100 feet recommended in the Sunland-Tujunga Community Plan. Drainage 4 includes areas of riparian habitat between the SCE Transmission Line ROW, extending downstream for approximately 1,100 feet to where a sizable gap in the riparian habitat (approximately 400 feet) begins. Beginning at the SCE transmission lines, proposed lots and graded slopes are located approximately 650 feet to the west of Drainage 4. The minimum distance between graded lots and the top of the bank along this reach is 90 feet, with an average distance of 138 feet, which exceeds (on average) the recommended buffer in the Sunland-Tujunga Community Plan. From where the proposed lots end, an additional 450 feet of riparian habitat extends downstream to the above-mentioned gap. No lots are proposed along this reach. However, a road is proposed to the west of the drainage. The distance between the road edge and top of bank nearest the road averages 95 feet with a minimum distance of 60 feet. The portion of the reach that is less than 100 feet from the road extends for approximately 210 feet and does not represent a material deviation from the recommended buffer in the Sunland-Tujunga Community Plan, given that the average buffer for the subject reach of Drainage 4 averages 128 feet, which is approximately 22 percent greater than the recommended buffer in the Sunland-Tujunga Community Plan.

Drainage 14 is located more than 1,600 feet from any proposed development and is therefore consistent with the recommended buffer in Sunland/Tujunga Community Plan.

Buffers between development areas and riparian areas typically provide the following functions:

- Eliminate or reduce impacts to water quality from runoff generated by impervious surfaces;
- Eliminate or reduce impacts from non-native invasive plants;
- Reduce impacts from domestic or feral animals; and
- Reduce impacts from lighting and noise associated with development.

With respect to Drainage 4, the proposed buffers, together with other project elements, would be sufficient to carry out these functions. With respect to the first function, two water quality basins would be constructed on the west side of the adjacent proposed road that would capture runoff from the proposed road before it reaches Drainage 4, eliminating impacts to water quality for the reach of Drainage 4 where the buffer is less than 100 feet (though the average is still greater than 100 feet) reducing the need for buffers associated with projection of water quality. With respect to La Tuna Canyon Wash, the area that would be graded for the bridge abutments would be replanted with native vegetation, reducing impacts to water quality. Water quality basins would be installed up-gradient from each of the bridges that would capture runoff from the major portion of the road surface, leaving a limited area that would drain into La Tuna Canyon Wash, which would not be considered a significant impact.

With respect to the second function, no non-native invasive species would be planted within the project site, including the La Tuna Canyon Wash bridge abutments, eliminating the need for buffers adjacent to Drainage 4 and La Tuna Canyon Wash associated with protecting against habitat degradation from invasive plant species.

With respect to the third function as it relates to Drainage 4 and La Tuna Canyon Wash (the effects of domestic and feral animals on the open space areas), see Response 63-6.

With respect to the fourth function, the reach of Drainage 4 that is less than 100 feet from the road edge includes about 210 feet in length immediately above the location where the gap in riparian habitat begins. There would be no measurable increase in impacts to wildlife using Drainage 4 associated with the road due to increased noise or lights in excess of existing conditions. Similarly, the lighting for the bridges would be directed away from the riparian habitat in La Tuna Canyon Wash and would not result in significant indirect impacts on wildlife. With regard to noise impacts, vehicular traffic on La Tuna Canyon Road generates some noise along portions of La Tuna Canyon Wash. However, vehicles on the bridges would operate at very low speeds and the minimal vehicular noise would be significantly less than the noise generated by traffic on La Tuna Canyon Road. Therefore, the lack of a 100-foot buffer in these limited areas would not result in significant impacts and is not inconsistent with the policies set forth in the Sunland-Tujunga Community Plan.

Finally, to the extent that the commenter believes that the proposed project is inconsistent with Policy 5-1.4 in the Sunland-Tujunga Community Plan, that is incorrect. As discussed on page IV.G-21 in the Draft EIR, the proposed project includes the preservation of approximately 693 acres (78 percent) of the project site as permanent open space and includes the equestrian park (see also Topical Response 6 regarding the increase in open space). Contrary to the implication in this comment, Policy 5-1.4 does not require the preservation of 100 percent of the open space on the project site.

Comment 75-30:

Chapter III, Goal 14 Objective 14.2, Page III-25 - To provide for the maintenance, linkage, and development of equestrian trails for recreational use. Policy 14-2.3: Encourage the development of equestrian trails through residential areas appropriate for horsekeeping. Program: All future subdivisions should provide access to the equestrian trail system in these areas. Policy 14-2.4: Existing trails should be protected from encroachment by incompatible land uses. New trails should be expanded where appropriate and feasible. [Not Consistent. Existing trails are being encroached, and replaced by substandard equestrian access.]

Response:

See Topical Response 8.

Comment 75-31:

Chapter IV, Coordination Opportunities For Public Agencies, Page IV-3 - Housing Item #6: Allow for the assembly and trade of public land in order to encourage the construction of housing in appropriate locations within the Plan area. [Not Consistent. Whitebird should reconsider the appropriate location of development on this property.]

Response:

The statement referenced in this comment is not a goal, objective or policy in the Sunland-Tujunga Community Plan. Rather, it is one of several “opportunities” identified by the City that it would like to pursue. In any event, Item 6 relates to the City’s potential “assembly and trade of public land,” which has nothing to do with the proposed project.

Comment 75-32:

Chapter V, Special and Unique Design Features, Scenic Highways, Page V-8 - Plans for development of the Scenic Corridors indicated in this Plan, should also be prepared and implemented. These plans should include:

1. Roadway design. [Consistent]
2. Location and development of view sites and recreational areas. [Unclear about the location or type of amenities referred to in the DEIR]
3. Controls on use and intensity of use of lands within and/or adjacent to the Scenic Corridor. [Not Consistent]

4. Prohibition and/or control of signs and billboards. [Not yet known]
5. Location of other necessary public facilities. [N/A]

Response:

The provisions of the Sunland-Tujunga Community Plan referenced in this comment are located in Chapter V (Urban Design) and only apply to multiple residential, commercial and industrial projects. Since the proposed project is limited to single-family homes, Chapter V is inapplicable to the proposed project. In addition, the portion of Chapter V cited in the comment relates to the preparation of specific plans for different Scenic Corridors, and not to individual development projects.

Comment 75-33:

Map Footnotes; Pages F-I and F-2:

#4: Densities shall not exceed that which would be permitted using the slope density formula in LAMC Section 17.05C for lots: (a) in areas of steep topography planned for Very Low I, Very Low II, and Minimum density; and, (b) which would otherwise require extensive grading, involve soil instability erosion problems or access problems, as determined by the Deputy Advisory Agency. [Not Consistent]

Response:

See Response 75-10.

Comment 75-34:

#6: Desirable Open Space is land which possesses open space characteristics which should be protected and where additional development controls such as proposed in the Open Space Plan are needed to conserve such characteristics. These lands may be either publicly or privately owned. [Partially Consistent. Their dedication of open space should be enforced on land they have identified, even if they do not overtly own the property. The danger to their offer is the owners of the land may not agree to the arrangement. Whitebird may not be the owner of record for much of the land they are offering for open space.]

Response:

With respect to the concern expressed regarding the enforcement of the dedication of open space, see Response 32-4. With respect to the concern expressed regarding the ownership of the project site

neither CEQA nor the CEQA Guidelines require a Draft EIR to include a breakdown of a project applicant's real property interests with respect to a project site.

Comment 75-35:

#7: Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership. Density in the clusters shall not exceed that permitted in the Low density housing category for areas that are not in "K" districts, and shall not exceed that permitted in the Very Low I category for areas that are within a "K" district. [Not Consistent. This proposal is for more houses than are allowed over the entire ownership. They are not limiting the amount of grading. They are stripping hillsides down to lower elevations, not protecting the natural hillside views.]

Response:

See Response 75-5.

Comment 75-36:

#15: Development located between the Sunland Tujunga-Lake View Terrace-Shadow Hills-La Tuna Canyon Community Plan boundary line on the south, the DWP right-of-way on the northeast, and Sunland Boulevard on the northwest having a natural average grade of 2:1 or steeper shall be limited to Minimum Density. [Not Consistent. This Footnote prohibits the type of development proposed by Whitebird for this area.]

Response:

See Response 75-6.

Comment 75-37:

#19: There shall be no grading of the principal ridge lines within the Plan boundaries. Designation of principal ridge lines shall be determined by the Advisory Agency. [Partially Consistent. The Scenic plan is redefining what is meant by Principal Ridge Lines. The Duke Ridge (the upper part of a major ridge that continues onto Whitebird Property) is considered Prominent, but Whitebird's development of the lower portion of the same ridge is inconsistent.]

Response:

The reference in this comment to “Scenic Plan” is unclear. Assuming that the comment refers to the Specific Plan, the commenter is correct that the Prominent Ridgelines identified in the Specific Plan are equivalent to the “principal ridge lines” described in Footnote 19 in the Sunland-Tujunga Community Plan. Footnote 19 was prepared many years prior to the adoption of the Specific Plan, and one purpose of the Specific Plan was to provide certainty as to which ridgelines within the boundaries of the Sunland-Tujunga Community Plan area qualify as principal ridgelines.

The reference to the “Duke Ridge” in this comment is also unclear. The comment may refer to a designated Prominent Ridgeline located on the Duke Property that terminates near the boundary of the project site. However, no portion of that Prominent Ridgeline or corresponding Prominent Ridgeline Protection Area is located on the project site.

Comment 75-38:

Addendum statement: It is the intent of the Plan that the entitlements granted shall be one of the zone designations within the corresponding zones shown on the Plan, unless accompanied by a concurrent Plan Amendment.

Response:

It is acknowledged that the Sunland-Tujunga Community Plan includes the statements set forth in this comment.

Comment 75-39:

General Statement Regarding Zoning From The Municipal Code: Property is always held subject to the valid exercise of the police power. The theory of vested rights relates only to such rights as an owner of property may possess not to have his property rezoned after he has started construction thereon or was making a use thereof permitted by law, when such obstruction or use does not constitute a nuisance and the adoption of the zoning ordinance does not give a property owner any vested rights.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 76: Don and Betty Cushman, 9522 Reverie Road, Tujunga, CA
91042, December 22, 2003

Comment 76-1:

My wife and I feel the need to write to you with regards to this proposed housing development. We bought our home in 1965 and have always enjoyed living in this neighborhood. There was a time that deer would come to our doorstep. Over the years more homes were built in the neighborhood but there was still enough open space where people and animals were able to co-exist. To date there is still a lot of wildlife here with sightings of coyotes on a daily basis, but also raccoons, possums, snakes and many more.

When we heard about the planned development, we became very alarmed. It is bad enough that this out of state company is allowed to build 87 homes in an area that really should not be touched in the first place, but granting them permission for 280 homes, would be outrageous.! Just think of the pollution, the noise, the destruction of the many oaktrees, the increased traffic, the animals, we could go on and on.

This developer should abide by the law, just like us regular citizens and not be allowed to bypass them. My wife and I are asking you not to grant permission to construct 280 homes.

Response:

Potential impacts to oak trees, animal habitat, air quality, noise and traffic are addressed in Sections IV.D (Biological Resources), IV.B (Air Quality), IV.E (Noise) and IV.I (Transportation and Traffic) in the Draft EIR. This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 77: Sharon and Edward Emery, 8225 Oswego, Sunland, CA 91041, December 22, 2003

Comment 77-1:

We have lived in Sunland for almost 40 years. We raised our children here and our son owns his home a few miles away. As inhabitants of Sunland-Tujunga for so many years, we feel qualified to present 'citizen expert' comments which are based on our experiences here as a family and as homeowners.

We are deeply concerned over the impact the Canyon Hills Whitebird Project will have on our community. We feel that the DEIR issued was misleading and undeveloped as a guide in which the community and the project can participate in such a weighty decision. The bigger picture of the Project's impact cumulatively is vague and/or non-existent [sic].

The DEIR should reflect accurate statements, comprehensive field studies, well-integrated [sic] findings and believable analysis. None of these elements are present in the current DEIR, regrettably.

There are areas of the DEIR that present information as fact, when as citizens who have lived here for so many years, can easily detect the misrepresentation of these facts. We love our community and this lends us to be especially aware of the changes and/or environmental happenings of this area.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1.

Comment 77-2:

BIOLOGICAL RESOURCES

Since we own a large area of land we are delightfully visited by many species of animals and insects. We get raccoon, possum [sic], hawks nesting in our oak tree, squirrels and butterflies. We feel especially sensitive to the flora / fauna section of the DEIR. In all the years we have lived here we have seen cougar, coyote, foxes, and mature white owls. The DEIR presents inconclusive evidence of preservation or concern for wildlife habitat. And what is presented appears obfuscated [sic], and woefully understudied. And perhaps even misleading in conclusions since our observation of 40 years doesn't match up with the DEIR's results. Though we are not official environmentalists, we are residents who share their land with the natural inhabitants.

Response:

The comment expresses an opinion about the adequacy of the Draft EIR, but does not state a specific concern or question regarding the adequacy of the biological analyses contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

With respect to the concern expressed that the wildlife on the project site was understudied, see Topical Response 4.

Comment 77-3:**SUBJECT: WATER AND ELECTRICITY:**

The DEIR is confusing in its approach to the wildlife corridor we know to exist right across the project sight. The DEIR states it has a solution, but other authorities are stating that the solution is not workable. The DEIR is inadequate in its results if its studies were not made over years of observation. The wildlife hereabouts is notoriously reticent on appearing to people. The DEIR does not address the treatment of this wildlife corridor with enough expert analysis or consultation. We feel it is deliberately misleading as to what THEY think will suffice for corridor preservation, or habitat preservation. The DEIR is remiss in its content on the cumulative effects of blocking the corridor to the surrounding preserves, mountains or cooperative human habitat.

Response:

With respect to the concern expressed regarding the survey activities of the project biologists, see Topical Response 4. The commenter does not identify the location of the corridor that is “known to exist”. However, based on the detailed survey work, the viable movement paths were identified. An experienced wildlife biologist is able to determine fairly quickly the routes or potential routes available to wildlife movement and which species would be the most likely to use particular routes. While it is true that some species are more secretive (e.g., bobcats), they still leave signs of various kinds indicating their presence, primarily including tracks and scat. Long periods of observation are not necessary to determine movement paths and to evaluate potential impacts to such routes.

As stated in Section IV.D.3 (Wildlife Movement) of the Draft EIR, the development of the proposed project would not significantly impact any regional or local wildlife. See also Responses 4-4 through 4-6, 4-10 through 4-15, 32-2 and Topical Response 5.

Comment 77-4:

TRAFFIC

In the years we have lived in Sunland and in Tujunga, we have seen such an increase of traffic on foothill [sic] blvd, we have noticed that all the side streets are backed up as well. In just the last five years, the traffic has become so congested; it can take twenty minutes to travel four blocks.

We understand that when the new shopping center went in at Foothill and Tujunga Canyon road, this would probably be the shopping center most frequented by new residents of Whitehill [sic] project. As it is now, driving around this new project is exceedingly tricky, with sheer number of cars coming up Tujunga onto Foothill and all the other smaller residential streets opening onto Foothill. I have seen near misses with delivery trucks, school buses, passenger cars and pedestrians.

Response:

See Topical Response 12.

Comment 77-5:

We feel the DEIR has mitigated the impact of the extra passenger /resident [sic] traffic, gardner [sic] traffic, service persons traffic, and there is inconclusive information on the widening of roads, the paving of roads, the tearing up trees to widen roads, the restrictions already on roads such as La Tuna Canyon road. The impact on restricted equestrian areas or the added danger to animals/small children with excessive traffic is not mentioned in the DEIR. The DEIR is remiss in addressing these aspects.

Response:

With respect to the concern expressed regarding generation assumptions, rates and forecasts utilized in the traffic analysis, see Topical Response 9. The trip generation forecasts provided on pages IV.I-16 and IV.I-17 in the Draft EIR include trips generated by residents, visitors, service vehicles, etc.

With respect to the traffic impacts of the proposed project on La Tuna Canyon Road, see Topical Response 10.

Comment 77-6:

ARTIFICIAL LIGHT AND GLARE

We live here because we love it here. It's quiet. It's dark enough to see the stars and its peace is something we cherish. We can't imagine the unsightleness [sic] of the GLOW, which would wipe out our southern sky, over the McGroarty ridgeline.

There are numerous astronomy enthusiasts in this area. Each of our neighbors has a telescope! The purity of our night skies is very important to us.

The DEIR does not give any information on the impact the extra hundreds of streetlamps and, houselights would do to this area and what is important about this area, namely its low impact on the environment. That the Whitebird Project would be a very high impact on light pollution is given very little credence or serious attention. That this light pollution is avoided as a subject and portrayed inadequately, we can only assume the research was insufficient.

Response:

Impacts from light and glare are discussed in Section IV.F (Artificial Light and Glare) of the Draft EIR. See also Response 73-5. This comment does not state a specific concern or question regarding the adequacy of the artificial light and glare analysis in the Draft EIR, so no further response is possible.

Comment 77-7:

The DEIR does not address the cumulative effects of years of environmental impact. The Canyon Hills DEIR report should be re-issued, as it appears insufficient, misleading, defective in its conclusions, shortsighted, and insensitive to a community.

Response:

Contrary to this comment, the Draft EIR analyzed the cumulative impacts with respect to each environmental category discussed therein. See, for example, the cumulative impacts discussions on pages IV.A-35, IV.B-18-19, IV.C-19, IV.D-65, IV.D-123 and IV.D-161-162.

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

Comment 77-8:

Sincerely, we encourage the City Planning Office to require the Canyon Hills development to adhere and comply with all current laws, restrictions, codes; to abide the guidelines of the Scenic Preservation Plan and the Community plan.

Response:

With respect to the implied concern expressed that the proposed project does not comply with the Sunland-Tujunga Community Plan, the Specific Plan and applicable zoning laws, see Response 57-10. In addition, this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 78: Connie Kelly, 8248 Oswego, Sunland, CA 91041, December 22, 2003

Comment 78-1:

I consider myself to be an experienced citizen expert for this area. I have been deeply involved in this community for many years and have involved myself with projects concerning this area and these mountains repeatedly. I am familiar and conversant in the regulations and laws governing building and/or developing.

Which raises the question of the Canyon Hills Project DEIR proposing (in circular language) violations of the regulations specifically enacted to protect this special part of Los Angeles. The 'objectives' outlined in the DEIR are inconclusive in their content. I strongly suspect the 'objectives' obscure the true aims of the project. Those aims may be that the project be developed outside current laws and regulations and perhaps in direct violation of the Scenic Plan and the Community Plan.

Response:

This comment apparently refers to the project objectives set forth on pages III-9 through III-10 in the Draft EIR. The statement that these objectives are "inconclusive in their content" is unclear, and a response is therefore not possible. The commenter's speculation that the project objectives obscure the true aims of the project" is incorrect. The project objectives stated in the Draft EIR are in fact the project applicant's objectives with respect to the proposed project. Contrary to the final sentence in the comment, the project objectives are not inconsistent with any provision in the Specific Plan or Sunland-Tujunga Community Plan (see Response 57-10). As discussed in some detail in Section IV.G (Land Use) of the Draft EIR, the proposed project would be consistent with all applicable provisions in those documents (see Response 57-10).

Comment 78-2:

There is also insufficient information about how the project would actually meet its objectives and when. I see that the DEIR has given imprecise information on the impact to the community of approving the project that would irreparably [sic] alter protective and restrictive outlines of the District Plan. As a citizen, I feel strongly that all laws, limitations, regulations and ordinances be applied to all persons and owners of property. It is especially important for such a large-scale project to follow and comply with current laws, regulations and ordinances. The DEIR demonstrates defective response to current ordinance compliance, current land use laws, Plans, etc.

Response:

See Response 78-1. The purpose of the Draft EIR is not to demonstrate how a proposed project would meet the project objectives, but to analyze the environmental impacts associated with a proposed project. Nonetheless, Section III (Project Description) of the Draft EIR includes a detailed description of the proposed project, including the number of proposed homes, the portion of the project site that would be preserved as open space, the manner in which the proposed Development Areas would be graded, the anticipated development schedule and the context of the proposed Development Areas and project site in relation to the surrounding community. The commenter suggests that the Draft EIR does not adequately discuss the consistency of the proposed project with applicable land use laws, but does not allege any specific area of non-compliance. Therefore, a specific response is not possible.

Comment 78-3:

The most important omission [sic] or obscurity is the very real fact of cumulative environmental impact(s) on the surrounding communities. With other communities affected by development, such as Glendale, Hollywood, Porter Ranch...as an example, the DEIR is unsound in its findings on liquidfaction [sic] introduced to disturbed and graded land. Which would be radically necessary due to the sheer slopes the project intends to build upon.

Response:

As discussed in Section IV.A (Geology and Soils) of the Draft EIR, liquefaction refers to a phenomenon that occurs when saturated, loose granular soils experience a temporary loss of strength when subjected to seismic ground vibrations. This loss of strength occurs when an increase of water pressure within the soil matrix exceeds the soil overburden pressure and therefore liquefies the soil matrix. Liquefaction is a condition of some soils and is not introduced by grading or development. As discussed on page IV.A-19 in the Draft EIR, there are no potential liquefaction hazard areas within the project site. Therefore, grading on the project site would have no cumulative liquefaction impact on surrounding communities.

Comment 78-4:**RE: BIOLOGICAL RESOURCES; FLORA AND FAUNA:**

Of special interest to me is the lack of conclusive evidence of the sheer volume of wildlife we know to exist in this area. Coyotes abound, as does deer. We have families of racoons [sic] regularly passing through our yards and we see gray fox crossing the roads in the early morning. Hawks soar all around these hills and the abundance of songbirds delights every person who lives here. Birdseed sells at every hardware store and hummingbirds abound, due to the native flowering plants that residents purposely

plant to encourage the tiny birds into our area. Owls come to visit occasionally and possums [sic] make their usual racket.

Where is this plethora of wildlife in the Verdugo Mountains and surrounding areas acknowledged [sic] or mentioned in the DEIR?? I feel the DEIR is entirely remiss in addressing the proposed preservation of such abundant wildlife. A study cannot be obtained in a short period of time. All residents of Sunland-Tujunga know that only time and patience and alertness brings the sightings of all the different types of animals which reside here. And let it not be understated that residents stay alert because they care and enjoy the proximatey [sic] of these wild creatures.

I feel that the Canyon Hills DEIR should be re-issued based on just this portion of the report alone. It is so obviously inadequate in its assessment of the amount of wildlife here but also inconclusive as to what it knows about the patterns of travel and habitat. Conflicting data is being offered by authorities in this area, which throw the DEIR into question as to its thoroughness of research and its conclusions. Upon which objectives were created which may not adequately address wildlife habitat destruction.

Response:

The Draft EIR addresses flora and fauna issues in Sections IV.D.1 (Flora and Fauna), IV.D.2 (Native Trees), and IV.D.3 (Wildlife Movement). The Draft EIR includes 162 pages of analysis with respect to these issues.. Regarding the amount of time spent preparing these studies, see Topical Response 4. Since this comment does not state any specific concern with respect to the adequacy of the biological analyses, no further response is possible.

Regarding the adequacy of the Draft EIR or any specific section therein, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 78-5:

RE: NATIVE TREES:

That replacing the current oak population of the proposed site with plantings clearly slotted for by-ways and medians as the DEIR proposes, appears to violate the ordinances due to misplacement of trees which do NOT offer sanctuary to wildlife as the trees are now placed in traffic areas of the project. The DEIR is unclear whether it intends to enforce homeowners to plant trees on their properties and it's a question as to whether this request would be enforceable.

Response:

Regarding the tree mitigation plan, see Topical Response 2.

Comment 78-6:

We have only to look at the hillside project above and to the NorthEast [sic] of Sunland-Tujunga, to see that without aggressive tree planting, a barren hillside remains barren indefinitely [sic]. The DEIR is inconclusive in its report about just how aggressive its tree replacement objectives are and what constitutes 'enough' tree replacement as pertains to the current level of vegetation in the communities of Sunland-Tujunga.

Response:

See Topical Response 2.

Comment 78-7:

The Canyon Hills DEIR is also remiss and inadequate in its report concerning the relationship to the varied natural vegetation [sic] currently existing on this land to the abundant natural wildlife in the hills that this project intends to use. Removing the trees and vegetation [sic] may constitute undesirable removal of wildlife for this area. The DEIR is inconclusive in its findings as to the impact this would have on the surrounding communities, both human and natural.

Response:

See Topical Response 2.

Comment 78-8:

I would ask the City Planning Department to have the Canyon Hills DEIR be re-issued. There are so many areas, which appear to be inadequately explained, or misrepresented, and perhaps even misleading. I can only comment upon the few items that personally touch me and have deep meaning to the value of life obtained by living in Sunland.

I urge the City to represent me in keeping the Canyon Hills Development Company in compliance to ALL laws, ordinances, and specifically comply with the Scenic Plan, which I personally support.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. Regarding the adequacy of the Draft EIR, see Topical Response 1. This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and

consideration.

Commenter 79: Kevin Kelly, 8248 Oswego, Sunland, CA 91041, December 22, 2003

Comment 79-1:

I have resided in Sunland for over 54 years. I have family located in and around Sunland. Having worked, and lived here for numerous years, I feel I can bring a sincere and believable [sic] outlook as a 'citizen expert' to that which is presented by the Canyon Hills Whitebird DEIR.

Having grown up here, I feel I have especially valuable viewpoints to offer. I have seen the impact of additional people coming to live here. People come here for the same reasons I love living here. We're surrounded by magnificent mountains, un-damaged [sic] ridgelines and a panorama which gives this community the value it has. I see the DEIR fails to analysis [sic] effectively the cumulative effects the Whitebird Project may have on this community as a whole. The DEIR is deficient in its assessments of how the project may negatively impact the value of life people currently possess in living in Sunland-Tujunga.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 79-2:

IN RESPONSE TO THE DEIR; ENVIRONMENTAL IMPACT ANALYSIS:

SUBJECT: UTILITIES AND SERVICE SYSTEMS:

Of special interest to me is the lack of conclusive evidence pertaining to the impact on the existing services we now have. We all understand that California is suffering an economic [sic] crisis, which affects our public services. What we have is all we have and for an indefinite period, will be all we have. In light of this, the DEIR is completely defective in its findings on the impact to these services. There is insufficient [sic] reporting in the DEIR on the impact on already overextended public services.

Not to mention the taxing on our garbage services, which cannot improve due to statewide monetary restrictions.

Response:

The impact of the proposed project with respect to public services and utilities are addressed in Sections IV.J (Public Services) and IV.L (Utilities and Service Systems) of the Draft EIR. Regarding the adequacy of the Draft EIR, see Topical Response 1. The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 79-3:**SUBJECT: WATER AND ELECTRICITY:**

We are aware that the power grid is taxed, especially in summer. And with every home going in at Whitebird, each home could have 2 - 4 air conditioning systems per home. The result of this extra pull on the power grid and its affects to the community is inconclusively realized in the DEIR. If there are blackouts, who gets priority on reestablishing service?? The power companies are currently encouraging us to restrict our usage of electricity and we have power outages due to the excessive load on the power supply companies currently; I propose that the Canyon Hills DEIR is insufficient in its reporting of its impact on the power grid.

Response:

Section IV.K.1 (Electricity) of the Draft EIR analyzed the impact of the proposed project on electricity service and concluded that existing electricity supplies and infrastructure would accommodate the proposed project's demand for electricity services. As discussed in Table IV.K-1 on page IV.K-5 in the Draft EIR, the proposed project would consume 4,316 kilowatt hours of electricity per day. This consumption figure encompasses all reasonable electrical uses by the proposed project, including air conditioners. Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 79-4:

In relationship to the vague conclusions reached in the DEIR, there is the related light pollution directly related to energy consumption. Currently the community of Sunland-Tujunga utilizes the minimum of street lighting. The residents so enjoy the privilege of seeing the night sky clearly; the impact of the light pollution the project will introduce is not fully addressed in the DEIR

Response:

See Response 73-5.

Comment 79-5:

There is a conflict on water usage and the DEIR is unclear about its proposed usage and whether it can even accurately present useable data since every household presents varying needs and requirements. The impact on the surrounding communities is inconclusive. What if the introduction of this project and its requirements actually adversely affect us? The current company (DWP) may restrict our water usage or increase our water charges which now stand at almost an intolerable levels of cost ? The DEIR clearly presents incomplete analysis on the impact of extra water, electricity and garbage needs to the project.

Response:

This comment alleges that the Draft EIR does not include adequate analyses of the proposed project's water, electricity and solid waste impacts but does not include any facts or analysis to support this contention. In any event, the Draft EIR fully analyzed those impacts. A summary of the anticipated water consumption with respect to the proposed project is set forth in Table IV.L-1 on page IV.L-3 in the Draft EIR. As shown in Table IV.L-1, the anticipated water consumption would be approximately 110,880 gallons per day, based on a consumption rate of 396 gallons per dwelling unit per day. Similar analyses of electricity and solid waste impacts are set forth in Section IV.L (Energy Conservation) and Section IV.L (Utilities and Service Systems) of the Draft EIR. Please see Tables IV.K-1 and IV.L-6 in the Draft EIR for specific calculations regarding impacts to these services. Finally, the statement in this comment that the DWP may restrict water usage or increase water charges is speculation and, in any event, does not relate to any concern regarding the adequacy of the analysis in the Draft EIR.

Comment 79-6:

SUBJECT: TRANSPORTATION:

Anyone who has lived here over ten years all comment on the incredible increase of traffic. Since Foothill Blvd. is the main and ONLY major thoroughfare of Sunland-Tujunga, it has becoming [sic] increasingly evident that there is overcrowding going on. The DEIR does not present conclusive traffic observation results. The traffic accidents have increased to such levels that residents can observe an accident a week, sometime two or three accidents a week. The increased traffic load of the Whitebird Project on Foothill blvd. and all surrounding streets is completely misrepresented in the DEIR.

Response:

See Topical Response 12.

Comment 79-7:

The DEIR also does not mention the impact on this community's byways of the thousands of heavy loaded vehicles which will utilize [sic] the strategically [sic] located Foothill Blvd. Foothill blvd. is not close to the project, but some residential streets lead right up to its proposed location. The DEIR gives evasive results on the impact of the project related traffic on these streets.

Response:

An analysis of potential traffic impacts related to construction of the proposed project is set forth on pages IV.I-11 through IV.I-12 in the Draft EIR. As discussed therein, it is anticipated that traffic related to construction vehicles would primarily access the project site from the Interstate 210 interchange at La Tuna Canyon Road, and therefore would not require travel on Foothill Boulevard.

Comment 79-8:

And since traffic requires roads, what about the priority [sic] placed on paving roads leading up to the project or around the project? Some residents have been waiting years and years for repaving of badly maintained roads and of roads which need first time paving. The DEIR does not give attention to this aspect of community useage [sic] or maintainance [sic].

Response:

Roadway improvements that would occur with respect to the proposed project are discussed on page III-6 in the Draft EIR. As discussed therein, the internal roadways within the proposed Development Areas would be privately owned and maintained by the homeowners association(s). The maintenance of public roadways that are not associated with the proposed project is the responsibility of the City. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 79-9:

SUBJECT: LAND USE:

Probably the most glaring example of misused land acquisition and development is the project scarring the Tujunga wash hillside, NorthEast [sic] of our community. It has become a permanent eyesore. Though this could be under the heading of Aesthetics, it is ultimately about land use and how developers use the land they purchase. We ask that the Project adhere to slope density ordinances; abide the Scenic Preservation Plan, the Community plan and all governmental/city codes and restrictions.

Response:

With respect to the concern expressed regarding grading impacts associated with the proposed project, see Topical Response 6. With respect to the concern expressed regarding compliance with all applicable provisions in the Sunland-Tujunga Community Plan, the Specific Plan and the LAMC, see Response 57-10. With respect to the concern expressed regarding adherence to the slope density ordinance, see Response 13-2.

Comment 79-10:

As a resident, I can look at the mountains in question, slotted for development and logically understand that the Canyon Hills Project may be inticed [sic] to change laws for their benefit. As every community knows, by hard experience that once an area is opened for development, more developers want to take adjoining parcels and develop those for profit. I have no objections to a company making a profit. If the DEIR represents Whitebird Project's objectives, than [sic] the DEIR appears to be purposely misleading. The way the DEIR is currently structured it is a forgone conclusion that the profits made may cost the the [sic] surrounding community in untold, irreversible or irreparable [sic] ways.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 79-11:**SUBJECT: POLICE PROTECTION:**

This portion of the DEIR shows numerous flaws in reasoning. Our local law enforcement division is already so overly taxed it takes longer than normal for a response to a call. There are traffic accidents which have increased over the years, where the wait time for a traffic officer is longer than most anywhere in the valley.

The DEIR gives no conclusive information on how having hundreds of new households will impact the surrounding communities to qualities of life issues, such as harassment, petty crimes, delinquency [sic] of minors, traffic accidents, and domestic disturbance. The DEIR cannot base its report on its lack of 'murders' or other more serious crimes. It is the less serious disturbances which are not properly responded to currently. The Project's disturbances could tax our current law enforcement agencies to the point of adversely affecting all.

Response:

With respect to the concern expressed regarding the proposed project's impact on police protection services, see Response 29-4. With respect to the inference in this comment that the proposed project would impact traffic, see Topical Response 9. The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 79-12:**SUBJECT: FIRE PROTECTION:**

Of the DEIR report on fire, there is a complete lack of attention to paramedic response time or availability. And the DEIR is remiss in revealing plans associated with fire access roads? [sic] Whose land are they on? Or are they wide enough? In even [sic] of a major fire, how will all the residents escape on one road? All issues not addressed in the DEIR.

Response:

With respect to the concern expressed regarding paramedic services, see Response 23-3. With respect to the concern expressed regarding emergency access, see Topical Response 11.

Comment 79-13:

I strongly recommend the City Planning Office to review all community letters and encourage the Canyon Hills DEIR be re-issued. Please honor and uphold the Scenic Plan, the Community Plan and all ordinances applicable.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 80: Tanya Knight, 8243 Oswego, Sunland, CA 91040,
December 22, 2003

Comment 80-1:

When my family moved to this area, it was because of its utter rural appeal. Our home faces the mountains upon which this above mentioned project proposes to build it's [sic] homes. I have examined the DEIR and have discovered many inaccuracies and deficiencies. As a 'citizen expert', I have included below that which what is most glaringly insufficient in the DEIR report.

PERTAINING TO IV: ENVIRONMENTAL IMPACT ANALYSIS
BIOLOGICAL RESOURCES
SUB-SECTION: GEOLOGY AND SOILS:

In examining the DEIR, it becomes obvious that an impassioned demand be made to insist that the project must comply with slope density regulations and laws. Even a layman observer of nature has seen and witnessed the tremendous problems that which arise from disruption of the existing, wild vegetation. I see very little examination or viable conclusions reached on the increased possibility of landslides.

Response:

With respect to the concern expressed that the proposed project comply with the slope density formula in the LAMC, see Response 13-2. With respect to the concern expressed regarding the impact of the proposed project on vegetation, see Response 9-19.

The potential impact of existing landslides with respect to the proposed project is discussed in Section IV.A (pages IV.A-1 through IV.A-36) of the Draft EIR. As discussed therein, the potential exists for landslides in the proposed Development Areas, which would constitute a significant impact without mitigation. However, the implementation of Mitigation Measures A-2 and A-3 (which specifically address onsite landslides) in combination with other recommended measures in this section of the Draft EIR would reduce that potential impact to a less-than-significant level.

Comment 80-2:

SUB-SECTION: FLORA AND FAUNA:

Another area of discernibly inaccurate and undeveloped data. A limited proclaimed observation time would appear grossly insufficient in which to observe the natural wildlife of our area and of this area in particular, which is well known to be a wildlife corridor for many species of animals. This report shows flaws in it's [sic] conclusions. Based on resident observations and my own observations, there

are families of hawks, raccoons, grey fox, lizards, butterflies and others assorted 'shy' creatures who use this natural area to nest, eat and live unmolested.

Response:

With respect to the concern expressed regarding the amount of time studying the project site, see Topical Response 4. With respect to the implied concern that the proposed project could impact wildlife corridors, see Topical Response 5. This comment also expresses concern that the biological analyses in the Draft EIR are flawed, but provides no evidence or analysis to support that contention. Therefore, no response is possible. Finally, with respect to onsite wildlife, Appendix D to the Biological Technical Report (which is Appendix G to the Draft EIR) contains a complete list of wildlife species known or expected to occur on the project site.

Comment 80-3:

Anyone who lives in this area has heard the dozens of coyote calls and communication at twilight and late evening. The flora and fauna section of the DEIR is one of the most blatantly misrepresented portions of the report. That the so-called 'alternative' proposals were presented as 'superior' make the report incompatible to conclusions reached by other authoritative sources on this matter.

Response:

With respect to the implied concern expressed regarding the impact of the proposed project on coyotes, see Response 27-1 and Topical Response 5.

Section 15126.6 of the CEQA Guidelines requires the selection of one of the alternatives analyzed in Draft EIR as the "environmentally superior" alternative and an explanation of the reason for that selection. In accordance with Section 15126.6, Alternative B was selected as the environmentally superior alternative. Since the commenter does not state any specific concern regarding the selection or discussion of the environmentally superior alternative, no further response is possible.

Comment 80-4:

The impact on this community of the loss of our wildlife due to constriction of their living areas, or being made to travel through areas with the potential of death by automobile (to name a few problems) would be devastating [sic] and demoralizing and wasn't addressed in the DEIR report adequately.

Response:

Potential impacts to resident and migratory wildlife were evaluated during surveys conducted between November 2001 and February 2003 (see Topical Response 4). The proposed project would preserve

almost 700 acres of habitat in open space, providing habitat for all of the species currently using the project site, with no loss in biodiversity (see Topical Response 5). As noted on pages IV.D-58 through IV.D-60 in the Draft EIR, no significant impacts to wildlife were identified during the detailed biological investigations.

With respect to the concern expressed regarding animal mortality associated with vehicular collisions, see Topical Response 5.

Comment 80-5:

The impact to the Verdugo Mountains, San Gabriel [sic] mountains and Tujunga wash wildlife was overall, represented in the DEIR as inconclusive, incomplete, and inexact in it's [sic] findings. Since these very areas surround the community of Sunland-Tujunga, they would significantly impact the quality of life of those who live here and relish the natural life we take joy in observing.

Response:

The first sentence in this comment is unclear. However, to the extent the commenter believes that the biological analyses in Draft EIR were inadequate, that is incorrect. Section IV.D (Biological Resources) of the Draft EIR includes an extensive discussion of potential wildlife impacts associated with the proposed project and sets forth clear findings that the proposed project would not have any impact on wildlife (see pages IV.D-58 through IV.D-60) or wildlife movement (see pages IV.D-153 through IV.D-160). Also, as noted on page IV.D-153, the project site is located almost two miles from Tujunga Wash and would have no direct or indirect impacts on this area. The San Gabriel Mountains are even further removed from the project site and would not be impacted, either directly or indirectly, by the proposed project. As noted in Response 80-4 above, the proposed project would preserve almost 700 acres of habitat in open space, providing habitat for all of the species currently using the project site and opportunities for wildlife viewing and nature enjoyment. Since this comment does not state a specific concern regarding the adequacy of the biological analyses in the Draft EIR, no further response is possible.

Comment 80-6:

As the study was conducted during a time of dryness of the area, it appears to be sketchy and imprecise as to the abundant wildflower blooming which took place after the rains. Or the increased butterfly population in response to this brilliant display of color.

Response:

See Response 9-6.

Comment 80-7:

That this section of the DEIR makes illogical assumptions, is flawed in it's [sic] conclusions, is based on citizen observation and professional involvement. The Canyon Hills DEIR is untenable and defective in it's [sic] presentation.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 80-8:

SUB-SECTION: ARTIFICIAL LIGHT AND GLARE.

This portion of the DEIR also contains obvious inconsistencies [sic] with resident observations and preferences. There is a questionable mentioning of 'wattage' as a measure of luminance. Wattage does NOT measure luminance. There are low wattage bulbs produced commercially (to be used in street lighting) which are there for energy efficiency, NOT levels of light. If it were, then the other drawback to wattage is that: if it is 'low', than more lights may be installed to compensate.

Response:

The commenter is correct that wattage is not a measure of luminance. It is a measure of power. However, contrary to this comment, the Draft EIR does not mention wattage as a measure of luminance. Rather, as discussed in Section IV.F (Artificial Light and Glare) of the Draft EIR, the proposed project would reduce the wattage supplied to the street lights in order to achieve lower levels of illuminance. The commenter is also correct that by using lower levels of illuminance, more lighting fixtures could be necessary. However, the proposed project's street light system has been designed for a substantially lower level of illumination that minimizes the lighting impacts on the existing residential areas and vehicle occupants on Interstate 210 and La Tuna Canyon Road, but provides sufficient illumination for pedestrian and vehicle safety and emergency vehicle response. For the proposed project, the minimum maintained average illuminance level would be reduced from 0.4 footcandles, as required for public streets, to 0.2 footcandles. As a result, the need for additional lighting fixtures would be reduced.

Comment 80-9:

Currently, the residents of Sunland-Tujunga, including myself, enjoy the rare privilege [sic] of low light pollution, enabling this community the opportunity to see more starlight than is normally available to other residents of the Los Angeles community. What is left unclear and inconclusive is the amount

of light pollution introduced by this project, assuming every street would have multiple light posts, and every residence have their own lighting for security or visibility of premises.

Response:

As discussed in Section IV.F (Artificial Light and Glare) of the Draft EIR, the proposed project has been designed to minimize night lighting impacts. Street lighting fixtures would use full cut-off street lighting luminaries. Full-cut luminaries are fully shielded, which means that they are designed to emit no light above the horizontal plane of the fixture, which prevents any direct-beam illumination into the nighttime sky. With the use of fully-shielded fixtures, the only potential contribution to the sky-glow condition would be the reflection of street lights off the roads themselves. However, as discussed in Response 80-8, the contribution to sky-glow conditions would be limited because the roadways would be covered with asphalt and low wattage street lighting fixtures would be used. The glow from windows would have a minimal effect on the night sky since such lighting is not directed toward the sky. In addition, the CC&Rs would prohibit the use of all exterior uplighting fixtures for building facades and trees, limit the amount of landscape lighting per foot, require a downlight component for all exterior-building mounted fixtures and prohibit “glowing” fixtures that would be visible from existing communities or public roads. None of the existing adjacent residential areas have comparable restrictions on outdoor lighting. While the proposed project would introduce new lighting in the community, the proposed project also includes features that mitigate, to the extent possible, those lighting impacts.

Comment 80-10:

What is also deficient, is the visual impact of the community proposed to those who relish and take relief in the open spaces and ‘cleanliness’ of the mountains on either side of the freeway 210 between Sunland Blvd and Lowell blvd. Exit. The increased light pollution in this area would impact visual serenity and turn the Sunland-Tujunga into yet another overcrowded, claustrophobic community.

Response:

This comment implies that the aesthetic analysis in the Draft EIR regarding the visual impact of the proposed project is deficient, but does not state any specific concern regarding the adequacy of that analysis. Therefore, no response is possible or required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 80-11:

SUB-SECTION: LAND USE:

Of this section, 1) the interaction with the Hillside Ordinance and Slope Density Ordinance which control development in hillside areas is left undefined and vague in it's [sic] conclusions. I strongly urge that the Canyon Hills Project comply to the currant [sic] laws and restrictions of these ordinances and are not allowed to present new laws to bypass what may have inconvenienced the Project.

Response:

See Responses 12-7, 13-2, 75-25 and 117-4.

Comment 80-12:

2) The cumulative effect on the existing Sunland-Tujunga community is that once a project is allowed to destroy what is cherished land, then more developers bid for the remaining parcels to make their profits. The surrounding areas were not assessed accurately in the DEIR for the impact on the current community to the increased density of future development.

Response:

The meaning of this comment is unclear, but it appears to include a concern that the development of the proposed project would lead to other development in the vicinity of the project site. Section V.C (Growth Inducing Impacts of the Proposed Project) of the Draft EIR includes an analysis of the potential growth-inducing impacts of the proposed project (see page V-2). As discussed therein, and as reflected in Section 15126.2(d) of the CEQA Guidelines, the development of the proposed project would not, either directly or indirectly, lead to the construction of additional housing. The proposed project would not provide any infrastructure for other residential development projects, nor would it remove any obstacle to other residential projects, and the commenter provides no evidence or analysis to the contrary. To the extent that the commenter believes that the Draft EIR did not take into account all related projects in analyzing the cumulative impacts associated with the proposed project, see Response 36-5.

Comment 80-13:

3) Insufficient information and vague conclusions are given on the impact to the community of Tujunga on the back side of this proposed project. Also, inconclusive results are given on the compliance with grading and construction on ridgelines. The report to appears to be evasive in addressing future 'justification' for subdividing and crowding of hillside 'buffer' zones, many of which were created by homeowners to preserve a natural area near their homes.

Response:

It is difficult to respond to this comment because the concerns expressed are vague and do not reference any specific discussion or analysis in the Draft EIR. With respect to the concern expressed regarding grading and construction on ridge lines, see Topical Response 6. With respect to the concern expressed regarding the impact to the community of Tujunga on the back side of the proposed project, it is assumed that this is a reference to the existing residential area to the north of proposed Development Area A. As discussed in the Draft EIR, the proposed project would have no impact on that residential area. In particular, none of the proposed structures in the Development Area A would be visible from any existing homes on the north side of Verdugo Crestline. In addition, vehicular access through the existing residential area adjacent to Development Area A would be limited to emergency access (for additional information regarding emergency access, see Topical Response 11).

Finally, this comment expresses concern regarding a buffer zone between existing homes and the proposed homes in the Development Areas. As discussed in the Draft EIR, proposed Development Area B is not adjacent to any existing residential areas. As further discussed in the Draft EIR, proposed Development Area A is located in proximity to an existing residential neighborhood. The existing residential neighborhood located to the northeast of Development Area A is buffered by the proposed project's retention of Drainage 4 as open space. The width of the Drainage 4 buffer varies, but the distance between the closest edge of a proposed building pads and existing homes ranges from approximately 300 to 450 feet.

Comment 80-14:

4) Most importantly, in light of the latest fire disasters in Simi Valley, Redlands area and Porter Ranch, the report is inconclusive, insufficient and imprecise on the impact to this area. The above-mentioned areas are all residential areas. There is not any discernable assessment made on the impact this project may contribute to fire hazards to it's [sic] surrounding areas; ie: the Verdugo Mtns, the San Gabriel mtns, and La Tuna Canyon mountains, all within fire hazard range of this proposed project. The disasterous [sic] fires of the recent past give evidence that housing may actually contribute to the possibility of out-of-control; property damage / land / preserved wildlife area fires.

Response:

See Topical Response 13.

Comment 80-15:

SUB-SECTION: TRANSPORTATION AND TRAFFIC:

The DEIR study reaches inconclusive evaluations, and insufficient information is provided on how the extra household members present in this proposed project will affect the all-ready overcrowded schools, the excessive traffic on Foothill blvd. (which has significantly increased in the last few years just with the few houses that have been built within the Sunland-Tujunga community. [sic]), the loss of bike trails, hiking trails, horse riding; and the increased traffic on La Tuna Canyon Rd. Not to mention the restricted weight load limits for La Tuna Canyon rd. that would be clearly violated with huge trucks hauling away tons and tons of dirt that exceed La Tuna Canyon road's specified weight limitations ... plus all the traffic generated by the project residents, with commuting, garbage hauling, gardners [sic], and for years and years of construction, all the contractors utilyzing [sic] this road to and from the site, making the DEIR report an un-researched and incoherent package.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. With respect to the concern expressed regarding the impact of the proposed project on the capacity of local schools, see Response 56-5. With respect to the concern expressed regarding the traffic impact of the proposed project on Foothill Boulevard, see Topical Response 12. With respect to the concern expressed regarding the impact of the proposed project on biking and hiking trails, see Responses T26-4, 42-3, 56-2 and 67-1. With respect to the concern expressed regarding the traffic impact of the proposed project on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding the construction traffic impacts associated with the proposed project, see Response 52-4.

Comment 80-16:

SUB-SECTION: SOLID WASTE AND DISPOSAL:

It was announced just recently that the garbage dump, Bradly Pit, was slotted for closure due to the overwhelming increase of garbage being placed here. The DEIR presented incomplete and inexact observations and results. The report was inconclusive and evasive on the impact this project would have which might hasten the closure of the only dump site now available to the surrounding community. The cumulative effects of millions of lbs. of increased trash dumping to the current dump site and the planning of future dump sites was not ascertained, nor apparantly [sic] examined or researched with any thoroughness.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. “Bradly Pit” appears to refer to the Bradley Landfill, one of the three landfills discussed in Section IV.L.3 (Solid Waste and Disposal) of the Draft EIR. As shown in Table IV.L-4 in the Draft EIR, and according to the California Integrated Waste Management Board, the Bradley Landfill is scheduled for closure in 2007, unless the current proposal to expand the landfill is approved. As also reflected in Table IV.L-4, the Bradley Landfill, Sunshine Canyon Landfill and Chiquita Canyon Landfill may all receive solid waste from the proposed project, contrary to the comment’s inference that the Bradley Landfill is “the only dump site now available to the surrounding community.”

This statement in this comment that the Draft EIR did not analyze the cumulative solid waste impacts associated with the proposed project is incorrect. As discussed on pages IV.L-20 and IV.L-21 in the Draft EIR, the proposed project and the related projects would generate a cumulative total of 8,345 pounds (or 4.2 tons) of solid waste per day. As further discussed therein, assuming that all of the cumulative solid waste is sent to Sunshine Canyon Landfill, the additional 4.2 tons per day would minimally impact the Sunshine Canyon Landfill and would not cause it to exceed its permitted daily capacity from the City. For that reason and others, the Draft EIR properly concluded that the cumulative solid waste impact associated with the proposed project would be less than significant.

Finally, the statement in this comment that “the planning of future dump sites was not ascertained, nor aparantly [sic] examined or researched with any thoroughness” is incorrect. Footnote 1 on page IV.L-13 in the Draft EIR states: “It is noted that Mayor Hahn is exploring an initiative to haul all residential solid waste out of the City by 2006. The City Public Works Department is currently studying this initiative, and no details of this potential plan have been released to the public yet.” In addition, page IV.L-14 in the Draft EIR states: “The City is exploring plans to construct or purchase other solid waste facilities, including a materials recovery facility and a transfer station, the details of which are currently unavailable.” Although the available details are limited, the Draft EIR nevertheless included the available information regarding the City’s plans for future solid waste disposal sites.

Comment 80-17:

Probably the most horrendous impact of this project on the surrounding communities of Sunland, Tujunga, La Crescenta, La Tuna canyon, is the loss of our current ridgelines and the value of our homes due to the purity of these ridgelines being a part of our surrounding view. The DEIR does not address the destructive impact on the rest of the community’s value with the loss of these ridgelines. There are impaired conclusions reached on how dynamiting these mountains will psychologically affect citizens of Sunland-Tujunga and the children. Nor is there any conclusions reached on the extended amount of years of noise accompanying building, bulldozing and other construction activities.

Response:

With respect to the concern expressed regarding the aesthetic impact of the proposed project on ridgelines, see Topical Response 6. In addition, the proposed homes would not be placed 10 feet apart.

With respect to the concern expressed regarding the psychological impact of potential blasting activities on local residents, see Response 96-22. With respect to the concern expressed regarding the construction noise impacts associated with the proposed project, see Response 52-15.

Comment 80-18:

I strongly urge the City have the Canyon Hills DEIR be re-issued and hold the project to comply all current laws and adhere to the Scenic Plan.

Response:

Regarding recirculation of the Draft EIR, see Topical Response 3. With respect to the concern expressed that the proposed project would not comply with the Specific Plan and other current laws, see Response 57-10.

Commenter 81: Athena Knight-Garcia, White Oak Lane, Sunland, CA [no zip code], December 22, 2003

Comment 81-1:

I apologize for the lack of computer and typewriter. I've since retired from the legal secretary world and can no longer use the machinery for medical reasons. I sincerely hope this informal letter will not stop you from considering my words. I've lived in/around Sunland my whole life ~ third generation to do so. My background in the legal field has given me a thorough experience in reading extensive documents. I obtained a full copy of the Canyon Hills DEIR and read it cover to cover.

Honestly, it must be stated...the DEIR is lacking in cohesive or believable data. Though I would dearly love to be able to expound on the shortcomings of the DEIR-I cannot, for it would fill pages and pages. My writing hand is unable to maintain the extensive writing necessary. It is easy to see (for me, I guess) how the DEIR offers blatant contradictions to the realities we currently face as a community.

For instance, our public services; from utilities, sanitation, to availability of police and fire/ambulance services-are impinged upon by SIX different areas; six communities which compete for these services. The DEIR fails completely in addressing its impact on these services and ultimately the impact on the various communities already handicapped by the limited availability of these limited resources.

Response:

Potential impacts to public services, including police and fire/emergency services, are addressed in Section IV.J (Public Services) of the Draft EIR. Potential impacts to utilities, including sanitary sewer systems, are addressed in Section IV.L (Utilities and Service Systems) of the Draft EIR. The commenter does not state any specific concern regarding the adequacy of these analyses, so no further response is possible.

Comment 81-2:

The other section the DEIR which is glaring in its incomplete, inconclusive, misrepresented and clearly insufficiently researched is on TRAFFIC. The DEIR is entirely inconclusive about the impact to the already highly congested main blvd. of (Foothill Blvd.) this community. The congestion has grown exponentially in the last 5-8 years. To the point of introducing weekly traffic accidents and incredible delay in travel time. The increase congestion has spread to the sidestreets and the danger to small children and animals has become very real.

Response:

See Topical Response 12.

Comment 81-3:

The DEIR, from a legal standpoint, is criminally vague about the noise pollution which would accompany the building of this project. Not to mention that the DEIR's misleading "findings" on the air pollution (dust, diesel fumes); the light pollution-are put forth as conclusive. Though the DEIR is presented in authoritative jargon, legally and coherently-it is deficient. The truth must be represented honestly and it is the job of the City Planning Department to uphold the laws currently governing development. Though I presume to mention this, it is because this community relies heavily on this department to represent the law as it pertains to building allowance or any violations of ordinance.

Response:

With respect to the concern expressed regarding the construction noise impacts associated with the proposed project, see Response 52-15.

The comment states that the Draft EIR provides misleading findings with respect to dust and diesel emissions, but fails to provide any evidence or analysis to support that contention or state a specific concern regarding that analysis in the Draft EIR. Therefore, a specific response is not possible. However, contrary to the comment, pages IV.B-7 through IV.B-19 in the Draft EIR provide a detailed discussion of the air quality impacts associated with the construction and operation of the proposed project. With respect to the concern expressed regarding diesel fumes, see Responses 57-8 and 149-46.

The comment also states that the Draft EIR provides misleading findings with respect to light pollution associated with the proposed project, but fails to provide any evidence or analysis to support that contention or state a specific concern regarding that analysis in the Draft EIR. Therefore, a specific response is not possible. However, contrary to the comment, Section IV.F (Artificial Light and Glare) of the Draft EIR provides a thorough analysis of the proposed project's impacts from light and glare.

Comment 81-4:

I cannot stress enough the importance of having this DEIR re-issued. This DEIR is incomplete on its assessments to the long term effects to surrounding communities. Please insist that the Canyon Hills Project comply to the scenic plan, the Community Plan and all guiding restrictions.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. With respect to the concern addressed that the proposed project does not comply with the Specific Plan, the Sunland-Tujunga Community Plan and other applicable laws, see Response 57-10.

Commenter 82: Elektra Kruger, President, Shadow Hills Property Owners Association, P.O. Box 345, Sunland, CA 91041, December 22, 2003

Comment 82-1:

We commend Canyon Hills for accepting among its traffic mitigation measures the funding of the design and installation of a much-needed signalization system at the proposed WB I-210 ramp/La Tuna Canyon Rd./Development A access intersection - this being noted in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR"). The anticipated marked increase in traffic volume from the Canyon Hills Project, which we feel is quite understated in the DEIR, will most certainly effect [sic] not only La Tuna Canyon Rd but also the EB/WB on-ramps of the I-210. Therefore, the installation of metering system at the head of the on-ramps, to be in operation at least during the AM peak hours, should be seriously considered.

Response:

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. The proposed mitigation measure requiring the installation of a traffic signal at the Interstate 210 Westbound Ramps/Development Area A Access and La Tuna Canyon Road intersection requires the review and consultation with Caltrans. Engineering design issues related to the traffic signal installation, (i.e., location, ramp configurations, ramp metering, etc.) are appropriately reviewed at that time.

Comment 82-2:

Aside from questioning the projections made by Linscott, Law and Greenspan as to the anticipated LOS at the I-210/La Tuna Canyon Rd. on-ramp/off-ramp figures, some information in Table 6 of the Traffic Impact Survey in the Technical Appendices are difficult to follow: What is the reason behind entry #3, I210 EB ramps and La Tuna Canyon Rd in addition to entry #9, I-210 EB on-ramp and La Tuna Canyon Rd?

Response:

Intersection No. 3 is the intersection of the Interstate 210 Eastbound Off-Ramp and La Tuna Canyon Road, while Intersection No. 9 is the intersection of the Interstate 210 Eastbound On-Ramp and La Tuna Canyon Road. Because the Interstate 210 eastbound off-ramp and on-ramp form separate intersections with La Tuna Canyon Road, they were considered and analyzed separately as part of the traffic analysis in Section IV.I (Transportation/Traffic) of the Draft EIR.

Comment 82-3:

A feature that also fails to ease the burden of increased traffic volume is the lack of reasonably accessible public transportation. The nearest bus route is 2 miles away - and that is measured from the Canyon Hills Entry Point which is a further 1/2 mile distant to the nearest home. I refer you to the Sunland-Tujunga-Lake View Terrace-Shadow Hills East La Tuna Canyon Community Plan (heretofore to be referred to as the "Community Plan"). Objective 1-2 of the Community Plan states "To locate new housing in a manner which reduces vehicular trips and which increases accessibility to services and facilities." Policies to obtain this Objective includes 1-2.1 "Locate higher residential densities near commercial centers and major bus routes where public service facilities, utilities and topography will accommodate this development." The recommended Program to achieve This Policy is "The Plan designates lands for higher residential densities within and adjacent to transit-convenient locations." Canyon Hills has elected to ignore the recommendations for residential densities as proposed in the Community Plan, therefore Canyon Hills should take it upon itself to undergo negotiations with the MTA to bring a reasonably accessible bus stop to Canyon Hills residents.

Additionally, in support of the State's Congestion Relief efforts, a suitable Park and Ride lot might be designated near the Canyon Hills Project/I-210 Fwy intersection.

Response:

With respect to the concern expressed regarding the routing of public transit buses, see Response 7-6. With respect to the concern expressed regarding park and ride facilities, see Response 7-9. With respect to the implied concern that the proposed project is inconsistent with Policy 1-2.1 in the Sunland-Tujunga Community Plan, see Response 75-23.

Comment 82-4:

I question the thoroughness of the 24-hour machine traffic count on La Tuna Canyon Road, which was taken "west of the I-210 interchange", as presented in the Traffic Analysis of the DEIR Appendices (Page 29). The exact location "west" was not clearly defined.

Response:

The automatic 24-hour machine traffic counts were conducted for the street segment along La Tuna Canyon Road in the vicinity of Development Area B, which is located approximately three quarters of a mile west of the Interstate 210 interchange.

Comment 82-5:

And what about any counts of La Tuna Canyon Road traffic east of the I-210 interchange, especially considering that the current LOS of the La Tuna Canyon Rd/Tujunga Canyon Blvd. is running at an LOS F at AM peak hours and LOS E at peak PM hours. Also, should there not also be an LOS study of the intersection of La Tuna Canyon Rd/Sunland Blvd to help evaluate the potential impact of Canyon Hills on traffic that may be attempting to use this route as an access to I-5.

Response:

With respect to the concern expressed regarding the traffic impact of the proposed project on La Tuna Canyon Road, see Topical Response 10. In addition, and as discussed on page IV.I-10 in the Draft EIR, the intersection of Tujunga Canyon Road and La Tuna Canyon Road/Honolulu Avenue has been recently improved by the City. These intersection improvements were included as part of the traffic analysis in the year 2009 pre-project conditions. As a point of clarification, the intersection of Tujunga Canyon Road and La Tuna Canyon Road/Honolulu Avenue is anticipated to operate at LOS A and LOS B during the AM and PM peak hours, respectively, under the future year 2009 pre-project conditions, as shown in Table IV.I-6 on page IV.I-28 in the Draft EIR.

It is also important to note that the intersections of the Interstate 210 Eastbound Ramps and Sunland Boulevard, the Interstate 210 Westbound Ramps and Sunland Boulevard, the Interstate 210 Eastbound Off-Ramp and La Tuna Canyon Road, the Interstate 210 Eastbound On-Ramp and La Tuna Canyon Road, as well as the intersections of Development Area B Access (West) and Development Area B Access (East) with La Tuna Canyon Road, would not be significantly impacted by the proposed project. Therefore, the intersection of Sunland Boulevard and La Tuna Canyon Road, which is located approximately four miles from the closest access point to Development Area B and farther from any of the project access points than any of the intersections described in the preceding sentence, would not be significantly impacted by the proposed project.

Comment 82-6:

Mitigation Measures lists the following anticipated changes in LOS as “incremental but not significant” therefore requiring no mitigation (Table 6): 1.) I-210 EB/Sunland Blvd; AM peak LOS D to LOS E w/mitigation 2.) I-210 EB/Sunland Blvd, PM peak LOS C to LOS E w/mitigation 3.) I-210 WB/Sunland Blvd, AM peak LOS D to LOS F w/mitigation 4.) I-210 WB/Sunland Blvd PM peak LOS B to LOS C w/mitigation 5.) Tujunga Canyon Blvd/Foothill Blvd AM peak LOS D to LOS E w/mitigation and 6.) Tujunga Canyon Blvd/Foothill Blvd PM peak LOS D to LOS E w/mitigation. I do not find these increases in LOS “incremental” and suggest that Canyon Hills seriously consider the cumulative impact of their project, as proposed, on these LOS’.

Response:

See Topical Response 9.

Comment 82-7:

This cumulative impact evaluation should also consider the effect of the development under active construction in the western portion of the La Tuna Canyon as well as any other projected or imminently potential further developments within the Canyon itself. The low traffic volume projects which are primarily such things as a fast-food restaurant, a gas station or a church expansion located along Foothill Blvd (Page 32, Traffic Analysis, DEIR Appendices) taken under consideration for the cumulative impact evaluation in the DEIR will not directly effect intersections more intimately associated with the Canyon.

Response:

With respect to the concern expressed regarding development under active construction on the western portion of La Tuna Canyon Road see Topical Response 7. With respect to the concern expressed regarding the inclusion of commercial projects on Foothill Boulevard as related projects, see Response 36-3.

Comment 82-8:

Information gleaned from data presented in Table 9 of the Traffic Analysis, DEIR Appendices:

Average Annual Increase in ADT between 1900 to 2000 = 223 Highest Annual Increase in ADT (2000) = 237

And the Canyon Hills Project is forecasted to generate 2,694 ADT all by itself!!

Can you imagine what this might do to the accident statistics if no major mitigation measures are undertaken along La Tuna Canyon Rd (Unfortunately, if the Project is approved as proposed, in the interest of safety, we will have to accept major mitigation measures that will markedly impact the current rural atmosphere of the Canyon.)

Again, information gleaned from data presented in Table 9 of the Traffic Analysis, DEIR Appendices:

Average annual ADT between 1900 to 2000 = 11, 510 (*)Average annual # of accidents between 1900 to 2000 = 18.4 (**)Current ADT = 13,081 (2002) (Page 43, Traffic Analysis, DEIR Appendices) (***)

$11,510 (*)/13,081 (***)= 18.4 (**)/X$ X= # anticipated accidents for 2002 X = 20.9

Canyon Hills forecasts an additional ADT of 2,694: 13,081 (ADT in 2002) + 2,694 (Canyon Hills forecasted ADT) = 15,775 (Total ADT)

$13,081 \text{ (ADT in 2002)} / 15,775 \text{ (Total ADT)} = 20.9 \text{ (Anticipated \# accidents in 2002)} / Y = 25.2 \text{ (Anticipated \# accidents post- construction of Canyon Hills)}$

$20.9 \text{ (Anticipated \# accidents in 2002)} / 25.2 \text{ (Anticipated \# accidents w/Canyon Hills)} = 100\% \text{ (2002)} / Z = 120.6\% \text{ (a 20.6\% anticipated increase in the annual accident rate on La Tuna Canyon Rd. as an impact of the Canyon Hills Project as proposed.)}$

By reason of this anticipated increase in accident rate due to construction of Canyon Hills as proposed, any utility poles to be installed at any point along La Tuna Canyon Rd that is in any way related to the needs of the Canyon Hills Project should be placed underground at the expense of Canyon Hills since collision with a fixed object such as a utility pole would increase the severity of injuries as a result of that collision.

Response:

With respect to the concern expressed regarding the potential impact of the proposed project on traffic safety on La Tuna Canyon Road, see Topical Response 10. As a point of clarification, the ADT traffic volumes shown in Table IV.I-9 on page IV.I-43 in the Draft EIR (and referenced in this comment) for years 1990 through 2001 were derived based on an annual growth rate of two percent per year and the 2002 average 24-hour traffic count conducted as part of the traffic study. For example, the 2002 ADT volume of 13,081 was decreased by 24 percent to reflect the estimated traffic volume of 10,549 ADT in 1990. Based on a review of the yearly accidents, no trend is readily apparent in the accident rates from year to year. As shown in Table IV.I-9 in the Draft EIR, in recent years accident rates have generally been lower than in prior years. As discussed on page IV.I-42 in the Draft EIR, it is clear that the accident rates have not increased in relation to the increase in traffic volumes on La Tuna Canyon Road during the 11-year study period. Therefore, the small increase in traffic on La Tuna Canyon Road due to the proposed project is not anticipated to significantly increase the accident rates along the roadway.

Regarding the placement of utilities underground, see Response 7-4.

Comment 82-9:

Mitigation for improving La Tuna Canyon Rd to minimize the potential accident rate increase must take into account two 1/2 mile segments of the otherwise 2 lane per direction secondary roadway which narrows to a single lane per direction, located at a point in the roadway where curvatures are at their tightest around the 8300 to 9000 block. These points, located west of the Project Site about 0.5 mi and 1.5 mi west of the EB I-210/La Tuna Canyon Rd intersection respectively, are currently already known

points of congestion and points of numerous accidents and would be notably effected by the increased traffic volume of the Canyon Hills Project along with that of any cumulative projects within the Canyon itself. La Tuna Canyon Rd is a designated Secondary Hwy as per the City's General Plan. However, the roadway currently consists of this variable width roadway as described above generally with unimproved sidewalk. Standard Plan S-470-0, effective Nov. 10, 1999 dictates that the standard cross-section for a secondary highway is 35 ft half-roadway on a 45-ft half right-of-way. The Canyon Hills developer should firstly dedicate and widen, at his expense, the entire project frontage up to the standard required by the General Plan possibly replacing the sidewalk with a 12 ft wide dedicated multi-use trail which would be, at least, somewhat consistent with the character of the Canyon. Also left-turn channelization should be considered at Dev A and Dev B ingress/egress sites. Further, the developer should be responsible for his fair-share percentage of the cost of La Tuna Canyon Rd improvements at the sites of road narrowing west of the Project Site. However, according to the NOP response letter submitted by Paul/Virginia, Sloane, these narrowings are located in a portion of the roadway that is squeezed between a flood-control channel on one side and residential property on the other leaving no space available to widen or re-engineer the road at these critical locations. If true, I must ask whether La Tuna Canyon Road could ever accommodate the increased traffic volume of a 280-home Canyon Hills Project. Can this truly be reasonably mitigated?

Response:

See Topical Response 10.

Comment 82-10:

Also, given the LOS of La Tuna Canyon Rd/Tujunga Canyon Blvd and the LOS of Tujunga Canyon Blvd, there should be some very serious consideration of widening Tujunga Canyon Blvd from a 1-lane to 2-lane road to accommodate increased traffic from the Canyon and to provide room for passenger vehicles to side line allowing for safe passage of emergency vehicles certain to be needed at a notably increased rate with the completion of Canyon Hills as proposed. Again, the Canyon Hills developer should be expected to pay a fair-share percentage of this improvement.

Response:

With respect to the concern expressed regarding the traffic impact of the proposed project on Tujunga Canyon Boulevard, see Topical Response 12. With respect to the concern expressed regarding the safe passage of emergency vehicles on Tujunga Canyon Boulevard, see Response 25-6.

Commenter 83: Anthony & Candida Piscitelli, 10415 Fernglen Ave.,
Tujunga, CA 91042, December 22, 2003

Comment 83-1:

We have been living in the Verdugo Hills area for thirty years. We raised our four children in Tujunga, and intend on never leaving. We are dismayed after reading the EIR for the Canyon Hills Project. We feel that some of the information presented in the EIR is inaccurate at best. We consider ourselves to be a Resident Expert of the Sunland-Tujunga area after having lived here over thirty years. Offered on the EIR were alternatives to the proposed 280 home development. We strongly feel that Alternative A is the best alternative for the area and for the future generations of Angelenos to come. There should be NO development on this land.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. In addition, this comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 83-2:

There are many inaccuracies stated in the EIR. The first lies in the Impact of Geology and Soils section of the report. Massive amounts of soil will have to be moved to accommodate the slopes of the terrain. The report found that there would be no threat to future homes in this area due to seismic activity. We would like to point out that the house we lived in during the 1994 Northridge earthquake suffered over \$20,000 in damages is less than two miles away from the proposed development site.

Response:

See Response 73-2.

Comment 83-3:

The second error is in the Flora and Fauna section, page 16, paragraph 2. This paragraph makes the destruction of possibly hundreds of protected trees insignificant. When we first moved in to this area nature abounded. There were many vacant lots for our children to build tree houses and forts on. We have seen this area grow one house at a time. Recently, there have been grand housing developments that have invaded the lines of nature conserves. We believe this land would be better used to educate

our children about nature and preserve the nature that is left in Los Angeles. If we rid ourselves of open space now our children and their children may never know the pure serenity of being in nature.

Response:

See Response 73-3. In addition, this balance of this comment expresses an opinion about the proposed project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 83-4:

The impact on animals has been understated. The threat to the animals that live in these hills is immense. The author of the report stated that he did not notice any tracts of mountain lion or bobcat. Could it possibly be that he did not know where to look? Anyone who has lives in this area for a time can tell you that there is an actual corridor leading to the Tujunga Wash, and the animals have learned to travel in the early hours of the morning. We have not had the problems that other communities have had with wild cats. Perhaps this is because of the open space that currently exists. Develop houses on this area and trouble will be around the corner.

Response:

See Response 73-4.

Comment 83-5:

A few more matters close to our hearts are those of the impact of artificial light and police protection. Many of the residents of Los Angeles have not had the luxury of seeing a star filled night by simply looking out of their own back door. Adding 280 houses with some 70 odd street lights to the development will take away that luxury from current residents, not to mention the traffic and population pollution that will come as well.

Response:

See Response 73-5.

Comment 83-6:

The city prides itself on a 7 second response time for police calls. Except in the Foothill Division there is only one patrol car in this area at a time, and the response time average is about 14 seconds. That is twice of what it is suppose to be currently. Add another thousand people (not to mention any visitors)

to the mix, and response time will take even longer. Do our tax paying citizens need to put their lives at risk so some out-of-state developer can get rich?

Response:

See Response 29-4.

Comment 83-7:

We have seen this area grow from one where equestrians rode their horses on Foothill Blvd. Now, it is barely known that this is an equestrian community. This community has been a wonderful place to live. We have stayed here through the ups and downs. As we look upon our retirement years we hope that it will remain the community we fell in love with 30 years ago.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 84: Anne Radogna, 3915 El Caminito, La Crescenta, CA 91214,
December 22, 2003

Comment 84-1:

With respect to the DEIR, neither the Transportation Traffic Section nor the School Segment mention the traffic involved in bringing children to and from school. It also does not talk about students of age driving to and from high school, back and forth to fast food outlets for lunch and just driving around with girl and boy friends after school is over.

Taking the very low and unacceptable figure of 126 new students from this and the Duke project, the driving to and from schools could create as many as 126 vehicular trips at the peak hour in the AM on La Tuna Canyon Road and the 210 Freeway with again that many trips in the middle and late afternoon.

Response:

See Topical Response 9.

Comment 84-2:

The two Congestion Management Plan stations cited in the DEIR are actually miles away from the Canyon Hills project and, in my opinion, in no way present a complete picture of this project's potential impact on traffic!

Response:

The Congestion Management Plan (CMP) traffic impact assessment is summarized in Table IV.I-10 on page IV.I-44 in the Draft EIR. As a point of clarification, a review of three CMP monitoring locations was included in the traffic analysis. The analysis of impacts on the CMP highway system was prepared based on the review of CMP monitoring stations in the CMP manual. In addition to analysis of potential impacts to the CMP highway system, the traffic analysis fully analyzes the potential impacts of the proposed project on the adjacent roadway system. Pages IV.I-1 and IV.I-2 in the Draft EIR include a description of the study area (i.e., the nine study intersections).

Comment 84-3:

The proposed placing of a traffic signal at the intersection of the 210 westbound off ramp and La Tuna Canyon Road will do little to relieve traffic at that location, merely back it up, and nothing at all to stem the flow on streets such as Foothill Blvd., Mt. Gleason Avenue, Tujunga Canyon Blvd., or Apperson Street, to name a few.

Response:

Table IV.I-6 on page IV.I-28 in the Draft EIR indicates that Intersection No. 4 (Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road) would be significantly impacted with the development of the proposed project. As shown in Table IV.I-6, installation of a traffic signal would fully mitigate that significant impact. In the future cumulative condition (i.e., existing traffic, traffic due to ambient growth, traffic due to related projects, and traffic due to the proposed project), and with implementation of the recommended traffic signal, the intersection is forecast to operate at LOS A during the morning peak hour and LOS B during the afternoon peak hour. Therefore, no excessive queuing is anticipated to result based on these good Levels of Service. The effects of the proposed project at the remaining study intersections (which include intersections along Foothill Boulevard and Tujunga Canyon Boulevard) are less than significant based on the thresholds of significance outlined on page IV.I-10 in the Draft EIR. Therefore, no additional improvements are recommended or required with respect to street segments.

Comment 84-4:

What if most of those high income married people who purchase these expensive homes have, on the average, two children between the ages of 5 and 17 resulting in about 400 or more of school age?? Remember, the elderly, the young and the single will not be able to afford these homes! Will one traffic signal on La Tuna Canyon Road at the 210 Freeway be sufficient to stem the tide of several hundred trips daily to and from schools, one of which is already over its maximum capacity? Not to mention the increased vehicular activity from people going to work, more delivery and maintenance vehicles! Some children may seek to be admitted to Glendale schools which are filled to the brim now. Will that affect traffic on the 210 freeway east-bound, Honolulu Avenue, and Foothill Blvd in the La Crescenta area? No comment on this very real possibility in the DEIR!

Response:

See Topical Responses 9, 10 and 12 and Response 7-2.

Comment 84-5:

Finally, will this be the only project? Will these homes attract others? Will schools and infrastructure be paid for by the developers? How about increased public services such as fire, police, street repair, trash collection and so on? How about water supply, new trash dumps, public transit? Let's reconsider this whole proposed project with the entire community in mind and seek legal ways to disallow it. Thank you.

Response:

With respect to the concern expressed regarding the proposed project attracting other housing developments, see Response 80-12. Public services and utilities are addressed in Section IV.J (Public Services) and Section IV.L (Utilities and Service Systems) in the Draft EIR.

In addition, this comment expresses opposition to the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 85: Raymond Roldan, 8243 Oswego, Sunland, CA 91041,
December 22, 2003

Comment 85-1:

I bought this home with the intention of moving away from congestion, noise pollution, light pollution and air pollution. I sought a home here because it is close to the mountains which are unchanged, offering a view unsurpassed in appeal. I appreciate the rural, community feel and intend to live the rest of my life here in this area of special beauty and aesthetic value.

I am horrified to learn that the Canyon Hills Project plans to destroy the current ridgelines and add such pollutions as I intentionally sought to leave behind. The following are my comments on the DEIR issued by this above mentioned project as there are obvious failings in its findings. Being a Contractor with a California issued license of twenty years, I have some knowledge as to the impact this project will have on my community of Sunland-Tujunga.

The immediately suspicious note I can make on the Canyon Hills DEIR is that the project applicant's address is incorrect as it lists a public relations firm address. As a contractor who works with other professionals, listing a public relations firm is a red flag for subversive actions and misleading communication.

Response:

With respect to the concern expressed regarding the proposed project's impact on ridgelines, see Topical Response 6. With respect to the concern expressed regarding the adequacy of the Draft EIR, see Topical Response 1. With respect to the concern expressed regarding the project applicant's address, see Response 94-2. The balance of this comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 85-2:

CONCERNING IV: ENVIRONMENTAL IMPACT ANALYSIS
BIOLOGICAL RESOURCES

SECTION: AESTHETICS:

As a citizen expert and a contractor with years and years of experience, is my professional opinion that the Canyon Hills DEIR presents thousands of inconclusive statements and observations/findings. The

DEIR is deficient on information pertaining to the development/destruction of the ridgelines currently a source of great pride to the community of Sunland-Tujunga, La Tuna Canyon and Shadow Hills.

Response:

With respect to the statement in this comment that the Draft EIR “presents thousands of inconclusive statements and observations/findings,” the commenter does not present any evidence or analysis to support that claim, and a response is therefore not possible. With respect to the concern expressed regarding the proposed project’s impact on ridgelines, see Topical Response 6. Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 85-3:

SECTION: AESTHETICS: RIDGELINES:

That this item is insufficiently addressed in the DEIR brings the project into question as to its awareness of the negative impact it would probably have on the surrounding communities.

Being a homeowner with friends and family currently residing in Sunland-Tujunga, we all know that the value of our homes are based strongly on the aesthetic views we currently have of the surrounding ridgelines and mountains.

The DEIR does not offer coherent or sound information on the negative impact to property values once the ridgelines are compromised. Also not sufficiently addressed is how the completely differently constructed homes act as a comparison factor to the older, more historical houses currently present in the area surrounding the proposed project.

Having been a contractor on housing projects, I personally know that their value is created not actual. I also know that there is nothing more appalling than an area of unique, varying and individual looking homes being impinged upon by cookie-cutter look alike homes right down the street.

Our community homeowners take tremendous pride in finding an older home and renovating it to bring aesthetic beauty to the street and ultimately to the community. Track housing, which is honestly what Canyon Hills project is, presents a complete departure from homeowner pride in ownership and beautification.

Response:

The Draft EIR does not address the proposed project’s impact on surrounding property values since CEQA does treat economic and social effects as significant effects on the environment (see Section 15131(a) of the CEQA Guidelines).

Land use compatibility is discussed on pages IV.G-15 and IV.G-16 in the Draft EIR. As discussed therein, the physical compatibility of the proposed project with the surrounding environment is based on an analysis of proposed uses and improvements and their potential onsite and offsite impacts with respect to such concerns as aesthetics. The analysis concludes that the proposed project would be functionally compatible with existing residences. However, the proposed project would have a significant effect on the area's scenic vistas, scenic resources and visual character (see Section IV.N (Aesthetics) of the Draft EIR). See also Topical Response 6.

Comment 85-4:

The impact of aesthetically disastrous track housing on the community of Sunland-Tujunga was not addressed and should be as an environmental concern. Also defective in the DEIR is any reporting of the impact of the McGroarty road area, which happens to be where my child attends private school. Suspiciously enough, some persons just bought the land behind the school up to the ridgeline back to back of project. And word is out that a suspicious number of land purchases are being made bordering on this proposed project site.

SECTION: ASTHETICS:

I can only assume the land purchases are slotted for access to the project. If so, there are not currently any definitive study results within the DEIR addressing use of residential streets as access to the proposed project and the possibly negative impact on the residents, their children, and their pets of these areas. Of special note are the numerous peacocks, which road the McGroarty area on behest and supported by local residents as a desired and welcomed addition to their unique neighborhood.

Response:

The proposed project's aesthetic impacts are addressed in Section IV.N (Aesthetics) of the Draft EIR. The proposed project would not connect to McGroarty Road and would have no direct impact on McGroarty Road. Any recent purchase of land on the north side of the ridge is unrelated to the proposed project. The proposed project would not impact peacocks in the McGroarty area.

Comment 85-5:

Of special note and insufficiently addressed or completely missing from the report is the impact of loss of ridgelines which currently shelter miles of homeowners from excessive winds which historically pass through this area. The cumulative effect of loss of ridgelines is inconclusive on the impact to trees being buffeted by winds that they have not grown up to withstand. The cumulative effect of property damage by such excessive winds does not appear to be addressed adequately.

Response:

The development of the proposed project would not affect the designated Prominent Ridgeline in the Specific Plan that separates La Tuna Canyon from the Sunland-Tujunga community to the north. Therefore, the proposed project would have no impact on macro-wind patterns in the area.

Comment 85-6:

CANYON HILLS PROJECT AS A GATED COMMUNITY:

The Canyon Hills DEIR has insufficient information on the environmental impact of this being a gated community. That such a significant factor is not adequately examined and presented renders the DEIR report tremendously suspect.

Where in the DEIR was any assessment made to justify gating a community on top of an open, rural, cohesive community as Sunland-Tujunga??? The implications to Sunland-Tujunga, with its retired individuals, its baseball teams, its YMCA, its nature observers, hikers, church-going individuals is that they are criminals. And must be kept out of an area which they will incorporate into their backyard. A gated community is SEPARATE and the impact of that separation to a united community was inconclusive in the DEIR.

With Sunland-Tujunga being an open community and plopping a gated community on top of us, there is potential destruction to the current heartfelt cohesion and cooperation we currently live with as members. Which as a cumulative effect, could actually ENCOURAGE criminal behavior once the community cooperative awareness and support is compromised by the implications of surrounding criminality.

The Canyon Hills DEIR is completely deficient in its findings on how being a gated community would impact the community it plans to be a part of.

Response:

The assertion that the gated entrances included as part of the proposed project would result in a negative effect on community "cohesiveness" is not supported by any evidence and is therefore speculative. Furthermore, this comment related to a social issue and not a physical impact on the environment. CEQA does not treat social effects as significant effects on the environment (see CEQA Guidelines Section 15131). Nonetheless, the physical impact associated with the potential physical division of a community is analyzed on page IV.G-14 in the Draft EIR. As discussed therein, the proposed project would not physically divide any established communities.

In addition, as discussed in Section IV.J.2 (Police Protection) of the Draft EIR, the proposed project would have a less-than-significant impact on police protection services.

Comment 85-7:

SECTION: NOISE:

This is an area I have particular insight and knowledge. Construction sites are notoriously invasive with their noise pollution, dust pollution and excessive unknown individuals working within/servicing the project site.

The DEIR is inconclusive in its findings on the impact of so-called sound walls. As a contractor, I personally know that sound walls are insufficient for blocking or even muting noise from bulldozers, jackhammers, regular hammers, chainsaws or any other construction type tool/vehicle used for construction.

Response:

With respect to the concern expressed regarding the potential construction noise impacts associated with the development of the proposed project, see Response 52-15. With respect to the concern expressed regarding the potential construction air quality impacts associated with the development of the proposed project, see Response 85-9, below.

As discussed in Section IV.E (Noise) of the Draft EIR, the proposed sound walls would reduce traffic noise from Interstate 210 on the future project residents. Sound walls are typically used to reduce noise impacts from “permanent” noise sources, including freeways.

Comment 85-8:

The DEIR is insufficient in its conclusions reached about the noise of incoming, outgoing trucks, vehicles, tractor-trailers and worktrucks [sic] transversing [sic] any or all local roads leading to and from project site. Having witnessed the renovation of a simple schoolyard and it's [sic] hundreds of trucks on my residential road, I feel I have particular insight as to how destructive and unpleasant the noise levels are accompanying these vehicles. That the DEIR does not address the cumulative effects of years of this noise level being present means that the report should be re-issued as it appears to insufficiently address multiple issues pertaining to this project.

Response:

With respect to the concern expressed that the Draft EIR did not adequately evaluate noise from construction vehicles and construction activities, see Response 52-15. As discussed on page IV.E-17 in

the Draft EIR, construction-related traffic volume on La Tuna Canyon Road would not have a significant noise impact on any noise-sensitive receptors. However, the Draft EIR does acknowledge that construction activities are expected to have a temporary significant impact on Locations D and E (see page IV.E-17). Contrary to this comment, cumulative effects of noise generated by construction of the proposed project were discussed on pages IV.E-29 and I.V-30 in the Draft EIR. As concluded therein, it is not anticipated that any cumulative construction noise impacts would occur. Regarding the recirculation of a Draft EIR, see Topical Response 3.

Comment 85-9:

SECTION: AIR QUALITY

To reiterate, as a contractor, I have intimate experience on what construction sites do to their surrounding environment. The DEIR gives incoherent analysis on air quality impacts. I refer specifically to the sheer amount of dust that would accompany this building project. No walls are high enough to contain dust. Period. In addition, the hundreds of acres being denuded of vegetation was [sic] not sufficiently researched of its contribution to air pollution. Making roads will cause tremendous dust since tires lift up the top layers even if wetting is done, and no contractor wants to clean the excessive mud from the tires.

Response:

Contrary to this comment, the Draft EIR properly analyzed the construction air quality impacts associated with the proposed project (see pages IV.B-9 through IV.B-13 and IV.B-18 through IV.B-20). As discussed therein, construction emissions of NO_x and PM₁₀ would be significant during the peak day and peak quarter of construction without mitigation. In addition, without mitigation, fugitive dust emissions could have a significant impact on sensitive receptors. With the implementation of the recommended mitigation measures, PM₁₀ emissions would be reduced by approximately 60 percent, but would remain significant, although those reduced emissions would not have a significant impact on sensitive receptors. As discussed in Response 24-4, in order to reduce NO_x construction emissions, the Draft EIR has been revised to add recommended Mitigation Measure B-7. While NO_x construction emissions would be substantially reduced, they would remain significant after implementation of this additional mitigation.

Comment 85-10:

The DEIR is remiss in revealing its intentions to control dust adequately. "Adequately" being relative. How much water is intended to be used? Where and how often? Can the water trucks even reach the areas to be contained? Most water trucks cannot go where bulldozers go.

Response:

The proposed project would be required to employ whatever means are necessary to meet the requirements of SCAQMD's Rule 403 (Fugitive Dust) and Rule 402 (Nuisance), including cleaning truck tires of mud before entering adjacent streets. As discussed on page IV.B-17 in the Draft EIR, the project developer would be required to prepare and submit a fugitive dust emissions control plan to the SCAQMD, which must be approved by the SCAQMD prior to the commencement of grading.

Comment 85-11:

Local residents are knowledgeable and familiar with the high wind velocities that sweep this community. A little watering to settle dust is no guarantee of continuous containment of that dust. The most adverse effect of 10-20 expected years of construction on such a large site is on the individuals who seek this area as an asthmatic retreat. Sunland-Tujunga has immense historical value based on its air quality. As a whole, the DEIR is criminally vague on the cumulative impact to this community's commercial value to house, heal and cure asthmatics.

Response:

The statement in this comment that construction process for the proposed project would be 10-20 years is incorrect. As discussed on page III-7 in the Draft EIR, the anticipated construction period is approximately five years.

With respect to the concern expressed regarding the effectiveness of watering, the Draft EIR does not state that watering would eliminate all construction air emissions. Rather, the Draft EIR indicates that the watering of excavated soil, together with the other recommended mitigation measures on pages IV.B-17-18, would reduce PM₁₀ construction emissions by approximately 60 percent. In addition, watering is recommended not just to settle dust, but also to maintain a crust on the disturbed soil when it is not under active grading. If water is insufficient to maintain this crust, then an approved chemical stabilizer would be applied, as recommended in Mitigation Measure B-2. Although the Sunland-Tujunga area was historically a haven for persons with respiratory diseases, the current climate in the general area is not significantly different from that in adjacent communities. The SCAQMD's focus on protecting sensitive receptors from adverse air quality impacts during and after construction is directed at all persons with respiratory ailments, regardless of where they may live.

Comment 85-12:

I appreciate your attention on this matter and ask that the City hold the Canyon Hills project accountable for insufficient reporting, inaccuracies in the DEIR or departure from the Scenic Plan.

Please request the Canyon Hills Project RE-ISSUE the DEIR. I sincerely hope the City Planning Department carefully considers my comments and the comments of my neighbors.

Response:

With respect to the proposed project's consistency with the Specific Plan, see Response 57-10. Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

Commenter 86: Virginia Sloane, 8511 La Tuna Canyon Rd, Sun Valley, CA
91352, December 22, 2003

Comment 86-1:

I am absolutely against the Whitebird Canyon Hills Project.

I have lived in the 8500 block of La Tuna Cyn for 54 yrs. before the road was opened and the freeway was built. It has been a nightmare ever since.

If the people who decide this project, they would change there [sic] mind if they lived here. The planning dept. should come out and spend the day from early morning till dark.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 86-2:

The traffic is terrible you can hardly get out your driveway. There is [sic] so many accidents. The road is too narrow and winding to handle any more traffic.

Response:

See Topical Response 10.

Comment 86-3:

Also the noise from the traffic you can't open your doors or windows. You also get the exhaust smell from the cars.

Response:

This comment relates to the existing noise conditions along La Tuna Canyon Road, but does not state any concern regarding the proposed project or the adequacy of the analysis in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, it should be noted that public reactions and comments on the Draft EIR vary widely on how the proposed project would affect local air quality with regards to odor emissions. This comment suggests that there is a perceived odor problem associated with vehicle use in the La Tuna Canyon area. Another commenter believes the air

quality in the La Tuna Canyon area is the best in the region. Whether or not a vehicle has the ability to generate objectionable odors is, at least to some extent, subjective and in the eye of the beholder.

Comment 86-4:

When we get heavy rains the flood channel fills up. I lost my home during the flood of 1978, and so many of my possessions. When the freeway was built they left a lot of debris which blocked the channel and there was no place for the water to go except through peoples yards. The street was a river of mud and debris. You can't change the flow of the water.

Response:

As described on page IV.C-9 in the Draft EIR, the proposed project's storm drainage improvements have been designed to convey storm water runoff safely from the project site without increasing flood and erosion hazards either on the project site or downstream. The drainage plan for the proposed project must be approved by the City prior to implementation. As discussed on page IV.C-12 in the Draft EIR, with implementation of the approved drainage plan the developed project site would generate a peak stormwater flow that would be 10 percent less than what would occur under existing conditions and would eliminate approximately 58,600 cubic yards of debris that would otherwise wash into the La Tuna Canyon Wash and eventually into the downstream debris basin. This would be accomplished through the design and construction of onsite detention and desilting basins that would capture the onsite stormwater and debris flows. The debris would be held in the basin while the stormwater is discharged at a reduced rate over a longer time interval. Detention would reduce the stormwater flows to less than those produced in the existing condition. After a storm event, the debris would be removed from the basin to maintain basin capacity. The CC&Rs for the homeowners' association(s) would require the proper maintenance of the basins at the appropriate intervals in order to protect both onsite and offsite development.

Comment 86-5:

We are A-1 zone and do not want that changed, this was horse country, we don't need that changed.

We have to protect what wildlife we have left. All the oak trees which can't be replaced. Cutting down the hillsides would destroy everything.

Response:

With respect to the concern expressed regarding the equestrian nature of the community, see Topical Response 8. With respect to the impact of the proposed project on coast live oak trees, see Topical Response 2. With respect to the impact of the proposed project on existing hillsides, see Topical Response 6.

Comment 86-6:

Cars speed up the canyon and down the canyon they don't pay any attention to the speed limit. Its [sic] very dangerous by our schools. There isn't enough police officers to patrol the area. The school can't handle any more children.

Response:

With respect to the traffic impact of the proposed project on La Tuna Canyon Road, see Topical Response 10. With respect to the impact of the proposed project on police protection services, see Response 29-4. With respect to the impact of the proposed project on school capacity, the commenter does not refer to a specific school or schools. In any event, for a general discussion of the proposed project's impact on school capacities, see Response 56-5.

Comment 86-7:

No developers should have the right to come in and destroy what hillside we have left, our wildlife, trees, ect. [sic], no one in the canyons wants it. I hope you will put a stop to it.

Response:

With respect to the concern expressed regarding the impact of the proposed project on existing hillsides, see Topical Response 6. The balance of this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 87: Andrew and Margie Vogel, 8255 Oswego, Sunland, CA 91041, December 22, 2003

Comment 87-1:

We have lived in Sunland for eleven years. Raising our family here makes us especially concerned with the directives of the Canyon Hills Whitebird Project and its subsequent DEIR report.

We are close to all our neighbors and feel to be important, contributing members of society and of this community in particular. We feel we make observant, vigilant and relatively objective 'citizen experts' due to our deep attention to our environment on behalf of our two children.

THE DEIR---ENVIRONMENTAL IMPACT ANALYSIS:

Section pertaining to SCHOOLS:

Logically, as parents of school aged children, we are especially mystified on the DEIR analysis claiming that the projects' [sic] new household would contain only 1 1/2 children per household. For one, the 1/2 of that grows up to be a full number himself. To that renders the DEIR inaccurate in just a few years. Plus, each household may actually have the normal 3-5 children. What was the DEIR number of 1 1/2 obtained from?

If the numbers appear to ALREADY be inaccurate, then the number of children attending the available schools is actually doubled the amount proposed.

Response:

The above comment is incorrect in its reference to the expected number of school-age children per household that would be generated by the proposed project. Based on information contained in Table IV.J-4 of the Draft EIR, the proposed project would generate approximately 122 school-age children. As the proposed project includes 280 single-family homes, this would result in an average of 2.3 school-age children per household ($280 \div 122$), not 1.5 as stated in this comment. The student generation rates used to estimate the number of school-aged children per household was provided by the LAUSD. See also Response 53-2.

Comment 87-2:

Our schools are already overcrowded. We assume Verdugo High School would be the school used by the teenagers of these new project households. Verdugo High School has a known, but unaknowledge [sic] drop out rate of 45% by twelve [sic] graders. The reason is the overcrowding and tension related

to this overcrowding. And since city/state funds are tight, then we would not see any improvements for years and years by the delay on construction of a new, additional high school.

Response:

See Responses 53-1 and 56-5. In addition, as shown on Table IV.J-3 in the Draft EIR, according to statistics provided by the Los Angeles Unified School District, the 2002-2003 enrollment for Verdugo Hills Senior High was 2,319 students, 92 less than the enrollment capacity of 2,411 students.

Comment 87-3:

Section pertaining to: GARBAGE:

We are deeply concerned over the misrepresentation of the impact of millions of pounds of extra garbage requiring pick up and disposal. We see the DEIR is inconclusive on its finding about the impact this would have to our current dump site at BRADLEY pit, which services this and other surrounding areas.

Our trash services are already completely taxed and many trucks appear to be on their last legs of servicibility [sic]. The DEIR gives impaired results on Garbage service and the impact the project's garbage service would have on the limited resources we have for pick up. Again, due to economic restrictions, the service we have currently, is as good as it gets. The millions of pounds of extra garbage to be picked up in the project would logically affect our current services, yet the DEIR fails to show evidence of any analysis pertaining to this issue.

Response:

Regarding the proposed project's impacts to solid waste facilities, including the Bradley Landfill, and the estimated generation of solid waste during the construction and operational phases of the proposed project, see Response 80-16. Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. According to the Thresholds of Significance listed on page IV.L-16 in the Draft EIR and pursuant to CEQA, the proposed project would have a significant impact on solid waste services if:

[T]he landfill serving the proposed project did not have sufficient permitted capacity to accommodate the project's solid waste disposal needs and/or if it would not comply with federal, State and local statutes and regulations related to solid waste.

This comment also expresses concern regarding the potential impact of the proposed project on local waste haulers. However, impacts to local waste haulers do not constitute an environmental impact under CEQA. As stated on pages IV.L-17 through IV.L-19 in the Draft EIR, the proposed project would not cause any of the landfills that serve the project site to exceed their respective capacities, nor

would it violate any federal, State or local statutes and regulations related to solid waste. The proposed project's impacts to solid waste services would therefore be less than significant.

Comment 87-4:

Section pertaining to: TRAFFIC AND TRANSPORTATION:

The DEIR flatly fails to adequately address the issue of the impact of hundreds of extra vehicles that Foothill and surrounding streets would be subject to.

The danger of the excessive traffic over the already highly congested main blvd. is the danger to our children who travel or walk or take the buses on this Major road through Sunland and Tujunga. This danger is not addressed by the DEIR. We feel it should be since the foot traffic on Foothill Blvd, by school children is in the hundreds.

The DEIR is inconclusive on this issue, where more traffic naturally means more accident, more danger to pedestrians and bicyclists and especially the school children.

Response:

See Topical Response 12.

Comment 87-5:

Section pertaining to: AESTHETICS

We live here because we love it here and we feel this community is vital to our children's welfare and growth, we cannot emphasize the importance of the appreciation we take to our surroundings and the mountains which add incredible value to our lives.

The DEIR is extremely vague on its impact to that mountain/ridgeline view. We cannot imagine what a loss it would be to have 80 feet graded and flattened ridgeline. The scarring of ground preparation is beyond our ability to envision....in a positive way.

The DEIR is remiss on the cumulative effects to this communities [sic] aesthetic values, once the ridgelines are altered. The value this community places on the views it possesses cannot be minimized or ignored. There is a commercial value attached to the aesthetic appearance of Sunland-Tujunga.

Response:

See Topical Response 6.

Comment 87-6:

The DEIR clearly ignores this community's property values altering based on the unsightliness of ridgelines lined with two-story, one-story homes and the purity of the mountain, ridgelines being irrevocably destroyed.

We feel that the DEIR addresses Aesthetics as if it is an unimportant side note, of no consequence to the surrounding communities, to the property values of those communities or the personal appreciation the community has in its surroundings.

Response:

See Topical Response 6.

Comment 87-7:

We would like the DEIR to better reflect sound judgment and sound calculations based on thorough research and analysis. We ask that no zoning changes are approved or any law allowed to be changed to accommodate the Project. We have a glorious open community, with access to our surrounding mountains unimpeded and we sincerely wish the planning dept. consider our viewpoints on aesthetic values as they relate to our life values, property values and community values.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. In addition, this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 87-8:

We strongly recommend the Canyon Hills DEIR be re-issued. Please uphold the Scenic Plan, and the Community Plan as those reflect the aims and directions of this community.

Response:

Regarding recirculation of the Draft EIR, see Topical Response 3. In addition, this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 88: Agneta Dobos, 2750 Hillhaven, Tujunga, CA 91042,
December 23, 2003

Comment 88-1:

I have lived in my home for approximately 17 years, and I am concerned after reading the DEIR about the potential impact that the Emergency access proposed from Area A could have. The DEIR fails to address many possible impacts, such as the increase in traffic on such narrow and steep roads, no mention of a proposal to install a traffic light at Hillhaven and Foothill Blvd to provide for the increase in traffic. And I am very concerned about the increase in traffic going by my house and the houses of my neighbors. With the new scattering of houses that have been built above me, where the residence have to use Hillhaven to get to their homes, and have to drive by my house, the traffic has increased considerably. The DEIR doesn't mention anything about increased traffic on the emergency access road from Area A before and after the project, and how it will impact the residence here. Is the gate going to be permanently locked on the access road from Area A after the project, or will the residence be entitled to open the gate and use the road? The DIER does not address this issue.

Response:

See Topical Response 11.

Comment 88-2:

I take daily walks from my house on Hillhaven to Verdugo Crestline Drive, overlooking the project site, and I think the new homes will have a negative visual impact. I don't think a gated community fits in with the rural style of Tujunga.

Response:

The aesthetic impacts associated with the proposed project are addressed in the Draft EIR in Section IV.N (Aesthetics). This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 88-3:

I also believe that many walkers I see will be losing a place to walk due to the possible increase in traffic, which may make it more difficult to walk on these narrow streets, and they won't even be able to use the Canyon Hills Development to walk in because it is gated.

Response:

See Topical Response 11.

Comment 88-4:

Current zoning law allows for no more than 87 homes to be built on the Canyon Hills property. I urge the City to require the Canyon Hills project to stay within all the current law and codes, and within the specifications of the Scenic Preservation Specific Plan and the Community Plan. I also urge the City to have the consultant redo the EIR and have the City re-release the EIR for additional comments when issues that haven't been adequately addressed are corrected.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 88-5:

The DEIR fails to address how it will protect wildlife. CEQA guidelines state that they want to prevent the elimination of wildlife due to man's activities. I think most people that live around here and are familiar with the area would say that the estimated five coyote that the DEIR states occupies the area of the Canyon Hills project is an understatement.

Thank you for taking the time to read my letter and for giving me the opportunity to express my concerns.

Response:

With respect to the concern expressed regarding the long-term persistence of wildlife and associated biodiversity, see Topical Response 5. With respect to the concern expressed regarding the number of coyotes using the project site, see Response 27-1 and Topical Response 5.

Commenter 89: Maryellen Eltgroth, 6733 Shady Grove Street, Tujunga, CA 91042, December 23, 2003

Comment 89-1:

Everyone in our community is talking about the incredible increase in volume and changing patterns of traffic that has occurred here over the past two years. A quick study of the referenced DEIR reveals what could be contributing to the problem. The intersection of Foothill and Tujunga Canyon Boulevards is listed as a heavily trafficked intersection near the Canyon Hills project and the just completed Tujunga Shopping Center (a related project). All vehicular movement studies and results were completed before the end of March 2003. In April 2003 two left-turn lanes were constructed at the northbound portion of Tujunga Canyon at Foothill. That same day another left-turn lane was constructed on northbound Tujunga Canyon just 200 feet south of the intersection - diverting traffic onto Shady Grove, a narrow one block long residential street. Thousands of vehicles now turn left here, the majority seeking to avoid the traffic signal. For many years Shady Grove had been protected by a no-left-turn designation for just this reason. Presently none of these left running vehicles are on any traffic study. The newly created access artery of Shady Grove is nowhere mentioned in the DEIR, which was published in October 2003. It is also missing from the Tujunga Shopping Center (related project) traffic study issued February 2003, even though the construction of the two northbound Tujunga Canyon left-turn lanes are documented. This glaring omission casts doubt on the thoroughness and validity of the entire traffic distribution reports. Such oversight should trigger a reissue of a corrected DEIR.

Response:

The related project cited in the comment (Related Project No. 3, Table IV.I-4 on page IV.I-22 in the Draft EIR) has been included in the traffic analysis, contrary to the statement in the comment. The change in the prior no left-turn designation for northbound Tujunga Canyon Boulevard turning left to westbound Shady Grove Street is unrelated to the traffic impacts associated with the proposed project that are discussed in the Draft EIR. It is likely that most motorists who turn left at this location do so in order to reach residential properties located west of Tujunga Canyon Boulevard and south of Foothill Boulevard. There is no expectation that project-related traffic would use Shady Grove Street, except if a motorist had a specific destination in the residential community.

Comment 89-2:

The DEIR also exposes a problem with the sewer planning. There is reference to 25 percent of the existing La Tuna Canyon wastewater disposal system capacity being open and available to the proposed project. This notation appears as a footnote referring to a telephone conversation. The importance of this issue should require that this assertion be substantiated by a written document and included in the

DEIR. Aside from this, the DEIR claims that the 280 homes proposed by Canyon Hills would use only 15 percent of this remaining 25 percent capacity of the 15-inch La Tuna wastewater main. It is interesting that currently La Tuna Canyon itself contains less than 500 homes, half of which are likely still using private waste disposal systems, such as cesspools or septic tanks. This raises the question of the accuracy of this data. In view of the enormous expense that public wastewater disposal systems demand, a new DEIR should be issued which presents a more thorough representation of existing homeowner sewer use and facility conditions within the La Tuna Canyon.

Response:

CEQA does not mandate that correspondence with public agencies be in any particular format, therefore discussions by telephone, letter or email are all considered acceptable means of gathering information to include in an EIR. The analysis provided in the Draft EIR of the proposed project's anticipated generation of sewage is based on a sewage generation rate of 330 gallons per dwelling unit per day, which was provided by the City of Los Angeles Bureau of Engineering, along with direct correspondence from the Los Angeles Bureau of Sanitation, which is included in Appendix C to the Draft EIR. With respect to the concern expressed regarding the number of existing homes in La Tuna Canyon with private waste disposal systems, the meaning of this statement is unclear. Regarding the completeness and adequacy of the Draft EIR or any specific analysis therein, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 89-3:

In order to meet the land use designations required to meet Los Angeles water use impact requirements, Canyon Hills is calculating the project's housing density using 280 dwelling units on 851 net acres (887 acres minus 36 acres of road improvements). Canyon Hills is employing this method in order to achieve the desired result of 0.33 dwelling units per net acre. This established the acreage as one integral project. The community has repeatedly asked Canyon Hills for assurance that preservation of 692 acres of open space will indeed be guaranteed. A reissued DEIR should contain specific written legal instructions on just how the 692 acres would be guaranteed preservation as open space.

Response:

Section IV.L.1 (Water) of the Draft EIR includes an analysis of the proposed project's anticipated consumption of water. As shown in Table IV.L-1, future water usage was calculated based on the number of single-family homes included in the proposed project, rather than acreage as stated in this comment. The 0.33 dwelling units per acre noted in this comment was used in the population and housing analysis in order to provide a comparison of the density associated with the proposed project to the density set forth in the City's growth projections (see page IV.H-5 in the Draft EIR). Neither

Section IV.H (Population and Housing) nor Section IV.L.1 (Water) included a correlation between water use and acreage associated with the proposed project.

With respect to the concern expressed regarding assurances that the designated open space for the project would be preserved, see Response 32-4. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 89-4:

Noise barriers bring up another problem with the referenced DEIR. Canyon Hills has planned for thousands of feet of non-continuous sound barriers from 8 feet to 16 feet in height. Even with this mitigation, dozens of the proposed homes would be within the 67dB noise contour of the freeway. At this noise level telephone usage is difficult. It can be described as standing in the kitchen with the garbage disposal running. A more serious problem exists in that all projected noise calculations are based on recorded noise data processed through a Caltrans noise prediction computer model LEQV2 using Sound32/Sound 2000. No corrective adjustments were made to allow for the transformation of acoustically absorptive natural terrain and flora into sound reflective surfaces such as roads, sidewalks, homes and hardscape. Even more importantly, there is a Caltrans Technical Advisory acknowledging that this computer model is only accurate to within 200 feet. Canyon Hills is using the computer model to project sound levels for distances up to 2000 feet. In addition, the LEQV2 computer model cannot account for atmospheric conditions or topography, particularly undulating terrain. The project site is a series of deep V-shaped canyons! In other words, at this time the LEQV2 computer model cannot accurately predict the noise levels to which the inhabitants of the proposed project would be exposed. Completion of the project, as designed, could result in two gated communities demanding more and more legally mandated sound walls due to excessive decibel levels. That would cost state taxpayers millions of dollars. A new DEIR is required which thoroughly incorporates and analyzes all noise parameters.

Response:

This comment assumes that the 67 dBA noise contour shown on Figure IV.E-2 on page IV.E-24 in the Draft EIR includes the mitigation provided by the sound walls. However, the second paragraph on page IV.E-25 in the Draft EIR indicates that the 67 dBA noise contour does not take account of the sound barriers (i.e., this noise contour represents a no sound barrier scenario). As indicated in the Draft EIR, sound receptors R3, R5, R6 and R9 through R14 would all experience sound levels higher than 67 dBA without the use of sound walls (noise mitigation). With the recommended sound walls, all receptors except R10 through R12 would experience noise levels below the Caltrans noise standard of 67 dBA. These three sound receptors, R10, R11 and R12, would not gain much benefit from freeway sound walls due to the site topography, and would remain above the Caltrans noise standard of 67 dBA without further mitigation due. Furthermore, as indicated on page IV.E-25 in the Draft EIR, the

Caltrans maximum allowed sound wall height (16 feet tall) would not be sufficient to reduce the sound at these three receptors. For this reason, revision to the site layout would be required to mitigate the noise at these three receptors (as discussed in Response 115-4, this revision has occurred).

Pages IV.E-17 through IV.E-19 in the Draft EIR describe the use of LEQV2 to determine the noise (at existing residential areas) related to the proposed project's traffic on onsite residential roads.

Sound32/Sound 2000 (not LEQV2) was used to determine the noise impact of Interstate 210 traffic on the proposed project's residents, as described in pages IV.E-22 through IV.E-23 in the Draft EIR. Sound32/Sound 2000 is the most widely used traffic noise prediction procedure to estimate freeway noise impacts on the land uses near freeways. The Sound32/Sound 2000 algorithm includes considerations for atmospheric conditions and topography.⁴⁶ The City recommends that the LEQV2 and Sound32/Sound 2000 prediction models be used for traffic-related noise impact analysis.⁴⁷

LEQV2 and Sound32/Sound 2000 were used to determine auto traffic noise levels at the closest nearby homes (both proposed and existing). In nearly every case (see Figures IV.E-1 and IV.E-2 in the Draft EIR), the landscape between these roads (Interstate 210 and/or local roads) and nearby homes would remain acoustically soft (i.e., there are no intervening structures, roads, sidewalks, etc.). The only exceptions are receptors R10, R11 and R12, where an access road lies between the homes and Interstate 210. In this case, mitigation measures include building a sound wall and redevelopment of the site plan to allow that sound wall to be constructed adjacent to receptors R10 through R12. Even so, the distance between Interstate 210 and these receptors (R10 through R12) is small and the degree of difference in ground absorption caused by this access road is negligible. Therefore, no adjustment to the ground absorption factors was necessary.

Regarding the accuracy of the computer model, the noise analysis using Sound32/Sound 2000 extended up to 700 feet, not 2,000 feet. Project sound receptors (i.e., future homes) are located 150 feet to 700 feet from the centerline of Interstate 210, as stated on the last paragraph of page IV.E-23 in the Draft EIR. In addition, the Caltrans 67 dBA noise standard is met at 500 feet. Receptors beyond 500 feet (i.e., up to 700 feet) are included for information only and are over-conservative (i.e., actual noise levels would be less than those predicted by Sound32/Sound 2000).

⁴⁶ Hendricks, Rudy, Retired Annuitant, California Department of Transportation, Distance Limits for Traffic Noise Prediction Models, TAN-02-02, page 4, April 24, 2002.

⁴⁷ City of Los Angeles, Draft L.A. CEQA Thresholds Guide, page I.2-6, May 14, 1998.

The Caltrans Technical Advisory⁴⁸ noted in this comment states that the analysis be limited to 500 feet, rather than 200 feet:

For reasons of the uncertainties in the current prediction models, the over-predictions at 200 to 500 feet (60 to 150 m) uncovered in previously mentioned Caltrans research, and propagation algorithms inadequate to deal with long distance noise prediction, the author recommends that the use of LeqV2 and Sound32/Sound 2000 generally be limited to a distance of 500 feet (150 m). This is not to say that a sensitive receiver lying at a distance of 523 feet from the highway should definitely be excluded, and a receiver at 496 feet definitely be included. Judgment should be used in all cases. The more complex the intervening terrain becomes, the more rigid the 500-foot limit should be applied, and in some extreme complex cases the 500-foot limit might prudently be reduced.

As discussed above, LEQV2 was only used to determine the auto traffic noise at existing residential properties and from the proposed project's traffic on onsite roads. Studies conducted with regard to the influence of atmospheric conditions on the sound transmission in the outdoor environment suggest that for the short distances involved (maximum of 500 feet), atmospheric conditions (including air temperature and relative humidity) would have a negligible effect. For example, at a temperature of 50°F and a relative humidity of 70 percent (a likely condition in the early morning hours), the sound attenuation is 1.9 dB per 3,300 feet at a frequency of 500 Hz. At an air temperature of 86°F and a relative humidity of 20 percent (a likely condition in midday), the sound attenuation is 3.4 dB per 3,300 feet at a frequency of 500 Hz.⁴⁹ As demonstrated by the aforementioned examples, the impact of atmospheric conditions on sound attenuation strongly depends on distance between the sound source (i.e., freeway traffic) and the sound receptor (i.e., home). Experience has shown that distances greater than 500 feet would likely provide sufficient sound attenuations to negate any adverse effects of the atmospheric conditions.

Undulating site topography (as opposed to the flat topography assumed by LEQV2) can have an effect in one of two ways: (1) it can reduce the sound level (when hills are between the source and the receiver); or (2) it can potentially increase the sound level through reflections (when the source and

⁴⁸ Hendricks, Rudy, Retired Annuitant, California Department of Transportation, Distance Limits for Traffic Noise Prediction Models, TAN-02-02, page 8, April 24, 2002.

⁴⁹ Harris, *Cyril*, Handbook of Acoustical Measurements and Noise Control, 3rd Edition, Table 3.1, page 3.3.

receiver lie inside a “canyon” with acoustically hard surfaces on either side, such as rock face. If the first condition applied, the Draft EIR’s analysis using LEQV2 would be conservative. Since Table IV.E-6 in the Draft EIR shows no significant noise impact due to operational noise, a conservative analysis would not change this determination.

As for the second condition, in the experience of the project noise consultant, the project site’s existing landscape is not likely to cause amplification of sound as the topography and surfaces are acoustically soft (i.e., covered with trees and foliage), making the project site more sound absorptive than sound reflective. In general, sound amplification in the outdoor environment occurs primarily due to presence of flat, acoustically hard surfaces (such as a rock face) positioned around the noise sources (construction) and the sound receptors (homes). The existing landscape at the project site consists of terrain with various elevations (peaks and valleys) that are covered with dense trees and foliages capable of scattering of sound waves in random directions.

Based on the project noise consultant’s experience on previous projects, the maximum noise increase amplifications from acoustically hard surfaces (such as building structures) would increase the overall ambient sound levels by a maximum of 3 dB. Of the nearby residential areas, represented by receptors A, B1, D and E, only the residential receptors at location D have the potential to be influenced by sound reflections off of canyon sides. Residential sound receptor D is located near the ridge facing a canyon wall. This conclusion is based on site visits and review of the site topographical map.

If a maximum of 3 dB noise increase were to occur, it would not change the noise impact at the residential locations represented by location D. The traffic-related noise level at location D in Table IV.E-6 would be 51 dB CNEL rather than 48 dB CNEL. When combined with the existing ambient level (56 dBA CNEL), the future ambient noise level would still be 57 dBA CNEL (because decibel levels are logarithmic). The resulting noise increase would remain 1 dBA CNEL at location D. One decibel change in the sound environment is considered imperceptible to humans. A three-decibel change in the sound environment (increase or decrease) is considered just perceptible.⁵⁰

Comment 89-5:

Under California Senate Bill 1467 both the La Tuna Canyon Boulevard and the Foothill Freeway portions involved in the above referenced project qualify for California Scenic Highway status. The State has established guidelines of MINOR, MODERATE, and MAJOR intrusions which effect the

⁵⁰ Egan, M. David, *Architectural Acoustics*, page 21, 1988.

continued qualification of these scenic highways. “Widely dispersed buildings”, such as the 87 homes permitted by current zoning on the 887-acre project site, constitute a MINOR intrusion. “Dense and continuous development”, such as the 280 homes on 194 acres proposed by Canyon Hills, constitutes a MAJOR intrusion. The designation “Grading blends with adjacent landforms’ is a MINOR intrusion. “Extensive cut and fill. Canyons filled in” such as proposed by Canyon Hills constitutes another MAJOR intrusion. If these MODERATE and MAJOR infractions cannot be remedied, the State’s scenic highway qualification will be revoked. Retention of these local highways as State qualified scenic highways warrants special attention. A new DEIR is required which specifically examines what steps will be taken to prevent irreversible damage to our local State scenic highway status.

Response:

According to the Caltrans California Scenic Highway Program (Source: <http://www.dot.ca.gov/hq/LandArch/scenic/scpr.htm>), Interstate 210 (from Interstate 5 to State Route 134) is currently eligible for listing as a state scenic highway. The status of a state scenic highway changes from eligible to officially designated when the local jurisdiction adopts a scenic corridor protection program, applies to the California Department of Transportation for scenic highway approval, and receives notification from Caltrans that the highway has been designated as a Scenic Highway. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. The agency must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances make up the scenic corridor protection program (Source: <http://www.dot.ca.gov/hq/LandArch/scenic/scpr.htm>). While the Specific Plan designates the segment of Interstate 210 adjacent to the project site as a scenic highway and includes provisions regarding scenic corridor protection, Interstate 210 has not been designated as a state scenic highway. La Tuna Canyon Boulevard is not a state highway and is not listed as currently eligible for state scenic highway designation on Caltrans’ California Scenic Highway Program website.

Effective July 1, 2003, Senate Bill 1467 amended California law making applicable to the California State University (CSU) certain civil service conflict of interest provisions located in the Public Contract Code. The bill does not address the scenic highway status of La Tuna Canyon Boulevard and Interstate 210. It is possible there was a typographical error in the comment, but as stated Senate Bill 1467 does not address scenic highways.

Comment 89-6:

If a primary objective of the EIR is to protect public health and safety, the process should be revisited and a new, corrected DEIR generated. This opportunity to comment on the DEIR is very much appreciated by our community. Thank you for your attention.

Response:

Regarding the adequacy in the Draft EIR, see Topical Response 1. Regarding the recirculation in the Draft EIR, see Topical Response 3.

Commenter 90: SueEllen Hussung, 7233 Lonzo Street, Tujunga, CA 91042,
December 23, 2003

Comment 90-1:

This DEIR as issued is so full of errors and omissions as to be laughable to anyone who lives here or walks these hills. I have lived next to the Verdugo Mountains and Angeles National Forest since the early 1960's and know this specific area intimately.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 90-2:

There is wildlife here that the developers [sic] expert obviously never saw. Dozens (not 5) coyotes inhabit these hills and canyons.

Listen on any summer evening and you can hear separate packs "talking" back and forth to one another. There are also LOTS of raccoons [sic], opossum, foxes, bobcat, hawks, owls, deer, etc. I am aware that none of these animals nor the smaller species necessary for them to survive, are protected or endangered. But what about the mountain lions who have this area as part of their home-range? The pug marks of these magnificent cats are found regularly in the mud alongside those nearly year-round streams that the developers want to bulldoze as part of a cut-&-fill earth moving plan- 125 million cubic yards!

Response:

With respect to the concern expressed regarding the home range of mountain lions, see Response 27-2. With respect to the concern expressed regarding coyotes, see Response 27-1.

Comment 90-3:

If this land is developed under the present plan, the only viable remaining wildlife corridor between Angeles National Forest and the Verdugo Mountains would be severed. Animals use this passageway, culverts and underpasses to cross to the Big Tujunga Canyon Wash and beyond.

Response:

As discussed at length in Section IV.D.3 (Wildlife Movement) of the Draft EIR, the proposed project would have no impact on the tenuous wildlife corridor that connects the San Gabriel Mountains with the Verdugo Mountains. See Responses 4-4, 4-5 and 4-13.

Comment 90-4:

Also, peregrin falcons hunt in this area. They are definately[sic] endangered. Please verify the sightings of my husband and myself with the records kept by binding enthusiasts of the Audubon Society. Apparently this unexpected species comes into these canyons because they are relatively undisturbed and usually have water. Also because of the rich and mature plant life afforded here. These beautiful birds of prey would not nest anywhere near 15-gal. trees planted on lighted city streets.

Response:

See Response 41-1.

Comment 90-5:

That brings me to another important point - recreation in open space. People come here from all over because they are drawn to our rural surroundings and many opportunities for non-commercial family fun. I have met hikers and horseback riders from the Santa Monica Mountains to other National Forests, U.S. states, Europe, Asia and even Israel. All are AMAZED that we have such a natural wonderland within the City of Los Angeles. This is especially true when the profuse, spring wildflowers carpet the steep hillsides and wooded valleys. I'd hate to see these streams, canyons and mountaintops dynamited, flattened and buried to make yet another cookie-cutter, gated, housing mega-development.

Response:

With respect to the concern expressed regarding the compatibility of the proposed project with surrounding land uses, see Response 85-3. This comment also expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 90-6:

I vehemently urge you to reject this DEIR and proposed land use as it is presently written. The cumulative effect would be disasterous[sic] to this entire range of hills. I do believe that each individual is entitled to build on their own private property. All I am asking is that the intent of our many existing multiple Plans be preserved. Please review the Scenic, Master, Community, Ridgeline Preservation, General, Density, Slopes, Fish & Wildlife/Game Dept., legislation before making your decision. As homeowner-residents, we have worked very hard to help the Council see our uniqueness. You obviously agreed or you would not have approved these many protective measures. Please do not

compromise the character of this “special corner of the City of L.A” by granting wholesale variances to out-of-state developers. Is Whitebird even licensed to do business in our fair California?

Response:

With respect to the implied concern expressed that the proposed project does not comply with the Sunland-Tujunga Community Plan, the Specific Plan and applicable zoning laws, see Response 57-10. As discussed in Section IV.D.1 (Flora and Fauna), the proposed mitigation for impacts to jurisdictional riparian habitat would be subject to the approval by the Corps, CDFG and the Regional Water Quality Control Board and the recommended mitigation measures would mitigate impacts to both jurisdictional and non-jurisdictional riparian habitat to less-than-significant levels.

Comment 90-7:

In closing, I would like to reiterate a few points. These canyons and hills are zoned for less than 70 homes because that is the maximum number that can be accommodated without destroying the very quality of life that prospective neighbors are seeking here. We have a definite sense of small-town “community” and would make newcomers as welcome as our free-roaming wildlife. Once this unique landscape is destroyed, no amount of good intentions or “mitigation” will replace what has been created by God for ALL to enjoy.

Thank you for your time. I look forward to your response.

Response:

Contrary to this comment, the project site is not zoned for less than 70 homes. As shown on Figure IV.G-4 in the Draft EIR, 860 acres of the project site’s total area of 887 acres are zoned A1. The minimum lot area in the A1 zone is five acres. However, two dwelling units are permitted on a lot, so the effective minimum lot area is two and one-half acres. Therefore, conservatively assuming that the zoning designation for the entire project site is A1 (notwithstanding that approximately three acres of the project site has a zoning designation of RE11, which permits a higher housing density than the A1 designation), the maximum number of units permitted on the project site (without application of the slope density formula in Section 17.05C of the LAMC) is approximately 354 units ($887 \div 2.5 = 354$). However, as discussed in the Draft EIR, with the application of the slope density formula, a maximum of 87 homes would be permitted on the project site based on the current land use designations for the project site set forth in the Sunland-Tujunga Community Plan.

Commenter 91: Harry Nelson, 7035 Estepa Dr., Tujunga, CA 91042,
December 23, 2003

Comment 91-1:

I have lived in Tujunga for 41 years very close to the proposed Canyon Hills project. After reviewing the DEIR I have found many inaccuracies. Under current laws the area is not zoned for 280 homes. The current laws do not allow grading ridgelines by as much as 80 feet and permanently altering 310 acres. I am concerned with the scaring of the land and of mudslides.

Response:

Regarding the current and proposed zoning for the Development Areas, see Response 29-1. Regarding the potential visual impact from grading, see Topical Response 6. With respect to the concern expressed regarding potential mudslides, see Response 129-2.

Comment 91-2:

The DEIR does not accurately take into consideration the cumulative affect of all the development projects that have just recently completed and that are in the works on traffic. For example, the development at Wentworth the new shopping mail at Tujunga Canyon and Foothill. The traffic on Foothill has increased immensely over the last 42 years. Our streets cannot handle the additional traffic that this 280 home development will bring. The DEIR does not adequately address how this development will affect Foothill Boulevard, where all the local residents do their shopping.

Response:

With respect to the potential impact of the proposed project on Foothill Boulevard traffic, see Topical Response 12. In addition, the traffic analysis in the Draft EIR was based on a forecast of on-street traffic conditions prior to the occupancy of the proposed project that incorporated the potential trips associated with other known development project (related projects) in the project vicinity. With this information, the potential traffic impacts of the proposed project were evaluated within the context of the cumulative impact of all ongoing development. The list of the related projects included in the Draft EIR traffic analysis is set forth on page IV.I-22 in the Draft EIR. It should be noted that the development located on Foothill Boulevard near Wentworth Street, as well as the Tujunga Shopping Center located on the southeast corner of the Tujunga Canyon Boulevard and Foothill Boulevard intersection, referenced by the commenter were included on the list of related projects.

Comment 91-3:

The DEIR does not adequately address the affect that this project will have on air pollution during the construction and after the construction with the additional 280 homes and at least 2,700 extra trips per day on La Tuna Canyon and surrounding streets. This areas [sic] workforce is a commuter workforce.

Response:

The air quality impacts associated with the construction and operation of the proposed project were analyzed in Section IV.B (Air Quality) of the Draft EIR using methods and air quality models approved by the California Air Resources Board (CARB) and the SCAQMD for analyzing impacts of all new development in the South Coast Air Basin. In particular, the Draft EIR analyzed the operational air quality impacts associated with the 2,693 daily traffic trips that would be generated by the proposed project. Most of the identified impacts on air quality from these trips would not occur in the local area.

Comment 91-4:

The DEIR does not address light pollution from miles of new streetlights.

Response:

Contrary to the comment, Section IV.F (Artificial Light and Glare) of the Draft EIR addressed light pollution from a variety of new sources, including streetlights.

Comment 91-5:

The DEIR states that it would only affect up to 5 coyotes. That is grossly understated. Living in this area for 42 years I am a citizen expert and I know that this development will affect many more wildlife then it states. The altering of 310 acres of wildlife habitat will have an enormous effect on the environment and the wildlife's food sources. It will also affect opossums, birds, plants, flowers, raccoons, owls, and rabbits that are being affected by development.

Response:

Regarding the number of coyotes using the project site, see Response 27-1 and Topical Response 5. Regarding the long-term persistence of wildlife and associated biodiversity on the project site, see Topical Response 5.

Impacts to common species such as the non-native Virginia opossum, raccoons, and rabbits are not considered significant, as set forth on page IV.D-59 in the Draft EIR. No owls were detected nesting on the project site. In any event, with implementation of Mitigation Measures D.1-5 and D.1-6(1) and

(2) in the Draft EIR, no impacts would occur to any nesting birds including owls and other birds of prey. As discussed on pages IV.D-58 through IV.D-63, there would be no impacts to special-status plant species or wildlife species.

Comment 91-6:

I urge Los Angeles City officials to disapprove any portion of the Canyon Hills project that requires changes to the current Los Angeles City General Plan, Los Angeles Municipal Code, local Community Plans, the Hillside Ordinance, the Slope Density Ordinance, the Oak Tree Ordinance and all current zoning and all current laws.

Response:

This comment expresses an opinion about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 92: Mark Fogwell, 7094 Highcliff Trail, Tujunga, CA 91042,
December 24, 2003

Comment 92-1:

I am a third generation resident-homeowner of Tujunga and am writing this letter to voice my opposition to the Proposed Canyon Hills Development as outlined in the Canyon Hills Draft EIR, which is inadequate and should be redone because it is flawed and seriously understates the impact of this proposed development on one of [sic] last remaining rural areas in Los Angeles negatively impacting the lives of all Angelinos and everyone in the immediate area.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3. This comment expresses opinions about the proposed project which are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 92-2:

I would like to bring to your attention the inaccurate and biased Overview of Selected Alternatives, specifically Alternative D: Reduced Density 87 Lots, which by complying with the General Plan, Slope Density Ordinance and the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan would be much more beneficial to our community and Los Angeles in general.

According to the EIR twelve out of the seventeen categories considered under Alternative D are equal to or more effective in reducing the negative impacts compared to those resulting from the proposed development, while the remaining five are questionable at best and could also be more effective if properly mitigated and or considered from the community's point of view as opposed to that of a developer. For example;

Response:

As set forth in Table VI-8 in the Draft EIR, the impacts associated with Alternative D would be less than or similar to those associated with the proposed project with respect to 21 environmental categories, while the impacts associated with Alternative D would be greater than the proposed project with respect to six environmental categories. However, there is a typographical error in Table VI-8 under Alternative D with respect to fire and police protection. As set forth in the fire and police protection analysis for Alternative D on pages VI-55 and VI-56, Table VI should have listed the impact to fire and police protection as "greater" than the proposed project. Therefore, Table VI-8 has been revised in Section III (Corrections and Additions) of this Final EIR to list the impacts to fire and police

protection under Alternative D as greater than the proposed project. The balance of this comment relates to the comments that follow this one, and are therefore addressed in subsequent responses.

Comment 92-3:

BIOLOGICAL RESOURCES,

FLORA & FAUNA – the largest difference between Alternative D and the proposed plan is in the fuel modification zone, which is a fifty percent impact area and would be beneficial in reducing the threat of brush fires.

NATIVE TREES – the questionable area here is the term “surveyed and estimated”, according to this section of the EIR there are only 3 Western Sycamores and 28 Coast Live Oaks on 146 acres. It is obvious that the “estimate” is not correct.

WILDLIFE MOVEMENT,

Not considered significant.

Response:

The first part of the comment provides an opinion regarding flora and fauna impacts for Alternative D and the proposed project. However, the meaning of the comment is unclear and no reasoned response is possible.

It is not clear where the tree numbers referenced in the comment came from. According to page VI-48 in the Draft EIR, grading under Alternative D would require the removal of up to 260 (or approximately 21 percent) of the 1,247 surveyed and estimated coast live oaks on the project site. Grading under Alternative D would require the removal of up to 30 (or approximately 22.5 percent) of the 133 surveyed and estimated western sycamores on the project site.

The intent of the last part of the comment regarding wildlife movement is unclear and no reasoned response is possible.

Comment 92-4:

ARTIFICIAL LIGHT and GLARE, Here it states that more light from larger houses is “expected”. First of all, who said the houses in Alternative D have to be 6,000 sq. ft.? Second, 87 6,000sq. ft. houses is roughly one half of 228 4,000sq. ft. houses, which would be half the light and not near as bright because it isn’t concentrated in one area.

Response:

Alternative D assumes larger house sizes as a corollary to the larger and more expensive lots associated with it. The comment that the concentration of lighting under the proposed project would create a brighter source within the Development Areas is consistent with the analysis presented in the Draft EIR. However, that analysis also recognized that, due to the dispersed nature of Alternative D and the more extensive internal roadway system, this alternative would generate low levels of night lighting throughout the 887-acre project site. In comparison, the proposed project would concentrate lighting within the 194 acres of Development Area in the eastern portion of the project site. Because lighting under Alternative D would be more visible from Interstate 210, impacts would be considered significant and greater than for the proposed project. Impacts to La Tuna Canyon Road would also be significant and greater than for the proposed project. On the other hand, impacts to the existing residential community to the north and northeast would be reduced due to the lower density of development. Nevertheless, because major portions of the 887-acre project site would be subject to night lighting, night lighting impacts under Alternative D would be greater than for the proposed project.

Comment 92-5:**TRANSPORTATION/TRAFFIC,**

Less houses means less traffic, which is alluded to in this section of the EIR. The real area of concern is that the conclusions arrived at pertaining to the current ADT Counts are based on “the traffic consultants professional opinion”, not fact. It is my opinion, as a local resident who travels these roads on a daily basis, that the traffic consultant is mistaken.

Response:

See Topical Response 9.

Comment 92-6:**PUBLIC SERVICES,**

FIRE PROTECTION - The real issue here is that evacuating all the residents of 228 homes at once will be a serious problem. Spreading the homes out will decrease the chance of large amounts of vehicles moving in the same direction, which could become a real disaster if any of the limited amount of proposed access routs are blocked due to man made and or natural causes.

POLICE PROTECTION - Again less homes means less people that add to the already overwhelmed police and fire department. This section alludes to the “probability” of it being safer living in an area

that is more densely populated, which I totally disagree with. I live in a sparsely populated hillside area of Tujunga and am very aware when someone is in the neighborhood that doesn't belong.

LIBRARIES & SCHOOLS - More homes increase the strain on all our Public Services.

Response:

With respect to the portion of the comment relating to fire protection, it is first noted that proposed Development Area A includes only 211 proposed homes, not 228 homes. With respect to the concern expressed regarding emergency access, see Topical Response 11. As discussed on page VI.-55 in the Draft EIR, even though Alternative D decreases the number of homes on the project site by 69 percent, due to the greater isolation of the homes and distance from access points, response times would be substantially increased and evacuation due to a wildfire would be more difficult and time-consuming under this alternative compared to the proposed project.

With respect to the portion of this comment relating to police protection, the commenter disagrees with the discussion on page VI-56 in the Draft EIR with respect to Alternative D which states that, while Alternative D includes less homes than the proposed project, it is anticipated that Alternative D would generate a somewhat higher demand for police protection services as compared to the proposed project because the Alternative D homes would be more dispersed and would involve a more extensive internal roadway system. While mutual surveillance and assistance among homeowners can occur in a "sparsely populated" neighborhood, such surveillance is more difficult and less effective than in a higher-density neighborhood, as discussed in the Draft EIR. The proposed project limits development to the 194-acre Development Areas with lots ranging from 9,000 to approximately 39,000 square feet, while the 87 homes in Alternative D are spread throughout the 887-acre project site with lots ranging from 5 acres to 26.9 acres in size, with an average of 10.2 acres. Under those circumstances, it is apparent that the potential for unobserved criminal activity would increase under Alternative D. See also Response 92-2. It is also noted that the neighborhood adjacent to proposed Development Area A is zoned R1, which requires a minimum lot size of only 5,000 square feet. As a result, that neighborhood not only has a significantly greater housing density than Alternative D, it has a much higher housing density than the proposed project.

The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 92-7:

AESTHETICS, The conclusions in this section are clearly that of a developer and not someone that appreciates the rural sense of this community. Our hillsides stand a better chance of retaining their rural personality when the houses are spread out instead of being condensed onto a hillside that has been “cut & filled”, which has had a devastating effect in Glendale and Burbank.

Response:

The Draft EIR concluded that the proposed project would have significant adverse aesthetic impacts with respect to scenic vistas, scenic resources, and surrounding community character. As shown in Alternative D, the spreading out of 87 homes over the entire project site would not preserve the rural personality of the area, but rather would result in the loss of hundreds of acres of dedicated open space associated with the proposed project and more severe impacts with respect to biological resources and aesthetics than the proposed project. In addition, under Alternative D, the possibility remains that, in the future, the ranchette lots could be further subdivided into smaller lots. That could not occur with respect to the proposed project because most of the open space would be transferred to the Santa Monica Mountains Conservancy or another qualified transferee, so that the transferred open space could never be developed.

Comment 92-8:

RELATIONSHIP TO PROJECT OBJECTIVES,

The most important project objective that was not included is FINANCIAL GAIN FOR THE DEVELOPER. Simply put, building 1/3 of the proposed houses isn't going to please the developer. As it stands now, taking into consideration the General Plan, the Slope Density Ordinance, the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan, and all applicable Zoning regulations, the developer has the right to build 87 houses on the entire 887-acre site. Financial gain is the only real reason to allow roughly three times as many homes to be built on one fourth the land and no excuse to destroy another one of Los Angeles's valuable resources, which would negatively impact the living standards of everyone in this area for generations to come.

Response:

This comment expresses an opinion concerning the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 92-9:

Lastly, it is important to note that ELECTROMAGNETIC FIELD EMISSIONS, which is one of the 12 categories deemed to be at least equal to or more effective in reducing the negative impacts compared to those resulting from the proposed development, should be reconsidered because it poses a serious potential health hazard. There would be fewer homes located in close proximity to the SCE transmission lines with Alternative D and therefore fewer lives would be in danger.

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR with respect to Electromagnetic Field Emissions (EMF). Therefore, a response is not required pursuant to CEQA. However, while the commenter is correct that Alternative B would include fewer homes in close proximity to the SCE transmission lines, it is incorrect that “fewer lives would be in danger” with respect to Alternative D. As discussed in the Draft EIR, there is insufficient scientific evidence to demonstrate any causal link between EMF exposure from transmission lines and any adverse health effects. A complete analysis of the scientific research reviewed by the State of California Department of Health Services is presented in Section IV.M.2 (Electromagnetic Field Emissions) of the Draft EIR.

Comment 92-10:

In closing, I respectfully ask that you have the City of Los Angeles re-release this EIR for additional comments when the flaws and misinformation has been corrected. Thank you for your time and consideration.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Commenter 93: Lisa and Russell Martin, 10319 Haines Canyon Avenue,
Tujunga, CA 91042, December 24, 2003

Comment 93-1:

My husband and I were both born and raised in Tujunga, we have seen many changes over the past 35+ years. What has kept us in the Sunland-Tujunga area is the small town feeling and rural atmosphere. There are so few large cities that still boast of ample open space. Developers have come in and bought up every piece of land and put in seas of houses in an effort, not to better the community, but to pad their already full wallets. It's all about money.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 93-2:

I have many concerns about the Canyon Hills Project and the effect it will have on our community and the quality of life for my family. My biggest concern is the effect it will have on an already overloaded Foothill Blvd., Tujunga Canyon, and the 210 freeway. Not only will the increased traffic impact our ability to get in and out of our community conveniently, there are many safety issues that have not been addressed. There is lack of traffic enforcement for the current traffic, it will only be more dangerous as the number of vehicles using the streets on a daily basis increases. We don't have the space to become the next Canyon Country where there are too many people and not enough roads.

Response:

With respect to the traffic impacts of the proposed project on Tujunga Canyon Boulevard and Foothill Boulevard, see Topical Response 12. With respect to the traffic impact analysis and methodology utilized in the Draft EIR, see Topical Response 9.

Comment 93-3:

I am also concerned about the pollution generated by not only the new residents, but by the heavy equipment and construction traffic. Not many people recall the Sunair home near McGroarty park where asthmatics from around the country retreated in search of clean air. Tujunga was known for its clean air and open spaces.

Response:

With respect to the concern expressed regarding the potential construction air quality impacts associated with the development of the proposed project, see Responses 52-15 and 85-9. With respect to the historical association between the Tujunga area and asthmatics, see Response 85-11.

Comment 93-4:

Our area is one of the few horse keeping areas left in Southern California. Developers and their greed are pushing us out all for the sake of money. The area near the cross where the project is proposed is the only place within riding distance for equestrians in our area when the National Forest is closed. If you allow this area to be taken away, we will be completely land locked during the fire prevention closures. I know there are proposed equestrian lots, trails, and an equestrian 'park' that have been discussed, but we both know what is seen on paper seldom makes it in to reality, it is all an effort to soothe the equestrian, community and, push through a plan that will rape our hills and put added stress on our already struggling community.

Response:

With respect to the potential impact of the proposed project on the equestrian nature of the existing community, see Topical Response 8. With respect to the concern that the existing Tujunga community could be "land locked" during fire prevention closures, the development of the proposed project would provide a new emergency access route for existing residents via Inspiration Way or Verdugo Crestline Drive through proposed Development Area A to Interstate 210, as discussed in Topical Response 13. The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 93-5:

So much has been taken from Sunland-Tujunga and very little has been given back. It is the Planning Commission's responsibility to take care of our city and make prudent decisions that will enhance the City of LA in general. Why not use this land to benefit the community by creating parks and recreation facilities for the existing population?

The above comments are just a few of my concerns if this project goes through as currently proposed. I respectfully request that the planning commission consider the negative impact that this project will have on Sunland-Tujunga and its current residents and that this project be denied.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 94: Sam Palahnuk, 501 E. Santa Anita, Suite 108, Burbank, CA 91501, December 24, 2003

Comment 94-1:

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 it's true impact be considered by the Los Angeles City Planning Department and the public.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

Comment 94-2:

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”.

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.

Response:

The name of the applicant is Whitebird, Inc., which is qualified to do business in California as California Whitebird, Inc., and not “Whitebird Development Company”. Whitebird’s local address with respect to the proposed project is the address set forth in the Draft EIR. In any event, the address

of the project applicant is not required to be included in the Draft EIR pursuant to CEQA or the CEQA Guidelines.

Comment 94-3:

“II. ENVIRONMENTAL SETTING, PAGE 11-5”

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 apartment 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.

Response:

See Response 75-32.

Comment 94-4:

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.

Response:

See Response 75-17.

Comment 94-5:

“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.

Response:

With respect to the statement in this comment that the Draft EIR should not have included commercial related projects, see Topical Response 7.

With respect to the undeveloped lots in the vicinity of the project site, the Draft EIR includes an analysis of the potential growth-inducing impacts of the proposed project in Section V.C (Growth Inducing Impacts of the Proposed Project). As discussed on page V-2 in the Draft EIR, “the roadways and other infrastructure (e.g., water facilities, electricity transmission lines, natural gas lines, etc.) associated with the proposed project would not induce growth because they would only serve project residents.” The commenter does not explain why the development of the proposed project would cause other lots to become “developable”, so no further response is possible.

Comment 94-6:

“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.

Response:

At the time the Draft EIR was prepared, 2001 data were the most current data released by the SCAQMD. Since that time, 2002 data became available. However, 2003 data has not yet been compiled. With the exception of carbon monoxide impacts at local intersections and some particulate emissions from operation, the significance of air quality impacts is determined by the amount of total emissions from a project compared to significance thresholds established by the SCAQMD. The significance of these impacts would be the same regardless of local air quality. Trend analysis is for informational purposes only.

Comment 94-7:

“IV. ENVIRONMENTAL IMPACT ANALYSIS, B. AIR QUALITY”

The DEIR has many major omissions. It only deals [sic] 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 [sic] 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.

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 emissions⁵¹." (Source: Orange County Grand Jury report)

⁵¹ This fact is particularly relevant given that this development is in a "V-shaped canyon", which would trap all of those pollutants.

Response:

Table IV.B-6 in the Draft EIR accounts for emissions after the proposed homes are occupied. The URBEMIS2001 model included the most current automobile emissions available from the CARB and assumed a large percentage of SUV vehicles associated with new single-family homes. Emissions from consumer products and landscaping are also included in Table IV.B-6 in the Draft EIR. The type and location of landscaping and the maintenance for all of the 111 acres of modified open space has not been precisely determined yet, and the conclusions in the comment are therefore speculative at this time. The model does account for emissions from leaf blowers and lawn mowers using conventional fuel in the “landscaping” category. Although these emissions are not significant on a daily basis, they could be further reduced by using electric equipment as is frequently done on large expanses of green space, such as golf courses.

Comment 94-8:

“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 through this area will not be effected. However, it does not state how the loss of this habitat will affect those animals who do migrate through this area. The DEIR only studies the animals it proposes currently reside in the area.

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

Response:

Pages IV.D-153 through IV.D-162 in the Draft EIR clearly demonstrated that the proposed project would not significantly impact regional or local wildlife movement by large mammals. Smaller animals that occur in the project vicinity would be directly impacted through the loss of habitat. However, pursuant to the CEQA Guidelines, impacts to common species are not considered significant, as stated on page IV.D-49 in the Draft EIR.

Comment 94-9:

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.

Residents noted that the field study took only four days, and researchers never ventured deep into the thickly vegetated areas⁵². Perhaps the lack of completeness in the DEIR is, in part, due to this reason.

Response:

Contrary to this statement, the potential impact of the proposed project on mountain lions is addressed in detail in Section IV.D.3 (Wildlife Movement) of the Draft EIR (see, e.g., pages IV.D-138, page IV.D-147 through IV.D-149 and IV.D-156). See also Response 4-16.

With respect to the potential impact of the proposed project on the Peregrine falcon, see Response 41-1.

Project biologists identified western toads on the project site, as noted on page 1 of the Faunal Compendium (see Appendix G to the Draft EIR). Western toads are common and widespread and have no special status. Because they have no special status, any potential impacts to the western toad would not be considered significant.

Regarding the survey activities of the project biologists, see Topical Response 4.

Comment 94-10:

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 patterns of coyotes and bobcats relative to roads and underpasses in the chino hills area of southern California.”

The planned development site is not in the Chino hills.

⁵² The DEIR implies that some areas are “inaccessible” due to terrain and to thickets or poison oak.

Response:

A comprehensive literature review was conducted that addressed a number of issues (see the 35 citations of references and methods on pages IV.D-2 through IV.D-17 in the Draft EIR, and the 12 references cited on page IV.D-133 in the Draft EIR).

The Master's Thesis by L.M. Lyren, which addresses movement patterns for bobcats and coyotes is relevant, regardless of its location in Southern California, because the scientific method relies on the application of data gained in one study to other similar situations. Observations of coyotes and bobcats made by Lyren, as well Beier's observations of mountain lions, provide useful information that can be applied to the proposed project.

Comment 94-11:

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.

Response:

Indirect impacts from non-native invasive plants are addressed on page IV.D-63 in the Draft EIR, which states that project landscaping would only include native or non-invasive ornamental vegetation. The development of the proposed projects would not result in any significant indirect impacts associated with non-native invasive species. In addition, see Response 11-6.

For discussion of potential impacts associated with outdoor cats, see Response 63-6.

Comment 94-12:

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.

Response:

Control of pests, such as wasps and potential disease vectors (including mosquitoes), that are well-adapted to the urban environment is common to all residential areas in Southern California, would not be considered a significant environmental impact because these species have no special status. Similarly, the control of gophers and moles, which are common rather than special-status species, would not result in a significant impact under CEQA, as discussed on page IV.D-59 in the Draft EIR.

Poisoning (or otherwise killing) of coyotes is not permitted without a depredation permit from the CDFG. In any event, because coyotes are common and widespread and have no special status, the loss of coyotes to depredation would not be considered a significant impact. Nevertheless, the homeowner education program developed for the residents of the proposed project would include information on how to coexist with animals such as coyotes and bobcats, as set forth in Response 63-6. See Topical Response 5 for a detailed discussion of coyote persistence on the project site in the post-project condition, including a discussion of vehicular collisions.

Comment 94-13:

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 [sic] the incredibly abundant spring of 2003 which residents will testify had far more abundant wildlife than the study period.

Response:

With respect to the contention that the biological studies were not conducted in a suitably “wet year”, see Response 9-6. With respect to the contention and that the biological analyses for the Draft EIR were “only conducted for a short time”, see Topical Response 4.

Comment 94-14:

“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...”

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

Response:

In order to make the Draft EIR available to the public on the Internet, it was necessary to decrease the resolution of many graphics in an effort to decrease file sizes so that the Draft EIR would be more accessible to the public and easier to download. Therefore, hard copies of the Draft EIR with high-resolution figures were made publicly available at the following locations:

City Planning Department
200 North Spring Street, Room 763

City Council District 2 Field Office
7747 Foothill Boulevard

Central Library
630 West 6th Street

Sunland-Tujunga Branch Library
7771 Foothill Boulevard

La Crescenta Library
4521 La Crescenta Avenue

Sun Valley Library
7935 Vineland Avenue

In addition, the locations where the Draft EIR was available for public review were indicated on the Notice of Completion and Availability.

Comment 94-15:

“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.

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.

Response:

All of the Los Angeles basin and most of Southern California are affected by light pollution. While the project site and surrounding Sunland-Tujunga area may enjoy less light pollution than some other parts of the City, the project site and surrounding areas do not experience clear dark night skies. As a requisite part of the Draft EIR preparation, four night visits were made to the project site during summer of 2003 to observe existing conditions. During each visit, haze and light pollution substantially reduced night sky visibility. However, to clarify the record, the first complete sentence at the top of page IV.F-2 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to read as follows: “The percentage of dark nights in the vicinity of the project site is low due to the ever-present light pollution and haze in the Los Angeles area.”

Comment 94-16:

“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.

Response:

See Topical Response 9.

Comment 94-17:

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.

Response:

See Topical Response 10.

Comment 94-18:

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.

Response:

Section IV.I (Transportation/Traffic) of the Draft EIR provides the traffic impact analysis for the proposed project. The traffic impact study was prepared in accordance with LADOT's Traffic Study Policies and Procedures manual. There are no specific criteria or requirements identified in LADOT's Traffic Study Policies and Procedures manual regarding the analysis of bicycle trips due to the development of the proposed project. Furthermore, similar to other residential subdivision projects in the City, the proposed project is expected to generate minimal new bicycle trips on the adjacent roads. The traffic safety analysis conducted for La Tuna Canyon Road (see page IV.I-39 in the Draft EIR) did not identify an existing safety issue related to bicycle activity on La Tuna Canyon Road. Therefore, no further analysis of existing or future bicycle activity associated with the proposed project is required. See also Topical Response 10.

Comment 94-19:

"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.

Response:

With respect to the concern expressed regarding potential displacement or death of wildlife in connection with the development of the proposed project, see Response 49-1.

With respect to the concern expressed regarding habitat that would be impacted by the project, as discussed in Section IV.D.1 (Flora & Fauna of the Draft EIR) the proposed project would impact a small amount of significant riparian habitat, including Southern Coast Live Oak Riparian Forest, Southern Mixed Riparian Forest and Southern Willow Scrub. The Draft EIR recommends mitigation measures on pages IV.D-63-64 that would reduce those impacts to less-than-significant levels.

Comment 94-20:**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.

Response:

Photo 3 in Figure IV.F-3 in the Draft EIR depicts an existing view of the currently vacant hillsides adjacent to Inspiration Way that would be converted to residential uses by the proposed project. While Photo 3 is a daytime view, it is intended to give a sense of the change in the nighttime environment that would be experienced by the occupants of existing adjacent homes. Similarly, Photo 4 in Figure IV.F-3 presents an existing view from Verdugo Crestline Drive. Both photos are intended to demonstrate the existing conditions on portions of Development Area A that would be illuminated by a variety of new light sources, including street lighting, residential window glow, landscape accent lighting, etc. Neither the text nor the accompanying photographs in Section IV.F (Artificial Light and Glare) of the Draft EIR related to habitat impacts. Furthermore, the project site is not located in a wilderness area. There is a substantial amount of existing residential development immediately adjacent to the north and east of the project site, and Interstate 210 bisects the project site.

Comment 94-21:

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 [sic] 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.

Response:

Regarding the resolution of the figures in the Draft EIR, see Response 94-14. The ability to copy text from electronic files is not required in order for the public to provide comments on the Draft EIR.

Comment 94-22:

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

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

Response:

The "Request for Comments on Draft Environmental Impact Report" that was distributed with the Draft EIR included the appropriate contact name and address for all comments and questions regarding the Draft EIR. See also Response 94-2.

Comment 94-23:

SUMMARY AND OPINION:

1. I believe the DEIR to be incomplete, inaccurate, and poorly presented to the public.
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".

Response:

Regarding the completeness and accuracy of the Draft EIR, see Topical Response 1. Regarding the related projects considered in the cumulative impact analyses, see Topical Response 7.

Comment 94-24:

3. In my opinion, the rural charm and appeal of the area will be destroyed by this development.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 94-25:

4. The natural habitat will be permanently destroyed, meaning the death or displacement of hundreds of animals and the loss of many beautiful trees.

Response:

The impacts of the proposed project on biological resources are discussed in Section IV.D (Biological Resources) in the Draft EIR. As discussed therein, with implementation of the recommended mitigation measures, the biological impacts associated with the proposed project would be reduced to less-than-significant levels, with the exception of the short-term impact on coast live oaks.

Comment 94-26:

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.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 94-27:

6. The proposed development is not consistent with applicable Community Plans, despite the DEIR statements to the contrary.

Response:

See Response 57-10. As discussed on page IV.G-4 in the Draft EIR, no development is proposed on the portion of the project site governed by the Sun Valley Community Plan. Therefore, consistency of the project with the Sun Valley Community Plan is not required.

Comment 94-28:

7. In my opinion, being an avid hiker of the Verdugo mountains, and a lifelong 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.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 94-29:

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 [sic] true impact be considered by the Los Angeles City Planning Department and the public.

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

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 95: Mel Springer, 10347 Haines Canyon Avenue, Tujunga, CA 91042, December 24, 2003

Comment 95-1:

I have been a resident of Tujunga since 1965. I have seen this community change from a rural setting to a more urban setting. Almost every vacant lot has been developed but the community has still maintained some of its country aspects.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 95-2:

Even before its growth there have been problems. On the few occasions I've found it necessary to call the police, response time was too slow to be of any value. The Foothill Division of the LAPD was spread too thin and would be burdened even more by the plan for growth that has been proposed. I have great respect for law enforcement but know I cannot depend on help when I need it.

Response:

The impact of the proposed project on police protection services is addressed in Section IV.J.2 (Police Protection) of the Draft EIR. As discussed therein, the development of the proposed project would not create the need for new or expanded police facilities. Therefore, the proposed project's impact on police protection would be less than significant. Nevertheless, mitigation measures are recommended on page IV.J-19 to reduce further the proposed project's less-than-significant impacts. The commenter does not include any evidence to support his contention that the response time by the LAPD is "too slow to be of any value." Therefore, no further response is possible.

Comment 95-3:

This area is one of the few horse keeping areas in Southern California. Many people, including myself cherish it for that reason. I've had horses for my children, and hope to have horses for my grandchildren.

Response:

With respect to equestrian land uses associated with the proposed project, see Topical Response 8. The balance of this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 95-4:

The traffic on Foothill Boulevard and Tujunga Canyon Boulevard is very heavy now. The additional cars that will be added to the local main streets will greatly affect safety in the community.

Response:

See Topical Response 12.

Comment 95-5:

L.A. City Fire, had problems in responding to the brush fires we had in the mid 70's. They actually abandoned our street, Haines Canyon Avenue. If the neighbors would have left as directed, we would have lost homes to the firestorm that jumped the street. I can only see less protection as the community grows beyond the ability to serve everyone.

Response:

See Topical Response 13.

Comment 95-6:

A lesson can be learned from the City of Santa Clarita. Traffic is a daily problem. The earthquake of 1994 did all but isolate them entirely.

Response:

With respect to the general concern expressed regarding traffic, see Topical Response 9. The balance of this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 95-7:

With all the growth in this community in recent years, there has not been a growth in recreation facilities. Our children do not have places to play.

Response:

See Response 28-2.

Comment 95-8:

The public schools have lost students because of busing. The schools will not be able to handle the influx of students into the area causing even more criticism of their inability to educate our children.

The time has come to take care of what we have and not to add to the existing problems.

Your consideration would be appreciated

Response:

See Response 56-5.

Commenter 96: Darci Kahan, 9609 Hillhaven Avenue, Tujunga, CA 91042,
December 25, 2003

Comment 96-1:

This letter serves as a response to the objectives and proposed mitigation concerning the above-mentioned DEIR, which affects a large portion of beautiful canyons only a few blocks from my home. We moved to Tujunga after researching several surrounding communities, and learned that Tujunga was renowned for better air quality than adjacent areas, not to mention that it is very peaceful, not too bright at night, and a great place for one person to work from home. Especially after driving along La Tuna Canyon Road, we came to appreciate the rural character of our community as a rare and priceless gift, to be preserved and revered much like the author's [sic] of the Scenic Preservation Plan and Community Plans intended, who clearly understood that in order to properly protect the incredible natural landscape and wildlife of the area, there was a need for regulation of hillside development. These efforts are clearly aimed at the preservation of the low-density, rural character and the equestrian lifestyle.

I have studied the DEIR, and while there are dozens of inaccuracies and omissions regarding the total environmental impacts I have identified as a "citizen expert", there are some key omissions in particular I want to target.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1.

Comment 96-2:

AIR QUALITY:

The DEIR states that construction emissions of NO_x and PM₁₀ will be significant, along with dust emissions with or without mitigation. It is further stated, "adherence to SCAQMD regulations, combined with distance from the source, would reduce PM₁₀ emissions...". Specifically what is meant by "distance from the source"?

Response:

"Distance from the source" is the distance between an emissions source (e.g., a diesel-powered truck) and the receptor of the emissions (e.g., a resident). The portion of the sentence not included in the above comment reads as follows: ". . . to levels that would not constitute significant adverse impacts on sensitive receptors." As discussed on page IV.B-13 in the Draft EIR, because some people who occupy existing homes to the northeast and east of proposed Development Area A may be particularly sensitive

to air pollutants, including fugitive dust, these existing homes are defined by the SCAQMD as sensitive receptors. The nearest existing homes range from 250 to 500 feet from the closest construction area in proposed Development Area A. SCAQMD's Rule 402 (Nuisance Regulation) requires that the project developer apply sufficient mitigation measures to prevent a nuisance from occurring off the premises, while Rule 403 (Fugitive Dust) requires that there be no visible emissions beyond the property line. Implementation of these regulations, combined with the fact that there is a substantial distance between the sensitive receptors and the closest construction area, would provide adequate protection for these sensitive receptors when grading occurs.

Comment 96-3:

Mitigation factors include wetting soil 15 minutes prior to movement, or as well, there could be applied a "chemical stabilizer to maintain a stabilized surface". The DEIR does not identify the chemical stabilizer nor addresses the effects of that chemical. The mitigation factors also suggest that moistening soil 15 minutes prior to soil movement is satisfactory, yet community residents adjacent to the construction activity who suffer greatly from allergic reactions and hundreds of basic allergies, must consider the cumulative impact the construction will have on air quality. Specifically, the consistent stream of emissions from large trucks entering and departing the project site (not to mention the amount of diesel fuel used by tractors at the site), the immense amount of dust emissions from constant grading activities, and other long-dormant allergens disrupted by equipment and the general restructuring of the landscape, will significantly impact the air quality.

Residents adjacent to the project site will be required to consistently initiate measures for the exterior of their property to control the dust, however, most interior household duct systems do not filter-out, and cannot withstand, a great amount of allergens released into the air over a long period of time.

Response:

The SCAQMD has established a list of chemical stabilizers⁵³ that can be used on exposed soil that would not damage the water table or harm plants and wildlife. The project developer would consult with the SCAQMD to determine which SCAQMD-compliant chemical stabilizer would be used pursuant to Mitigation Measure B-2. This would occur in connection with the SCAQMD's approval of the fugitive dust emissions control plan, as discussed on page IV.B-17 in the Draft EIR.

⁵³ South Coast Air Quality Management District, Rule 403 Implementation Handbook, pages 5-1 to 5-6, 1999.

As discussed on pages IV.I-11-12 of the Draft EIR, grading would be balanced on the project site and construction equipment would be either stored on the project site or adjacent to it, thereby significantly reducing the potential amount of diesel truck travel. In addition, as discussed in Topical Response 11, most construction vehicles would access the project site from Interstate 210, and not through existing residential areas.

As noted on page IV.B-11 in the Draft EIR, the proposed project would be subject to SCAQMD Rule 402. If, during construction of the proposed project, residents in the vicinity of the project site are affected by visible dust emissions sufficient to require substantial cleaning or filtration systems, they may call the SCAQMD and ask for an inspection. The SCAQMD could require additional actions by the project developer if the inspectors find that the proposed project is the source of the dust emissions.

Comment 96-4:

Also, the DEIR states that “odors are not significant on a regional scale”, not taking into consideration the region is prone to prolonged and excessive winds, which can cause great damage, and is a weather condition known to be much harsher in Sunland/Tujunga than in adjacent communities. I urge the City not to approve any zoning changes, which would allow a much greater area of development and thus disturbance of soil, and other factors contributing to potentially serious and ongoing allergic reactions.

Response:

As stated on page IV.B-13 in the Draft EIR, there are no known sources of odors on the project site that would be released during construction. As stated on page IV.B-14 in the Draft EIR, the only odors expected to be generated by operation of the proposed project would be odors typical of residential uses, such as those from cooking or gardening. While it is true that winds can carry certain substances, such as allergens (e.g., pollen and fire-related ash) for distances of many miles, strong winds would not be expected to convey residential odors, such as those from cooking or gardening, for long distances. Therefore, the regional impacts of these odors would be less than significant.

Comment 96-5:

TRAFFIC

There are omissions in the Transportation/Traffic section of the DEIR, that I'd like to point out. Although the DEIR takes pains to average vehicle trips, and count vehicles and turns at nine intersections, they fail to discuss the potential effects of increased traffic on Tujunga Canyon Road, a dark, narrow, two-lane stretch of highway, that connects to Foothill Blvd., where the closest shopping is located. I feel the DEIR fails to consider that Tujunga Canyon Road is not a typically straight avenue, but in fact, is quite curved and dangerous, certainly not a street meant as a major highway, and

one limited to improvements or expansion, due to the close proximity of residential and business properties on either side. The DEIR explains how the intersection of La Tuna Canyon Road at Tujunga Canyon Road has been improved however, the dark stretch of highway that is Tujunga Canyon Road between La Tuna and Foothill is prone to head-on collisions due to driver's missing the curves, over-corrections by drivers, and excessive speed. Additional information is needed on the impact of traffic for Tujunga Canyon Road.

Response:

With respect to the potential traffic impacts of the proposed project on the segment of Tujunga Canyon Boulevard between La Tuna Canyon Road and Foothill Boulevard, see Topical Response 12. As a point of clarification, the traffic analysis in the Draft EIR takes account of roadway improvements recently completed along Tujunga Canyon Boulevard at both Foothill Boulevard and La Tuna Canyon Road. The roadway improvements included in the traffic analysis are described on pages IV.I-10 through IV.I-11 in the Draft EIR.

Comment 96-6:

Also, Honolulu/Tujunga Canyon Road traveled from the Westerly direction (as in exiting from the I-210 West and continuing west), has three (3) lanes that merge into two (2) lanes after the intersection of Lowell Avenue. This merge occurs with the two (2) right-most lanes, which are the busiest lanes. This merge is difficult and surprising, with drivers frequently unaware, and again, this stretch of road has no room for improvement due to the nature of a narrow canyon road with development close on either side. Further, the right-most lane at this merge often has large trucks and delivery vehicles protruding into the area of the merge, thereby blocking a portion of the lane. Additionally, Honolulu/Tujunga Canyon merges again into one-lane heading North towards Foothill Blvd (after La Tuna Canyon). The DEIR estimates 2,694 net new daily trips during a 24-hour period, and many of these trips must be made to shopping centers on Foothill Blvd, via Tujunga Canyon Road. Potential residents of Canyon Hills requiring shopping, fuel and errands will certainly travel Tujunga Canyon Road, both from La Tuna Canyon Road and also from the I-210 West exiting from Lowell (instead of La Tuna Canyon Road), further impacting the difficulty of the above-mentioned merge, as well as adding to the risks frequently encountered on the two-lane, narrow strip of Tujunga Canyon Road. The DEIR states only ONE intersection will be significantly impacted (Development Area A/I-210 Westbound Ramps & La Tuna Canyon Road), yet Tujunga Canyon Road/Honolulu is the logical access to Foothill Blvd, a necessary route that serves as the closest link to basic shopping and services. We feel the DEIR needs to further address the impact or increased traffic upon Tujunga Canyon Road/Honolulu, both at the merge occurring near Lowell Avenue and also the stretch of road between La Tuna Canyon and Foothill Blvd.

Response:

Honolulu Avenue is one of many roadways utilized by vehicles destined to and from the project site. The project trip distribution and assignment methodology is discussed on page IV.I-17 in the Draft EIR. The trip distribution percentages for the study intersections are provided on Figure IV.I-5 on page IV.I-19 in the Draft EIR. As shown, only five percent of the project-related traffic is anticipated to use Honolulu Avenue east of La Tuna Canyon Road. As shown on Figures IV.I-6 and IV.I-7 in the Draft EIR, the proposed project is expected to add less than 15 new vehicular trips during the morning and afternoon peak hours to the segment of Honolulu Avenue east of La Tuna Canyon Road. This corresponds to less than one new trip every four minutes during the peak hours on this segment. This relatively minor increase in traffic on Honolulu Road east of La Tuna Canyon Road would not result in a significant transportation impact.

For further discussion of the analysis of potential traffic impacts on the segment of Tujunga Canyon Boulevard between La Tuna Canyon Road and Foothill Boulevard, see Topical Response 12.

Comment 96-7:

Also, concerning “Emergency Access” for Development Area A through either Verdugo Crestline Drive or Inspiration Way, another potential hazard exists in regard to increased traffic, however limited the intent. Both Verdugo Crestline and Inspiration Way must use Hillhaven Avenue for access to Foothill Blvd. Hillhaven Avenue, which cannot be widened due to the proximity of residential development on both sides, is another steep, narrow and curving roadway, susceptible to collisions due to excessive speed, driver overcorrection and flooding conditions. One such collision occurred recently in December 2003, resulting in an overturned car. Further, the DEIR states emergency access will be “closed for day-to-day use at all other times” (p IV.1-13), omitting information on whom will have the authorization to open and close said access. The potential for the “emergency access” to remain open at all times is a logical possibility, and given this possibility, potential residents of Canyon Hills would certainly find the “emergency access” route a much faster way to Foothill Blvd. (as opposed to reaching Foothill Blvd. via La Tuna Canyon and Tujunga Canyon Road), thus seriously compromising the impact of increased traffic and congestion on Hillhaven Avenue. Since Hillhaven Avenue is very narrow, there is also a problem with parked cars further constricting the street (from Alene to Foothill Blvd.), not allowing driver’s enough room to pass each other safely (one car has to stop). Further, the DEIR states that Hillhaven Avenue “terminates at Alene drive (p IV.1-16) which is incorrect information. As a citizen of the neighborhood who frequently drives both Hillhaven Avenue and Tujunga Canyon Road, I attest to the fact that in one year alone I have experienced three serious near-collisions, two on Hillhaven and one on Tujunga Canyon Road, due to the particularly curved and narrow design, a design meant to handle limited traffic. The project’s impacts are unavoidable and unmitigatable under the current proposal.

Response:

With respect to the various issues raised in this comment regarding the secondary emergency access route proposed for Development Area A, see Topical Response 11. With respect to the potential traffic impact of the proposed project on Tujunga Canyon Boulevard, see Topical Response 12.

As a point of clarification, the roadway that extends south of the Hillhaven Avenue and Alene Drive intersection is Hillhaven Place. The second sentence in the first paragraph on page IV.I-16 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to read as follows: "Hillhaven Avenue intersects with Alene Drive, which is a 40-foot wide dedicated street with variable pavement width ranging from 18 to 22 feet."

Comment 96-8:**FLORA and FAUNA**

It appears there are several types of plants and trees that are listed as "a rare natural community" and/or "sensitive vegetation types", which support special-status plant and animal species. These include Venturan Coastal Sage Scrub, which is the preferred habitat for the Coastal California Gnatcatcher, a bird federally listed as threatened.

And although the DEIR states that the Coastal California Gnatcatcher prefers gentler slopes than the existing (steep) terrain, and that no Gnatcatchers were in the area at the time of the survey, it also clearly states that there have been "recent observations" in parts of Los Angeles County, "including the western portion or the Verdugo Mountains", where it has been recorded (p IV.D-30). It appears the DEIR seeks to downplay the importance of the Coastal Sage Scrub and the Gnatcatcher; 1.85 acres (and more that is "thinned") is nevertheless considered "rare" and "threatened". The Venturan Coastal Sage Scrub is the natural habitat for many animals that rely upon it for survival, including sensitive, interrelated dependencies that make up the kind of ecosystems for which Tujunga is known. It is obvious the destruction of this ecosystem will irreparably affect a great portion of the area, most likely never to return.

Response:

As detailed on page IV.D-53 in the Draft EIR, 1.85 acres of generally low-value coastal sage scrub would be affected by the proposed project. These 1.85 acres consist of 0.79 acre that would be graded, 0.50 acre that would be cleared for fuel modification and 0.56 acre subject to thinning. This would account for 1.85 acres of impact, rather than 1.85 acres of impact plus "more that is thinned" as noted by this comment. Furthermore, as noted on page IV.D-53 in the Draft EIR:

One of the criteria for designating coastal sage scrub as a special-status vegetation association is because regionally it supports a substantial number special-status plants and animals. The coastal sage scrub on the project site supports no special-status plant species and very limited special-status animal species, including ashy-rufous crowned sparrow and presumably the coast horned lizard and orange-throated whiptail lizard. Because only small amounts of coastal sage scrub would be affected by the proposed project and approximately 73.56 acres of CSS would be preserved, the impact would be less than significant.

The loss of a relatively low value coastal sage scrub, accounting for only approximately 2.5 percent of the 75.41 acres of coastal sage scrub on the project site, would not affect ecosystem processes in the region. Therefore, this impact would be less than significant. See Response 9-1 for additional detail addressing the less-than-significant impacts to the Orange-throated whiptail. For discussion of the less-than-significant impact to the Ashy rufous-crowned sparrow, see Response 9-15.

Comment 96-9:

Further, the mixed Riparian Forest, Southern Coast Live Oak Riparian Forest and Southern Willow Scrub are listed as “rare natural communities”, or in the case of the Southern Willow Scrub, subject to a “high level of threat”, with significant impacts. The proposed mitigation measure of revegetation provides young plants that cannot sustain the mature habitat required for the existing ecosystem, therefore revegetation is ineffective. The DEIR admits that new trees will take 10-20 years to be fully effective for their habitat, with many years for other types of flora as well. Again, an attempt is made to downplay the impact; the DEIR authors seem to think that trees which are less visible, are somehow less valuable, not taking into consideration their crucial roles in sustaining their habitats. And since the “impact on Coast Live Oaks would remain significant” (p IV.D-124), perhaps an alternative would be to preserve the Oaks, and plant new growth as well.

Response:

Riparian ecosystems are highly dynamic, disturbance-adapted communities that are regularly disturbed by flood events that remove existing areas of habitat (in many cases mature habitat). The removed habitat quickly regenerates, creating a habitat mosaic with differing ages of habitat. Many species utilize the early-succession habitats, while others utilize the areas of mature habitat. As such, replacement of limited amounts of mature habitat with early-succession habitat would not result in decreased function and would in fact create conditions similar to those created by natural disturbance. Also, components of southern mixed riparian habitat and southern willow scrub (e.g., willows, alders, cottonwoods, and understory species such as mulefat) mature far more quickly than oaks, providing important structure that is often missing in mature habitats. Such structure is used by a variety of riparian species such as yellow-breasted chats, which prefer dense, early-succession habitat over habitat

with mature canopy and little understory. Ideal habitat for the yellow-breasted chat is comprised of brushy tangles, briars and stream thickets.⁵⁴

With respect to the aesthetic value of the coast live oaks, see Topical Response 2.

Comment 96-10:

Further, Los Angeles has experienced years of short rainfall seasons and drought. The DEIR states that endangered plant species, such as the Plummer's Mariposa Lily, Braunton's Milkvetch, Nevin's Barberry, Santa Susana Tarplant, San Gabriel Mountains Dudleya, Many Stemmed Dudleya, Roninson's Pepper Grass, Davidson's Bushmallow or Slender Horned Spineflower were not found in the study area in 2002. The years 2001 and 2002 were not high rainfall seasons; after a normal amount of rain, these native plant species will return. The rare, threatened or endangered Slender Mariposa Lily, however, WAS observed in the study area, as well as the Ocellated Humboldt Lily, which is listed as special-status. Canyon Hills is a naturally occurring habitat for these delicate plant species, therefore, special attention should be given when considering the destruction of their fundamental environment. To simply relegate the amount of property affected as limited, to imply that certain dried-up plants mean a species is struggling for survival, or to minimize impact by stating a special-status plant is common, undermines not only the damaging cumulative effects upon a delicate environment, but also undermines the Community Plan and the Scenic Preservation Plan for this area.

Response:

With respect to the concern expressed that the lower-than-average rainfall during the period in which the biological surveys were carried out, see Response 9-6.

As noted on page IV.D-31 in the Draft EIR, dried capsules of either Plummer's mariposa lily or slender mariposa lily were detected on the project site in areas that are well outside the area that would be subject to grading or brush-thinning. Therefore, Plummer's mariposa lily or slender mariposa lily would not be affected by the proposed project and impacts would be less than significant.

With respect to the potential impact of the proposed project on Braunton's milkvetch, Nevin's barberry, Robinson's peppergrass and Davidson's bushmallow, see Responses 179-21, 179-22, 179-25 and 179-26.

⁵⁴ Kaufman, Ken, Lives of North American Birds, 1996.

As shown in Table IV.D-1, Santa Susana tarplant (*Deinandra minthornii*) was considered in the Draft EIR, but was not further addressed because there is no suitable habitat for this species on the project site. In addition, the project area is well beyond the documented range of this species.

San Gabriel Mountains dudleya (*Dudleya densiflora*) exhibits a narrow distribution, and is restricted to granitic cliffs and canyon walls in the San Gabriel Canyon, Fish Canyon and Roberts Canyon in the San Gabriel Mountains. This species was not considered in the Draft EIR because there is no suitable rock or cliff habitat on the project site. In addition, the project site is outside of the historic range for this species.

Many-stemmed dudleya is addressed on page IV.D-36 in the Draft EIR and was determined to be absent from the project site based on range considerations, limited areas of potential suitable habitat and lack of detection. The proposed project's biologist mapped and conducted detailed counts of this species in central Orange County in May 2002, even with low rainfall.⁵⁵ Rainfall totals in Orange County were comparable to those for Los Angeles County during the 2002 rainfall season, with the species highly detectable in Orange County defacto "reference" populations.

As shown in Table IV.D-1 in the Draft EIR, Slender-horned spineflower (*Dodecahema leptoceras*) was considered in the Draft EIR, but was not further addressed as there is no suitable habitat for this species on the project site. This species is typically associated with rocky, cobbly and sandy terraces along large high-energy streams such as Tujunga Wash (where the species has been documented). None of the drainages on the project site, including La Tuna Canyon Wash, exhibit any habitat that remotely resemble suitable habitat for this species.

The loss of 78 individuals of the ocellated Humboldt lily is not a significant impact, as stated on page IV.D-58 in the Draft EIR, because this species is widespread and common. This species is on List 4 of the CNPS Inventory, which is described by CNPS as a watch list. However, as noted in Table IV.D-2 in the Draft EIR, species on List 4 are currently thought to be limited in distribution or range, but their vulnerability and susceptibility to threat is currently low.

Finally, the biological surveys conducted with respect to the proposed project were not inconsistent with any policy or requirement in the Sunland-Tujunga Community Plan or the Specific Plan.

⁵⁵ Bomkamp, Tony, personal observations during biological surveys, 2002. On May 9, 2002, for example, one many-stemmed dudleya population was mapped and counted that totaled 7,768 flowering individuals immediately adjacent to Irvine Park in unincorporated Orange County in the East Orange Specific Plan Area. Populations were also observed in the Laguna Coast Wilderness Park during a California Native Plant Society field trip led by Mr. Bomkamp in late April 2002.

Comment 96-11:

The DEIR also discusses the removal of 232 of the estimated 1,247 Coast Live Oak trees, which are protected and require a permit (does this 232 include the twenty (20) trees that will be impacted by the bridge crossings?). The Coast Live Oaks are both a valuable habitat and aesthetic resource, providing an integral link to the ecosystem for numerous bird and animal species, regardless of location, health or visibility. To assume that protected, valuable trees, which can live 200 to 250 years, have minimal impact because of their location, or to state that replacing removed trees with extra saplings is more than sufficient, is arrogant and disrespectful of the protective ordinance. Perhaps that is why the DEIR ultimately acknowledges the impacts to be significant.

Response:

With respect to the concern expressed regarding the effectiveness of the proposed tree mitigation plan, see Topical Response 2. The trees located beneath the footprint of the two proposed bridge crossings of La Tuna Canyon have all been categorized as impacted, as indicated on Table IV.D-10 in the Draft EIR. However, there is a typographic error in Draft EIR in the first sentence in the last paragraph on page IV.D-116, which should have indicated that the number of trees located beneath the footprint of the two proposed bridge crossings is 21, not 20. This typographical error has been corrected in Section III (Corrections and Additions) of this Final EIR. As indicated in Table IV.D-10 in the Draft EIR, the actual number of trees that could be impacted by bridge construction is 21, including 18 coast live oaks and three western sycamores. The number of impacted coast live oaks may be possible depending on the method of bridge construction, which has yet not been determined. Therefore, the analysis in the Draft EIR conservatively assumed that all of the 21 trees identified in Table FEIR-9 could be impacted by bridge construction (Table FEIR-9 is a subset of Table IV.D-10 in the Draft EIR):

Table FEIR-9
Trees Beneath Bridge Crossings

Count	Tree Identification	Species	Status
1	236	Quercus agrifolia	Impacted - Buffer
2	238	Platanus racemosa	Impacted
3	239	Quercus agrifolia	Impacted - Buffer
4	240	Quercus agrifolia	Impacted
5	241	Quercus agrifolia	Impacted - Buffer
6	242	Quercus agrifolia	Impacted
7	385	Quercus agrifolia	Impacted - Buffer
8	403	Quercus agrifolia	Impacted - Buffer
9	404	Quercus agrifolia	Impacted - Buffer
10	405	Quercus agrifolia	Impacted
11	406	Quercus agrifolia	Impacted
12	407	Quercus agrifolia	Impacted - Buffer

Count	Tree Identification	Species	Status
13	408	Quercus agrifolia	Impacted
14	409	Quercus agrifolia	Impacted
15	410	Quercus agrifolia	Impacted
16	415	Platanus racemosa	Impacted - Buffer
17	416	Platanus racemosa	Impacted
18	417	Quercus agrifolia	Impacted
19	418	Quercus agrifolia	Impacted
20	423	Quercus agrifolia	Impacted - Buffer
21	424	Quercus agrifolia	Impacted

As stated on page IV.D-124 in the Draft EIR, the short-term impact to coast live oaks would be significant even with the implementation of the conceptual tree planting program. However, given the number of trees to be planted, ages, planting locations and expected growth rates, it is expected that this would be mitigated to a less-than-significant level 10 to 20 years after the completion of the planting program. Therefore, the long-term impact of the proposed project on the impacted coast live oaks would be less than significant.

Finally, the implication in this comment that the proposed conceptual tree planting program does not comply with City's oak tree ordinance is incorrect. As discussed on page IV.D-18 in the Draft EIR, Section 46.02(c) of the LAMC requires the replacement of impacted coast live oaks at a 2:1 ratio, that each replacement tree be at least 15-gallon in size, and that the size and number of replacement trees approximate the value of the trees to be replace. The conceptual tree planting program complies with and exceeds all of those requirements. Since the commenter does not state any specific concern regarding the consistency of the proposed conceptual tree planting program with the City's oak tree ordinance, no further response is possible.

Comment 96-12:

If the DEIR makes statements like "these facts represent evidence of an initial effort at mitigating project impacts through the minimization and avoidance of impacts to oak trees and native plant communities" (p I-21), and that "entire habitats" of the "lost community" (p I-23) will be replaced, then why request zoning variances for a much larger, much more destructive development? Why not SHOW the respect by building/grading the amount of homes/sites currently allowed by zoning laws?

Response:

The project applicant has not sought any zoning variances with respect to the proposed project. However, the project applicant has requested the rezoning of the land located in the proposed Development Areas. In any event, this comment does not state a specific concern or question regarding

the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 96-13:

Further, how can the community trust a project arborist and the project engineer, both on the Canyon Hills payroll, to make and implement appropriate mitigation measures or protections, when it is simply easier to remove the problem (before anyone notices)?

Response:

The project developer would be responsible for implementation of recommended Mitigation Measures D.2-1 through D.2-7, as revised in Section III (Corrections and Additions) of this Final EIR. The City would oversee compliance with them (see Response 39-10).

The balance of this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 96-14:

BIRDS/WILDLIFE MOVEMENT

There are several species of birds and wildlife listed as “special concern” or “threatened”, all indigenous to the area. The DEIR however, does not find many of these species at the project site, or as “not common in the study area”, some conclusions that were drawn from a survey duration of about a month in 2002, or from an old report dated from 1930-1968. The DEIR is deficient in proving these species do not use the project site, especially since residents see them regularly.

Response:

As discussed in Topical Response 4, the duration of the biological surveys was not “about a month”. Table IV.D-4 in the Draft EIR includes a listing of species evaluated as potentially present on the project site based on a variety of factors, such as known occurrences in the vicinity of the project site (determined from a wide range of literature sources set forth on pages IV.D-3 and IV.D-4 in the Draft EIR), presence of potentially suitable habitat on the project site and/or whether the project site is located within the present historic ranges of the various species. None of the species identified in Table IV.D-4 in the Draft EIR are indigenous to the Verdugo Mountains, Santa Monica Mountains or San Gabriel Mountains. In fact, many of the species range over large portions of California and in many

instances their ranges extend to other states and even into Mexico. In addition, the commenter presents no evidence that residents have observed any such species on a regular basis. In conducting the literature review, GLA biologists did not find any relevant report dated from 1930 to 1968 and the commenter failed to provide additional information regarding the report. The CNDDDB records for the Sunland and Burbank 7.5 minute Quadrangles include “occurrences from 1890 to 2002”, both of which were considered in Table IV.D-4.

Comment 96-15:

As mentioned above, the Verdugo Mountains serve, and continue to serve, what is considered a delicate ecosystem, contributing greatly to the ongoing and important lifecycle of plants, reptiles, birds and animals. Both the Ashy Rufous-Crowned Sparrow and the Cooper’s Hawk thrive in the area, and there is no doubt that long used habitat currently in use will be lost. The author’s [sic] of the DEIR seem to feel that the large amount of open-space to be preserved is the key mitigating factor, despite the devastating effects of massive grading to hundreds of acres, noise pollution and the possibility of construction during nesting season. It is hard to imagine a biologist flagging an active bird’s nest as effective mitigation, when completely surrounded by the constant disturbance of development anywhere from 25 to 200 feet away, for miles in any direction. An interruption this violent will most likely not save the active nest(s), and it is equally unimaginable that construction would cease based on the findings of a single threatened or even endangered species, or that a threatened nest would be “protected until nesting activity has ended” (p IV.D-60). Logically, the proposed development will significantly disrupt the bird population, including the California Gnatcatcher (which has been identified in the Verdugo Mountains), the Orange Throated Whiptail, the Yellow-Breasted Chat, the Yellow Warbler, the Cooper’s Hawk, the Coastal Range California Newt, and several types of lizard, rabbit, and frog.

Response:

The proposed project would not affect the ecological balance of the Verdugo Mountains ecosystem. The project site is located at the extreme corner of the Verdugo Mountains adjacent to existing development. See Response Topical Response 5 regarding the potential impacts to biodiversity associated with the proposed project. With respect to the potential impact of the proposed project on the Ashy rufous-crowned sparrow, see Response 9-15. With respect to the potential impact of the proposed project on the Cooper’s hawk, see Response 145-8. With respect to the benefits of preserving a significant portion of the project site as open space, see Response 11-7. The Draft EIR does not state that the preservation of open space is “a key mitigating factor”, but that it is one of several ways in which the biological impacts associated with the proposed project would be mitigated. With respect to the potential noise impacts of the proposed project on wildlife, see Response 54-1

Regarding impacts to nesting birds, it is important to note that recommended Mitigation Measures D.1-5 and D.1-6 would be implemented only when removal of habitat occurs during the breeding season. For most projects, habitat removal is conducted outside the nesting season to ensure that delays, which can be associated with the presence of nesting birds, are avoided. As such, it is fully expected that habitat removal would be wholly or at least largely confined to the non-breeding season (August 16 – March 14). However, if clearing is necessary during avian breeding season, then Mitigation Measures D.1-5 and D.1-6 would be strictly enforced under the direction of the biological monitors who would report to the lead agency (i.e., the City) to ensure compliance with the proposed project's mitigation measures.

For discussion of the California gnatcatcher, which does not occur on the project site, see Response 145-5. For discussion of the orange-throated whiptail, which does not occur on the project site, see Response 9-1. For discussion of the yellow-breasted chat, which does not occur in the proposed Development Areas, see Response 145-2. For discussion of the yellow warbler, which does not occur in the proposed Development Areas, see Response 145-3. As noted on page IV.D-46 in the Draft EIR, focused surveys were conducted for the coast Range newt and this species was not detected. As summarized on pages IV.D-58 through IV.D-63 in the Draft EIR, no significant impacts to any species of lizard, rabbit or frog were identified.

Comment 96-16:

Although the “missing link” theory may be valid to an extent, as development in the mountains has already seriously encroached upon wildlife, the DEIR admits there are animals that regularly traverse the greater arms (i.e. the San Gabriel Mountains) into the Verdugo Mountains, such as coyote and gray fox, which have adapted to the “wildland/urban interface”. Therefore, it is fair to say the “missing link” is not a complete barrier, as animals continue to find their way in and out of the Verdugo Mountains, including the project site. Rather, it is more likely these animals have somewhat adapted to the obstacles caused by urban development, despite the fact that the Wildlife Corridors continue to be threatened, and should be more earnestly protected from further encroachment.

Response:

Footnote 27 on page IV.D-143 in the Draft EIR states that there is no evidence that coyotes and gray foxes are using the Missing Link area for regional movement. On pages IV.D150 and IV.D-151 in the Draft EIR, it is noted that coyotes and gray foxes are well adapted to the urban environment moving in and out of the adjacent residential areas. In any event, the commenter is correct that, as discussed in the Draft EIR, the Missing Link area is a tenuous regional wildlife movement corridor for large mammals. The Draft EIR also discusses on pages IV.D-153 through IV.D-161 that, to the extent regional wildlife movement occurs through the Missing Link area to La Tuna Canyon Road, the development of the proposed project would not affect such regional movement.

Comment 96-17:

Further, it is absurd for a citizen expert of the area to read that local wildlife movement North of the I-210 is limited due to fencing and development, and “which accounts for the general lack of sign (sic) on the north side of I-210” (p IV.D-146). This information is incorrect; the local Canyon Hills area includes almost 900 acres, the DEIR states that animals regularly traverse the local corridors (such as coyote, mule deer and gray fox), and any hiker traversing the area can hear and observe the wildlife at any time of day or night.

Response:

Figure IV.D-21 in the Draft EIR depicts the presence of coyote, mule deer and gray fox utilizing the areas “north of the I-210”. This comment mistakes local movement in this area with regional movement between the Missing Link area and the northwest portion of the project site on the north side of Interstate 210. Page IV.D-144 in the Draft EIR describes the access to and from the project site, north of Interstate 210 between the Missing Link area and Verdugo Crestline Drive, as very limited. Animals on the project site roam freely along Verdugo Crestline Drive, as depicted on Figure IV.D-21 in the Draft EIR.

Comment 96-18:

As well, residents near areas of wildland in Sunland/Tujunga, and especially near the project site, know a large coyote population thrives and continues to grow here, from evidence based upon daily sightings, problems encountered and of course, the frequent and resounding chorus. Yet the DEIR states “...it is expected that up to five coyotes would use the project site and Duke property at any given time” (p IV.D-141). Perhaps the coyote population should be re-evaluated, as it may have changed considerably since April of 2002.

Response:

See Response 27-1 and Topical Response 5.

Comment 96-19:

From years of personal observation, it is obvious that the wildlife has adapted to the mixed chaparral terrain by creating an extensive myriad of narrow, almost undetectable trails throughout the underbrush, allowing them to easily and freely traverse the dense chaparral with the safety of cover. Yet the DEIR states that coyote movement is “occurring almost entirely on existing trails, ridgelines and fire roads” (p IV.D-150). This statement is directly refuted by the evidence of the terrain. In particular, the mixed chaparral in the area of Verdugo Crestline Drive and the SCE Transmission Line Row clearly indicate extensive wildlife movement in the underbrush, taking full advantage of the dense

vegetation. Yet, the DEIR states “steep topographic and dense vegetation characterize the existing conditions along the SCE Transmission Line Row and, as such, local wildlife movement is limited or essentially non-existent” (footnote #33 on p IV.D-155). The DEIR then goes on to say that Bobcats could use the SCE Transmission Line Row for movement, and, like the Bobcat, the Gray Fox exhibits some potential for using the dense chaparral within the SCE transmission Line right-of-way for local movement, in the existing condition...” (p IV.D-159). It also states that bobcats, although not detected by the study, have “appropriate habitat” and it is fully expected that Bobcats cross Verdugo Crestline Drive...” (p IV-D-150). The DEIR acknowledges the SCE transmission area in the northern part of Development Area A as an East-West movement corridor, “however, due to the dense chaparral & steep topography, this feature does not represent an existing corridor or link through this portion of the project site” (p IV.D-131). They go on to explain that animals moving from the San Gabriel Mountains through the “missing link” area and into the Verdugo Mountains don’t necessarily travel through the project site, but move Westerly (p IV.D-131). In fact, animals travel Eastward, Southward and Southeast, right through the project site. Further, p IV.D-135 says, “initial surveys on the North side of the I-210 detected no sign of wildlife movement” (not even coyotes), when later, the DEIR found considerable wildlife. These statements appear inconsistent, if not contradictory, and it appears the author’s [sic] of the DEIR know their proposed development for Area A will seriously affect wildlife movement and patterns, as well as the Verdugo Crestline Drive Corridor. The DEIR also states “In accordance with Appendix G to the CEQA Guidelines, a project may have a significant impact on the environment if it would ... interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors..” (p IV.D-49).

The fact is Verdugo Crestline Drive is an existing fire road which runs closely parallel to the SCE Transmission Line Row for many miles, and certainly acts as a major local and regional movement Corridor for East-West movement. Other fire roads exist near the SCE Transmission Line Row, and due to the simple access of this terrain, not only is extensive wildlife movement clearly evident, and not only is it a major Corridor for movement East, West and South, this terrain also enables the animals to move along fire roads or through the underbrush. The proposal for Development Area A is located at this essential Corridor, which will impede wildlife by blocking wildlife movement to the East, West and South. The proposal for Development Area A should be amended, and not be allowed to restrict this crucial wildlife Corridor, and use of either Inspiration Way or Verdugo Crestline Drive for “emergency access”, yet another significant impact, should not be granted.

Response:

The project biologists spent over 700 hours on the project site and mapped evidence of coyote (scat, tracks, fur and direct sightings) wherever encountered. The vast majority of coyote signs were detected on roads, trails and ridgelines. The term trails, as used in the Draft EIR, often included animal trails

that were often followed by the biologists as these often provided the best access through areas of dense chaparral. The discussion in the Draft EIR is consistent with the observations of the commenter.

Regarding the SCE Transmission Line ROW and its function as an east-west corridor, the commenter does not accurately state the discussion in the Draft EIR. On pages IV.D-129 and IV.D-131, the Draft EIR states:

Also, near the northern edge of the project site, a Southern California Edison (SCE) transmission line right-of-way extends generally from east to west through rugged topography and dense chaparral. When viewed in “plan view” [see Figures IV.D-20 and IV.D-22], it appears that this right-of-way represents an east-west corridor; however, due to the dense chaparral and steep topography, this feature does not represent an existing corridor or link through this portion of the project site.

This statement indicates that, in reviewing Figures IV.D-20 and IV.D-22 in the Draft EIR, it may appear that the SCE Transmission Line ROW is a wildlife movement path across the project site. However, the topography, dense chaparral and direct field observations actually indicate otherwise. Contrary to this comment, the Draft EIR does not acknowledge that the SCE Transmission Line ROW is a functional east-west corridor. As depicted on Figure IV.D-21 in the Draft EIR, animals are crossing the SCE Transmission Line ROW along the ridgelines, in a north-south movement pattern. East-west movement on this part of the project site, as stated on page IV.D-150 in the Draft EIR, primarily occurs on Verdugo Crestline Drive, as noted by the commenter.

Regarding animals moving from the Missing Link area to the northwest corner of the project site, see Response 96-17. Regarding potential impacts to wildlife movement associated with Development Area A, see Responses 4-6 and 4-14.

Comment 96-20:

Additionally, it is difficult to imagine even low-level lighting in this area. The DEIR does not adequately mitigate the impact of lighting on the wildlife.

Response:

See Response 4-22.

Comment 96-21:

In summary, I agree with the DEIR that potential loss of wildlife, habitat, ground nesting sites and aquatic resources are great. And also with regard to “indirect [sic] impacts: “For many development projects constructed adjacent to areas of native habitat, indirect impacts are often associated with

various phases of the development project, beginning at the time of initial grading and construction, and possibly continuing INDEFINITELY. These impacts may occur as a single event, or can interact cumulatively to adversely affect native wildlife, plants, and their habitats” (p IV.D-60).

Response:

This comment misstates the conclusions provided in the Draft EIR. Pages IV.D-58 through IV.D-63 in the Draft EIR did not identify the potential loss of wildlife as a significant impact.

The Draft EIR did not address the loss of “habitat” in general terms, but rather according to specific vegetation communities as set forth in Table IV.D-6 and on pages IV.D-53 through IV.D-55 in the Draft EIR. Of these “aquatic sites”, impacts to 2.64 acres of southern mixed riparian habitat, 0.59 acre of southern coast Live oak riparian forest, and 0.31 acres of southern willow scrub were found to be significant. These impacts would be addressed through implementation of Mitigation Measures D.1-1 through D.1-4 on pages IV.D-63 through IV.D-65 in the Draft EIR. No other impacts to “habitat” would be significant.

No special-status ground-nesting birds were detected on the project site. Potential impacts to common ground-nesting birds, such as mourning doves, would not be considered significant. Nonetheless, impacts to any ground-nesting birds would not be allowed during the nesting season as set forth in recommended Mitigation Measures D.1-5 and D-1-6 on page IV.D-64 in the Draft EIR.

Indirect biological impacts associated with the proposed project are addressed on pages IV.D-60 through IV.D-63 of the Draft EIR. No significant indirect impacts were identified in the Draft EIR.

Comment 96-22:

NOISE

The DEIR states the possibility of blasting, as well as the use of a “rock-crusher” and loader (p IV.I-11). This appears a significant problem to the equestrians in the area, who have horses adjacent to the project site. The DEIR needs to provide more information on specifically when and where this type of activity could occur.

Response:

The potential areas where blasting activities would likely occur are identified on page IV.E-16 in the Draft EIR. As indicated therein, there are only a total of four onsite areas where blasting may be required. The closest existing home to the future site of the blasting activities is located approximately 1,600 feet from the blasting site. The 1,600 feet of “buffer” zone between the neighboring property and that of the nearest blast site provides a minimum of 20 dBA noise reduction. Furthermore, as

discussed in Topical Response 8, the existing residential neighborhood adjacent to proposed Development Area A is not an equestrian community and few horses are kept there. Finally, recommended Mitigation Measure E-11 states that the project developer shall provide information to the surrounding communities regarding scheduling of specific construction activities (e.g., grading and blasting) and construction phasing (see page IV.E-28 in the Draft EIR).

Comment 96-23:

Further, constant construction noise from 7am to 9pm, is too disruptive. That's 11 hours of noise, SIX days a week. And limiting the hours on Saturday from 8am to 6pm within 500' of residences does not satisfactory mitigate the cumulative effect. The constant noise from large trucks, tractors, machinery, digging, deliveries, workers, basic grading, blasting and other hydraulic/electric equipment will severely affect residents, domestic animals and wildlife. I agree with the DEIR that "due to the quiet ambient conditions in these residential areas, the mitigation measures are UNLIKELY to reduce construction noise to a level of insignificance..." (p IV-29). Approval of this project must include reasonable hours for controlling the noise pollution, as well as the details, and residential notice, for any blasting or rock-crushing activities.

Response:

Several construction noise mitigation measures are proposed in the Draft EIR (see pages IV.E-27 through IV.E-29) in addition to those mentioned in this comment, including using manufacturer-recommended mufflers and engine covers (Mitigation Measure E-7) and appointing a liaison between the general contractor and neighboring communities to provide information about project scheduling to the surrounding communities (Mitigation Measure E-11). In addition, Mitigation Measure E-2 limits the construction activities to 7:00 a.m. to 6:00 p.m. within 500 feet of existing homes (not just on Saturday, as the comment seems to imply), which meets and exceeds the requirements in Sections 40.40(a) and 41.40(c) of the LAMC. While construction noise would likely remain a significant noise impact, the mitigation measures listed in the Draft EIR are effective and practical techniques for reducing construction noise.

Comment 96-24:

ALTERNATIVES/APPROVALS

There is no justification to allow for a General Plan Amendment and Zone changes, which would be required to increase the allowed 87 homes on the project site to 280 homes. The larger development would irreparably harm the Verdugo Mountains, as approval of this project would irrevocably alter the protective and restrictive nature of the Sunland/Tujunga Community Plan, which directs "efforts aimed at preservation of the low density, rural character and of the equestrian lifestyle", and to "encourage

the retention of passive and visual open space which provides a balance to the urban development of the Community”.

Thank you for the opportunity to comment.

Response:

With respect to the potential impact of the proposed project on the equestrian lifestyle in the Sunland-Tujunga Community, see Topical Response 8. With respect to the consistency of the proposed project with the Sunland-Tujunga Community Plan, see Response 57-10.

The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 97: Robert Mauk, Ph.D, 2121 Valderas Dr. #67, Glendale, CA 91208, December 25, 2003

Comment 97-1:

As a Ph.D. biologist, lifelong resident of the Foothill area, and full time biology professor at Glendale College, I have serious objections to many of the conclusions drawn in the Canyons [sic] Hills Development Project DEIR (file #2002091018) prepared by Glenn Lukos Associates, Inc. (GLA). In my opinion, the report greatly understates the environmental impact of this proposed development.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 97-2:

Specifically:

1. Regarding the removal of up to 232 coast live oaks, followed by mitigation in the form of replanting.

The assertion that the removal of up to 232 coast live oaks would be, after mitigation and the passage of 10-20 years, "less than significant," is very difficult to accept. For one thing, the assumption is being made that a significant fraction of the 1770 oaks (mostly seedlings) to be planted⁵⁶ will survive to maturity. To replace the 232 slated for removal would require a survivorship of 13%. I view this as overly optimistic and would predict an actual survivorship of 1% or less. The question of survivorship is not even discussed in the report.

Response:

As discussed in Responses 127-5 and 39-10, the final tree mitigation program for the proposed project would include criteria for success in order to obtain final approval after the prescribed five-year

⁵⁶ 1,951 minus 181 western sycamores = 1770 (Table 9, Section 7.3 of Appendix G: Biological Technical Report)

monitoring period as outlined in Mitigation Measure D.2-7 on page IV.D-120 in the Draft EIR. These criteria would include established survivability rates specific for the proposed project, which would exceed what might be expected from plantings in unmonitored conditions. Trees planted in unmanaged natural areas typically have lower survivorship rates. However, given the project site conditions, climate, and planting locations within managed landscape areas, the overall survivability rate is expected to be approximately 90 percent. As reflected in the revised recommended Mitigation Measure D.2-7, new coast live oaks that do not survive, or fail to meet the established success criteria, would be replaced during the monitoring period. In addition, to ensure compliance with the replacement requirements in Section 46.02(c)(1) of the LAMC, the conceptual tree planting program has been modified to include a planting overage and thereby increase the value of the replacement trees by approximately 10 percent (\$19,100). This would be achieved by the planting of 85 additional 24-inch box coast live oaks (or 15-gallon or larger stock with equivalent value) in the areas shown on Table 4.D-16 where replacement trees in 15-gallon or larger stock would be planted. The 90 percent expected survivorship and 10 percent planting overage represent prudent, conservative expectations for the rate of survival of the conceptual tree planting program. The planting overage is further addressed in the Addendum to the Tree Report and Impact Analysis included in Appendix E to this Final EIR. In addition, recommended Mitigation Measure D.2-6 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to incorporate the planting overage requirement (see Response 20-5).

Comment 97-3:

But even if a substantial fraction did survive, the time frame of 10-20 years is absurd, given that the most valuable trees in the area are 100-200 years old or more. I suggest that the mature coast live oak population and the plants and animals they support will be substantially impacted for much longer than 10-20 years.

Response:

Without a historical reference point, it is impossible to determine the precise age of a tree without doing invasive testing. However, it is reasonable to consider a tree 10 years of age as having reached an initial level of maturity. Mature trees, no matter the age, contribute to the ecological context of the area. The tree mitigation plan provides for a significant increase in the coast live oak and western sycamore population in the proposed Development Areas. While it will take many years for the replacement trees to reach the maturity level of those being removed, they will begin to replicate the aesthetic and ecological values of the removed trees fairly early in their life span. The loss of the impacted coast live oaks would be mitigated to a less-than-significant level within the 10 to 20 year time frame. Those trees that are located beyond the project impact area would continue to provide

habitat value with no expected change. See Topical Response 2 for further information on the tree mitigation plan.

Comment 97-4:

I also take issue with the conclusion that “the loss of many of the impacted trees would not result in a negative aesthetic impact because they do not contribute to the existing visual environment.”⁵⁷ (This is in reference to trees that are not easily seen from existing highways or trails.) This statement reveals a striking lack of understanding the nature of ecosystems. (Unseen trees support birds, mammals and reptiles and that are seen and are desirable, not to mention understory plant species, invertebrates, etc.) Ecosystems are complex webs, not simply collections of autonomous species. The statement causes me to question the credentials of the author that wrote it.

Response:

Section 5.6 of Appendix G (Biological Technical Report) to the Draft EIR identifies several factors considered in determining the relative significance of impacted oak trees. These include relative health of the trees, micro-climate in the project vicinity, proximity to regional movement corridors, percentage of trees not impacted by the project and tree visibility/aesthetics. Appendix G notes that the City’s oak tree regulations do not directly identify oak trees as a “candidate”, “sensitive” or “special status” species. Rather, the special requirements in the City’s oak tree regulations reflect the oaks’ local status as species afforded special protection due, at least partially, to their iconic value. In other words, people like oak trees for emotional reasons that only peripherally relate to ecosystem functions. Therefore, it was appropriate for the Draft EIR to discuss the aesthetic effect of removing the impacted coast live oaks and to note that the removal of an oak tree that is not currently visible or accessible would not result in a negative aesthetic impact.

Comment 97-5:

2. Regarding “re-vegetation of graded areas with native habitat,” as part of the mitigation plan.

It is well-known that disturbed areas in Southern California, even when seeded with native species, rarely return to a native state. Instead they offer prime new habitat for invasive species like pampas grass, fountain grass, black mustard, Spanish broom, and others. Because of the size of the proposed development, this would represent a major “land-grab” for these species, and a

⁵⁷ Section 5.6, Appendix G.

concentrated new source of windblown seed which would certainly spread into surrounding areas. This prospect is given early scant mention in the report, but in my opinion, is sufficiently serious by itself to question the conclusion of a “less than significant” impact following mitigation.

Response:

The revegetation efforts in the post-project condition would be performed for a variety of reasons:

- Mitigation for impacts to special-status riparian habitats and/or areas subject to Corps and CDFG jurisdiction;
- Mitigation for impacts to oak trees; and
- Landscaping, which would include a large component of native trees and plants and would specifically exclude non-native invasive species.

The areas planted pursuant to riparian restoration plan developed in coordination with the Corps and CDFG pursuant to Section 404 and 1602 permits would be subject to five-year monitoring and maintenance programs that would require removal of non-native weedy or invasive species such as noted in this comment (e.g., pampas grass, fountain grass and Spanish broom).

The biologists who prepared the biological analysis for the Draft EIR have implemented numerous mitigation/restoration programs that have already achieved five-year performance standards for native cover. Successful revegetation is not only possible, but is accomplished on a regular basis in a variety of habitats throughout Southern California.

Similarly, areas planted with oaks and associated habitat would be subject to a five-year monitoring and maintenance programs that would require removal of non-native weedy or invasive species such as noted in this comment.

With regard to non-riparian and non-oak woodlands or forest habitat on the project site, there were no significant impacts to native vegetation associated with the proposed project. As such no mitigation is required. However, landscaped areas would be maintained by the homeowners’ association(s), which would cause the removal of unwanted non-native invasive species that become established, ensuring that, over time, native habitats are established. This would be implemented in accordance with the following mitigation measure that has been added on page IV.D-65 in the Draft EIR (see Section III (Corrections and Additions) of this Final EIR):

D.1-9 The homeowners’ association(s) shall monitor the landscaped areas over a five-year period following the completion of landscaping in a Development Area and

remove, as necessary, unwanted non-native invasive species that become established, ensuring that, over time, native habitats are established.

Comment 97-6:

3. Regarding the wildlife corridor issue.

I agree that the development would not be a major physical impediment to movement of large animals like mountain lions between the Verdugos and San Gabriel mountains. But the report is in error saying “the area would not represent suitable habitat,” (for mountain lions), and in citing “low density of mule deer, the main food source” as a reason.⁵⁸ Mountain lion sightings on Mt. Verdugo are reported, and since the animals do not reside there permanently, it means the “Missing Link” corridor discussed in the report, tenuous as it may be, is in fact used by mountain lions. A major new development on the corridor’s edge would squeeze them more tightly, perhaps enough to ensure that mountain lion sightings on Mt. Verdugo are a thing of the past. (Desirable to some perhaps, but not to me.)

Response:

With regard to mountain lions, see Response 4-16.

With regard to the “Missing Link” area, as noted on page IV.D-153 and depicted on Figure IV.D-21 in the Draft EIR, the area is over two miles from the grading limits associated with the proposed project, meaning that there would be no impact to this tenuous link. In addition, in moving from the “Missing Link” area to the main body of the Verdugo Mountains (including Mount Verdugo), the most direct and unobstructed route along Drainage 14 (described on pages IV.D-144 through IV.D-146 in the Draft EIR) is approximately 1,800 feet from the development limits, ensuring that there would be no “squeeze” associated with construction of the proposed project. As noted on page IV.D-156 in the Draft EIR, the proposed project would not impose any constraints that would prevent mountain lions from reaching the main body of the Verdugo Mountains.

Comment 97-7:

Regarding the density of mule deer on Mt. Verdugo, it is documented that deer populations throughout Southern California’s natural areas (as well as the nation’s) would better be described as

⁵⁸ Section 4.5, Appendiz [sic] G.

“over-populated” than too low to support mountain lions. Indeed it is the extreme rarity of mountain lions that has pushed the deer population to considerably higher levels than in historic times.

Response:

As summarized in Topical Response 4, GLA biologists spent over 700 hours on the site and observed very limited sign of mule deer (which included tracks along Verdugo Crestline Drive and scat along Drainage 14 as depicted on Figure IV.D-21 in the Draft EIR). No direct observations of mule deer were observed on the project site. While surprising, this suggests a very low density (compared to coyote sighting or sightings of coyote sign on Figure IV.D-21). Mule deer were observed to be common in La Tuna Canyon Park, south of La Tuna Canyon Road, suggesting that construction of Interstate 210 likely severed the mule deer population on the north side of Interstate 210 from the rest of the Verdugo Mountains ecosystem and that they are not as well-adapted to move through corridors, such as the “Missing Link” area, as coyotes, bobcats, foxes and potentially mountain lions.

Comment 97-8:

In conclusion, the Canyon Hills DEIR contains some erroneous assumptions, factual errors, and seems to reveal a lack of understanding of the biology of ecosystems. The environmental impact of this proposal is clearly not, in my view, “less than significant,” as the report concludes. I therefore ask you to consider requiring that the study be redone, and that an improved version be released for additional review and comment. Thank you.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3.

Commenter 98: Debby Beck, 8015 Glenties Lane, Sunland, CA 91040,
December 26, 2003

Comment 98-1:

I'm very concerned about the potential impact of the proposed Canyon Hills Project on the Sunland-Tujunga community, as well as on the natural environment surrounding it.

I'm familiar with the Draft EIR submitted for the project, and have carefully studied the section called IV. Environmental Impact Analysis; D. Biological Resources; 3. Wildlife Movement (IV.D-125).

Overview

The DEIR contains an amazing number of words but it doesn't actually say very much. It mostly talks about things the writers state have little or no impact on the environment, and it brushes off and ignores things that actually would have an impact.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. This comment also expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 98-2:

My comments center on what I believe to be a serious understatement in the Draft EIR of the number of coyotes that live in the proposed project area, and the resulting lack of discussion of the impact of the development on the community.

Response:

With respect to the concern expressed regarding the number of coyotes on the project site, see Response 27-1 and Topical Response 5.

Comment 98-3:

The "Missing Link" Distraction

The DEIR spends a vast amount of space discussing the "tenuous" nature of the "Missing Link" of the area between the Tujunga Wash (the San Gabriel Mountains) and the Verdugo Mountains being a

potential corridor for wildlife movement. It rambles on for thirty eight pages, using a lot of words to basically say that putting in over 280 houses won't make wildlife movement through that area any more difficult than it currently is (because interstate 210 and other development that already exists give the wildlife a lot of barriers to travel from one mountain range to the other).

The "Missing Link" area is actually not part of their site at all, and only relates to the "regional" movement of wildlife. Although this is certainly important, it distracts from what should be the focus of the report -- the more local wildlife that currently live in the mountains they want to develop.

The many pages they fill with words about the "Missing Link" are an attempt to distract us from noticing that they don't discuss many of the actual impacts that WOULD affect the residents, wildlife and environment.

There is a serious shortage of information given about the impact on the existing local wildlife (and the people who currently live in residential neighborhoods bordering the proposed development) not to mention the impact on the future potential residents of the development.

Because the information is missing, it is impossible to comment on it. The EIR needs to be redone completely and honestly, so that the people affected by it can comment responsibly in compliance with the City's process for reviewing EIRs.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Though not part of the project site, the "Missing Link" is important to consider when evaluating regional wildlife movement in the area. The Santa Monica Mountains Conservancy recently purchased undeveloped lots in this area to protect, to the extent possible, any remaining function for regional wildlife movement (see Response 4-11). As such, the detailed analysis of this area included in Section IV.D (Biological Resources) of the Draft EIR was an important component in understanding the existing condition of the project area, relative to potential regional wildlife movement between the San Gabriel Mountains and the Verdugo Mountains.

In any event, Section IV.D.3 (Wildlife Movement) of the Draft EIR includes a full discussion of the potential impacts of the proposed project on both regional and local wildlife movement, both in terms of the existing regional and local movement corridors and the various species that use them. This comment does not state a specific concern or question regarding the adequacy of the wildlife movement analysis, so no further response is possible.

Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 98-4:

Starting Near the End - Their CONCLUSION

Near the end of the Wildlife Movement section, the “Project Impacts” section concludes:

“There would be no significant impacts to regional or local wildlife movement associated with the proposed development on the project site.”

I believe this is just incorrect.

For example, I think they have drastically underestimated the number of coyotes in the hills surrounding the proposed development. The DEIR states that:

“It is difficult to determine the exact number of coyotes; however, based upon documented home range sizes for coyote, it is expected that up to five coyotes would use the project site and Duke Property at any given time.”

Adding the 887 acres of the Canyon Hills project to the 55 acres of the Duke Development property totals 942 acres. I find it impossible to believe that only “up to five” coyotes would be on 942 acres.

Since they state they are basing their conclusion “...upon documented home range sizes for coyote...” they are not basing their study on the reality of the actual site. More study needs to be done, and properly documented, in a redone EIR.

No Coyotes North of the 210???

Page 11 of the 38 pages on Wildlife the DEIR states:

“...initial surveys on the north side of Interstate 210 detected no sign of wildlife movement (not even coyotes sign was detected) (sic) and most of the survey efforts were expended on the south side of interstate 210.”

It is untrue that coyotes don't exist north of the 210. I hear them howling nearly every night within no more than a few hundred feet of my house, and have seen them in the street I live on many times, as well as on other streets in the neighborhood.

This is especially important because roughly two-thirds of the proposed number of houses would be built North of the 210, in the very same area where they claim to have found “no sign of wildlife movement (not even coyotes...)”. They are simply ignoring the reality of the coyotes and other wildlife that really do exist North of the 210.

Personal Experience

I live North of the 210 freeway, just over the Verdugo Mountains from the Project Site.

I believe the Draft EIR drastically underestimates the number of coyotes on the proposed development site, because, in my personal experience, I hear at least 3, 4 or 5 coyotes howling together nearer every night, especially in the spring and summer months. In the wintertime I hear them less frequently, but there are still at least two or three of them within a few blocks of my house more than once a week in the winter.

I would estimate that I hear these coyotes within about a 20-acre area around my house, which is nestled in between a few of the Verdugo Mountains, about half a mile from one side of the proposed development. Since this is the other side of the same hills the proposed houses would be built on, I believe the coyote population I hear is quite similar to the reality of their project's coyote population. If there are 3-5 coyotes in less than about 20 acres, how many are there in 942 acres? (I'm not saying there are five in every single 20-acre area of the site, but it must be more than "up to five".

A thorough study needs to be done, including studying the same areas during different seasons of the year, if they don't study the entire site (to account for the seasonal migration patterns) in order to come up with an accurate coyote count, so that the impact can be discussed. A conclusion shouldn't be drawn from a mere guess of "up to five" coyotes.

Response:

With respect to the concern expressed regarding the number of coyotes on the project site, see Response 27-1. With respect to the concern expressed regarding the presence of coyotes north of Interstate 210, Figure IV.D-21 in the Draft EIR depicts numerous locations north of Interstate 210 where evidence of coyotes were detected and mapped. Page IV.D-144 in the Draft EIR states:

No evidence of wildlife movement, including coyote scat or tracks, was detected on the north side of the I-210 Freeway between Tujunga Wash and the northwest corner of the project site.

This refers specifically to the area immediately adjacent to Interstate 210 from the westbound off-ramp for Sunland Boulevard to the Verdugo Crestline Drive fire road. Coyotes would not be fully precluded from moving along Interstate 210. However, project biologists found no evidence of such movement during the focused surveys (see also Topical Response 5).

Comment 98-5:

Avoiding Reality- Part One - Coyote Prey

Page 15 of the Wildlife Movement section states:

“The coyote is very adaptable to changing environments, including encroachment of human development Coyotes prey extensively upon cottontails and jackrabbits where they occur, and supplement their diet with small mice and ground squirrels, and also with fruits, berries, insects, and carrion.”

This omits the commonly known information that in adapting to human development, as the DEIR puts it, coyotes routinely prey upon domestic cats and dogs in residential neighborhoods. Often they hunt together, howling to each other as they are closing in on a pet one of them has found. When it is cornered, each coyote bites down on a different part of the animal, and they pull in opposite directions until the cat or dog is torn apart, screaming in agony, then silent. When you hear the “rustic” sound of coyotes howling, howling, howling, then a terrible screeching scream, then silence as they eat, that’s what you’re hearing. In the next day or two, you see yet another “Missing Pet” sign on nearby telephone poles.

Response:

See Response 27-1.

Comment 98-6:

Avoiding Reality - Part Two - Coyote Habitat and Litter Sizes

The DEIR also states on page 16 of the Wildlife section:

“Coyote dens are generally located on slopes of canyons and hillsides.”

The 887 acres of the proposed development is ALL canyons and hillsides, and therefore perfect coyote habitat. No mention of this is made in the DEIR, which also states that coyote litters consist of five to ten pups at a time, which would at least double or triple their “up to five” estimate, with only one female having one litter a year, on 942 acres. This doesn’t seem realistic.

Response:

See Response 27-1.

Comment 98-7:

Avoiding Reality - Part Three - Coyote Nursery Sites

Under the “Environmental Impacts Section, Thresholds of Significance, the DEIR states:

“In accordance with Appendix G to the CEQA Guidelines, impacts on wildlife movement would be significant if the proposed project interferes substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.”

From my personal experience, I believe the entire development site is a significant coyote habitat and therefore also a “native wildlife nursery site.” In my experience, the coyotes live in the Verdugo Mountains year-round, but migrate somewhat around the hills as the seasons change, perhaps to find a warmer or cooler den, depending on the temperature.

I have seen (as well as heard) many coyotes in my neighborhood, including many small, apparently younger coyotes, which confirms the idea that the hills are a native wildlife nursery site. And of course, building over 280 homes on pristine coyote habitat would “interfere(s) substantially with the movement of any native resident or migratory fish or wildlife species”!

Response:

In referring to “native wildlife nursery sites”, Appendix G to the CEQA Guidelines is addressing specific sites that are known to be nursery sites, such as well-documented avian rookeries, spawning areas for native fish, maternity roosts for bats or other areas uniquely suited to provide such a function. It does not include all areas of habitat, such as grasslands, scrub, woodlands, etc., where common species could potentially breed. No documented or otherwise unique nursery sites are associated with the project site or would be affected by the proposed project.

Comment 98-8:

Avoiding Reality - Part Four -Common or Scarce? - Should we flip a coin?

Under Local Movement (Coyotes subsection) on pages 26-27 of the DEIR Wildlife section, it states:

“GLA studies indicate that coyotes are still common in the Verdugo Mountains where areas of open space occur adjacent to residential development. Coyotes commonly use residential streets at night or during early morning hours as they move in and out of residential neighborhoods in search of prey or other dietary components /subsidies.” (My comment - this is a euphemism for pet cats and dogs.)

So now they cite a study that says “coyotes are still common in the Verdugo Mountains”. I think this is contradictory to there being “up to five” in 942 acres. More real field investigation needs to be done.

Thank you for your consideration of my comments and observations. Please call me if you have any further questions or comments.

Response:

See Response 27-1.

Comment 98-9:

My Conclusion

I'm not that crazy about coyotes, but they are part of nature and our environment, and were here before we were. I think we are asking for trouble if the development is built. If 280 homes are built, the owners will probably have at least 200 dogs and cats. With their natural territory covered by roads and houses, either the coyotes will be driven out into the older residential areas to hunt, or they will take advantage of the newly available prey, and will kill more and more pets in the development, then breed more and become even more of a hazard to a larger and larger residential area, in order to support a larger population.

I am just interested in protecting our natural environment, and in preserving a high quality of life for current and future potential residents of the project area, whether they are human or not.

Page 29 of the EIR Wildlife section states:

“Project Impacts

There would be no significant impacts to regional or local wildlife movement associated with the proposed development on the project site.”

I hope you conclude, as I have, that this is just not correct.

Response:

See Response 27-1.

Comment 98-10

Overall, I believe the DEIR has been written with a great excess of words, on purpose, in an attempt to make us think it is very thorough and complete. In reality, I believe it leaves out a lot of important information, again, on purpose.

I think the City should require the developer to re-do the EIR in a more down to earth way that actually addresses the reality of the environment of the proposed development.

Response:

With respect to the concern expressed regarding the adequacy of the Draft EIR, see Topical Response 1. With respect to the concern expressed regarding recirculation of the Draft EIR, see Topical Response 3.

Commenter 99: Ron Clark, 10313 Wilsey, Tujunga, CA 91042, December 26, 2003

Comment 99-1:

I am writing this letter in regards to the housing development proposed by the White Bird corporation, and to be built in one of last remaining wilderness areas of the Verdugo Mountains in the city of Tujunga.

The proposed development seeks to fundamentally eliminate the existing development restrictions for the area that state only minimal development of only 1 house per 5 acres in such areas to preserve our ecological heritage, but the proposed development would place 280 homes on the site with one house on every 1/4 to 1/3 acre of land.

Response:

This comment apparently refers to the density standard for the A1 zone, the current zoning designation for most of the project site. The minimum lot area in the A1 zone is five acres. However, two dwelling units are permitted on a lot, so the effective minimum lot area is two and one-half acres. Therefore, the existing zoning designations for the project site would permit a maximum of approximately 354 residential units. However, the City's slope density formula would limit the number of permitted homes to 87.

The statement that the proposed project would consist of one-quarter to one-third acre lots is incorrect. As set forth on page III-4 in the Draft EIR, it is anticipated that the lot sizes would range from 9,038 to 64,827 square feet. Based on the lot sizes in the proposed vesting tentative tract map, the average lot size would be approximately 18,984 square feet. In contrast, and as discussed on page IV.G-15 in the Draft EIR, the average lot sizes for the existing residential neighborhood to the north and northeast of Development Area A range from approximately 4,000 to 8,000 square feet.

In any event, the project includes proposed amendments to the land use and zoning designations for the Development Areas with which the proposed development would be consistent.

Comment 99-2:

The proposed site would also have to destroy about 100 mature oak trees in order to build homes. The D.E.I.R. filed by White Bird makes only the most minimal attempt at replacing the existing 1,000 acres of native vegetation White Bird plans to destroy. White Bird states that it plans to only replant a few hundred seedlings in place of the mature oaks while replacing all existing native vegetation with imported invasive weeds that originated on other continents, and have no benefit to our ecosystem.

Response:

The impact of the proposed project on vegetation located on the project site is summarized in Table IV.D-6 in the Draft EIR. Contrary to this comment, the grading for the proposed project would permanently impact approximately 211 acres of vegetation, while brush clearance and thinning in ungraded areas would impact approximately 70 acres of vegetation, which would result in a total of approximately 280.75 affected acres of vegetation, significantly less than the 1,000 acres described in the comment.

With respect to the concern expressed regarding the proposed tree mitigation plan, see Topical Response 2.

As stated on page IV.D-63 in the Draft EIR, the proposed project would incorporate native plantings or non-invasive ornamentals into the landscaping, not “imported weeds”.

Comment 99-3:

One of the major budding sites outlined by White Bird in this area has been delineated to go through a valuable wetland site that is essential to the health of the existing ecosystem. Wetlands throughout the nation have become so rare that they are granted special protection from development. Wetlands in southern California have become, so extraordinarily rare that I would find it particularly egregious to lose another one.

Response:

As discussed on page IV.D-56 in the Draft EIR, the proposed project would affect 2.06 acres of waters of the United States, none of which are jurisdictional wetlands. This was confirmed by the Corps during a site visit to verify the jurisdictional delineation on January 28, 2003, as noted on page IV.D-28 in the Draft EIR. There are only 400 square feet (0.009 acre) of jurisdictional wetlands located on the project site, none of which would be impacted by the proposed project (see page IV.D-28).

Comment 99-4:

The D.E.I.R. Filed by White Bird is also a concern because of the fact that only 4 days were spent studying the area, and the researchers never ventured into the brush.

Response:

See Topical Response 4. As discussed therein, GLA biologists spent over 750 hours over a 19-month period surveying the project site for biological resources.

Commenter 100: John Crother, 2539 Rockdell Street, La Crescenta, CA
91214, December 26, 2003

Comment 100-1:

As a concerned citizen, I am writing in response to the Draft Environmental Impact Report for the Canyon Hills Project. I have read the Land Use Analysis and the Biological Resources/ Flora and Fauna Report and have some concerns.

-The Oak Tree ordinance -Section 46.00 et seq [sic] of the LAMC states that oak trees must be protected. The Canyon Hills project will be removing over 100 trees. These trees are too old to be moved and are irreplaceable. The project states that there will be replacement of souses of the trees with 15 gallon trees as well as with seedlings and saplings but this is hardly a replacement for trees that could be 250 years old. The DEIR does state that the southern coast live oak would be significantly impacted in this project. This is in conflict with the conservation plan and should be carefully considered at this time.

Response:

Section 46.00 et seq. of the LAMC does provide for the preservation of oak trees and describes the circumstances under which relocation or removal is acceptable. It should be noted that Section 8B of the Specific Plan has slightly modified the circumstances under which the approval for the removal of a coast live oak is required. In any event, the proposed project has been designed to minimize impacts to coast live oaks and western sycamores, so that more than 81 percent of the coast live oaks and nearly 80 percent of the western sycamores on the project site would be preserved in place. To mitigate the unavoidable tree impacts, a tree mitigation plan should provide the greatest opportunity for new trees to become established as well as have a basis in the fair market valuation of the trees removed. Coast live oaks are most successful in establishing and/or naturalizing when they are planted as young trees, from acorns to 15-gallon trees. When planted as larger specimens, they need to be actively managed in a landscape setting to achieve any degree of longevity. The proposed tree planting plan takes these factors into consideration. As discussed in Response 96-11, the short-term impact to coast live oaks would be significant even with the implementation of the conceptual tree planting program. However, given the number of trees to be planted, ages, planting locations and expected growth rates, it is expected that impacts would be mitigated to a less-than-significant level 10 to 20 years after the completion of the planting program. The plan offers reasonable and effective mitigation for the impacts to existing trees. Please see Topical Response 2 for further information on the conceptual tree mitigation program.

Comment 100-2:

-The density of this project is deceiving because of the terrain. The lot sizes may be up to 39,000sqft but that lot may have a hillside that is inappropriate [sic] in which to build. This project is buliding [sic] homes of 4,000sqft on a small percentage of the project land. Too much of this area would be graded and filled and would be unable to maintain the integrity of the landscape. Large, two story homes would not be compatible with the low-profile homes in the area west of the project. The homes east of the project may be of a higher density, but it does not mean that this is the model that the community wants to see followed.

Response:

With respect to the concern expressed regarding density and compatibility with adjacent residential land uses, see Response 12-3. With respect to the concern expressed regarding grading and the “integrity of the landscape”, see Topical Response 6.

Comment 100-3:

-The Biological Resources Analysis of the flora and fauna states that in Section 404 of the Clean Water Act, “discharge and/ or fill materials” cannot adversely impact endangered or threatened species. The proposed project would be filling the reparian [sic] area on the eastern section and destroy the flora and fauna that supports many of the species listed in the report.

Response:

With respect to Section 404 of the federal Clean Water Act, page IV.D-18 in the Draft EIR states:

Issuance of a Section 404 Permit to discharge dredged or fill material into jurisdictional waters is considered a federal action and cannot be undertaken by the Corps if the permitted actions could adversely affect federally-listed (or proposed) endangered or threatened species. Where endangered species could be adversely impacted by a permitted action, the Corps must consult with USFWS prior to issuing a Section 404 permit.

To clarify, the Corps is not precluded from issuing a Section 404 Permit where federally listed species are subject to impacts. The Corps must consult with the USFWS pursuant to Section 7 of the Federal Endangered Species Act (FESA) prior to issuance of a permit.

In any event, the survey conducted in connection with the Draft EIR did not detect any federally listed threatened or endangered species on the project site, including the riparian areas. Therefore, the Corps

would not be required to consult with the USFWS pursuant to Section 7 of the FESA for the proposed project.

Comment 100-4:

-Much of the documentation of the Biological Resources Analysis was made through research and not direct long term observation. There was no documentation of the nesting areas of the raptors and there is the potential to destroy their habitat which would be a direct violation of the California Fish and Game Code Section 3505.5. The areas of oak woodland and oak riparian foest [sic] will be directly affected by the Canyon Hills Project, and directly affect many of the species that were observed in the DEIR report.

Response:

As noted in Topical Response 4, GLA biologists spent over 700 survey hours on the project site. No raptor nests were detected within areas affected by the proposed project. During the tree surveys, each oak tree within the impact area was individually examined, including the canopy, and no raptor nests were detected, further confirming the results of the directed raptor surveys.

Mitigation Measure D.1-6 on pages IV.D-64 through IV.D-65 in the Draft EIR specifies performance of nesting bird surveys if any habitat removal occurs during the nesting season. Furthermore, Mitigation Measure D.1-6(2) provides for protection of any identified raptor nests in order to ensure compliance with Section 3505.5 of the California Fish and Game Code.

Comment 100-5:

These are just some of the concerns that I have with this project. There are major ramifications with this project that are in direct violation of the Sunland-Tujunga Community Plan and the Scenic Preservation Specific Plan. Please be very cautious when you look at this project and think of the future rather than the immediate and limited financial gains for the community with this project.

Thank you for your consideration of this important subject.

Response:

See Response 57-10.

Commenter 101: Teresa and Kevin Draper, 9528 Hillhaven, Tujunga, CA
91042, December 26, 2003

Comment 101-1:

As homeowners in the area where the project noted above is to be built my husband and I believe the DEIR is inadequate because it seriously understates the impact this development would have on the communities of Sunland-Tujunga. We strongly urge the City of Los Angeles to require that developers redo the EIR and once the deficiencies are corrected to have it re-released for comment.

There are three areas of specific concern that we would feel we are qualified to comment on as we are have been residents of the area adjacent to Development Area A for twelve years.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 101-2:

Transportation/Traffic

We believe that the project trip generation number need to be reassessed because they fail to take into account additional sources of traffic that a project of this size will generate for example; delivery vehicles, domestic employees, postal vehicles, pool maintenance vehicles. Considering the size of this project this could have a substantial impact on the traffic in the area.

Response:

See Topical Response 9.

Comment 101-3:

The DEIR fails to address the increase in traffic on Tujunga Canyon Blvd. This road is a major north south roadway, which currently provides only one through travel lane in each direction on the majority of the road. Tujunga Canyon Blvd would be the principal access road for project residences to connect to Foothill Blvd and the commercial/business area of Sunland-Tujunga.

Currently Tujunga Canyon Blvd is congested during the peak hours both morning and evening. And yet the DEIR fails to even consider the impact this project would have on Tujunga Canyon Blvd beyond mentioning the recent improvement made at the intersection of Tujunga Canyon Blvd, La Tuna Canyon Road and Honolulu Avenue.

Tujunga Canyon Blvd would also be the primary route that emergency vehicles would use to access the project area. With only one through travel lane and the congested traffic conditions that currently exist on Tujunga Canyon Blvd an emergency situation such as wildfire could prove even more disastrous if emergency vehicles were delayed in reaching the site.

Response:

With respect to the concern expressed regarding traffic impact of the proposed project on Tujunga Canyon Boulevard, see Topical Response 12. With respect to the concern expressed regarding emergency vehicles on Tujunga Canyon Boulevard, see Response 25-6.

Comment 101-4:

Site Access

Although the DEIR states there is currently no plan to connect the two sites the possibility that this could occur in the future should be addressed in the EIR.

Response:

The commenter is correct that the proposed project does not include a direct connection between proposed Development Area A and Development Area B. Since each proposed Development Area includes multiple access points, it is unnecessary to provide a direct connection between the two proposed Development Areas, and such a connection is therefore not reasonably foreseeable. Accordingly, the commenter's speculation that such a connection could occur at some unspecified time in the future is not relevant because no such connection is warranted in order to reduce a potential environmental impact. Therefore, the commenter's speculation that the two proposed Development Areas could be connected did not have to be addressed in the Draft EIR.

Comment 101-5:

Emergency Access

The secondary emergency access points according to the DEIR are yet to be determined.

Response:

See Topical Response 11.

Comment 101-6:

Both of the proposed access points Inspiration Way and Verdugo Crestline Dr. are unimproved, substandard roads that cannot practically be mitigated. There are reasons that these roads have never been improved and yet the DEIR suggests that improvement can and will be made but doesn't provide any specifics on how this will be done.

Response:

See Topical Response 11.

Comment 101-7:

The DEIR also specifies improvements to be made on Alone Drive and Hillhaven Avenue both of which are too narrow to allow for the proposed 20-foot minimum. Hillhaven Avenue is also a very steep roadway, which would make it extremely difficult for emergency vehicles to maneuver.

Response:

See Topical Response 11.

Comment 101-8:

This secondary emergency access is proposed as limited with locked gates but there is precedence for such gates to be removed by residents as happened in the nearby Crystal View development at Elmhurst Street. We ask that additional study be done to truly assess the potential impact of this access road.

Response:

See Topical Response 11.

Comment 101-9:**Review of La Tuna Canyon Road**

The DEIR does not address that it is essential that there be two lanes in both directions and left turn channelization along La Tuna Canyon Road. This was recommended in the LADOT letter of July 17, 2003, Condition D-3.

Response:

With respect to the concern expressed regarding the traffic impact of the proposed project on La Tuna Canyon Road, including the two-lane roadway segment analysis, see Topical Response 10. Based on the recommendation from LADOT, La Tuna Canyon Road would be modified as needed to provide two through travel lanes in each direction, plus a separate lane for left-turn movements at the vehicular access points for the proposed Development Areas. It is important to note that vehicular access is typically reviewed by LADOT and the Bureau of Engineering prior to issuance of building permits. Engineering design issues related to the proposed access (e.g., location, motorist sight distance, roadway horizontal and vertical curvature, deceleration/acceleration lanes, etc.) would be appropriately reviewed at that time.

Comment 101-10:**Public Services/Fire Protection**

This section of the DEIR devotes ample space to discussing fire flows, fire hazards and other government boilerplate but fails to adequately address the issues of manpower for these new fire hydrants and how they are going to be accessed during an emergency situation such as a wildfire.

Response:

The precise number and locations of fire hydrants would be determined by the LAFD following its review of the vesting tentative tract map for the proposed project (see Mitigation Measure J.1-15 on page IV.J-10 in the Draft EIR). See also Topical Response 13.

Comment 101-11:

The project is located outside the Fire Code's specified response distance. This condition is to be mitigated by installing fire sprinklers in all residences. How does a sprinkler system located inside a home help in the event of a brush fire?

Response:

See Topical Response 13.

Comment 101-12:

The DEIR addresses only the distance involved not the time required for emergency vehicles, both fire and paramedics, to reach the project area. It also does not address whether the current facilities are

adequate to handle additional emergencies situations that will arise with the increase in population in the proposed development.

Response:

See Topical Response 13.

Comment 101-13:

The DEIR recognizes only thirteen related projects that would increase the need for fire protection; therefore the cumulative impact would be less than significant. But there are other projects in the area served by the fire stations impacted by this project such as, Rancho Verdugo Estates, a housing development built by Comstock Homes located 1.8 miles from Fire Station No. 24. The DEIR needs a revised survey that includes all related projects in the areas served by these three (3) fire stations.

Response:

With respect to the concern expressed regarding the exclusion of Rancho Verdugo Estates as a related project in the Draft EIR, see Topical Response 7. With respect to the general concern expressed regarding the related projects considered in the cumulative impact analyses, see Topical Response 7. Regarding fire protection, see Topical Response 13.

Comment 101-14:

We need further study of how well our existing needs are being met before approving a development of this size.

Response:

The baseline environmental conditions in the project area are discussed in Section II (General Description of Environmental Setting) and throughout Section IV (Environmental Impact Analysis) of the Draft EIR. This comment does not state a specific concern regarding the adequacy of those portions of the Draft EIR and therefore no further response is possible.

Comment 101-15:

The City of Los Angeles Fire Department letter of September 19, 2002 contained the following comments, which were not adequately addressed in the DEIR:

- 1) Fire Protection would be considered inadequate.

2) Project Implementation will increase the need for fire protection and emergency medical services in this area.

3) At present there are no immediate plans to increase Fire Department staffing or resources in those areas, which will serve the proposed project.

Response:

The above comment references information provided by the LAFD in its October 1, 2002 letter (see Appendix C (Agency Letters) to the Draft EIR). The LAFD's requirements, as stated in its October 1, 2002 letter, were incorporated into the mitigation measures on pages IV.J-9 through IV.J-11 in the Draft EIR. In addition, the commenter is correct in noting information provided on page IV.J-1 in the Draft EIR, which details that the LAFD has no immediate plans to increase Fire Department staffing or resources in the project area. See also Topical Response 13.

Comment 101-16:

Sunland-Tujunga and La Tuna Canyon corridor are presently being protected by a total 20 firefighters in three locations. Considering the preceding information it is not too much to ask that there be a better assessment of the impact of this development on the neighboring communities.

Response:

See Topical Response 13. This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a more specific response is not possible.

Comment 101-17:

Once again we urge the City of Los Angeles to have the developer redo the EIR to address the deficiencies in the current DEIR.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Commenter 102: Stephen Fischer, 5711 Betty Place, Los Angeles, CA 90024,
December 26, 2003

Comment 102-1:

Page IV.D-2

Literature Review: Citation #8 is incorrectly cited - The correct citation is: CNPS. 2001. Inventory of Rare and Endangered Plants of California (sixth edition). Rare Plant Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society. Sacramento, CA x + 388pp.

Response:

The comment is correct. Footnote 8 on page IV.D-2 in the Draft EIR has been revised in Section III (Corrections and Additions) in this Final EIR.

Comment 102-2:

Page IV.D4

Vegetation Manning: Nelson(1994) is cited as the basis for the guidelines for plant field surveys. CNPS Botanical Survey Guidelines(2001) is the current version of Nelson(1994) that should have been used. Further comments below.

Response:

The comment is correct. The Nelson (1994) reference in the Draft EIR has been replaced with the updated Nelson (2001) reference in Section III (Corrections and Additions) in this Final EIR.

Comment 102-3:

Figure IV.D-2

Sensitive Species Location Map: The legend does not indicate the meaning of the symbols on the map. Is there a one-to-one correlation between symbols and individuals? Further comments below.

Response:

The purple stars that depict the location of the ocellated Humboldt lily on Figure IV.D-2 in the Draft EIR are not intended to represent individual plants. Rather, because of the limitations of scale associated with 11 x 17 maps, the stars represent the overall distribution of the Humboldt lilies on the project site. The Draft EIR accurately reflects the impacts and avoidance of this species. As discussed

therein, 78 individuals detected in Drainage 4 and its tributaries would be removed by grading, while the 56 individuals associated with La Tuna Canyon Wash and Drainage 14 would be avoided and preserved in open space.

Comment 102-4:

Page IV.D-18

Survey Limitations: The CNPS Botanical Survey Guidelines mentioned above, although not cited as the basis for plant survey methods, is contained within the Inventory of Rare and Endangered Plants of California (sixth edition) - a document cited in another part of the DEIR, yet not with regard to survey methods. The CNPS Botanical Survey Guidelines state:

“5. Complete reports of botanical surveys shall be included with all environmental assessment documents, including Negative Declarations and Mitigated Negative Declarations, Timber Harvesting Plans, Environmental Impact Reports, and Environmental Impact Statements. Survey reports shall contain the following information:.....

d. Discussion, including:

1. Any factors that may have affected the results of the surveys (e.g., drought, human disturbance, recent fire).”

Accordingly, it was proper that the DEIR discuss the negative effect that the drought occurring in the 2001-2002 rainy season may have had on the quality of plant surveys performed. It would have also been proper to give specific mention at this point to the species encountered on the project site whose populations may have been underestimated due to this factor, especially if it was a special-status plant. After all, the discussion which is called for above is not an academic one as to whether the survey had flaws, as any human-directed method will, but rather, whether the survey was doing the job it was required to do. *Calochortus plummerae*, Plummer’s Mariposa Lily, a special-status plant known to exist on the project site, is one of these “bulbiferous perennial plant species that may fail to germinate or grow during adverse conditions,” but it goes unmentioned in this section. *Calochortus plummerae* flowers May- July and generally then dies back to the ground each year, springing up from an underground bulb, given sufficient rainfall the following winter. These factors put the results of the survey for this species in question. Further discussion below.

Response:

With respect to the concern expressed regarding the appropriateness and adequacy of the plant surveys used to prepare the biological analyses in the Draft EIR, see Response 9-6. The potential negative impacts of the low rainfall year were noted under “Survey Limitations” on page IV.D-18 in the Draft

EIR. Furthermore, on page IV.D-31 in the Draft EIR, it was noted that no Plummer's mariposa lilies emerged in 2002, due to low rainfall. In addition to the Plummer's mariposa lily, only two additional special-status plants were detected on the project site, the ocellated Humboldt lily and one individual sapling of the California black walnut. The ocellated Humboldt grows along the margins of drainages and its population would not be subject to substantial drought effects. In addition, because the ocellated Humboldt occurs in areas of substantial hydrological disturbance, the populations are expected to vary from year to year due to natural perturbations. Similarly, the single California black walnut is a perennial and detection of this species would not be affected by the drought. Therefore, in addressing potential drought impacts on the population of Plummer's mariposa lily, all special-status species potentially affected by drought conditions were fully addressed.

Comment 102-5:

Page IV.D-24

Southern Coast Live Oak Riparian Forest: "California buckwheat (*Eriogonum californicum*)" is a non-existent species. The common name "California buckwheat" refers to *Eriogonum fasciculatum*. *Eriogonum fasciculatum* does occur on the project site.

Response:

See Response 9-7.

Comment 102-6:

Page IV.D-31

Plummer's Mariposa Lily (*Calochortus plummerae*): As mentioned above, the results of the survey for this plant are in question due to drought effects. The fact that two and possibly as many as 17 individuals were located, is significant. The diminutive stature of this plant compared to the dominant chaparral or sage-scrub species that surround it, make it very difficult to spot unless it is in flower. The fact that this many non-flowering dried individuals were located may point to a large unmeasured dormant population, except in the unlikely case that the DEIR consultants actually surveyed extremely intensively over the 800+ acres of habitat but did not indicate that fact in the text. In addition, the question arises as to the differentiation of the two individuals that were mapped on Figure IV.D-2, the Sensitive Species Location Map, and the 17 individuals mentioned in the text that had characters matching *C. plummerae*. Certainly, the flowers did not remain on the two identified plants that had been drying out for the last 11+ months since the last rain in April 2001. What plant parts were used to identify these two plants that were not available in the 17 plants that still had seed capsules? There

aren't many more characteristics left to use in the identification of mariposa-lilies. The two *C. plummerae* on Figure IV.D-2 quite likely could have been many more.

Response:

As noted on page IV.D.31 in the Draft EIR, 17 individuals were detected. The two yellow pentagonal symbols on Figure IV.D-2 in the Draft EIR are not intended to represent individual plants with one-to-one correspondence. Rather, these depict the two separate locations where the 17 mariposa lilies were detected.

The description in this comment of the mariposa lily as "diminutive" is not accurate. Rather, these plants commonly reach heights of two feet and can easily be seen, even in a dried state, as emerging through the shrubs under which they often germinate.

The botanical surveys conducted within the proposed Development Areas (including areas 300 to 500 feet beyond the grading limits) were performed in an intensive manner by highly experienced botanists, who have extensive experience in performing focused surveys for a number of special-status mariposa lilies. No individual mariposa lilies were detected within the proposed Development Areas and the survey results are valid based on a number of additional factors discussed below:

1. While the Draft EIR states that the surveys were conducted during a drier-than-normal season (page IV.D-4), further analysis of the data indicates that the surveys were in fact representative of the flora on the project site and do not need to be repeated. First, a comparison of the floristic data collected by Soza and Gross from Rancho Santa Ana Botanic Garden,⁵⁹ who documented 385 vascular plant taxa in the Verdugo Mountains and San Raphael Hills, with the floristic data collected by GLA biologists, who identified 338 species on the 887-acre project site and 56-acre Duke Property, indicates that GLA biologists captured a very high percentage of the plants that potentially occur on the project site. For example, with regard to annual plants, the percentage of the native California flora consisting of annuals is nearly 29 percent. Of the native species found on the project site, over 32 percent were annuals, which means that there was not a significant drop-off in annuals during the 2002 survey season.

⁵⁹ Soza, Valerie and LeRoy Gross, Preliminary Checklist for the Verdugo Mountains and San Rafael Hills, Los Angeles County, 2003.

2. The large number of species found on the project site (as noted above) indicates the intensive level of the survey effort, which combined with no detection of dried or flowing mariposa lilies within the proposed Development Areas, strongly suggests that there are no (or if present, very few) special-status mariposa lilies on the project site.
3. Areas on the project site that exhibit the highest potential for supporting Plummer's mariposa lily are located in the western half of the area north of Interstate 210, based on the presence of scrub that is less dense, with suitable soils (thin granitic soils with areas of exposed bedrock or cobble). In contrast, much of Development Area A supports dense chaparral with few openings and few "microsites" typical for Plummer's mariposa lily. Similarly, Development Area B and the southwest corner of the area north of Interstate 210 contain areas with deeper loamy soils that do not represent suitable habitat for Plummer's mariposa lily.

As noted on page IV.D-31 in the Draft EIR, the dried mariposa lily was discussed under the heading of Plummer's mariposa lily, and it was noted that one inflorescence from a mariposa lily with a "long, slender capsule" was identified that could potentially be the Slender mariposa lily or Plummer's mariposa lily. In either case, those identified are well beyond the impact limits and not a single individual was detected in the proposed Development Areas, both of which exhibit low potential for either species. For additional discussion of these issues, see Response 9-6.

Comment 102-7:

Page IV.D-32

Ocellated Humboldt Lily (*Lilium humboldtii* ssp. *ocellatum*): The number of *Lilium humboldtii* ssp. *ocellatum* shown on Figure FV.D-2, the Sensitive Species Location Map, is inaccurate. The map shows 5 symbols in Drainage 4. Assuming each symbol has a one-to-one correlation to the individual plants found, there is a gross underestimation. On December 7, 2003, I counted 58 easily-identifiable dried stalks of *L. humboldtii* ssp. *ocellatum*, just in the lower reaches of Drainage 4. Is it possible the actual population of lilies was underestimated by an order of magnitude?

Response:

See Response 102-3.

Comment 102-8:

Page IV.D-58

Impacts to Special Status Plants: Concluding that Plummer's mariposa lily "would not be impacted by project grading, nor would there be impacts associated with fuel modification," is false, since the

survey for *C. plummerae* was inadequate. *L. humboldtii* ssp. *ocellatum* is a CNPS List 4 species, and statewide its vulnerability or susceptibility to threat is low, but a proper survey giving an accurate estimate of the extent of its population is still required to assess the impacts to this resource if this project goes through.

Response:

With respect to the concern expressed regarding the adequacy of surveys performed for Plummer's mariposa lily, see Responses 102-6 and 9-6.

With respect to the concern expressed regarding the adequacy of surveys performed and that impacts were accurately assessed for the ocellated Humboldt lily, see Responses 102-3 and 9-6.

Comment 102-9:

Page IV.D-69

Methods and Inventory: On November 22, 2003, I accompanied Mr. Fred Dong to the Study Area and can corroborate his recording of a number of *Quercus agrifolia* (Coast Live Oak) in Drainage 4 without tags but with DBH much greater than 8 inches. I personally inspected a sample of these for evidence of tag removal and found none. Some of these trees were within a few meters of tagged individuals. None of these trees were surrounded by impenetrable poison oak (*Toxicodendron diversilobum*). The combination of these factors lead to the conclusion that a number of trees protected by LA Municipal Code will not receive their legal protection. Completion of the tagging would be required to meet legal requirements.

Response:

See Responses 149-105 and 149-112.

Comment 102-10:

Page IV.D-83

Methods and Inventory: The methods used in the "Tree Report" to evaluate wildland tree health, as laid out in the "Guide for Plant Appraisal,"⁵ although accepted by some local governments at this time, is inadequate to the task due to the inapplicability of certain measures in wildland habitats rather than the urban and residential landscapes for which the methods were developed. For example, "insects and disease" (see Table IV.D-7) of a limited extent can be considered a positive value the oak tree lends to the habitat, yet, it is always considered a negative value in the urban and residential environment where the "Guide for Plant Appraisal" is designed to be used. The evaluation of tree health is inadequate,

and therefore the impact to the resource will be incorrect and actually unknown. The people of the City of Los Angeles will not be best served until a proper instrument is instituted.

Response:

The City accepts the "Guide for Plant Appraisal" as a method for evaluating tree health in both urban and wildland conditions. There is no other definitive source accepted by the professional associations of urban or hardwood foresters that objectively defines tree health valuation procedure, nor does the comment reference any such source. As discussed in the Draft EIR, a tree with fire damaged tissue, poor structural integrity or infested with damaging insects diminishes the tree's health, reproductive capability and longevity.

Comment 102-11:

Page IV.D-124

LEVEL OF SIGNIFICANCE AFTER MITIGATION: The DEIR correctly states that, "over the short-term, it is anticipated that, even with the implementation of the conceptual tree planting program, the impact on coast live oaks would remain significant." According to Harris and Kocher (2002), and Standiford (2002), it is in fact unknown whether, as the DEIR states, "this near-term significant impact (would) be mitigated to a less-than-significant level 10-20 years following the completion of the conceptual tree planting program." Quoting Harris and Kocher (2002), "There appears to be a need to improve the methods used to evaluate and assess impacts on oak woodlands. The practice of planting to mitigate losses is itself questionable." And to this Standiford (2002) adds: "... it is important to evaluate if tree planting is a viable method of mitigation. Many important habitat elements, such as cavities, acorns, snags, and woody debris will not be mitigated-at least in the 50-year interval evaluated in this study - through a tree planting strategy alone."

Response:

The proposed project would preserve more than 81 percent of the coast live oaks on the project site and more than 78 percent of the total 887-acre project site as open space (see Topical Response 6). The existing oak stands on project site are diminishing in numbers of trees and very little oak regeneration is occurring. The new oak plantings that would mitigate the impacted oaks would provide a diversified age and size of trees, which would represent a more healthy oak forest that would have greater longevity, reproductive capability and habitat value. There is no conclusive evidence that the practice of planting to mitigate small percentage losses of oaks on a limited portion of a project site is not effective. On the contrary, there are numerous oak reforestation sites planted over the last 20 years that are successfully restoring oak stands and improving habitats. For example, since 1992, the Sunshine Canyon Landfill has been required to mitigate the loss of native trees from landfill expansion activities.

During the past 12 years, the landfill has collected over 15,000 oak acorns from the site, germinated the acorns at the onsite nursery, and replanted over 10,000 oak trees in natural areas around the site. The landfill's oak tree mitigation plantings have third-party oversight and review. Each tree has to be watered, most of them by water truck, and maintained for five years. In addition, any tree that is lost must be replaced and maintained for five years. Today, thousands of oak trees of different ages and sizes are growing successfully. The City's Environmental Affairs Department has documented the success of this program. Unlike Sunshine Canyon Landfill, the oak trees that will be planted in association with the proposed project's tree mitigation program will be in managed landscapes with better irrigation, cultural care and oversight.

Commenter 103: Tomas and Jill Gargano, 9437 Carlynn Place Tujunga, CA
91042, December 26, 2003

Comment 103-1:

We are writing this letter to you to voice our concerns and dismay about the inadequacies of sections of the DEIR of the Canyon Hills Project -currently known as "Whitebird." [sic] In our opinion the DEIR is flawed and fails to address major environmental issues that will arise if this project were ever to see the light of day as currently proposed.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 103-2:

The biologist presumes to be an expert on the animal life and plant life in this area-yet fails to address the continued decline in several endangered species indigenous to the area of the proposed development. There has been a steady decline in the deer, raccoon, possum, skunk, coyote, bob-cat, hawk, geese, duck and owl population, according to all of our long-term neighbors. The biologist fails in his report to concretely show how this population will be protected and further decline halted when this project begins construction. Wasn't that his charge, to show how these endangered animals would not be harmed further? By neglecting [sic] to comprehensively address this core issue, how can this report be considered to be acceptable? It cannot.

Response:

As no State- or federally-listed threatened or endangered species occur on the project site, there would be no significant impacts to listed species associated with the proposed project, and construction of the proposed project would not contribute to the decline of any listed species.

With respect to the concern expressed regarding mule deer, see Response 143-18.

With respect to the concern expressed regarding raccoons, opossums and skunks, these are very common species that are highly adapted to the urban edge. The development of the proposed project would not result in significant impacts to biological resources.

With respect to the concern expressed regarding bobcats, see Topical Response 5.

With respect to the concern expressed regarding geese and ducks, there are no special-status ducks or geese with potential to use the project site. Furthermore, there is no suitable breeding habitat for ducks

or geese within the proposed Development Areas and no significant impacts to duck or geese would occur.

With respect to the concern expressed regarding hawks and owls, no significant impacts were identified from the construction of the proposed project. Avoidance of potential impacts to hawks and owls is ensured through Mitigation Measures D.1-5 and D.1-6(1) and (2), as set forth on pages IV.D-64 and IV.D-65 in the Draft EIR.

Comment 103-3:

Recently, representatives from the developers sponsoring Whitebird held informational meetings in the local elementary school for all of the residents to voice their concerns about the draft EIR. We attended this meeting and were told to speak to the biologist who assisted in the biological section of the DEIR. We asked him, if this development, as currently proposed, would be compatible with wildlife in the area. He stated, "No, it would not be good for the wildlife, and could further erode the quantity and quality of life for the indigenous animal life. But, the coyotes may find that they will have an increased food supply through the growth of the numbers of neighborhood pets that would result in this development going forward."

We wonder where in the current zoning laws that residents' cats and dogs as a food source for coyotes should be considered a positive aspect of a scenic preservation plan or community plan. We are sure that this is not in the language of the law nor the intent of those who drafted those laws. The DEIR failed to include the professional opinion of this biologist that potential homebuyers should consider their pets to be coyote "lunch". We would hope that if this project ever gets approved pursuant to this DEIR that all potential homebuyers be made aware of this important, yet unprinted statement regarding "positive" implications of the Whitebird project on local habitat.

Response:

In considering whether the use of the residential areas by coyotes represents an impact, the following points should be considered. First, coyotes which occupy and/or utilize the project site also use the adjacent residential area on a regular basis, as noted in a number of the comment letters submitted regarding the Draft EIR (see, e.g., Comments 27-1, 52-13 and 57-1). The existing condition along the interface of all urban/wildland areas in Southern California is coexistence with such wildlife. According to the December 20, 2003 comment letter from Ms. Tina Krippendorf, coyotes are common in, and adjacent to, the existing neighborhood:

We have 7 coyote' [sic] two houses away from us, and another pack across the street. And a friend of mine that lives up the hill from me (about 2 blocks) has told me that she has a pack of coyote near her.

Based on this observation and those of GLA biologists who observed coyotes moving along residential streets and, as part of their analysis, mapped coyote scat in the neighborhood (see Figure IV.D-21 in the Draft EIR) during surveys conducted for the wildlife movement study, the evidence indicates that a large number of the coyotes currently use the adjacent neighborhoods for foraging (including predation on domestic pets) and as movement paths. Riley et al. indicate that coyote home ranges, for individuals occupying open space areas adjacent to developed areas, include up to 22 percent of the developed areas.⁶⁰ Coyote activity in these areas is highest during early morning and at dusk.⁶¹ A consideration of home range characteristics, combined with observations that numerous coyotes are using the residential areas, suggests that the majority of coyotes in this portion of the Verdugo Mountains are already using the neighborhoods as parts of established territories (see also Topical Response 5). Grading of the project site, while resulting in the potential displacement of some individuals, would not result in a significant increase in coyote use of these areas, which is already high.

Comment 103-4:

Another issue of grave concern to us is how will the increased need for fire and public safety officers be guaranteed, given the challenges of local government financing in California at this time. The DEIR fails to address our current and future budget [sic] deficit, the worst in the written history of our state. This deficit will be with us for a long time according to most credible finance experts, since we are borrowing \$15 billion dollars against future bonds just to meet current basic needs.

Our neighbors describe how the numbers of police and fire firefighters have not remained proportionate with growth in the area, and that emergency response time has severely increased. This was witnessed most recently in the fires of October 2003 in Southern California. The DEIR does not adequately address who will pay for the increased need for fire protection with this proposed development. Will it come from increases in the vehicle license fee? Hardly, since this was recently cut by the current Governor. Will it come from the state's general fund? Not likely, since the legislature is disputing the Governor's recent move to backfill CURRENT local government funding through executive order.

⁶⁰ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne. Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California. *Conservation Biology*, Volume 17, No. 2, pages 566-576, April 2003.

⁶¹ Tigas, Lourraine, D.H. Van Buren, R.M. Sauvajot. Behavioral Responses of Bobcats and Coyotes to Habitat Fragmentation and Corridors in an Urban Environment. *Biological Conservation* 108(2002), pages 299-306, 2002.

The DEIR is remiss in taking into account this current crisis, which could have severe consequences for residents in Tujunga and Sunland, including the loss of human life. As seen with recent fires so close to this proposed development, we did not have adequate resources to effectively fight those fires, and had to rely on the goodwill of other counties and states to help protect human and animal life. Does the DEIR presume that with the large influx of residents as a result of Whitebird, that we will be bailed out by other counties and states when (not if) fires rage through these canyons? If so, this is not consistent with current zoning laws and codes nor within the guidelines of the Scenic Preservation specific Plan and Community Plan.

Response:

With respect to the concern expressed regarding police protection, see Response 29-4. With respect to the concern expressed regarding fire protection, see Topical Response 13.

Comment 103-5:

These are only a small sample of comments that we have regarding the inadequate and inferior provisions of the DEIR. As taxpaying citizens and homeowners within the City of Los Angeles, we expect that the City Planning Department will carefully consider our comments, as well as those submitted by dozens of citizen 'experts' and require the Canyon Hills DEIR to be re-issued to address these important issues and hold this potentially dangerous project to compliance with all laws and the Scenic Plan.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 104: Karen R. Imendorf, 9028 Wildwood Ave., Sun Valley, CA
91352, December 26, 2003

Comment 104-1:

I am writing in response to the Draft EIR covering the above reference project.

Although the DEIR covers certain aspects of traffic, noise and pollution in the immediate area of the project, it fails to take into consideration the impact that increased traffic will have on the ancillary streets presently used to access La Tuna Canyon Road.

Over the years there has been an increase in north and south bound vehicle traffic detouring the Glenoaks traffic signals by taking alternate residential street routes to and from La Tuna Canyon Road.

These detours have increased traffic on Vindale, Wheatland, Penrose and Wildwood streets. With the increased traffic, have come unchecked increases in vehicle speeds, noise and trash pollution. These complaints and complaints of unchecked speeds on La Tuna Canyon have been made at several - community meetings over the past years.

Response:

See Topical Response 10. In addition, it should be noted that the residential streets identified in the comment (i.e., Vindale, Wheatland, Penrose and Wildwood) are located over four miles from the project site. Thus, additional analysis of the residential streets identified in the comment was not necessary or warranted.

Comment 104-2:

Since La Tuna Canyon is a main East/West artery between the 210 and 5 Freeways, the increase in traffic from the Canyon Hills Project will undoubtedly adversely impact our streets and the safety of these streets. We are approximately 4 miles down the canyon from the proposed project!

Response:

With respect to the concern expressed regarding traffic impacts on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding traffic associated with the proposed project, see Topical Response 9.

Comment 104-3:

My family settled in La Tuna Canyon in 1914. I, too, have acreage but abide by the City's and community's zoning regulations. Why then, should Whitebird's request for variances to these

regulations be approved? As a landowner, I support Whitebird's right to develop their land in accordance with established zoning and building codes. They should not be entitled to variances without the vote of the community to change these regulations. Otherwise, why are these regulations in place?

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 105: Richard L. Imendorf, 9028 Wildwood Ave., Sun Valley,
CA 91352, December 26, 2003

Comment 105-1:

I am writing in response to the Draft EIR covering the above reference project.

Although the DEIR covers certain aspects of traffic, noise and pollution in the immediate area of the project, it fails to take into consideration the impact that increased traffic will have on the ancillary streets presently used to access La Tuna Canyon Road.

Over the years there has been an increase in north and south bound vehicle traffic detouring the Glenoaks traffic signals by taking alternate residential street routes to and from La Tuna Canyon Road.

These detours have increased traffic on Vindale, Wheatland, Penrose and Wildwood streets. With the increased traffic, have come unchecked increases in vehicle speeds, noise and trash pollution. These complaints and complaints of unchecked speeds on La Tuna Canyon have been made at several community meetings over the past years.

Response:

See Response 104-1.

Comment 105-2:

Since La Tuna Canyon is a main East/West artery between the 210 and 5 Freeways, the increase in traffic from the Canyon Hills Project will undoubtedly adversely impact our streets and the safety of these streets. We are approximately 4 miles down the canyon from the proposed project!

Response:

With respect to the concern expressed regarding traffic impacts on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding traffic associated with the proposed project, see Topical Response 9.

Comment 105-3:

My family settled in La Tuna Canyon in 1914. I, too, have acreage but abide by the City's and community's zoning regulations. Why then, should Whitebird's request for variances to these regulations be approved? As a landowner, I support Whitebird's right to develop their land in accordance with established zoning and building codes. They should not be entitled to variances

without the vote of the community to change these regulations. Otherwise, why are these regulations in place?

Response:

See Response 57-10. In addition, the project applicant has not requested any zoning variances with respect to the proposed project. The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 106: Elektra Kruger, Pres. SHPOA, P.O. Box 345, Sunland, CA 91041, December 26, 2003

Comment 106-1:

The equestrian community is voicing some concern over the potential need for blasting procedures during the grading process of the Canyon Hills Project as per the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the "DEIR") IV-A-32.

Horses are highly sensitive to sudden loud noises and even the most insignificant level of ground vibrations, therefore the developers should make every attempt to provide advance notification to the ENTIRE equestrian community at least 48 hours prior to the procedure. We understand that it would be totally unfeasible for Canyon Hills to make personal contact with each and every person potentially effected by these procedures, however we do recommend that they utilize contact with local community organizations through which information can be passed on to their members and to the community at large through their various E-mail trees and Web-sites. Information passes through the community quite thoroughly by this method so that person without computer access will certainly get the information by word-of-mouth. A number of organizations that would be helpful to contact would include the Sunland-Tujunga Neighborhood Council, the Foothill-Trails District Neighborhood Council, ETI-Corral 20, La Tuna Canyon's Homeowner's Association and Shadow Hills Property Owners Association. Such notification would provide warning to equestrians to avoid riding on days of anticipated blasting. A spooked horse could result in serious injury to himself and a thrown rider.

Response:

Mitigation Measure E-11 (see page IV.E-28 in the Draft EIR) has been recommended to ensure that information regarding construction activities, including scheduling of blasting, will be communicated to the neighboring communities. In response to this comment, Mitigation Measure E-11 has been amended in Section III (Corrections and Additions) of this Final EIR as follows:

The project developer shall appoint a construction coordinator to interface with the general contractor, neighboring communities, local neighborhood councils and local equestrian organizations. The construction coordinator shall be accessible to resolve problems related to the effects of project construction on the surrounding community, to the extent feasible. The construction coordinator shall also provide information to the surrounding community regarding scheduling of specific construction activities (e.g., grading and blasting) and construction phasing.

Comment 106-2:

Following are responses to mitigation measures noted on pages IV-A-33 to IV-A-36 of the Geology and Soils section of the DEIR.

I quote from pg IV-A-33: “significant impacts to geology and soils would occur with implementation of the proposed project due to the potential for rock fall, landslides, and cut slopes.” Mitigation measure A-1 states: “The project developer shall incorporate setback zones from potential rock fall areas (as shown in Figure IV.A-1). In areas where proposed structures may encroach within the setback area, rock fall containment devices shall be incorporated into the design . Examples of such devices include debris fences or walls, rock bolting and netting, or rock fall containment basins.” First, no structure should be allowed to encroach in set-back zones of rock fall areas. With the possible exception of rock fall containment basins, all suggested containment devices are flawed in concept. Debris fences are unsightly. Debris walls may or may not be unsightly depending on their design, however in no way are they in keeping with any attempt to retain as much of the natural viewshed of the area as possible. Rock-bolting has been known to dislodge under stress bringing rock with it and netting will rust and break down overtime thus, in the long-term, leaving rock fall areas a danger to property and person.

Response:

Setback zones, debris fences or walls, rock bolting and netting, or rock fall containment basins like those proposed for the project have been used successfully for many decades throughout the United States to contain potential rock fall hazards. Properly designed and maintained rockfall containment and protection devices would provide customary and effective mitigation with respect to potential risks relating to rock fall, landslides and cut slopes.

It is unlikely that debris fences would have a material aesthetic impact. Within Development Area B, there are three potential rock fall areas. The closest rock fall area to a public viewing point is located on the east side of the designated Prominent Ridgeline, approximately 500 feet from Interstate 210. As discussed in the Draft EIR on page IV.F-5, this ridgeline is only visible to eastbound vehicles on the freeway for approximately 25 seconds. A debris fence located 500 feet from the edge of the freeway, viewed from a vehicle moving 65 miles per hour would blend with the background and be virtually invisible. The other two potential rock fall areas within Development Area B are below the Interstate 210 grade and would not be visible from it. One of these potential rock fall areas is approximately 600 feet from La Tuna Canyon Road, while the other is approximately 1,000 feet from that road. Again, their distance from La Tuna Canyon Road would be sufficient to render their aesthetic impact negligible.

Within Development Area A, the closest potential rock fall area is approximately 800 feet from Interstate 210. Here, too, the distance from the freeway would be sufficient to minimize the visibility

of any debris fence. The other potential rock fall areas within Development Area A are located in the vicinity of Verdugo Crestline Drive. Verdugo Crestline Drive is not a designated scenic route and the visibility of a debris fence along this roadway would not constitute a substantial adverse effect on a scenic vista or substantial damage to any scenic resources. In addition, any debris fences placed upslope of Verdugo Crestline Drive would provide an additional safety factor for hikers and bikers that use that roadway.

Comment 106-3:

Response to Mitigation A-3 (DEIR IV-A-33/34): All roadways and lots should avoid landslide areas. No amount of stabilization or shear-key construction can fully assure against slope instabilities and it's [sic] subsequent potential for damage and injury.

Response:

The City of Los Angeles Building Code (LABC) requires that slope areas with a substandard factor of safety be stabilized to LABC standards utilizing landslide removal, buttress fills and/or structural means to provide for stability. In order to comply with this requirement, unstable slope areas would be provided with buttress fills. This technique has been used successfully for many decades in the Southern California area. Landslide areas would be stabilized using either removal of the landslide, construction of buttress fills, shear keys or stabilization fills to meet slope stability requirements in accordance with the LABC.

Comment 106-4:

Under the "Cumulative Impacts" section (DEIR IV-A-35): A reference was made to the 13 related projects that the DEIR took under consideration. It was here claimed to be referenced in "Figure II-1". This statement is erroneous. Figure II-1 is a mapping of "Project Location and Regional Vicinity". It is actually Table II-3 and Figure II-2 that provide the listing and mapping of the locations of related projects respectively.

Response:

The reference to Figure II-1 on page IV.A-35 in the Draft EIR is a typographic error, and has been revised in Section III (Corrections and Additions) of this Final EIR.

Comment 106-5:

Proceeding to the chapter on Air Quality (DEIR IV-B):

Firstly, it becomes difficult to follow the anticipated effects of the Canyon Hills Project as Table IV-B-1, a listing of Ambient Air Quality Standards, are in units of ppm and ug/mmm whereas Emissions Thresholds of Significance for the Project (DEIR Table IV-B-3) and Operational Emissions (Table IV-B-6) are in units of pounds/day. I am sure there is a conversion factor from one unit to the other, but why make it so difficult for the average community resident, who must reasonably understand these tabulated figures and their respective emission-load increase information as forecasted for the Canyon Hills Project, to follow these tabulated figures? Please tabulate these emission factors in the same units.

Response:

The national and State ambient air standards are not directly related to the significance thresholds established by the SCAQMD and conversion is neither required nor necessary. The national and State ambient air standards were used as the thresholds of significance to determine whether the proposed project would result in any significant impact on local air quality with respect to potential carbon monoxide hot spots (see pages IV.B-7 and IV.B-15 through IV.B-17 in the Draft EIR). In contrast, the thresholds of significance referenced in the comment are used to determine whether the regional emissions associated with the construction and operation of the proposed project would be significant with respect to the five criteria pollutants.

Comment 106-6:

I also question why a monitoring station for CO concentrations at the intersection of Tujunga Canyon Blvd/Foothill Blvd (Table IV-B-7) would be expected to provide a fair evaluation of the forecasted impact of increased CO emissions as a result of the construction of the Canyon Hills Project. A more honest impact study should be performed at the I-210 Westbound ramps/La Tuna Canyon Rd/Development A Access intersection. This due not only to the anticipated notable increase in traffic volume at this location, but also due to the signalization system that this traffic will require which will lead to a marked concentrated emission rate especially at peak Am[sic] and PM hours as slow-moving vehicles from the 211 homes of Development A queue at this single ingress/egress point.

Response:

As discussed on page IV.B-15 in the Draft EIR, the SCAQMD CEQA Handbook states that an intersection will not experience a CO hotspot if the LOS is C or better. Therefore, it would have been inappropriate to use the intersection of the Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road for the CO analysis because, as discussed in Section IV.I (Transportation/Traffic) of the Draft EIR, while that intersection would be significantly impacted by the proposed project, with the implementation of Mitigation Measure I-1, which would require the

installation of a traffic signal at that intersection, the intersection would operate at no worse than LOS B during peak-hour conditions (see page IV.I-45 in the Draft EIR).

Commenter 107: Charles and Lareen Kunze, 9413 Reverie Road, Tujunga,
CA 91042, December 26, 2003

Comment 107-1:

1. On page IV.D-129, the author states “The rugged landscape and dense vegetation generally restrict wildlife movement by larger animals, such as Coyote and Mule Deer, to existing wildlife trails along ridgelines, roads and firebreaks (Emphasis added). [sic] This is categorically false. During the fourteen (14) years that I have lived in the area, I have personally hiked the three (3) riparian habitats located within Development Area A, on more than one (1) occasion. If the author had done this as well, it would have been obvious, as it was to me, that numerous wildlife trails come down to the riparian habitats from the ridgeline area above. They occur in such frequency as to create a “tentacled web” of travel by an assortment of wildlife species, as evidenced by animal prints and scat in those areas. It is entirely misleading for the author to speculate on the true extent of local animal movement, if they have not extensively examined the areas noted.

Response:

As reflected in Topical Response 4, the project biologists spent many hundreds of hours surveying the project site. Contrary to this comment, the project biologists did examine all of the primary wildlife trails in proposed Development Area A. To begin with, the Draft EIR includes the following discussion with respect to the wildlife movement studies on page IV.D-134:

GLA biologists experienced in conducting wildlife movement studies mapped wildlife movement paths or potential paths as indicated by the presence of indicators or “sign” characteristic of regular wildlife movement or usage. Such indicators include (a) direct observation of target species, (b) remains of dead animals, (c) tracks, (d) scat, (e) unusually heavy presence of ticks and (f) browsed vegetation along existing wildlife trails, roads and firebreaks.

The reference in clause (f) to “existing wildlife trails” includes the “numerous wildlife trails” discussed in the comment. Figure IV.D-21 in the Draft EIR depicts such trails where multiple occurrences of coyote scat were mapped. GLA biologists detected and mapped many of the trails noted by this comment, including numerous data points in Drainage 4, on the trails immediately adjacent to Tributary 4.9 and at the confluence of Drainage 4 and Tributary 4.16. Furthermore, as discussed on page IV.D-134 in the Draft EIR:

The first objective was to determine and document the presence or absence of wildlife on and immediately adjacent to the project site and the Duke Property. For this task, GLA biologists familiar with identification of tracks, scat, and vocalizations of wildlife

(including coyotes, domestic dog, deer, bobcat, gray fox, badger, mountain lion, raccoon, opossum, etc. and their habitat requirements in southern California traversed slowly and methodically along established wildlife trails, hiking trails, accessible ridgelines, drainage courses and roads (paved and unpaved), including fire break roads.

Again, Figure IV.D-21 in the Draft EIR depicts numerous data points in Drainage 4, plus numerous data points in other areas on the project site such as Drainage 14 and La Tuna Canyon Wash, which were also carefully examined for signs of wildlife and wildlife movement. Each of these drainages is clearly identified as a movement path on pages IV.D-145 and IV.D-146 in the Draft EIR.

Accordingly, the conclusions set forth in the Draft EIR regarding wildlife movement were not based on speculation, nor were the conclusions misleading. Rather, the conclusions were based upon careful evaluation of the study area, including over 150 mapped data points and the use of 21 track stations.

Comment 107-2:

2. On page IV.D-131, while summarizing the “fragmented character” and “tenuous link” for regional movement of wildlife, the author claims that “It is important to note that, even if animals move out of the San Gabriel, Mountains via the Tujunga Wash, they would not necessarily move toward the Verdugo Mountains...” This would appear to be incorrect by virtue of a sighting this year of a mountain Lion in the ravine between Inspiration Way and Reverie Road, by a resident. This also speaks of the very real possibility of a community of Mountain Lions living within the Verdugo Mountains.

Response:

The alleged sighting of a mountain lion in the Verdugo Mountains is not inconsistent with the analysis in the Draft EIR. For example, the Draft EIR included the following statement on page IV.D-131:

It is important to note that, even if animals move out of the San Gabriel Mountains via Tujunga Wash, they would not necessarily move toward the Verdugo Mountains via the “Missing Link”. Rather, it is expected that many animals moving from the San Gabriel Mountains into Tujunga Wash would move in a westerly direction under the I-210 moving away from the project site to the west within the large braided and vegetated wash.

Tujunga Wash provides access both to the east and west to other canyons in the San Gabriel Mountains such as Little Tujunga Canyon, which is tributary to Tujunga Wash. Furthermore, the Draft EIR statement was not restricted to mountain lions, but used the term “animals”, which is far more

comprehensive. More edge tolerant species such as coyotes are fully expected to follow Tujunga Wash to the west to Christy Avenue that provides access under Interstate 210, leading back to the San Gabriel Mountains through Lake View Terrace.

With regard to the “real possibility” of there being a “community of mountain lions living within the Verdugo Mountains,” a number of points need to be addressed. First, mountain lions are solitary (except when a female is caring for young) and are not communal. Second, as addressed more fully in Response 4-16, the average range of a mountain lion is such that the entire area of the Verdugo Mountains would on average only provide for approximately 10 percent of the home range requirements for a mountain lion, meaning that visits would be occasional. Third, as discussed in footnote 31 on page IV.D-148 in the Draft EIR, due to the tenuous link between the San Gabriel Mountains and Verdugo Mountains, “it remains possible, albeit very difficult and uncommon, for a mountain lion to reach the Verdugo Mountains.” Fourth, as stated on page IV.D-156 in the Draft EIR, the construction of the proposed project would not affect the ability of a mountain lion to reach the main body of the Verdugo Mountains.

Comment 107-3:

3. On page IV.D-141, the author states “It is difficult to determine the exact number of Coyotes; however, based upon documented home range sites for Coyotes, it is expected that up to five (5) Coyotes would use the project site and Duke property at any given time.” I would invite the author to visit the adjacent residential community in the evening hours, when two (2) or more PACKS of Coyotes yell to one another from the two (2) blueline stream areas...directly on the project site. Additionally, a total of four (4) Coyotes were personally viewed on our property during the week of November 10, 2003, and again during the week of November 24, 2003. It is difficult for me to envision that 80% of the authors estimated quantity of Coyotes just happened to be present on our property at that time.

Response:

See Topical Response 5 for a discussion of home range sizes for coyotes and Response 29-2 for a discussion of coyote numbers and use of the project site.

Comment 107-4:

4. In summarizing the regional and local movement of wildlife as they would be affected by the proposed development, the author states, in effect, that there is no impact and that mitigation is unnecessary. Then, under “cumulative impacts”, the author states that “only the Duke project (related project no. 7) is sufficiently close to the project site, to potentially and cumulatively interfere with movement of wildlife species” (Emphasis added). This is a contradictory and

often repeated example, of the author's "double speak" relative to the wildlife movement issue. The incremental loss of additional wildlife habitat in the Verdugo Mountains would continue if this proposed development would be approved. This point is conveniently underplayed and dismissed as unimportant.

Response:

The commenter correctly notes that the Draft EIR concluded that the proposed project would not result in any significant impacts to regional or local wildlife movement. However, the commenter is incorrect that the Draft EIR failed to analyze properly the cumulative wildlife movement impacts associated with the proposed project. As discussed on pages IV.D-161 and IV.D-162 in the Draft EIR, of the 13 related projects, only the Duke Project is sufficiently close to the project site to potentially and cumulatively interfere with the movement of wildlife species. The other related projects, which are depicted on Figure II-2 in the Draft EIR, are generally located in urban areas and consist of retail, institutional or commercial uses. In addition, none of the other related projects are located in the vicinity of the project site. The comment does not include any specific concern regarding the adequacy of the cumulative impact analysis in the Draft EIR with respect to wildlife movement, nor does the comment include any evidence of prior "incremental loss of wildlife habitat" in the Verdugo Mountains.

Based on the field evaluation for both the project site and the Duke Property, there would be no significant impacts to wildlife movement, including cumulative impacts, as set forth on pages IV.D-161 and IV.D-162 in the Draft EIR.

Comment 107-5:

ENVIRONMENTAL IMPACT ANALYSIS - LAND USE

1. On page IV.G-6, in describing the legislative status of the Draft San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan, the author accurately states that "Since the Specific Plan has not been formally adopted yet it currently has no legal force or effect and does not have to be considered in this Draft E.I.R. However, given the significant public interest and community involvement in the Draft Specific Plan, it's [sic] principal components are discussed below for informational purposes." It is encouraging to see that the Developer has included discussion on it's [sic] main points in the D.E.I.R., and is considered politically correct in doing so, but they have also specifically excluded all relevant dialog relative to how their proposed development might be affected by the State-Recognized Scenic Corridor status of, the 210 Freeway and La Tuna Canyon Highway. The final E.I.R. should include all dialog relevant to its restrictions.

Response:

It is unclear what is meant by “state-recognized scenic corridor status.” With respect to the general concern expressed regarding the impact of the proposed project on scenic highways, see Response 89-5.

In any event, the analysis of the aesthetic impacts of the proposed project in Section IV.N (Aesthetics) of the Draft EIR specifically addressed impacts on views from both Interstate 210 and La Tuna Canyon Road. Similarly, the analysis of the proposed project’s artificial light and glare impacts in Section VI.F (Artificial Light and Glare) of the Draft EIR specifically addressed the impacts of project lighting on both Interstate 210 and La Tuna Canyon Road.

Comment 107-6:

2. On page IV-G-28 (and preceding pages as applies), under “Cumulative Impacts”, the author states that “The Duke Project is to be considered to be compatible with the proposed project and the existing residential uses Northeast of the project site.” It is conveniently not discussed that the original request for the Duke Project was to build a total of 41 homes by virtue of its request to change the existing zoning and strike footnotes from the Community Plan. These requests were summarily rejected by the City in their final approval of the 10 homes for the Duke Project. It is inaccurate and misleading for the author to draw comparisons with projects that have not changed existing land use designations for their implementation, as this project proposes doing.

Response:

The commenter misunderstands the discussion on pages IV.G-28-29 in the Draft EIR. The crux of that discussion is that the Duke Project is similar in nature to the proposed project because both involve low-density single-family home developments, so that the Duke Project is compatible with the proposed project. The fact that the original proposal for the Duke Project involves more homes has no bearing on whether the approved Duke Project is compatible with the proposed project.

Comment 107-7:

3. In reference to the author’s statement on page IV.G-29 that “the proposed project’s land use impacts would be less than significant”, it truly boggles the mind that this statement is made when, in point of fact, the proposed project goes against the grain of the spirit of all existing land use designations. There is a consistency in all statutes, guidelines and ordinances that specifically intend to prevent developments, such, as this, from being approved. To quote appropriate jurisdictional guidelines:

- (a) Statutory Regulations of California State Policy Re: Environment, Public Resources Code no. 21001:

“Additional legislative intent to take all action necessary to provide the people of this State with clear air and water, enjoyment of aesthetic, natural and scenic and historic environmental qualities, and freedom from excessive noise,”

and

“Insure the long term protection of the environment, consistent with the provisions of a decent home and suitable living environment for every Californian shall be the guiding criterion in public decisions.”

(b) CEQA, Section 15021 (a)

“CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible and (1) in regulating public and private activities, Agencies are required to give major consideration to preventing environmental damage.”
(Emphasis added)

Response:

The provisions in the CEQA statute and CEQA Guidelines referenced in this comment are unrelated to the analysis and determination in Section IV.G (Land Use) of the Draft EIR that the proposed project’s land use impacts would be less than significant. Instead, these provisions relate to policy considerations underlying CEQA and the general responsibilities of public agencies to comply with CEQA and the CEQA Guidelines. In any event, the comment does not explain how the land use analysis in the Draft EIR is inconsistent with any of the referenced provisions.

Comment 107-8:

ENVIRONMENTAL IMPACT ANALYSIS - POPULATION AND HOUSING

1. On page IV.H-4, the author states that approximately 693 acres (i.e. 78% per cent [sic]) will be designated as “permanent open space.” By what legal means will this process take place? How can the Community be assured that this will occur? I suggest that the Developer give the land as a grant to the Santa Monica Mountains Conservancy if they truly are interested in appeasing a distrusting public.

Response:

See Response 32-4.

Comment 107-9:

ENVIRONMENTAL IMPACT ANALYSIS - TRANSPORTATION/TRAFFIC

1. On page IV.H-4, in describing the emergency access to Development Area A, it is mentioned that Hillhaven Avenue, Inspiration Way, and Verdugo Crestline Drive all have a “40 foot wide dedicated public street” width. This is entirely misleading considering the actual street width. There are portions of these streets where the actual and functional travel width narrows to less than 15 feet! In an emergency situation, when traffic from fleeing vehicles on the site would be opposed by emergency vehicles heading towards the project site, this would create a situation where traffic would be impeded in both directions. This would create an extremely dangerous situation for all citizens, and this attempt at providing for a required secondary access, from Development Area A is totally inadequate. Additionally, the author states that the emergency access would be controlled, in that it would not be used by the project’s residents on a day to day basis. Historically, these types of access controls have been overcome by residents looking for a “quick way into town.” Reference the Crystal View Development to the East of the project site for just the closest example of how good intentions gave way to public pressure. Just who would be responsible for repairing any damaged access control elements when (not if) they are overcome by the residents? When this occurs, the entire provision of “emergency access only” is relegated to a very dangerous joke.

Response:

As stated on pages IV.I-15 and IV.I-16 in the Draft EIR, Inspiration Way is a 40-foot wide dedicated public street improved as a graded dirt road with no pavement, Verdugo Crestline Drive is a 40-foot wide dedicated public street with most sections improved as a graded dirt road with no pavement, and Hillhaven Avenue is a 40-foot wide dedicated street with variable pavement width ranging from 20 to 30 feet wide. As a point of clarification, the 40-foot wide dedicated public street description refers to the existing public right-of-way width. Segments of the publicly dedicated roads used for the secondary emergency access between the Development Area A and Foothill Boulevard (including Hillhaven Avenue, Inspiration Way and Verdugo Crestline Drive) would be improved to a minimum 20-foot paved roadway within the existing public right-of-way per the requirements of the LAFD. The LAFD has determined that the proposed emergency access is adequate for Development Area A.

With respect to the statements in this comment speculating that the secondary access route would be converted to a primary access to and from proposed Development Area A, see Topical Response 11. In the event that the locked gate that would prohibit (except in the event of an emergency) the use of Inspiration Way by project residents was damaged, it would be repaired by the City or the homeowners’ association.

Comment 107-10:

ENVIRONMENTAL IMPACT ANALYSIS - PUBLIC SERVICES/FIRE

1. On page IV.J-4, in discussing fire hazards and specifically the fire on August 5, 1999, it is stated that “The LAFD’s records are not conclusive regarding the precise location of the fire.” As a resident who lived through the nightmare of this fire, I and many other residents can confirm that this fire originated along La Tuna Canyon Road, and was an arson fire. The prevailing winds, at the time of this fire, pushed the flames toward the Northwest, directly towards the proposed Development Area A. This was also not the only arson-induced fire in the immediate vicinity. With the likelihood of a similar fire in the future, all means of reasonable egress from the site would be eliminated. This is an unimaginable danger for the residents of this community.

Response:

See Topical Responses 11 and 13.

Comment 107-11:

ENVIRONMENTAL IMPACT ANALYSIS - AESTHETICS

1. The author has gone to considerable depth in this section to describe how the project will ultimately “fit in” to the surrounding areas. One only as [sic] to look on page IV.N-41, under “Level of Significance After Mitigation”, to understand the net result of the proposed development. In the author’s own words, “Project impacts with respect to scenic vistas, scenic resources, and existing visual character would remain significant following implementation of the recommended mitigation measures (Emphasis added).” THE BLIGHT THAT THE PROPOSED DEVELOPMENT WOULD HAVE RELATIVE TO THIS ISSUE SHOULD NOT BE ALLOWED TO HAPPEN.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 107-12:

ADDITIONAL COMMENTS TO THE D.E.I.R.

1. Existing land use designations and other ordinances specifically restrict the allowable number of homes over the entire 887 acres to 87 homes. This Developer should be required to abide by the same restrictions, as any other land owner also affected by them. Simply because a developer wants to increase their profits should not be a reason to entertain changes to land use designations. The proposed 280 homes exceeds the currently allowable number of homes by 193!!! What justification does the Developer give for this?? The actual reason is their interest in making more money. If the Developer wishes to donate 78% of the area's open space, the Community would welcome that with open arms. But by doing so, they should still only be able to construct as many homes as is currently allowed over the remaining 220 of land.

Response:

This comment describes general concern with the proposed amendments to the land use and zoning designations for the Development Areas that would permit the development of 280 homes, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 108: Carolyn McBride, 2532 Rockdell Street, La Crescenta, CA
91214, December 26, 2003

Comment 108-1:

As a concerned citizen, I am writing in response to the Draft Environmental Impact Report for the Canyon Hills Project. I have read the Land Use Analysis and have some concerns.

The Scenic Preservation Specific Plan of July 2002 states the desire of the community to preserve this area's ridgeline from grading and or development. This draft may not be legally binding at this time, but the significant desire of the community to protect this area is already established. This desire can also be found in the Sunland Tujunga Community Plan. The plans of the project with require grading and lining of this area in order to build an excessive number of homes.

Response:

As discussed in Response 75-4, the City Council adopted the final Specific Plan on December 19, 2003, and Section IV.G (Land Use) of the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to reflect the provisions in the adopted Specific Plan. With respect to the compliance of the proposed project with the ridgeline protection provisions in the Specific Plan, see Response 75-9.

Comment 108-2:

The LA Municipal Code Zoning Ordinance Section 12.00 et seq and 13.00 et seq states that this residential area is zoned as AI-1 and AI-K. This is in keeping with the equestrian and residential area of Shadow Hills and Verdugo Hills. The land surrounding this project is already high density. In order to preserve this last area of open space, the zoning restrictions need to be complied with by all development projects.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 108-3:

The entire Canyon Hills Project is within a VERY HIGH FIRE HAZARD SEVERITY ZONE. The, closest fire station is nearly twice the distance recommended by the LA Fire Department. Response

time to a disaster would be unacceptable in a high density residential area. There also are inadequate access roads into this community making it very dangerous if there was a need to evacuate this area in an emergency situation.

Response:

Regarding the VHFHSZ and response distances, see Topical Response 13. Regarding emergency access, see Topical Response 11.

Comment 108-4:

These points are just some of the concerns that I have about this project. Again may I reiterate that this development project is NOT in keeping with the community plans and needs to be seriously considered in more ways than just as a financial gain.

Thank you for your consideration of this important matter.

Response:

Regarding consistency with the Sunland-Tujunga Community Plan, see Response 57-10. In addition, this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 109: Steve Metzler, 9436 Carlynn Place, Tujunga, CA 91042,
December 26, 2003

Comment 109-1:

I am writing to you to voice my concerns and objections to the proposed Whitebird Development protect. I have lived in my home in the Tujunga Hills for 19 years. I have seen the beauty of the mountain views and ease of availability to Downtown Los Angeles slowly erode to see development projects carved into beautiful canyons and traffic congestion expand to all streets.

The addition of 280 homes will add to a diminished appeal of living in the area. When I moved here, I would see deer, raccoon, possum, skunk, coyote and bob-cats [sic]. Hawks, Geese, Duck and Owls were a regular feature of wildlife close to me. Now, I only see an occasional coyote, all of the others having been driven away by more and more development projects.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 109-2:

This proposed development will only drive these natural inhabitants further away from their living space. The DEIR is severely flawed by not adequately addressing this issue.

Response:

Figure IV.D-21 in the Draft EIR depicts the numerous locations where coyotes or their "sign" (i.e., scat, tracks, etc.) were detected. Based on the data collected on the project site, coyotes are still common on the project site. In the post-project condition, coyotes will continue to use the project site due to their adaptability and because all important movement paths will continue to function. See Topical Response 5 for additional discussion regarding coyote use, home range, etc., and their persistence on the project site in the post-project condition.

Comment 109-3:

We have witnessed fires many times in the last 20 years in Tujunga. If Whitebird is allowed to be developed, a greater danger of fires is likely--another important issue not addressed adequately in the DEIR. Where is the real danger of bar-be-ques, outdoor lights, fireplace usage and unattended children

or young adults misuse of matches, fireworks and combustible toys addressed in the DEIR? Add to this the strained resources of Fire and Police Departments. The DEIR is remiss in addressing this very real public safety issue.

Response:

See Topical Response 13.

Comment 109-4:

As a long time resident of this area, I implore you to please veto this development. Save Southern California's last piece of nature and preserve it for all current and future residents of Los Angeles to admire and enjoy as a beautiful specimen of what California was before developers, with no understanding of the natural ecological processes of these foothills, attempted to destroy this land. The DEIR is remiss in demonstrating an understanding of the long-term consequences of this proposed development to the natural habitat and public safety of the Verdugo's. [sic]

Response:

Sections IV.D (Biological Resources) and IV.J (Public Services) of the Draft EIR analyze the potential impacts of the proposed project with respect to plant and animal habitat and the provision of public services that relate to public safety. Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1. For the most part, this comment expresses opinions about the proposed project which are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 110: Patricia Murphy-Pattenson, 9581 Hillhaven Ave., Tujunga, CA 91042, December 26, 2003

Comment 110-1:

I am writing to ask that you not allow the building of 280 homes off of La Tuna Canyon Road and the 210 (Foothill) Freeway. There are many reasons why this project is wrong but here are just a few of them.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 110-2:

1. Traffic - with the addition of these new homes, the volume of additional cars using the freeway, Foothill Blvd., and other neighborhood streets (Tujunga Canyon Blvd., Sunland Blvd.) will be staggering. Current traffic between the hours of 4:00 and 7:00 p.m. using the freeway is stop and go at best with 'stop' being the operative word. This development does not take into account any additional street improvements.

- The main thoroughfare between foothill communities (Sunland, Tujunga, La Crescenta, La Canada) is using Foothill Blvd. This is only a four-lane road (2 per side) and travel during peak hours is very slow already.

Response:

With respect to the general concern expressed regarding the potential traffic impacts associated with the proposed project, see Topical Response 9. With respect to traffic impacts of the proposed project on Tujunga Canyon Boulevard and Foothill Boulevard, see Topical Response 12.

Comment 110-3:

2. Current Animal inhabitants - one of the best things about living in the foothills is the ability to be with nature. That is why the majority of us live 'in. the country'. It is very nice to look out your windows and see rabbits, squirrels, quail and even, coyotes. Disrupting this natural habitat should not be done. We currently live peacefully with our animal neighbors but adding 280 new homes will destroy their homes and displace them.

Response:

See Response 49-1.

Comment 110-4:

3. Sewer System -these new homes if developed; would come with sewer hookups. How will this effect [sic] current homeowners in the area? The neighbors of Hillhaven Avenue, Verdugo Crestline and Inspiration Way have septic systems. Will we be given the option of moving to a sewer system? I'm sure we would all like to move to a sewer system if this development is approved. But again, putting the sewer lines in will change the environment here.

Response:

As discussed in Section IV.L (Utilities and Service Systems) of the Draft EIR, potential environmental impacts to the existing sewer system have been determined to be less than significant. This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 110-5:

4. Street Lighting - the additional street lighting, even if it is a lower voltage than first envisioned, will take away the atmosphere of what the neighbors have fought to keep. We currently have very few street lights in this area and it is nice to be able to see stars at night.

Response:

This comment is consistent with the analysis in the Draft EIR, which concluded that the proposed project would have a significant impact on the existing residential area adjacent to proposed Development Area A with respect to artificial light and glare, although that impact would be considerably reduced through the implementation of a series of recommended design features and mitigation measures, including setting street lights at half the intensity normally required by the City.

Comment 110-6:

5. Brush Fires -after what happened in the San Bernardino mountains and Simi Valley hills this October, it scares me to death to think of more houses in a canyon. We take extreme care to keep our properties brush free to help avoid brush fires year around.

Adding 280 new homes in a brush area (where many insurance carriers will not write business and we can only get state coverage), is not a safe or sane decision.

Response:

See Topical Response 13.

Comment 110-7:

If you or members of the Planning, department would like to see what it is like to live here, I open my house to you. See why we don't want these houses built.

Thank you for your consideration.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 111: Linda, Loyle and Karen Sallee, 7224 Tranquil Place,
Tujunga, CA 91042, December 26, 2003

Comment 111-1:

AESTHETICS

“The availability of truly natural environments with plenty of fresh air, wildlife, and clean water is of critical importance to us all. Their value is profound, obvious in many physical ways, but beyond human comprehension in most.”

Leon Gorman, President, L. L. Bean.

The 887 acres tucked into the Verdugo Mountains, also known as the Canyon Hills project site, currently has the above mentioned fresh air, wildlife, and clean air. If the development is permitted to be built, the profound benefit the land now has in its natural state will be lost forever. Throughout the EIR it is stated that the construction of the proposed project would result in substantial unmitigable adverse aesthetic impacts. “As indicated therein, none of the alternative designs would reduce all of the significant impact associated with the proposed project to less than significant levels (with the exception of the NO Project Alternative.)” (EIR V-1)

The project site is directly adjacent to the Foothill Freeway (210) a designated scenic freeway, and La Tuna Canyon Road, a designated scenic highway. This project would adversely affect these scenic roadways, not just in the immediate vicinity, but literally for miles. It is doubtful the term “scenic highway” was meant to describe continual views of asphalt and houses. If it were, then all of the freeways in Los Angeles must be so designated.

The proposed development will be located in a steep walled box canyon. Three sides are steep canyon walls, and the fourth is a man made steep wall on top of which is the 210 Freeway.

The construction of this project requires massive grading of ridge lines and canyons. This grading will grossly and permanently alter the topography, open space, and vegetation on these acres. The developer proposes to replant the area so it will blend in with the surrounding landscape. This is preposterous. Native vegetation will not replant well, plus it is considered combustible material. The grading plan also calls for the destruction of oak trees. Oak trees do not survive transplantation.

Response:

With respect to the concern expressed regarding the status of Interstate 210 and La Tuna Canyon Road as State scenic highways, see Response 89-5. With respect to the concern expressed regarding grading and the aesthetic impact associated with the proposed project, see Topical Response 6. With respect to

the concern expressed regarding the impact of the proposed project on oak trees, the conceptual tree planting program recommended in the Draft EIR does not include the transplantation of oak trees. With respect to the concern expressed regarding wildfires, see Topical Response 13. The balance of this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 111-2:

The EIR states that elements will be used to integrate the proposed project with natural open space. This seems to be a contradiction. How can anything be integrated into an open space? Once something is placed into an open space it is by definition no longer open. How can 280 houses with their accompanying ribbons of asphalt, concrete sidewalks, drainage systems, noise barrier walls, fences, retaining walls, and street lights ever be integrated into “open space?” The construction of this project will create permanent scars on the land that will never be “integrated.” This project is not a haircut whose unsightly effects will be unnoticeable in two weeks. This project is an amputation of the land. That which has been cut will never regrow. Some greenery band-aids may be applied, but the deep and irreparable scars will be visible in perpetuity.

Response:

See Topical Response 6.

Comment 111-3:

The aesthetic summary (EIR I-47) states that “while the proposed project has been designed to preserve the existing visual character and quality of the project site (by creating a low density clustered residential community that avoids the appearance of a “tract” development), the proposed project would transform undisturbed hillsides into a 194 acre residential community.” The houses will be clustered on land that has to be cut and filled in order to make the building pads. It seems that the developer needs to look at his schematic map to see that this development looks exactly like those tract developments that are built in flat land in our local desert, Texas, Las Vegas, and Henderson, Nevada. This is to me a sign of tract development.

Response:

See Topical Response 6.

Comment 111-4:

The EIR section IV N page 37 states, “However, while the project has been designed to minimize the visibility of the proposed homes, based on the close proximity of the Development Area to two designated scenic highways, the proposed development should be considered to have a substantial adverse effect on scenic vistas, and the proposed project’s impact on scenic vistas would therefore be considered significant.”

This development would affect the visual character and quality of open space for the residential community to the north and northeast. Contrary to EIR (IV N-10) views are not restricted to Tranquil Drive, Reverie Road, Inspiration Way, Glen-O-Peace Parkway, and Verdugo Crestline. Homes to the northeast along Amoret, Estepa Drive, Tranquil Place, and Tranquil Drive as well as homes located in Crystal View will have views of all the topography (except at the base) of area A.

Response:

The analysis contained in the Draft EIR concluded that the proposed project would have a significant impact on scenic vistas as viewed from the existing residential areas to the northeast and east of proposed Development Area A. Tranquil Drive, Reverie Road, Inspiration Way, Glen-O-Peace Parkway and Verdugo Crestline border the project site and would have the most unrestricted views of proposed Development Area A. Homes along other nearby streets may also have partial views of proposed Development Area A, but those views would be more restricted due to intervening terrain, homes and dense vegetation.

Comment 111-5:

The area adjacent to the project site is semi-rural with narrow streets and low density housing. In essence, to those who live there it is an oasis from the crowded urban four lane streets with houses that are only a few feet from each other. If this project goes forward then the cancer known as urban sprawl will have a foothold in one of the few open areas remaining in Los Angeles. Left unchecked this foothold will become a stranglehold and all of Los Angeles will be consumed by urban sprawl. For the sanity of Los Angeles’ humanity should not we leave some large contiguous areas untouched so their natural beauty can nurture our eyes and our souls?

Response:

With respect to the concern expressed regarding open space, the proposed project includes the permanent preservation of approximately 693 acres of open space (see Topical Response 6). See also Response 107-8. The balance of this comment expresses opposition to the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft

EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 111-6:

OPEN SPACE

Throughout the EIR report the developer keeps referring to “remaining open space.” Why? Regarding the remaining land, all that is said is that the rest of the acreage is open space “for now.” “...are currently no roads or tracts into this area A.” (EIR IV D-61) Are there future plans to develop the remaining area? This is repeated in EIR IV H-7 which states “roadways and other infrastructure are not anticipated to be extended into previously undeveloped area that would be available for future development.” I thought the remaining land would be open space and turned over to the Santa Monica Conservancy.

Response:

The commenter’s claim that page IV.D-61 in the Draft EIR includes the phrase “are currently no roads or tracks into this area A” is incorrect. The actual statement relates to proposed Development Area B, not proposed Development Area A, and provides as follows: “The southern portion of the project site, between La Tuna Canyon Road and Interstate 210, is less accessible than the northern portion of the project site as there are currently no roads or trails into this area.”

The statement on page IV.H-7 has also been taken out of context. That statement is part of the cumulative impact analysis with respect to population and housing impacts, and therefore relates not only to the proposed project, but also the related projects identified in the Draft EIR. Accordingly, the referenced statement is not limited to the project site and does not suggest that roadways and other infrastructure would be developed on the portion of the project site that would be preserved as open space.

As discussed on page III-8 in the Draft EIR, most of the preserved open space would be transferred to the Santa Monica Mountains Conservancy, while the balance would be owned and maintained by the homeowner association(s). See also Response 107-8. Within the preserved open space, some incidental public improvements and planting enhancements may occur, including the creation of passive recreational areas, hiking trails, public utilities and native vegetation and tree plantings where the landscape is able to be sustained without irrigation or fuel modification.

Comment 111-7:

RIDGE LINES

“The majority of the cut pads proposed in the development plan are situated along ridge lines with a portion of the proposed pad cut extending to the vertical slope face.” (EIR IV A-31) The District Plan recommends that there be no grading on principle ridge lines. Your design to build on the ridge lines, to me, is wrong. Yes, ridge line houses do give a view, but the effect of the ridge line houses will be seen all over the area plus across the valley. (example–homes built adjacent to Seven Hills, Tujunga)

Why lower a secondary ridge line? (EIR IV B) Why do developments have to destroy any ridge lines? If one has to build, keep it off the ridge lines, but then, of course, the developer would not make as much money.

“If all or a portion of a Prominent Ridge Line Protection Area is not visible from any listed “Scenic Highway,” then a single dwelling may encroach into such Prominent Ridge Line Protection Area or portions thereof...” (EIR IV G-24, Section 6 B) The dwellings would be seen from La Tuna Canyon Blvd. and Foothill Blvd., Tujunga/Sunland. Therefore, there should be no development on any portion of the ridge lines. Once a precedent is made others will no doubt follow. A prominent ridge line is just that, and no building or part of a building may encroach upon said ridge line.

In conclusion, there should be no ridge line development!

Response:

As discussed in Response 75-37, the designated Prominent Ridgelines in the Specific Plan are equivalent to the “principal ridge lines” described in Footnote 19 in the Sunland-Tujunga Community Plan. The proposed project would comply with all standards and restrictions in the Specific Plan relating to the protection of designated Prominent Ridgelines and Prominent Ridgeline Protection Areas. With respect to the impact of the proposed project on secondary ridgelines, see Topical Response 6.

The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 111-8:

RIDGE LINE GRADING

This project proposes to grade 125,000,000 cubic feet of earth. This amount of earth represents approximately 463 football fields each covered to a depth of six feet. Such an excessive amount of grading creates numerous problems. "...grading in the project would transform the rugged skyline and complex terrain of the hillside into more regular patterns of horizontal planes." "...central portion of Development A, grading would reduce the height of an existing ridge line by as much as 80 feet." "...substantial portion of Development A would involve the removal or alteration of existing scenic resources such as land forms and undisturbed natural native vegetation, which would substantially impact scenic resource." (EIR IV N-38) All of this is unmitigatable.

Cutting off 80 feet of a ridge line is unmitigatable. The topography of the area would be drastically changed for eternity. To even suggest cutting that much of a ridge line is reprehensible. Money, money, money, is the only motive for even suggesting such an atrocity.

Response:

See Topical Response 6.

Comment 111-9:

FIFTEEN PERCENT SLOPE DENSITY ORDINANCE

What happened to the 15% slope Density ordinance that the developer seemingly does not have to abide by? Even with the cut and fill the land will exceed the 15% slope. According to the ordinance (No. 162,144), if the developer is permitted to build, he is only allowed 177 houses on the 887 acres (one house per five acres), not the 280 houses he wants.

Response:

The slope density formula set forth in Section 17.05C of the LAMC that is referenced in Footnote 4 in the Sunland-Tujunga Community Plan applies to land designated as Minimum Residential, Very Low I Residential and Very Low II Residential in the Sunland-Tujunga Community Plan. The proposed land use designation for the Development Areas is Low Residential, which would not be subject to the slope density formula. In addition, and contrary to this comment, the slope density formula does not limit the number of dwelling units based on acreage. Rather, the slope density formula is based on the average natural slope of the land in terms of percentage.

Comment 111-10:

DENSITY

As stated under Impacts in the EIR "...the proposed homes would be less dense than is permitted under the current General Plan use designation for the project site, and therefore would be consistent with the City's growth projections." What is the definition of dense? Putting 280 houses clustered into 194 acres to me seems high density. This land is not flat, rather, a steep canyon. These houses are not spread out over the entire acreage. That would be too expensive for the developer.

Response:

See Responses 75-23 and 52-9.

Comment 111-11:

ELECTROMAGNETIC FIELD EMISSION

The EIR states that the proposed project does not have enough evidence pro or con concerning electromagnetic radiation and its adverse effects on people living in the project site. "...some estimates of electromagnetic field exposure might be related to cancer." (EIR IV M-20) The Edison power lines transverse the project site. Many houses will be built as close as permissible parallel to the power lines. To absolve any future claims by the residents of the proposed houses, the developer will give each prospective buyer a "disclosure statement" absolving them of any future illness claims. Buyer Beware!

Response:

While this comment expresses an opinion concerning the effects of EMF, it does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, it is important to note that Mitigation Measure M.2-1 in the Draft EIR has been recommended to inform future project residents of the controversy of the potential health effects of exposure to EMF emissions. As stated on page IV.M-28 in the Draft EIR, highly qualified and reputable experts in the EMF field cannot agree on whether there is a positive correlation between EMF emissions and harmful biological effects on humans. After extensive studies and research commissioned by the State of California Department of Health Services, there is insufficient scientific evidence to demonstrate any causal link between EMF exposure from transmission lines and any adverse health effects. A complete analysis of the scientific research that has been conducted with respect to the potential hazards associated with EMF emissions is presented in Section IV.M.2 (Electromagnetic Field Emissions) of the Draft EIR.

Comment 111-12:

WILDLIFE CORRIDOR

Have signed receipt letters been sent out to the followings: ants, spiders, bugs, rabbits, chipmunks, moles, gophers, ground squirrels, tree squirrels, raccoons, coyotes, deer, quail, road runners, bobcats, rats, mice, lizards, gopher snakes, king snakes, garter snakes, and rattle snakes telling them that they have a wildlife corridor all to themselves via Edison power lines and Verdugo Crestline Drive? Does the developer really believe that the wildlife will just stay in the boundary of the Edison wires? Have the wildlife been informed about the electromagnetic field emissions under or near the Edison power lines? Let us be realistic, wildlife will go where they please. I know, as the wildlife meanders through our property all the time. That is what makes this area unique. I wonder if the future residents of this development will appreciate this wildlife in their area.

Response:

This comment appears to be rhetorical and is understood as such. The common species noted are not restricted to movement within either the SCE Transmission Line ROW or Verdugo Crestline Drive under existing conditions and would not be restricted to these areas in the post-project condition. The wildlife movement study demonstrated in the Draft EIR that, in the post-project condition, Verdugo Crestline Drive would remain as a viable movement path for species that currently use it (or are expected to use it), including coyote, bobcat, gray fox and smaller-bodied animals such as raccoons (see pages IV.D-154, IV.D-155, IV.D-157, IV.D-158 and IV.D-159).

There is no evidence of adverse impacts to wildlife living under or perching on transmission lines due to the effects of EMF. However, this is the existing condition and would not be changed by the proposed project. The development of the proposed project would not “force” any animals to use areas in and around the SCE transmission lines that do not currently use them. Therefore, there would be no potential for adverse impacts to wildlife associated with project due to the presence of the SCE transmission lines.

Comment 111-13:

EQUESTRIAN

This development was originally presented as a horse keeping area. Now only three acres and two parking stalls have been allocated for horse keeping. (EIR IV E-20) Wow! Can they afford it?

Response:

See Topical Response 8. The balance of this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 111-14:**OAK TREES-ENVIRONMENT**

There is an Oak Tree. Preservation ordinance No. 154,478. If this project is approved, it will greatly affect the oak trees located on the project site. The Coast Live Oaks are part of the city of Los Angeles Oak Tree Preservation Ordinance. They are of significant importance and an environmental resource. Oak trees that are removed will not survive replanting if extirpation and replanting is the mitigation for the oak trees, then, in essence, there is no mitigation for the oak trees.

Response:

As stated on page IV.D-118 in the Draft EIR, transplanting mature coast live oaks or western sycamores is not considered a viable manner of mitigating project impacts. Therefore, it has not been recommended as a mitigation measure in the Draft EIR. However, if the City requires any coast live oaks to be relocated, a professional standard of care would be used to identify suitable tree candidates, appropriate planting locations and transplant methods. See also Topical Response 2.

Comment 111-15:

The removal of all natural features and the flora and fauna in the graded areas will result in overall adverse effects in the plant life and animal life. Loss of food for the wildlife would be caused by the development. Loss of food equals loss of animals in the area. This is significant. The grading would also do selective removal of vegetation for fire prevention. The impact would be considered adverse and unmitigable. All of this will be gone forever.

Response:

As discussed on page IV.D-49 in the Draft EIR, the following impacts would be significant before mitigation pursuant to the CEQA Guidelines: (1) the loss of 0.59 acre of southern coast live oak riparian forest, (2) the loss of 0.31 acre of southern willow scrub, (3) the loss of 2.64 acres of southern mixed riparian forest and (4) the loss of 235 individual oak trees (as discussed in Response 149-105, the number of impacted coast live oaks has increased from 232 to 235). With mitigation, impacts to

southern coast live oak riparian forest, southern willow scrub, and southern mixed riparian forest would be less than significant. The short-term impact to coast live oaks would remain significant with implementation of mitigation measures, while the long-term impact would be mitigated to a less-than-significant level. See also Topical Response 2.

All other impacts to vegetation communities would be less than significant due to the widespread or common character of the vegetation types (e.g., chaparral is common and widespread throughout California). Impacts associated with fuel modification for the special-status habitats noted above are included in the totals provided above and would be fully mitigated. Impacts to common habitats such as mixed or chamise chaparral due to fuel modification would not be significant. Similarly, no significant impacts to special-status animals would occur due to the proposed project. The loss of common wildlife and plants would not be considered a significant impact.

Comment 111-16:

LIGHTS

Your writer believes that the lights will only affect the area directly adjacent to your project. This is not true. In fact, the lights, especially from your “planned ridge line” houses, will be seen clear across the valley, and from Hillhaven Ave., Estepa Dr., Tranquil Place, Tranquil Drive, Reverie Rd., and Crystal view. All of the lights for the houses planned south of Verdugo Crestline Dr. (according to your schematic) would be seen from Foothill Blvd. Obviously, your staff is not familiar with this area. We will be living in a giant light bulb.

Response:

Proposed Development Area A is located on the south side of the Verdugo Crestline. Therefore, no lights from the project site would be visible from Foothill Boulevard.

Comment 111-17:

TRAFFIC

Inspiration Way or Verdugo Crestline Dr. to the north is proposed to be the ingress/egress road into the area. Inspiration Way would be the less costly to the developer, as it is the shorter of the street to Alene Dr. which then feeds into Hillhaven Ave., the main road, out of the area. Not only does Hillhaven Ave. absorb the traffic from Verdugo Crestline Dr., Inspiration Way, and Alene Dr., but it also handles all of the traffic from all of the roads south of the Alene Dr./Hillhaven Ave. intersection. In addition, Amoret intersects Hillhaven Ave. a short distance from the Alene Dr./Hillhaven Ave. intersection as Hillhaven Ave. winds its way down to Foothill Blvd. All of these streets are narrow. The width at some portions of Hillhaven Ave. is only twelve feet. At times, if one encounters a

garbage truck, fire truck, large delivery truck, dump truck, ambulance, etc. backing up becomes mandatory. Hillhaven Ave. itself was not constructed to handle this much traffic. Widening the road is not an option. Where will the land be obtained? One-half of the street has homes built on pads. The other side has homes built on the side of a canyon. Must these people lose their driveways and yards so they can have traffic where their children once played?

Response:

See Topical Response 11.

Comment 111-18:

The ingress/egress road south of the project site will require a ridge line to be cut to make the ingress/egress road connect to La Tuna Canyon Blvd. This is, of course, only if Caltrans gives them the right of way on the property adjacent to the 210 Freeway. If Caltrans does not give permission for the right of way, the developer plans to access his property using Duke Development land. Here, too, a ridge line would have to be cut. If this occurs, the cars using this ingress/egress could then use the Duke Development ingress/egress to get to Foothill Blvd. They would drive down Amoret to Hillhaven Ave. instead of going up La Tuna Canyon Blvd. to Tujunga Canyon Blvd. From there the traffic on Hillhaven Ave. becomes a nightmare as this street is extremely narrow and hilly. Emergency roads will in all probability be used to go to school, churches, or grocery stores as they will be shorter than the previously stated route of having go to via La Tuna Canyon Blvd., Tujunga Canyon Blvd., etc.

Response:

Assuming that this comment refers to the primary access to proposed Development Area A, it would consist of an access road from the existing intersection of the Interstate 210 westbound on/off ramps and La Tuna Canyon Road. An encroachment permit would be required from Caltrans to construct the necessary intersection modifications. However, the construction of the access road would occur on the project site.

Vehicular access is typically reviewed by LADOT and the Bureau of Engineering prior to issuance of building permits. In addition, since the proposed access to Development Area A involves the construction of the north leg of an intersection with a freeway, the vehicular access to Development Area A would also be reviewed by Caltrans. Engineering design issues related to the proposed access (i.e., location, width of entry and exit lanes, motorist sight distance, roadway horizontal and vertical curvature, drainage, etc.) would be reviewed at that time.

The main access road to proposed Development Area A would be constructed along the south-facing hillside slopes parallel to and north of Interstate 210. At a distance of approximately 2,400 feet west of

the new north leg of the existing intersection of the Interstate 210 westbound on/off ramps and La Tuna Canyon Road, the access road would cross a low secondary ridgeline that descends from the offsite designated Prominent Ridgeline to the east. The portion of the ridge that would be crossed by the access road is not designated in the Specific Plan as a Prominent Ridgeline, and grading of secondary ridges is not prohibited by the Specific Plan or the Sunland-Tujunga Community Plan. Furthermore, by back-cutting an existing knoll where the access road crosses the ridgeline, a berm-like structure would be created that would minimize the visibility of the road and the cut.

The Draft EIR includes an alternative (Alternative C) that includes alternative primary access to proposed Development Area A through the Duke Property. However, contrary to this comment, Alternative C was not included to provide alternative access if Caltrans does not approve the proposed access. Rather, Alternative C was included to fulfill the CEQA requirement that the Draft EIR examine a range of reasonable alternatives to the proposed project and to permit the development of the alternative access if preferred by the community.

The comment is incorrect that “if Caltrans does not give permission for the right of way, the developer plans to access his property using Duke Development land.” Since both the proposed project and Alternative C would involve the construction of the same north leg of an intersection with Interstate 210, Alternative C would require the same Caltrans slope easement encroachment permit as the proposed project. The comment is also incorrect that if Alternative C were developed, cars using this ingress/egress could then use the Duke Project ingress/egress to get to Foothill Boulevard. In fact, there would be no difference in circulation patterns, since neither the proposed project nor Alternative C would provide any access to Foothill Boulevard.

Comment 111-19:

Your writer of the EIR report stated that Hillhaven Ave. ends at Alene Dr. (EIR IV I-16). This is an error. Just what do you think the home owners south of that intersection use for access to their homes?

Response:

As a point of clarification, the roadway that extends south of the Hillhaven Avenue and Alene Drive intersection is Hillhaven Place. The second sentence in the first paragraph on page IV.I-16 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to read as follows: “Hillhaven Avenue intersects with Alene Drive, which is a 40-foot wide dedicated street with variable pavement width ranging from 18 to 22 feet.”

Comment 111-20:

In addition, the developer wants a signal installed for his development. Since when does a private gated community have a signal installed for its exclusive use? (EIR I-36).

Response:

See Topical Response 9. The recommended traffic signal would not be for the “exclusive use” of the Canyon Hills community. Rather, the traffic signal would regulate all traffic at the Interstate 210 Westbound Ramps/La Tuna Canyon Road intersection, including all traffic traveling eastbound or westbound on La Tuna Canyon Road.

Comment 111-21:

FIRE

As you well know we have had devastating fires in southern California. The way the houses are laid out in the proposed development it will be difficult to keep any fires from spreading to all the clustered houses. Ridge line houses, especially, according to one fire report, will be difficult to save. Firefighters had to leave local fires. Due to the terrain they were unable to fight the blazes. In November, 1980, we had a fire which started on Inspiration Way. This fire burned the canyon and subsequent canyons all the way to the Castaway Restaurant in Burbank.

The development will no doubt meet all the necessary fire safety building requirements, but will that be enough should a fire start, as they usually do, during a Santa Ana wind? How will this be mitigated?

Response:

See Topical Response 13.

Comment 111-22:

SCHOOLS

The need for a new high school requires the students to be bused or driven by carpools to the Van Nuys area where the new high school is currently being built. Any of the other high schools in the area would also require bussing or other modes of transportation. All of the schools are some distance away thus, walking or bicycling from the proposed site is not feasible. Younger children living in the project site will also require transportation to their schools because the distance is too far and the streets are too dangerous for the children to walk or bicycle to and from the elementary and middle schools. (EIR I-36)

Response:

As discussed in Topical Response 9, trip generation forecasts for the proposed project included all trips typically generated by single-family homes, including those by residents. Therefore, vehicle trips to and from school were included in the traffic impact analysis in Section IV.I (Transportation/Traffic) of the Draft EIR. As concluded therein, the proposed project would have a less-than-significant traffic impact with implementation of Mitigation Measure I-1.

Comment 111-23:**SEISMICITY**

The Canyon Hills project site is located near several active faults. The nearest known fault is the Verdugo-Eagle Rock fault zone located three miles to the southwest of the project site. In geological terms, the Sierra Madre fault zone, six miles east and the Ramond fault, twenty-two miles east are very close to the project site. Did your geologist find the “inactive” fault located on the Duke Development project site? I believe it is close to the entrance to that project site.

As your geologist knows, earthquakes occur on “inactive” faults or even on faults that were not previously known to exist (for example Northridge, Sunland, and Landers in San Bernardino County). “Inactive” and “dormant” do not indicate a permanent condition as those near Mt. St. Helens in 1980 will attest.

Response:

See Response 39-2. Inactive sympathetic faults, which are not considered capable of generating earthquakes, were encountered in several locations within the project site. These faults developed as a result of the uplift and folding within the Verdugo Hills, and are not of sufficient length and depth to generate seismic activity.

Comment 111-24:**AREA B**

The area bounded by La Tuna Canyon and the 210 Freeway is an area where the water drains to a catch basin. All the planned water flow from Area A and B into the La Tuna Canyon wash is stated to be less than significant even though there will be more water and the runoff will be swifter. (EIR IV L-13) The additional water from the houses and runoff from the streets will increase the volume and therefore the rate of the runoff.

Response:

Storm water runoff is discussed in Section IV.C (Hydrology and Water Quality) of the Draft EIR. As discussed therein, the development of the proposed project would not increase peak runoff quantities or velocities in La Tuna Canyon Wash. The proposed project would reduce future peak flows to no more than 90 percent of the existing peak flows running off from the undeveloped project site. This would be achieved by the construction of detention basins that would release runoff more slowly than runoff drains into them during a 50-year storm. As a result of this design, the proposed project would reduce current peak flows in La Tuna Canyon Wash by 148 cfs downstream of the project site. This reduction in peak flows would also have the effect of reducing runoff velocities.

Comment 111-25:

Sound walls are to be built in Area A and B, especially Area B, since according to the graphic many of the houses will be elevated above La Tuna Canyon Road and will be visible to passerbys and freeway users. Sound walls will not stop all the freeway noise. In fact, sound does not travel in a straight line, but spreads out much like a megaphone due to the topography. The noise will rise and be louder the further the distance from the project.

Response:

As stated on page IV.E-22 in the Draft EIR, sound walls would be designed and constructed to lower the noise levels emanating from Interstate 210 to a level below 67 dBA at the exterior of the future homes, pursuant to Caltrans Noise Standards. Regarding the way in which sound travels, the commenter is correct in noting that sound “spreads out.” Also, the sound level decreases with increased distance from the source. As stated in Egan’s Architectural Acoustics,⁶² “Sound energy from line sources [e.g., stream of automobiles or railroad cars] drops off by 3 dB for each doubling of distance.” For example, if the sound level at 200 feet from a road is 60 dBA, the sound level at 400 feet from that road would be 57 dBA. Topography does influence sound levels, and was therefore taken into account in the sound analysis conducted for the proposed project (see page IV.E-23 in the Draft EIR).

Comment 111-26:**COMPUTER DRAWINGS**

⁶² Egan, M. David, Architectural Acoustics, 1988, page 14.

The computer generated houses are way out of proportion to the house used in the foreground. It would be assumed that the houses would be far away from the foreground “real” house. That is again incorrect. The canyon in question is narrow and with fill, the houses will be raised on their pads to be much larger than shown. The “small” houses are to give the illusion that the houses will be unobtrusive. If you were to show the houses as they are in the schematic these “small houses” are really going to be all crammed into a “mess” of tall buildings.

Response:

See Responses 149-323 and 149-325 through 149-357.

Comment 111-27:

CONCLUSION

Any development of “tract housing” in a small confined area would in essence abolish the District Plan and ultimately the General Plan of this area.

Land use should not be designated for the profit of a few, but for the health, safety, and aesthetic enjoyment of all—wildlife, vegetation, and humans. If land use is only for the profit of a few, then the wisdom and foresight of the City Council will have been in vain. The solution is for the city and state to purchase the site for the use of all. Are the needs of a few more important than the needs of the many, or is the need of money more important than the needs of all? The Constitution answers that question.

Response:

With respect to the concern expressed regarding the contention that the proposed project would appear as a typical “tract” development, see Topical Response 6. In addition, the commenter fails to explain in what manner the proposed project would “abolish” the General Plan and what is meant by the “District Plan”, therefore a reasoned response is not possible (see Topical Response 1). The commenter also expresses an opinion about the financial profit from the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 112: Dr. Alan Tanner, 10926 Cardamine Place, Tujunga, CA
91042, December 26, 2003

Comment 112-1:

I am a 12 year resident of Tujunga, and a frequent recreational user of the Verdugo Hills. Last August 20 I attended the public meeting hosted by the Canyon Hills developers where I was hoping to find answers to some questions that I had regarding the draft environmental impact report (DEIR). I was pleased that the authors of the DEIR were there and available to answer detailed questions, and that the other key planners [sic] were there too. I did not, however, get adequate answers to my questions and I was disappointed in the knowledge that the developers and the DEIR authors demonstrated regarding the affected area. I am therefore writing you to report on some of the more serious errors and omissions that I have found in the DEIR:

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1.

Comment 112-2:

1. The draft EIR makes no mention of an important foot and bicycle trail that presently connects Tujunga directly to the Verdugo Hills. The proposed entry to the development will- as far as I can tell- cut off this trail completely. Depicted in a rough diagram below, this trail is the only available access to the Verdugo Hills from the residential areas of Tujunga. It is maintained by residents. The trail initially follows the power line access at Dorothy Road, then follows an abandoned road, and finally descends a steep grade to La Tuna Canyon Road near the bottom of the Hostetter Motorway (fire road). This last descent is very steep, and the proposed access road to the development area will, I believe, need to cut deep into and across the hillside in such a way as to make it impossible to hike around.

< < See original letter for graphic insert> >

The draft EIR does not sufficiently describe the details of the proposed access road. Nor does it provide any plan for an alternate trail route. I use the above trail several times each week to access the Verdugo Hills on my bicycle. If this trail were cut off- as it appears to be in the draft EIR- I will need to use my car to drive around via either Sunland or La Crescenta to gain the same access. I would very much like to avoid that.

Response:

See Response 67-1.

Comment 112-3:

2. The DEIR erroneously states on page IV.D-141 that mountain lions are not found in the Verdugo Hills. In the mid 1990's I know of four separate and clear sightings of mountain lions in the Verdugo Hills by three good friends of mine. In one siting, my friend Jef Lifeste (of North Hollywood) suddenly found himself just a few feet from a full size mountain lion near the top of the Brand fire road; it appeared in front of him at night just as he switched his bicycle headlamp on and after taking a break, I met him just minutes after this siting and remember well how excited and shaken he was. Around the same time the Glendale News Press also reported the death of one mountain lion found on the 210 freeway adjacent to the proposed development area. I will need to do some research to pinpoint the dates, but the article in the Glendale News Press and the names of eyewitnesses can be made available, if needed.

Response:

See Response 4-16.

Comment 112-4:

3. I found the field work and science behind section IV.D.3, "Wildlife Movement," completely inadequate to support the author's conclusions that bobcats are present in "very low numbers". I have seen bobcats near the bottom of the Hostetter fire road on many occasions (twice in just the past two months), as well as fox. Yet these animals were not detected in the study. Problems with this study include inadequate sampling, and the lack of testing of the measurement technique. A small number (21) of test sites of prepared dirt were monitored for only 4 day [sic] in April of 2002. This is not, as the authors claim, an "extensive" survey. I also doubt the validity of the technique since such prepared tests sites may appear strange to animals, and may therefore be avoided. To validate their results the author's need to provide comparative data in which their techniques are applied to areas of known wildlife densities. As presented, their data are meaningless.

Response:

Hostetter Mountainway is located south of Interstate 210 and La Tuna Canyon Road and is outside the project study area. The purpose of the 21 track stations to which this comment refers was to establish that animals such as coyote were utilizing specific movement paths, such as culverts. Once a positive result was obtained, it was no longer necessary to continue monitoring the stations because it was established that the locations were used by the animals for movement. As summarized in Table IV.D-17 in the Draft EIR, substantial movement was detected at 19 of the 21 stations after four days.

While bobcats were not detected within the wildlife movement study (as noted on pages IV.D-125 and IV.D-127 in the Draft EIR) page IV.D-150 in the Draft EIR indicates that bobcats were reported by residents in adjacent residential areas and are expected to occur onsite. A detailed discussion of bobcat use of the project site is provided in Topical Response 5.

Regarding survey activities of the project biologists, see also Topical Response 4.

Comment 112-5:

As an engineer and scientist at the Jet Propulsion Laboratory in Pasadena, I regularly review scientific papers prior to publication. Upon reading the DEIR, I would not permit this report to be published. This report contains too many errors and omissions, poor science, and attempts to reach too many conclusions based on inadequate data. It is not possible to make the conclusions that the authors do based on the data that they present. It also appears to me that this DEIR is heavily slanted in favor of the developers, and that a great deal of boiler-plate material has been inserted in an attempt to cover up the lack of meaningful content.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1.

Comment 112-6:

I am very concerned that the proposed development will cut off wildlife migration to and from the Verdugo Hills. The DEIR should, but does not, adequately address this concern.

Thank you for your consideration, and please feel free to contact me at any time,

Response:

See Responses 4-4 through 4-6 and 4-12 through 4-15.

Commenter 113: Barbara Tarnowski, 10410 Las Lunitas Ave., Tujunga, CA
91042, December 29, 2003

Comment 113-1:

Thank you for your time. I am writing to oppose the Canyon Hills Project. Furthermore the EIR (Case No: ENV-2002-2481-EIR) is inadequate. I demand that the city of Los Angeles have their consultants and an independent outside agency redo the EIR for the Canyon Hills Project, EIR Case No: Env-2002-2481-EIR, Ref. #'s SCH#2002091018 and then release the EIR for additional comments when it is up to parr [sic] and adequate. The EIR is inadequate because it blatantly understates the impact of this development on the community and nearby communities.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3. In addition, this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 113-2:

The Whitebird Development Group will not help the state of California. It will harm the state of California by destroying precious habitat that is critically needed for CALIFORNIA and it's [sic] federal-listed and or state-listed threatened and or endangered native wildlife.

It does not take a rocket scientist to know: NO WILDLIFE = NO HUMANS eventually.

Will we tell Jesus upon his return. "Making money and being greedy was much more important, than taking good care of His Father's innocent little creatures until his return."

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 113-3:

The 887 acres of land situated in the Verdugo mountains must and needs to remain as the beautiful open space that it still is. Many surrounding areas of Sunland, Tujunga, Shadow Hills, Lake View Terrace, La Crescenta etc are sacred lands! They need to be left alone, they need to be preserved! For our own good the MUST be left alone and MUST be preserved!

Thank you again for your time and consideration.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 114: Les Vincent, 3511 El Lado Drive, Glendale, CA 91108,
December 26, 2003

Comment 114-1:

The EIR is inadequate and I request that the consultant redo the EIR because it seriously understates the impact of this development on the community.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

Comment 114-2:

As a commuter on the 210 Freeway, I am a citizen expert in the Aesthetic Impact of this development. In reviewing the DEIR, the consultant did not take into consideration the requirement for freeway sound walls, as identified in the Noise Impact Study by ArupAcoustics located in the Appendix. Twenty (20) houses within the proposed development will be exposed to freeway noise levels exceeding the allowable limit, thus necessitating a freeway sound wall. This freeway sound wall was not included in the Photo Simulation and Visibility Analysis provided in this report. As described in this report this section of the 210 Freeway is designated as a Scenic Freeway. Installation of these sound walls will directly interfere with the view of this scenic region.

Response:

Contrary to the comment, there is more than one proposed sound wall. The locations of these walls are indicated in Figure IV.E-2 in the Draft EIR. Also, sound walls were taken into consideration in the visibility analysis in Section IV.N (Aesthetics) of the Draft EIR. For example, a proposed sound wall within Development Area B (B-7 through B-10) is depicted and labeled on Figure IV.N-17 in the Draft EIR. With respect to the depiction of sound wall B-5 in Development Area A, see Response 149-335. The intent of the visual simulations was to provide a reasonably accurate representation of the aesthetic impacts that would result from the proposed development as seen from eight different public vantage points that are representative of the major roadways and trails around the project site. The visual simulations were not intended to show all of the proposed sound walls and other improvements. Nonetheless, the visibility analysis contained in Section IV.N (Aesthetics) of the Draft EIR concludes that the proposed project (including sound walls) would have a significant impact on views from Interstate 210. However, as shown on Figure IV.N-17 in the Draft EIR, the depicted sound wall would minimally interfere with views of the region.

Comment 114-3:

In addition, the effect of these sound walls was not included in the Noise Analysis section of this report. Namely, the reflection of the freeway noise to the existing community was not considered.

Response:

The freeway traffic noise impacts analysis was performed utilizing Caltrans computer prediction model Sound32/Sound 2000. Caltrans has studied sound reflections off the surface of the freeway sound walls, which indicate that:

[S]ingle reflections off barrier surfaces rarely increase noise levels on the opposite side of the highway by more than 1 to 2 dBA. A controlled field study by Caltrans failed to detect any increases in noise levels due to a concrete sound wall on the opposite side of a freeway.⁶³

In addition, the theoretical 1-2 dBA increase in noise would only occur if project site topography were such that the noise-sensitive receptors (i.e., homes) had direct line-of-sight to the sound barrier. Based on the review of the existing project site topography shown on the project site plan and site observations, none of the existing homes (either north or south) of Interstate 210 would have a line-of-sight to the proposed noise barriers. Therefore, the potential 1-2 dBA increase in the sound environment due to the new sound walls would not significantly impact any existing homes.

Comment 114-4:

Furthermore, according to Caltrans, the completion of the 710 Freeway to the 210 Freeway in Pasadena will increase car traffic in this area by 150,000 cars per day, plus an increase of more trucks from the LA Harbor area. (This project has been revived with the consideration of a tunnel in the controversial areas within Pasadena and South Pasadena.) This will increase the need for sound walls in this new community, and further decrease the scenic value of the Verdugo Mountains, "an island of open space surrounded by urbanization".

⁶³ Hatano, M.M., Evaluation of Noise Barrier Reflection, 04-SCI-101-30.7, Report No. CA-TL-7287-78-02, California Department of Transportation, Office of Transportation Laboratory, January 1978.

Response:

See Response 7-5.

Comment 114-5:

The DEIR also states that the development will only be viewed for maximum 77 seconds when traveling along the freeway at 65 mph. It omitted the fact that the entire scenic view is only 3 minutes, 30 seconds (at 65 mph), thus reducing the scenic value by 37%.

Response:

This comment is incorrect. Page IV.F-3 in the Draft EIR states: "The project site has approximately 2.7 miles of frontage on the north side of Interstate 210. At 65 mph, it takes a westbound vehicle approximately two minutes thirty seconds to traverse the length of that northern subarea."

Comment 114-6:

The DEIR is inadequate and should be redone because it seriously understates the impact of this development on this community.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

Commenter 115: Mary Anderson, 9953 Amanita Avenue, Tujunga, CA
91042, December 27, 2003

Comment 115-1:

I have lived in the Sunland-Tujunga community for over 50 years and am concerned with over-development. I've seen traffic congestion increase tremendously and wildlife decrease over the last few years.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 115-2:

I want to comment on the Canyon Hills Project DEIR. Under current zoning laws, a maximum of 87 homes is permitted on the Canyon Hills property. I urge the City to require the Canyon Hills project to stay within all current laws and codes, and within the guidelines of the Scenic Preservation Specific Plans and the Community Plan.

Response:

See Response 57-10.

Comment 115-3:

Specifically, I'd like to comment on the 210 Foothill Freeway Scenic Highway status. Currently, the 210 Freeway has been qualified as a State Scenic Highway, which provides for the enhancement and protection of the natural scenic beauty and requires scenic conservation. The construction of 87 homes on the Canyon Hills property would not constitute a major intrusion on this scenic highway. However, building 280 homes on 194 acres is considered a major intrusion.

Response:

See Response 89-5.

Comment 115-4:

Additionally, the proposed construction of noise barriers along the freeway would also be considered a major intrusion on the scenic beauty, effectively blocking view of the landscape. In all probability, sound walls would not be effective in lessening the noise impact on the proposed homes because the sound of traffic would be carried up the canyons.

Response:

As stated on pages IV.E-22 to IV.E-26 in the Draft EIR, sound walls are proposed to reduce freeway traffic noise impacts to a level that is consistent with Caltrans noise abatement criteria. The selection of sound wall material is typically based on safety, constructability, maintainability, aesthetics, compatibility with the surrounding environment and required acoustic performance. In general, freeway sound barriers are constructed of concrete blocks. However, other wall construction systems such as a combination of Plexiglas and concrete blocks may be used in areas where maintaining an uninterrupted view of the surrounding scenery is important to the neighboring communities. As indicated by the Table IV.E-8 in the Draft EIR, the maximum noise reduction required by the project sound walls (to meet Caltrans Criteria) would be 12 dB (at sound receptor R13). Any sound wall material (e.g., concrete blocks, or combination of concrete and Plexiglas) would easily provide the required sound attenuation. Therefore, to further reduce the aesthetic impact of the proposed sound walls, the list of mitigation measures on pages IV.N-39 and IV.N-40 in the Draft EIR has been revised in this Final EIR (see Section III (Corrections and Additions)) to add the following:

- N-8 Where required sound walls may interrupt views of the surrounding scenery, sound walls constructed of a combination of Plexiglas and concrete blocks may be installed.

The noise analysis contained in Section IV.E (Noise) of the Draft EIR indicates that the Caltrans noise criteria 67 dBA contour line is located approximately 500 feet from the Interstate 210 centerline. All of the proposed homes outside this contour would meet the Caltrans noise criteria without mitigation. Twenty of the 280 proposed homes would be located within the 67 dBA contour line. However, implementation of recommended Mitigation Measures E-12, E-13 and E-14, including the installation of sound walls, would reduce freeway noise to an acceptable level with respect to 17 of those 20 homes. As discussed in the Draft EIR, the freeway noise impact with respect to three of the proposed homes in Development Area B (designated as R10, R11 and R12 on Figure IV.E-2) could not be mitigated to a less-than-significant level, as originally designed.

Therefore, Mitigation Measure E-13 recommended that either (1) the proposed lots on R10, R11 and R12 be moved further from Interstate 210 or (2) the access road be redesigned so that sound walls could be placed closer to R10, R11 and R12. Subsequent to the release of the Draft EIR for public

review, the site plan was modified to change the elevations and/or location of the three homes in question (as recommended in Mitigation Measures E-12 and E-13) and the project noise consultant prepared a supplemental noise analysis to analyze these changes. The supplemental analysis concluded that by changing the locations and elevations of the three proposed homes in question, and by modifying the locations of the proposed sound walls, freeway noise impacts on those three homes would be reduced to less-than-significant levels. The supplemental noise analysis is included in Appendix F to this Final EIR.

In any event, if standard concrete walls are used, the sound walls would be local walls to protect specific houses, not solid walls along the entire property line. Figure IV.E-2 in the Draft EIR shows that the total length of the initially proposed sound walls would be approximately 1,100 feet on the north side of Interstate 210 and would be approximately 1,300 feet on the south side of Interstate 210. The total length of the proposed sound walls would be approximately 2,400 feet (0.45 mile), which would extend over approximately 2,900 feet (0.55 mile) alongside Interstate 210. Since the proposed project has approximately 2.7 miles of freeway frontage, the 0.55 miles of initially proposed sound walls would be relatively modest in comparison. In addition, these walls would be positioned as close to the homes as possible, rather than directly adjacent to Interstate 210.

As discussed above, with the redesign of the three proposed homes in Development Area B (designated as R10, R11 and R12 on Figure IV.E-2 in the Draft EIR), the sound walls described in the Draft EIR have been modified to reduce their associated impacts, as follows: (1) sound wall B7 as presented in Figure IV.E-2 (300 feet in length, 8 feet in height) would be eliminated; (2) sound wall B10 (200 feet in length, 16 feet in height) would be replaced by sound wall B9 and would retain the same length and height; and (3) sound wall B9 would be replaced by sound wall B8. The new sound wall B8, as compared to the original sound wall B9, would be reduced in length from 550 feet to 500 feet and would be reduced in height from 16 to 14 feet. A new B7 sound wall (150 feet in length and 6 feet in height) would be created perpendicular to the former B7 sound wall alignment. As a result, sound wall B7 would be less visible from Interstate 210 because it would be partially masked by sound wall B8 and its height and length would be substantially reduced. See Figure 3-S in the supplemental noise report (Appendix F to this Final EIR). With these modifications, the total length of the sound walls would be reduced from 1,300 feet to 900 feet and the heights would be reduced from 8-16 feet to 6-14 feet.

There is no evidence to suggest that sound reflected off of existing topography would increase sound levels at the proposed homes that would be protected by sound walls. Sound walls, where necessary,

would decrease the sound level to noise-sensitive receptors by blocking the direct sound path between the source (Interstate 210) and the receiver (homes).⁶⁴

Comment 115-5:

I urge that the City Council require Whitebird Development Group to reissue the DEIR and address these concerns.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3.

⁶⁴ Hendricks, Rudy, Noise Technical Supplement, Caltrans, October 1998, pages 33-40.

Commenter 116: Maureen Gibson, 9914 Hirondele Lane, Tujunga CA 91042, December 27, 2003

Comment 116-1:

I am writing to respond to the Canyon Hills Project EIR, Case no: ENV 20022481 EIR. I have lived in this area; owned and ridden horses there for many years. I have found the following statements to be inconsistent with facts known to me as a long time resident of the community.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 116-2:

IV-G. LAND USE (179k)

The DEIR misstates the interaction with “K” district for horses, A1 zone vs A1-K, minimum required lot sizes for equine keeping. Many of the proposed lots described are under the minimum square footage required for horse keeping.

Response:

The commenter is correct that, under both the current and proposed zoning, the square footage of many of the proposed lots in the Development Areas are less than 20,000 square feet, which is now the minimum lot size required for equinekeeping pursuant to the Specific Plan. As discussed in Topical Response 8, the proposed zoning for Development Area B has been changed from RE9 to RE20.

The statement that the Draft EIR “misstates the interaction with ‘K’ district for horses, A1 zone vs A1-K, minimum required lot sizes for equine keeping” is unclear, and therefore a specific response is not possible. In general response, however, the information in the Draft EIR regarding the current and future zoning of the project site is accurate, except as discussed in the preceding paragraph.

Comment 116-3:

The proposed “Upzoning” of 748 acres from Minimum Residential to Low Residential would destroy or at the very least seriously compromise the established rural/equestrian lifestyle of the area. The additional population density would severely limit equestrian activities and access. The proposed “Three Acre Equestrian Park” to mitigate this is woefully inadequate and inaccessible to most residents as a result of the increased housing density.

Response:

The statement in this comment that the proposed project includes the “upzoning” of 748 acres of land on the project site from Minimum Residential to Low Residential is incorrect. As discussed on page IV.G-16 in the Draft EIR, the Community Plan land use designation for approximately 237 acres of land within the proposed Development Areas that are currently designated Minimum Residential, Very Low I Residential or Very Low II Residential would be changed to Low Residential. With respect to the concern expressed in this comment that the proposed project would impact the rural/equestrian lifestyle of the area, see Topical Response 8. In addition, the statement that the proposed equestrian park is inadequate and inaccessible to most residents as a result in the increased housing density is incorrect. As discussed in the Draft EIR, the equestrian park would be located directly off La Tuna Canyon Road and would be accessible to the public. In addition, the equestrian park would be adjacent to a segment of the non-public equestrian trail system in the area, and equestrians could therefore reach the equestrian park from the adjacent trail. The equestrian park would include an arena and related amenities that are not currently available in the immediate area.

Comment 116-4:

The entire proposed project is in an area classified as “Very High Fire Hazard Severity Zone”. Given the current state budgetary crisis there is no expectation that increased services would be available to the area, thereby overextending resources available to protect the existing community. Due to the narrow roadway in many areas it is already difficult to access the area with emergency vehicles. The plan makes no allowance for this situation.

Response:

Regarding emergency access, see Topical Response 11. With respect to potential impacts associated with the VHFHSZ, see Topical Response 13.

Comment 116-5:

V. GENERAL IMPACT CATEGORIES (63k)

A1 (Agricultural) zoning is misrepresented regarding agricultural activities. While there are no commercial agriculture concerns, one of the purposes of RA1 is to allow for horses, goats, chickens and other livestock that are common in the area and an important part of life there.

Response:

This comment apparently refers to the discussion on page V.3 in the Draft EIR that the proposed project would not cause significant environmental effects on agricultural resources because no

agricultural activities currently occur on the project site. Contrary to this comment, the Draft EIR acknowledged that agricultural uses are permitted in the A1 zone. The commenter does not suggest that any agricultural activities currently occur on the project site or that the development of the proposed project would significantly impact any offsite agricultural resources.

Comment 116-6:

This project will also likely increase pressure for larger scale commercial development either nearer to the project site or within the existing "Foothill Corridor". This will result in increased negative impacts to the surrounding community by way of traffic and noise in the narrow "foothill corridor". Much of the existing roadway is narrow and twisting. We already have safety concerns that are certain to be worsened by the additional traffic.

Response:

Regarding the project's potential traffic impact on Foothill Boulevard, see Topical Response 12. With respect to the proposed project's overall impact on traffic in the project vicinity, see Topical Response 9.

Commenter 117: Elektra Kruger, President, Shadow Hills Property Owners Assoc., P.O. Box 345, Sunland, CA 91041, December 27, 2003

Comment 117-1:

We would like to express a difference of opinion relative to the “clustering concept” as interpreted by Whitebird, Inc. as well as some missing and perhaps incorrect information presented in the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the “DEIR”) which, had it been made available, would have greatly helped the average resident follow Whitebird’s explanations for their proposed zone change requests.

A missing bit of information includes a map of the break-down of the proposed zone changes. The DEIR does provide maps of Land Use Designations both Current and Proposed (DEIR Figure IV-G-1 and Figure IV-G-6) and a Map of Current Zone Designations (DEIR Figure IV-G-4). It does not provide a map of Proposed Zone Designations throughout the Canyon Hills Project Site.

Response:

This comment is incorrect. Figures IV.G-6 and IV.G-7 in the Draft EIR include the proposed Community Plan land use designations and zoning designations for the entire project site. However, please note that, as reflected in Section III (Corrections and Additions) of this Final EIR, Figure IV.G-7 has been modified to reflect the proposed zoning for Development Area B has been changed to RE20-H.

Comment 117-2:

The DEIR Figure IV-G-3 does provide a mapping of the prominent ridgelines of the entire San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (heretofore to be referred to as the “Scenic Preservation Plan”), however fails to provide an enlarged pull-out map, or map of any kind, illustrating how these ridgelines lie relative to the Canyon Hills Project Site and it’s [sic] immediately adjacent lands only. There is some serious question as to a number of ridgeline endpoints that appear at the very point where these ridgelines meet the Canyon Hills Project Site border as seen in full-size maps available for examination at the Planning Department.

Response:

The commenter is correct that Figure IV.G-3 in the Draft EIR shows the location of all designated Prominent Ridgelines and Prominent Ridgeline Protection Areas in the Specific Plan area. While the project site was not superimposed over that map in the Draft EIR, as discussed on pages IV.G-24 and IV.G-25 in the Draft EIR (as modified in Section III (Corrections and Additions) of this Final EIR), no

buildings or structures would be placed or constructed within any Prominent Ridgeline Protection Area, except as otherwise provided in the Specific Plan, and the proposed project would otherwise comply with all applicable restrictions in the Specific Plan regarding designated Prominent Ridgelines and Prominent Ridgeline Protection Areas. However, to provide additional graphic information with respect to this issue, Figure FEIR-4 below illustrates the project site superimposed over the Prominent Ridgelines and Prominent Ridgeline Protection Areas.

While the commenter indicates that a “serious question” exists regarding unspecified “ridgeline end points”, neither the identity of those ridgelines nor the specific concern regarding them is discussed. Therefore, no further response is possible.

Comment 117-3:

A confusing or erroneous statement noted on page DEIR IV-G-16 makes reference to 237 acres within Development Areas. We are given to understand that there are 142 acres associated with Development A and 52 acres associated with Development B – this adds up to 194 total acres within Development Areas, not 237.

Response:

The reference to 237 acres on page IV.G-16 in the Draft EIR describes the current land use designation for the area that encompasses the proposed Development Areas as Minimum Residential, Very Low I Residential or Very Low II Residential that would be changed to Low Residential. As shown in Figure III-1 in the Draft EIR, approximately 194 acres in the proposed Development Areas would be developed (i.e., 142 acres in Development Area A and 52 acres in Development Area B). The reason for the difference between the approximately 237 acres in the proposed Development Areas and the approximately 194 acres that would be developed therein was to provide flexibility in the siting of the 280 homes in the event that minor modifications with respect to the location of the proposed Development Areas are required as part of the entitlements process for the proposed project. However, the proposed development would, in any event, be limited to approximately 194 acres.

Figure FEIR-4 Prominent Ridgeline Areas

Comment 117-4:

I proceed now to our differing opinions as to the “clustering concept” as interpreted by Whitebird Inc. Canyon Hills is currently zoned AI or AI-K in its entirety (DEIR Figure IV-G-4). Footnote 7 of the Community Plan emphasizes that it is only the total density that would otherwise be allowed over the entire ownership that may be clustered. If the existing zoning, the Hillside Ordinance restrictions and the Slope Density Formula were taken into consideration, the total number of units that Canyon Hills may be allotted would be 87 units, not 280. These 87 units could easily be clustered into RA zones which would make the entire Canyon Hills Project an equestrian-oriented project which would be in keeping with the Objectives of the Sunland – Tujunga – Lake View Terrace – Shadow Hills – East La Tuna Canyon Community Plan (heretofore to be referred to as the “Community Plan”). I reference Objective 1-8 of the Community Plan: “To promote and protect the existing rural, single-family equestrian oriented neighborhoods in RA zoned areas and “K” Districts. To caution against possible precedent-setting actions including zone variance, conditional use, or subdivision that might endanger the preservation of horsekeeping uses.” The DEIR made reference to Footnote 7 of the Community Plan (DEIR IV-G-18) to point out that the proposed density of the Canyon Hills Site Plan does not exceed the maximum density permitted under the proposed Low Residential land use designation quoted in Footnote 7. While indeed Footnote 7 does state: “Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership. Density clusters shall not exceed that permitted in the Low Density housing category for areas that are not in “K” Districts, and shall not exceed that permitted in the Very Low I category for areas that are within a “K” District.” Indeed, the majority of Canyon Hills is not within a “K” District, however being located in a highly equestrian oriented canyon neighborhood, Canyon Hills should seriously consider clustering at equestrian-size lots. Footnote 7 does not lock you into the Low Density housing category, it merely restricts you from exceeding the zoning of Low Density housing. This would allow Canyon Hills to seriously consider clustering into lot sizes of an RA zone ie [sic] a minimum of 17,500 sq ft/lot equestrian lots, a very viable option with approximately 2.6 houses per net acre as opposed to the 9 quoted in the DEIR IV-G-18 when RA zoning was not taken into consideration. Canyon Hills would actually have two options given the 192 acres proposed for development. One would be to reduce the proposed development footprint for RA zoned lots or a second would be to increase the lot sizes for the 87 units to a higher zoning to fill the proposed footprint. Additionally, one should keep in mind that, as per the Community Plan, the area of Canyon Hills Development A is already foreseen to become zoned within the Very Low 1 density category (RE40 or RA). It is the intent of the Community Plan that the entitlements granted be of the zone designations set forth in the Plan unless accompanied by a concurrent Plan amendment.

Response:

The statement that “the existing zoning, the Hillside Ordinance restrictions and the Slope Density Formula” limit the number of proposed homes to 87 is incorrect. Neither the existing zoning designations for the project site nor the hillside ordinance provisions in the LAMC so limit the number of proposed homes. However, the slope density formula in Section 17.05C of the LAMC does limit the number of proposed homes to 87.

With respect to the implied statement that the proposed project is inconsistent with Objective 1-8 in the Sunland-Tujunga Community Plan, see Response 12-5.

With respect to the commenter’s suggestion that the proposed project be limited to 87 units “clustered into RA zones”, the Draft EIR already includes an alternative (i.e., Alternative C) that would limit the proposed development to 87 homes. Alternative C contemplates a “ranchette” project with the 87 homes spread throughout the project site. In addition, Objective 1-8 in the Sunland-Tujunga Community Plan does not relate to the zoning for new residential projects. Rather, the purpose of Objective 1-8 is to promote and protect existing single-family, equestrian-oriented neighborhoods in RA-zoned areas. Furthermore, as discussed in Topical Response 8, the existing residential neighborhood adjacent to Development Area A is not an equestrian community. It should also be noted that, as discussed in Topical Response 8 and Section III (Corrections and Additions) of this Final EIR, the proposed zoning for Development Area B has been changed to RE20-H, which requires a minimum lot size of 20,000. In contrast, lots in the RA zone only require a minimum lot size of 17,500 square feet. In addition, while the proposed lots in Development Area A would range from 9,038 square feet to 64,827 square feet, the average lot size in Development Area A would be 17,312 square feet, which is similar to the minimum lot size in the RA zone. Finally, the statement that the suggested RA zoning alternative would provide a “very viable option with approximately 2.6 houses per net acre” is incorrect. Under this 87-home alternative, the housing density would be approximately 0.55 dwelling units per net acre (87 homes ÷ 158 net acres).

The commenter is correct that Footnote 7 in the Sunland-Tujunga Community Plan does permit clustering up to the maximum density permitted under the proposed Low Residential land use designation.

The statement in this comment that “the majority of Canyon Hills is not within a ‘K’ District” is somewhat misleading. Only 24 of the 887 acres of land on the project site are located in a “K” District, and none of that land is located in proximity to the proposed Development Areas. Rather, those 24 acres of “K” land are located in the far northwest portion of the project site.

Comment 117-5:

We obviously also differ somewhat in our opinion relative to the DEIR's interpretation of Land Use Compatibility. (IV-G-15 and IV-G-19, 1-1.2 & 1-3.1). We assume that the DEIR's reference to "existing homes adjacent to Development A" are references to the North and Northeast along eg [sic] Verdugo Crestline Area. The lots to the North and Northeast were subdivided many years ago and initially served as summer homes to the "city-folk" – they were never designed to be full-time residences and, as such, were never subdivided to serve as a full-time residence. It is the equestrian-oriented lots to the west in the canyon that should be taken into consideration when discussing neighborhood land use compatibility and Canyon Hills should be comparing its Site Plans from the functional perspective of the western canyon neighborhood which has made every effort to retain equestrian lot size zoning.

Response:

See Topical Response 8.

Commenter 118: Marc Stirdivant, Chairman of the Board, Glendale-Crescenta Volunteers Organized in Conserving the Environment (V.O.I.C.E.), P.O. Box 273, Montrose, CA 91021, December 27, 2003

Comment 118-1:

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

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

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Responses to the concerns in the “enclosed comment letters” referred to in this comment are provided below.

Comment 118-2:

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

The site proposed for development is a hilly 887-acre parcel located “entirely within the Verdugo Mountains in the northeastern San Fernando Valley.” (Canyon Hills Draft EIR at II-1). Presently the site has “moderate to high use” for wildlife activity (id. At IV.D141) and “includes a number of large and small animal species including coyotes, mule deer, American badgers, bobcats, gray foxes, woodrats, raccoons, birds, lizards, and snakes.” (Id. At II-4). Its California “Native vegetation communities include southern arroyo willow riparian, southern coast live oak-sycamore woodland, Venturan coast sage scrub, mixed chaparral, and chaparral sage scrub ecotone.” (Id at IV.D-1). The entire site is located within Los Angeles County Significant Ecological Area 40 (Id. At IV.D-28) which means that it possesses biotic resources that are uncommon, rare, unique or critical to the maintenance of wildlife.

The Southern portion of the property bounds the Santa Monica Mountains Conservancy’s 1,100 acre La Tuna Canyon Park, used by hikers and nature lovers from all over Southern California. The project

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

Response:

This comment reiterates excerpts from the Draft EIR, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. With respect to the concern expressed regarding the location of the project site within a VHFHSZ, see Topical Response 13. In addition, it should be noted that, contrary to this comment, the project site does not presently experience a high recreational use by the general public for hiking, mountain biking, nature study and the like, and the commenter does not present any evidence to support that contention. Rather, the project site is privately owned and does not contain any official public recreational uses.

Comment 118-3:

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

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

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

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

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

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

Response:

Contrary to the implication in this comment, neither CEQA nor the CEQA Guidelines, including Section 15124 of the CEQA Guidelines, require the Draft EIR to include information as to whether or the extent to which a project applicant intends to develop a proposed project itself. It is the experience of the consultant that assisted the City in the preparation of the Draft EIR that such information is not “generally” included in the Draft EIR. The various statements that lots would be graded and then remain vacant for an extended period is speculation and, in any event, that is not the intention of the project developer.

With respect to the statements in the third paragraph of the comment relating to the project applicant’s address, see Response 94-2.

Comment 118-4:

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

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

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

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

Response:

With respect to the concern regarding the sensitivity of the proposed project’s grading plan, see Topical Response 6. With respect to the concern regarding grading equipment, the proposed project does not propose to move dirt onsite by dump truck. It would be moved by a combination of scrapers, off-highway trucks and bull dozers. There would not be 306,667 truck trips, as speculated in this comment. The grading equipment that would be used is specified on page IV.B-12 in the Draft EIR.

Comment 118-5:

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

However, the Draft EIR is astonishingly lacking in details on the design and operation of this equestrian park. When one turns to the Recreation and Parks section of Draft EIR one merely reads that “The

proposed three-acre public equestrian park and trail would also be available to all residents.” (Id. At IV.J-26). The design of the park is nonexistent. As to the operation of the park, “It is anticipated that the City’s Department of Recreation and Parks or a nonprofit organization would operate the equestrian park.” (Id. At III-4). This is a notion that amounts to little more than wishful thinking at a time when cities and counties are contemplating giving up operation of their parks (Glendale News Press – December 19, 2003 – “Crescenta Valley Park faces closure”). Significantly, the only details we have about the equestrian park is that it will include a staging area, an arena, and parking for two cars and trailers!

Furthermore, the Recreation and Parks section of the Draft EIR indicates that “the proposed project would increase the local residential population by approximately 831 persons.” (Id. At IV.J-25) and concludes that at the preferred parkland per population ratio of four acres per 1,400 persons, the project would require 3.3 acres of new parkland. It goes on to say that “within the Development Areas, recreational facilities would include tot lots, an active play area, passive open space, biking trails, a vista point with a picnic area and gazebo, and a swimming pool with a Jacuzzi, restroom building, and barbecues.” (Id. At IV.J-26). Yet once again, one searches in vain for any specific location, size, or description of these recreation facilities. Moreover, the DEIR reaches the height of hypocrisy when it announces that “There are no available flat areas on the project site that would permit the development of a park with a wide range of active recreational facilities for children and youth.” (Id. At IV.J-26). As we have previously seen, 4.6 million cubic yards of earth will be moved to make flat pads for homes, but not one ounce, apparently, will be moved for a park.

Response:

The Draft EIR does not include a “lack of detail” with respect to the proposed equestrian park. The proposed improvements for the equestrian park are minimal and would be limited to a staging area, an equestrian arena, a parking area with approximately two cars with trailers and potable water facilities. The environmental impacts associated with the proposed equestrian park are discussed throughout the Draft EIR and this comment does not state any concern regarding the adequacy of that analysis. In addition, the operation of the proposed equestrian park by the City’s Department of Recreation and Parks or a nonprofit organization is not unreasonable. The Department of Recreation and Parks and nonprofit organizations operate other equestrian facilities in and around the City. The newspaper article cited in this comment does not relate to a park in the City.

With respect to the recreational facilities referenced in this comment, as discussed in the Draft EIR, they would be located in the proposed Development Areas. It is self-evident that these proposed recreational facilities would have a minimal environmental impact. In any event, the Draft EIR evaluated the grading, biological and other impacts associated with the development of the proposed Development Areas, including the development of the proposed recreational facilities. The project

applicant would be required to submit the final design of proposed equestrian and recreational improvements to the Department of City Planning for review and approval prior to the issuance of any corresponding building permits.

Comment 118-6:

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

The question of the safety of Canyon Hills residents is perhaps the most important issue that the City’s decision-makers will deal with in considering this project. Sadly, the Draft EIR is woefully deficient in its analysis of this critical area. The project is located in the Sunland-Tujunga Reporting District (RD) of the Foothill Division of the Los Angeles Police Department. As the Draft EIR states “Generally, there is one basic car unit (two officers per car) assigned to each RD.” (Id. At IV.J-13). The LAPD’s ideal emergency response time (the amount of time from when a call requesting assistance is made until a police unit responds to the scene, is 7.0 minutes. During 2002, the city-wide response average was 10.2 minutes. In the Foothill Division it was 11.4 minutes.

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

Response:

With respect to the concern expressed regarding police protection and response times, see Responses 25-3 and 29-4.

With respect to the general concern expressed regarding the safety of the future residents of the proposed project, Section 15131 of the CEQA Guidelines provides that social effects (i.e., safety issues) shall not be treated as significant effects on the environment. Consequently, while the Draft EIR does not evaluate safety issues in detail, it is not deficient under CEQA as suggested by the commenter.

Comment 118-7:

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

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

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

- 1) From the west: Emergency vehicles would proceed westbound on Foothill Boulevard for approximately 1.7 miles until reaching Interstate 210. Vehicles would then proceed back eastbound on I-210 for approximately 3.0 miles until reaching the La Tuna Canyon Road off ramp. Vehicles would then exit the freeway and proceed north .1 mile into Development Area A or south onto La Tuna Canyon Road and proceed westbound for approximately .7 miles to Development Area B.
- 2) From the east: Emergency vehicles would proceed eastbound on Foothill Boulevard for approximately 1.7 miles to Tujunga Canyon Boulevard. Vehicles would then proceed southbound on Tujunga Canyon, a narrow, two-lane road with inadequate shoulder along most of the route, for approximately .9 miles to La Tuna Canyon Road. Vehicles would then proceed westbound for approximately 1.1 miles to the entrance to Development Area A, or 1.8 miles to Development Area B.
- 3) Emergency Access Route: Emergency vehicles would proceed eastbound on Foothill Boulevard for approximately .8 miles. Vehicles would then proceed southbound on Hillhaven Drive for approximately .6 miles through steep, narrow and winding residential streets to the proposed access gate on either Inspiration Way or Verdugo Crestline Drive, both of which are

one-lane only in places (as opposed to one lane each way). There, firefighters would stop, get out of their vehicles and unlock the closed emergency access gate, before finally proceeding into the proposed project.

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

Response:

See Topical Response 13. As discussed in Section IV.J (Fire Protection) of the Draft EIR, the construction of a new fire station is not required for the proposed development of 280 single-family homes.

Comment 118-8:

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 [sic] or a safe community.

Response:

See Response 23-3.

Comment 118-9:

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 Department and Christopher Joseph and Associates revealed that neither organization had access to this information. It is highly perplexing that neither the Lead Agency nor the preparers of the Draft EIR would have this information, or that a

project of this magnitude, with its significant and long-lasting impacts on the local community, could be considered without this basic information. As a result, numerous questions abound. Who is the actual owner of the property proposed for development? If the developer does not own all the parcels in the project, which does he own and on which does he hold options? Since the developer asserts that he will donate all of the project site located outside the Development Areas “to the Santa Monica Mountains Conservancy or another qualified entity to further conservation efforts within the Verdugo Mountains” (id. III-8), a condition for approval must be the purchase of all options so that the aforementioned dedication can take place. But how can such a condition be made if the decision-makers do not have access to this critical information?

Response:

Contrary to the implication in this comment, neither CEQA nor the CEQA Guidelines require the inclusion of the assessor parcel number(s) for a project site in a Draft EIR. The Draft EIR includes a complete site plan and site plan detail (see Figures III-1 and III-2) that show the location and boundaries of the proposed Development Areas and the overall project site. There is no suggestion in this comment that the site plan and site plan detail are inadequate in any respect.

With respect to the portion of the comment relating to the ownership of the project site, neither CEQA nor the CEQA Guidelines require a Draft EIR to include a breakdown of a project applicant’s real property interests with respect to a project site.

Finally, the development of the proposed project would be subject to a condition that requires the transfer of the open space outside the proposed Development Areas to the Santa Monica Mountains Conservancy or another qualified entity to further conservation efforts within the Verdugo Mountains. Prior to that transfer, a qualified surveyor would survey the open space area and prepare a legal description that would be subject to approval by the project developer, the City and the recipient of the open space.

Comment 118-10:

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

Response:

See Responses 38-8, 38-9 and 38-10. As discussed in those responses and Section IV.L.1 (Water) of the Draft EIR, the installation of two water tanks and related pipelines would not have significant environmental impacts.

Comment 118-11:

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 [sic] 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?

Response:

As indicated on page IV.L-3 in the Draft EIR, the 5,000-foot extension of the water line in La Tuna Canyon would be within the La Tuna Canyon Road public right-of-way. The extension would connect the existing public water line within La Tuna Canyon Road to the two proposed water tanks. The exact route of the extension has not been finalized at this time and would be determined by the DWP, as it would be part of the public water system. However, it is certain that the proposed extension would be located entirely within public rights-of-way and private roads. Therefore, the extension would not cross hillsides within the undeveloped, open space portions of the project site, nor would it cross other private parcels or City-owned property.

As discussed in the Draft EIR, the installation of the proposed water line could involve short-term traffic and access impacts. Such impacts could consist of temporary partial or complete lane closures as trenches are excavated, the pipes are installed and the trenches are subsequently refilled and covered

over. This construction is estimated to take approximately one week to complete, and therefore would not constitute a significant impact.

With respect to the question regarding the potential need for pumping stations, chlorination stations and pressure reduction valves, these details would be finalized in consultation with the DWP, which would be responsible for the final design of the proposed extension.

Comment 118-12:

If anything is now well-established under CEQA, it is that “an accurate, stable, and finite project description is the sine quo 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 balances.” “A curtailed, enigmatic, or unstable project description draws a red herring across the path of public input.” *County of Inyo, supra*, 71 CalApp.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).

Response:

The Draft EIR included all of the requirements for an adequate project description in accordance with Section 15124 of the CEQA Guidelines. As noted at the beginning of Section 15124, the description of the project “should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.” In addition, this comment describes the usefulness of an adequate project description, but does not state a specific concern or question regarding the adequacy of the project description contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 118-13:

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

Given the Draft EIR’s grossly deficient project description, it is not surprising that its analysis of the project’s environmental impacts is also palpably deficient. These inadequacies are commented on in detail by V.O.I.C.E.’s technical experts in Hydrology and Traffic/Transportation. Additional

comments on impacts and mitigations have been submitted by the Sierra Club, Canyon Area Preservation, the Shadow Hills Property Owners Association, and numerous individuals.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. In addition, see Responses 118-25 through 118-49 below regarding hydrology and traffic comments.

Comment 118-14:

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

CEQA Guidelines 15126.6(a) state that an EIR "shall describe a range of reasonable alternatives to the proposed project, or to the location of the project, that could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. . ." Likewise, an EIR "must consider a reasonable range of alternatives to the project, or to the location of the project, which (1) offer substantial environmental advantages over the project proposal. . .," and (2) may be "'feasibly accomplished in a successful manner' considering the economic, 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.” (Canyon Hills Draft EIR at VI-12) Consequently, it is of no value in ascertaining whether “a range of reasonable alternatives” has been achieved.

Response:

The statement in this comment that the alternatives discussed in the Draft EIR failed to meet the standards set by CEQA is incorrect. The alternatives analyzed in the Draft EIR constitute a range of reasonable alternatives that would feasibly obtain most of the basic objectives of the proposed project, but would avoid or substantially lessen one or more significant environmental effects associated with the proposed project, as required under Section 15126.6 of the CEQA Guidelines. The commenter is correct that Alternative A is the “No Project Alternative”, and that the inclusion of Alternative A was required under the CEQA Guidelines.

Comment 118-15:

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.”

Response:

Contrary to this comment, the inclusion of Alternative B was reasonable and appropriate. Under Alternative B, Development Area B would be eliminated, which would substantially lessen the proposed project’s significant impacts with respect to construction air emissions, biological resources (other than wildlife movement, which would not be materially impacted by the proposed project), construction noise and aesthetics. While Alternative B includes the same number of homes as the proposed project, Alternatives D and E are both reduced-density alternatives.

Comment 118-16:

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

Alternative D will be discussed below.

Response:

Alternative C was included as an alternative to the proposed project because, at the time the Draft EIR was completed, a reasonable likelihood existed that access to Development Area A could occur over the Duke Property. The owner of the Duke Property and the prior owner of a portion of the project site entered into an Agreement dated July 2, 1992 (see Appendix G to this Final EIR), which was recorded on August 20, 1992 as Instrument No. 92-1558212 in the Official Records of Los Angeles County, California, pursuant to which the owner of the Duke Property agreed to provide a roadway and utilities through the Duke Property to the easterly boundary of the project site, the design of which is subject to approval by the owner of the project site. Prior to the completion of the Draft EIR, the project applicant had discussions with the owner of the Duke Property regarding the extension of the primary road in the approved Duke Project to provide access to Development Area A. As set forth in Comment 135 (Exhibit 1), the owner of the Duke Property has recently advertised it for sale. However, regardless of who owns the Duke Property, the project applicant’s rights under the agreement described above run with the land for the benefit of the project applicant. Therefore, the use of the Duke Property for access to Development Area A in accordance with Alternative C is a viable and reasonable alternative that continues to be pursued by the project applicant.

In addition, and contrary to this comment, the implementation of Alternative C would substantially lessen one or more significant impacts associated with the proposed project. As one example, Alternative C would impact 30 fewer coast live oaks than the proposed project (see page IV-32 in the Draft EIR), which would substantially lessen the short-term significant impact on coast live oaks. As a

second example, Alternative C would substantially lessen the proposed project's aesthetic impact with respect to views from Interstate 210 and, on balance, would reduce the aesthetic impacts of the proposed project (see pages VI-39 through VI-40 in the Draft EIR). The inclusion of Alternative C was therefore reasonable and appropriate.

Comment 118-17:

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".

Response:

The commenter is correct that Alternative E is a reduced-density alternative. It is common practice to include at least one alternative in a Draft EIR that evaluates a proportionate reduction in the density of the proposed project, and the commenter does not suggest otherwise. Contrary to this comment, however, Alternative E would substantially reduce (by 25 percent) the significant traffic impact on the intersection of Development Area A Access/Interstate 210 Westbound Ramps and La Tuna Canyon Road (see page VI-66 in the Draft EIR). Alternative E would also substantially reduce numerous less-than-significant environmental impacts associated with the proposed project (see pages VI-74 through VI-75 in the Draft EIR). Alternative E was designed to provide a comparative analysis between the proposed project and an alternative that reduced the proposed residential density by 25 percent. In many cases, the proposed project's impacts are reduced, in other cases the impacts are similar. The Draft EIR includes a detailed comparison between project impacts and the anticipated impacts under Alternative E. Alternative E was therefore a reasonable and appropriate alternative to include in the Draft EIR.

Comment 118-18:

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 [sic] 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.

Response:

The commenter is correct that Alternative D is consistent with the Sunland-Tujunga Community Plan. However, with the approval of the requested amendments to the land use and zoning designations for the land in the proposed Development Areas, all of the alternatives would be consistent with the Sunland-Tujunga Community Plan. As set forth in the Draft EIR, the implementation of Alternative D would substantially lessen the proposed project’s impacts with respect to construction-related air emissions (see page VI-46), construction noise (see pages VI-49 through VI-50) and traffic (see pages IV-52 through IV-53).

Comment 118-19:

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

Response:

See Response 118-18. The belief that the project developer had no legal right to propose a project with 280 homes is incorrect (see Response 143-28). The proposed project includes amendments to the land use and zoning designations for the proposed Development Areas that would permit the development of the proposed homes. In addition, the allegation that alternatives to a proposed project must substantially reduce or lessen all project impacts is incorrect. Pursuant to Section 15126.6(c) of the CEQA Guidelines, an alternative must substantially lessen one or more significant environmental impacts associated with a proposed project. In addition, as set forth in Section 15126.6(f) of the CEQA Guidelines, “[t]he range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.”

Comment 118-20:

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

Response:

See Responses 118-15 and 118-19. As discussed in the Draft EIR, Alternative B was selected as the environmentally superior alternative for several reasons, including that (1) Alternative B is the only alternative that would eliminate all impacts on the portion of the project site south of Interstate 210, (2) Alternative B would require less landform alteration and less disturbance to native habitat, (3) Alternative B would preserve more open space than the other alternatives and (4) it is the only alternative that would eliminate visual impacts as viewed from La Tuna Canyon Road (see page VI-73 in the Draft EIR).

Comment 118-21:

One can only conclude that the guiding principal [sic] 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 VI62). 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.

Response:

Contrary to this comment, the “guiding principal” [sic] in selecting the alternatives for the Draft EIR was not to meet “a certain financial goal”. Rather, the alternatives were selected based on their ability to feasibly attain most of the project objectives and to substantially lessen one or more significant environmental impacts associated with the proposed project (see Response 143-23). In addition, Alternative B was selected because it eliminated all development from the southern portion of the project site, which is located adjacent to the main body of the Verdugo Mountains on the south side of La Tuna Canyon Road. Alternative C was selected because it would provide superior access to Development Area A and may ultimately be approved by the City. Alternative D was selected to compare the environmental impacts associated with a project that could be developed under the current land use and zoning designations for the project site. During the scoping process for the Draft EIR, several individuals commented that Alternative D should be included in the Draft EIR. Alternative E was included to provide a second reduced-density alternative that would permit substantially less development than the proposed project, but more density than is permitted under the current land use and zoning designations for the project site. Taken together, these alternatives constitute a range of reasonable alternatives in full compliance with CEQA and the CEQA Guidelines.

Comment 118-22:

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

Response:

Neither CEQA nor the CEQA Guidelines require the discussion of economic information about the proposed project or alternatives to the project in a Draft EIR. Although CEQA requires the inclusion of a range of reasonable alternatives in an EIR, the statute does not require the EIR itself to include any evidence of the feasibility of those alternatives. In addition, Section 15131 of the CEQA Guidelines permits a public agency to present economic information regarding a project “in whatever form the agency desires”. In the recent case of San Franciscans Upholding the Downtown Plan v. City and County of San Francisco, 102 Cal. App. 4th 656, 689-92 (2002), the court expressly held that information regarding the economic feasibility of alternatives does not have to be included in an EIR.

The balance of this comment implies that an alternative to a proposed project can only be rejected if it is economically infeasible, which is incorrect. Pursuant to Section 21081(a) of the California Public Resources Code (which is part of the CEQA statute), an alternative may be rejected if “[s]pecific economic, legal, social, technical, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.”

Comment 118-23:**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.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 118-24:

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

The DEIR for the Canyon Hills Project was written for the City of Los Angeles and prepared by Christopher A. Joseph & Assoc. on October 2003. The proposed Canyon Hills project site is located on the northern side of the Verdugo Mountains within the San Fernando Valley in the City of Los

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

This review was based on following documents in the DEIR:

Section I Summary

Section IV Environmental Impact Analysis

- A - Geotechnical Evaluation, section 8.2 and 8.3.2-
- C. Hydrology and Water Quality

Appendix F

- Section 1 - Hydrology Study – May 2003
- Section 2 - Hydrology Map Undeveloped Conditions
- Section 3 - Hydrology Map Developed Conditions
- Section 4 - Drainage Concept
- Section 5 - North side Area and South side Area Hydrology Calculations

Response:

This comment describes the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 118-25:

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

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

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

Response:

Section IV.C (Hydrology and Water Quality) of the Draft EIR provides a summary of the Hydrology Study (May 2003) prepared by Crosby Mead Benton & Associates (included as Appendix F to the Draft EIR). The Hydrology Study addresses both existing and proposed drainage areas. The Hydrology Map of Undeveloped Conditions (including Area A) is included in Appendix F as Figure 12. The Hydrology Map of Developed Conditions (including Area A) is included in Appendix F as Figure 13. The Draft EIR describes existing and proposed hydrology areas. The related calculated flows are presented in summary format in Table IV.C-1 in the Draft EIR, while the calculation details are contained in Appendix F to the Draft EIR. As stated on page 1 in the Hydrology Study in Appendix F to the Draft EIR, the calculations used are based on the methodology adopted by the County of Los Angeles Department of Public Works.

Comment 118-26:

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

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

Response:

The commenter is correct in noting that portions of Area D are currently developed with a few homes. The hydrology calculations for this area did consider the existing developed areas in Subarea 4C, which consists of 55 total acres, and Subarea 7D, which consists of 78 total acres. Appendix F (Hydrology Report) to the Draft EIR contains the program printout with the calculations used in the hydrology analysis. As shown in Rows 4C and 7D in the "Area D" section of the program printout, a factor of 10 percent imperviousness surface area was used in the hydrology calculations for Subarea 4C, while a factor of 13 percent was used for Subarea 7D. These imperviousness surface area values were prorated, according to the amount of developed surface area in each Subarea, from a factor of 42 percent for the developed condition and one percent for the undeveloped condition. Thus, the hydrology calculations for Area D are valid and correct as presented in the Draft EIR.

Comment 118-27:

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

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

Response:

The Draft EIR was not required to analyze the impact of the proposed project on culverts that would experience a decrease in runoff flows as a result of the proposed project. According to the thresholds of significance listed on page IV.C-8 in the Draft EIR, the proposed project would have a significant impact on existing stormwater drainage facilities, including the culverts noted in the comment, if the project “would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems.” Project-related impacts to existing stormwater drainage facilities would therefore only be potentially significant if the project would increase the existing volume of runoff water from the project site. If a project would decrease the existing volume of runoff water, the project would not have the potential to exceed the capacities of existing drainage facilities, and the project would consequently have no potential to yield significant impacts related to such facilities.

The Draft EIR states on page IV.C-9 that “[t]he proposed project’s storm drainage improvements have been designed to convey storm water runoff safely from the Development Areas without increasing flood and erosion hazards either on the project site or downstream.” As further described on page IV.C-9 in the Draft EIR, the proposed project would generate 10 percent less stormwater runoff and debris flow during a 50-year storm than the existing watershed currently generates. This would be accomplished through the design and construction of onsite detention and desilting basins that would capture the onsite stormwater and debris flows. The debris would be held in the basin while the stormwater is discharged at a reduced rate over a longer time interval. The proposed project’s impact on existing stormwater drainage facilities would therefore be less than significant, as concluded in the Draft EIR.

Comment 118-28:

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

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

Response:

The column in Table IV.C-1 in the Draft EIR to which this comment refers provides the area of the corresponding drainage area after development of the proposed project. As the proposed project would change the physical characteristics of the project site, the characteristics of the drainage areas on the project site would also be different before and after development. For purposes of the hydrology assessment for the proposed project, the drainage areas in the undeveloped state were designated as Areas B-3, B-4, B-5, C-1 and D in the northern portion of the project site, and Area SA in the southern portion of the project site (see Appendix F (Hydrology Report) to the Draft EIR). For the developed condition, the drainage areas were denoted as Areas B-5, C and A in the northern portion of the project site, and Areas A, B, C, D and E in the southern portion. These are the drainage areas to which Table IV.C-1 refers, and their total areas are noted accordingly in the second column of this table.

With respect to the commenter's contention that the areas of the undeveloped drainage areas be included in Table IV.C-1, the addition of such a column would be impractical, as the rows in Table IV.C-1 correspond to the names of the drainage areas after development. Furthermore, there are no corresponding "undeveloped" areas for the southern drainage areas listed in Table IV.C-1, as these areas are the product of undeveloped drainage Area SA being divided into developed subareas A through E. Due to the discrepancies between the undeveloped and developed drainage areas, it is more appropriate to provide a textual account of the areas of the undeveloped drainage areas, rather than incorporating these areas into Table IV.C-1. As such, the total areas of the undeveloped drainage areas are as follows: 99 acres for northern Area B-3, 14 acres for northern Area B-4, four acres for northern Area B-5, 28.1 acres for northern Area C-1, 318 acres for northern Area D and 178 acres for southern Area SA.

Comment 118-29:

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

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

Response:

The design flows of the Caltrans culverts were determined at the time that portion of Interstate 210 was constructed in the early 1970s. That information is unavailable to the project hydrology consultants. Should the commenter wish to obtain such information, the commenter should contact Caltrans directly.

Nonetheless, as reflected in the discussion in Response 118-27, above, because the analysis contained in Section IV.C (Hydrology and Water Quality) of the Draft EIR determined that the peak 50-year stormwater flow from the project site after development of the proposed project would be less than the existing peak 50-year flow from the project site, a comparison of the design flows of the Caltrans culverts to the proposed flow is unnecessary.

While the commenter suggests that additional analyses should be performed, the commenter does not explain the basis for the concern, and does not include any data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the contention that additional analyses should be performed. See also Topical Response 1.

Comment 118-30:

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

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

Response:

All detention and debris/detention basins are shown on Figure IV.C-2 of the Draft EIR. Runoff volumes and debris volumes are also shown on that same figure. All supporting calculations are provided in the Hydrology Report, which is included as Appendix F (Hydrology Report) to the Draft EIR. First flush volumes are relevant to issues of water quality, but not to hydrology. Consequently, they are not shown on Figure IV.C-2. While the comment indicates that additional information should be provided with respect to basin dimensions, water surface elevations and debris elevations, the commenter does not explain the basis for the request, and does not include any data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the implication that such additional information could result in changes to the conclusions contained in

the Draft EIR. Therefore, there is no need to provide the additional information. See also Topical Response 1.

Comment 118-31:

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

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

Response:

Recommended Mitigation Measure C-9 does not apply to the existing Caltrans culverts. Rather, recommended Mitigation Measure C-9 suggests the installation of energy dissipators at outlets where such facilities might be needed on the project site, in an effort to prevent onsite erosion. If they are needed, these energy dissipators would be constructed in accordance with City Engineer standards. With respect to the concern expressed regarding existing erosion control measures in place for the Caltrans culverts, such measures would be the responsibility of Caltrans, and not the project developer. Should the commenter wish to obtain such information, the commenter should contact Caltrans directly.

Comment 118-32:

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

The flow capacity of the existing La Tuna Canyon Wash should be analyzed for both existing and proposed conditions. The analysis should show water surface elevations for both existing and proposed flow in the La Tuna Canyon Wash. The hydrologic analysis should include all contributing drainage areas upstream of the proposed project.

Response:

Potential impacts to La Tuna Canyon Wash are assessed in Section IV.C (Hydrology and Water Quality) of the Draft EIR. In accordance with the thresholds of significance listed on page IV.C-8 in the Draft EIR, the proposed project would have a significant impact on La Tuna Canyon Wash if it would (1) increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or (2) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems in La Tuna Canyon Wash. Project-related impacts to La Tuna Canyon Wash would therefore only be potentially significant if the project would increase the existing

volume of runoff water from the project site. If the proposed project would decrease the existing volume of runoff water, the proposed project would not have the potential to increase flooding or exceed the capacities of existing drainage facilities in La Tuna Canyon Wash, and the proposed project would consequently have no potential to yield significant impacts related to such facilities.

As discussed on page IV.C-13 in the Draft EIR, peak flow runoff from the developed portions of the project site would be reduced by approximately 10 percent as compared to the existing flows. This would have a beneficial effect on downstream conditions by helping to reduce the potential for downstream flooding. Therefore, the proposed project would have a less-than-significant impact with respect to increasing the rate or amount of surface runoff that reaches La Tuna Canyon Wash, or with respect to existing or planned stormwater drainage systems. See also Response 118-27 and Topical Response 1.

Comment 118-33:

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

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

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

The quantities of dry weather runoff and first flush should be estimated. The expected pollutants from different land use zones need to be identified. The proposed mitigation measures should be

addressed with a level of detail that would give the regulatory agencies sufficient evidence to justify their use.

Response:

State, federal and local regulations, as identified on pages IV.C-15 through IV.C-17 in the Draft EIR, specifically address the mitigation of urban pollutant runoff. When new projects are developed in compliance with these rigorous regulations, water quality impacts are presumed to be reduced to a less-than-significant level. "First flush" cleansing in compliance with the LAMC is discussed on page IV.C-15 in the Draft EIR. In addition, pages IV.C-15 through IV.C-19 in the Draft EIR indicate that, with the implementation of the approved drainage plans, project-related water quality impacts would be less than significant. Therefore, mitigation measures are not required under CEQA. Nonetheless, mitigation measures are recommended in the Draft EIR to reduce further those less-than-significant water quality impacts.

Also, in compliance with the State law, the City has adopted specific ordinances requiring the developer to install structural water quality devices both during construction (as temporary devices) and after construction (as permanent devices). The temporary devices would be designed, specified and approved according to the Storm Water Pollution Prevention Plan (SWPPP). Prior to construction, the developer would also be required to file a Notice of Intent (NOI) with the State Water Resources Control Board for a general permit to discharge storm water associated with construction activity, certifying that the National Pollution Discharge Elimination System (NPDES) Permit Requirements as shown on the SWPPP will be implemented. The permanent devices would be designed, specified and approved according to the Standard Urban Storm Water Mitigation Plan (SUSMP). These devices would be constructed as part of the permanent storm drain devices and would provide storm water quality treatment for the permanent project improvements in compliance with NPDES requirements. These devices would specifically treat the first flush parameters typically associated with urban runoff.

Comment 118-34:

Conclusion:

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

- The cumulative impact on flooding and erosion to the downstream properties were not addressed.
- The water quality of dry weather runoff and first flush were not assessed.

Response:

See Responses 118-27 and 118-33.

Comment 118-35:

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

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

Response:

See Responses 118-27 and 118-33.

Comment 118-36:

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

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

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

Response:

This comment describes the Interstate 210 Westbound Ramps/Development Area A Access and La Tuna Canyon Road intersection, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 118-37:

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

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

Response:

While it is recognized that a left-turning traffic volume of greater than 300 vehicles per hour could warrant consideration for the installation of dual-left turn lanes, this is only a “rule of thumb” standard. Other parameters and characteristics of the intersection and overall operations must also be considered. Table IV.I-6 in the Draft EIR indicated that Intersection No. 4 (Development Area A Access/Interstate 210 Ramps and La Tuna Canyon Road) currently operates at LOS A during the morning peak hour and LOS B during the afternoon peak hour. Field observations confirmed that the intersection is not congested during these time periods, as asserted in this comment. In the future cumulative condition (i.e., with existing traffic, traffic due to ambient growth, traffic due to related projects and traffic due to the proposed project), and with implementation of the recommended traffic mitigation measures, the intersection is forecast to operate at LOS A during the morning peak hour and LOS B during the afternoon peak hour. Therefore, no excessive queuing is anticipated to result based on these good Levels of Service. Since the recommended traffic mitigation measure would reduce the proposed project’s potentially significant traffic impact to a less-than-significant level, additional improvements are not required.

Comment 118-38:

2. CMA method used to calculate levels of service at intersection would not typically differentiate between “signalized” and “unsignalized” intersections. Therefore, the conclusion drawn in the traffic study that level of service will be improved by installing a signal at the intersection is not substantiated. A signal warrant analysis is generally used to determine the need for signals at intersections.

Response:

The statement that the Critical Movement Analysis (CMA) method used to calculate levels of service would not differentiate between “signalized” and “unsignalized” intersections is incorrect. The CMA method, which is the approved methodology of the LADOT for the analysis of traffic impacts, makes a distinction between signalized and unsignalized intersections in assigning the appropriate capacity of an intersection. The approved LADOT CMA methodology assigns the intersection capacity based on the following: Unsignalized = 1,200 vehicles per hour (vph); Two-Phase Signal = 1,500 vph; Three-Phase Signal = 1,425 vph; and Four- (or more) Phases = 1,375 vph.

It is also noted that a signal warrant analysis was prepared for the intersection of Interstate 210 Westbound Ramps/Development Area A Access and La Tuna Canyon Road as part of the Draft EIR. The signal warrant analysis is described on page IV.I-37 in the Draft EIR. That analysis concluded that the traffic signal warrants were met and the recommendation of the installation of a traffic signal at that intersection as a mitigation measure was therefore appropriate.

Comment 118-39:

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

Response:

Based on the requirements of the LADOT, the required transportation improvements, including all necessary dedications, widening and signal installations, shall be guaranteed before the issuance of any building permit through the B-Permit process of the Bureau of Engineering (BOE) and encroachment permit of Caltrans. In addition, the improvements shall be constructed and completed before the issuance of any certificate of occupancy, to the satisfaction of LADOT, the BOE and Caltrans.

Comment 118-40:

La Tuna Canyon Road Traffic Congestion

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

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

Response:

With respect to the concern expressed regarding traffic on La Tuna Canyon Road associated with the proposed project, including the two-lane roadway segment west of proposed Development Area B, see Topical Response 10. With respect to the concern expressed regarding the LADOT's requirement for two lanes in each direction on La Tuna Canyon Road, see Response 191-8.

Comment 118-41:

Sight Distances on La Tuna Canyon Road

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

Response:

Vehicular access is typically reviewed by the LADOT and BOE prior to the issuance of building permits. Engineering design issues related to the proposed access (i.e., location, width of entry and exit lanes, motorist sight distance, roadway horizontal and vertical curvature, drainage, etc.), would be appropriately reviewed at that time. The LAFD requires two points of access for emergency purposes

for proposed Development Area B. Therefore, the clarification language provided in the August 1, 2003 LADOT letter is appropriate.

A review of the proposed project's access for both Development Area A and Development Area B is set forth on page IV.I-13 in the Draft EIR. As described therein, the residential components north of Interstate 210 (Development Area A) and south of Interstate 210 (Development Area B) would have separate and independent project site access and internal circulation schemes. Development Area A would have vehicular access via the proposed construction of the north leg of the existing intersection of the Interstate 210 Westbound On/Off Ramps and La Tuna Canyon Road. Access for Development Area B would be provided via two proposed intersections to La Tuna Canyon Road, west of the Interstate 210 interchange. As shown in Table IV.I-6 on page IV.I-28 in the Draft EIR, the Development Area A and Development Area B access intersections with La Tuna Canyon Road are anticipated to operate at LOS A or LOS B, with the development of the proposed project and implementation of the recommended traffic mitigation measure.

Comment 118-42:

Emergency Access

The EIR states that Development Area A would have a second access at either Verdugo Crestline Drive or Inspiration Way for emergencies only. This access will be gated and locked and there would be no access to the public at this location. The primary evacuation for residential population in Development Area A will be via La Tuna Canyon Road, and the secondary access will be used for evacuation to relieve congestion at the primary access. If the project is approved, Conditions of Approval must stipulate that the emergency access must be gated and locked at all times, and can be unlocked only be [sic] law enforcement or fire department personnel in case evacuation is required in an emergency so that the existing residential population in the surrounding areas is not impacted.

Response:

See Topical Response 11.

Comment 118-43:

Alternatives to the Project

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

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

Response:

Section VI (Alternatives to the Proposed Project) of the Draft EIR analyzed the potential traffic impacts associated with each of the alternatives to the proposed project. Table VI-8 in the Draft EIR provides a comparison of the transportation/traffic impacts for the alternatives and the proposed project.

Comment 118-44:

Conclusions

1. Physical improvements to the intersection of I-210 Freeway WB Ramps at La Tuna Canyon Road / Development Area A driveway must be incorporated to reduce anticipated traffic congestion. This would include, but not be limited to, a second left-turn lane at the south approach.

Response:

See Response 118-37.

Comment 118-45:

2. The approval of the project or any alternative must be contingent upon installation of signal at the I-210 Freeway WB Ramps at La Tuna Canyon Road / Development Area A driveway intersection. Alternative mitigation measures, as suggested in LADOT's letters of July 17, 2003 and August 1, 2003, in the event Caltrans does not permit signal installation, would not adequately handle the traffic volumes at this intersection and must not be considered.

Response:

See Response 118-39.

Comment 118-46:

3. Condition D-5 in LADOT's letter of July 17, requiring that two-lanes in each direction, with left-turn channelization along the project frontage on La Tuna Canyon Road, must be strictly adhered to and made a Condition of Approval, if the project or any alternative is approved.

Response:

See Response 118-40.

Comment 118-47:

4. Condition D-3 in LADOT's letter of July 17 regarding sight distances and allowing only one driveway on La Tuna Canyon Road must be adhered to. The revision in LADOT's letter of August 1, 2003, allowing "minimal number of driveway" must be deleted.

Response:

See Response 118-41.

Comment 118-48:

5. The second emergency access proposed on either Verdugo Crestline Drive or Inspiration Way must be gated and locked, and no public access must be permitted at this location, except as a secondary evacuation access to be unlocked by emergency personnel only.

Response:

See Topical Response 11.

Comment 118-49:

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

Response:

See Response 118-43.

Commenter 119: John Thomas, 10635 Las Lunitas, Tujunga, CA 91042,
December 27, 2003

Comment 119-1:

As a Tujunga resident, I am writing to you regarding the Whitebird Development Group who are trying to push through a huge development in the Shadow Hills area, off the 210 freeway. They are asking for a significant zoning change, which was not part of [sic] city's plan, to be able to put over 200 homes where only 50 to 80 are permitted with the current A1-zoning. It looks like Whitebird, like Casden, is-trying to buy their way through the city government and think they have a good chance of doing so, regardless of all wishes and arguments on the part of the locals up here.

I hope we can count on the integrity of the Planning Dept members to support our community here and not Whitebird and other developers when they want to try the same tactics.

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 120: Corinne Adajian-Thompson, 9431 Carlynn Place, Tujunga,
CA 91042, December 28, 2003

Comment 120-1:

My name is Corinne Thompson. I have lived in the hills of Tujunga for the last 34 years. My children grew up in this area and when they return to visit, they remark on how fortunate they were to have grown up in such a “verdant” area (their words). When my ex-husband and I bought our house, our residential development consisted of approximately 86 new houses. I am appalled that the developers of the Canyon Hills project propose to build 280 residences in the pristine hills on either side of La Tuna Canyon Road! That is more than three times the number of homes in our residential development.

When we first moved into our home in December of 1969, deer trotted along our slopes. Raccoon families waddled along in our back yards, and road runners perched up high on our roof tops! Even wild mallard ducks came to swim in our backyard pools! Unfortunately, much of that is already gone due to the existing human population in the area.

Response:

It is noted that the commenter lives on a lot and in a neighborhood with a zoning designation of RE11, which is the same zoning designation proposed for the portion of Development Area A closest to the existing residential area. In any event, this comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 120-2:

Another 280 residences will surely decimate the already diminishing wildlife population in our beautiful foothills.

Response:

Sections IV.D.1 (Flora and Fauna) and IV.D.3 (Wildlife Movement) of the Draft EIR include extensive discussions of the proposed project’s impact on wildlife in the Verdugo Mountains. As discussed therein, the proposed project would not have a significant impact on wildlife. See also Topical Response 5.

Comment 120-3:

And what about the traffic? The proposed site (from what I can determine) will certainly overload traffic on La Tuna Canyon Road and Tujunga Canyon Boulevard. One only needs to travel on Tujunga Canyon Boulevard during rush hours to appreciate how very crowded the road is without an additional 280 residences! And, when one considers that almost every household has two automobiles, that would mean there would be an additional (at least) 560 autos on those roads! That alone would cause a traffic nightmare, not to mention the additional smog from 560 cars on the road!

Response:

With respect to the traffic impacts of the proposed project on La Tuna Canyon Road, see Topical Response 10. With respect to the traffic impacts of the proposed project on Tujunga Canyon Boulevard, see Topical Response 12.

Comment 120-4:

Also, where will all these new residents go to shop? Almost all the neighborhood shopping outlets are on Foothill Boulevard.

Response:

CEQA does not require an EIR to analyze where the occupants of a proposed residential project would shop. Therefore, this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR, and a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 120-5:

What will the addition of 280 households have on the already congested Foothill Boulevard? How will parking be affected on the boulevard?

Response:

See Topical Response 12.

Comment 120-6:

In the 34 years that I have been a member of this community, I have experienced many forest fires in the area. And, the majority of those fires have been in La Tuna Canyon! With the proposed extra 280 residences, can we be assured that we will have additional fire protection services in the area?

Response:

See Topical Response 13.

Comment 120-7:

And, what of extra police protection? With the state of California being in such a budget crisis, how can we expect additional protection? And, further, since Tujunga is in the city of Los Angeles, and since the city of Los Angeles has lost precious revenue due to the repeal of higher DMV fees, how can we realistically believe that our existing fire and police protections continue at the existing level; let alone at higher levels?

Response:

See Responses 29-4 and 34-4.

Comment 120-8:

And, of course, anyone who has lived in this area for any amount of time can tell you what happens on La Tuna Canyon Road when it rains. It floods! Not only does it flood, but huge boulders come tumbling down onto the road. There have been many rainy seasons when La Tuna Canyon Road has been closed to traffic from both ends of the canyon due to the large boulders in the road.

Response:

The proposed project would not contribute to flooding on La Tuna Canyon Road. As discussed in the Draft EIR, the proposed onsite storm drainage improvements have been designed to reduce the peak flows from the proposed Development Areas, during a 50-year storm, to no more than 90 percent of the peak runoff from the Development Areas in its current undeveloped condition. As a result, the downstream flooding potential would decrease with implementation of the proposed project. In addition, the 100-year flood zone on the project site is contained within La Tuna Canyon Wash and does not spill over onto the adjacent highway.

With respect to boulders, the proposed project would not contribute to rock fall on La Tuna Canyon Road. Any rock fall that is currently occurring along La Tuna Canyon Road must originate from the south side of the canyon, since Development Area B is separated from La Tuna Canyon Road by the La Tuna Canyon Wash. Consequently, any rock fall from the north side would be intercepted by the Wash and could not reach the highway.

Comment 120-9:

I am not a scientist, or a geologist, or an engineer, but I have lived in this area for a very long time and I love it! To add 280 households to the already densely populated area of Sunland/Tujunga would surely destroy our beautiful foothills.

Lastly, we may not be as powerful and influential as the successful opponents to the Ahmanson Ranch project, but our concerns are just as important and deeply felt.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 121: Gregory Brown, 9328 Reverie Road, Tujunga, CA 91042,
December 28, 2003

Comment 121-1:

I am a resident of Tujunga and my home is adjacent to the Canyon Hills Project Area. I am a Computer Scientist and have a BS degree in Biology with a Zoology Emphasis. I have reviewed the DEIR and have found that the information in that report has many flagrant inaccuracies and omissions. The DEIR fails to address the Environmental Impacts that the project will have.

Response:

Regarding the completeness and adequacy of the Draft EIR, see Topical Response 1.

Comment 121-2:

The entire project needs to be re-engineered using current city building codes, and in accordance with the Community Plan and the Scenic Preservation Specific Plan. This means for starters that the entire project must be scaled down to no more than 87 homes, and probably somewhat less than that based on the slope density formula.

Response:

See Response 57-10.

Comment 121-3:

In this response to the DEIR, I will identify areas that are in Error. There just isn't enough time to comment on the entire report. Every single page of the report that I start to read, I have some conflict with, and since the report is quite huge, it would take a team of reviewers to do a thorough analysis. This report is very difficult to filter out the essential components that paint the big picture. There are pages upon pages of fluff that make everything sound beautiful, then 1 key sentence that is buried, and you are not likely to understand the full impact of that 1 key sentence since you are overwhelmed with beautification talk. You really have to know how to read between the lines. This report writing practice makes it very difficult to know what is really going on with this project.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 121-4:

Section III PROJECT DESCRIPTION

In figure III-1

The entrance to the Duke Development has a dead end road.

The use of this road is not specified in detail.

There is reference to this as being a possible “main road” to the complex.

But the map does not detail where the road is going or what it is used for.

There is some secret intent for this access to the project site.

Response:

See the second paragraph of Response 149-11.

Comment 121-5:

Section IV. A. GEOLOGY AND SOILS

Appendix D Section 1

Geotechnical evaluation

7.1 Topography

(Quote)

The project site is steep, hilly terrain with distinctive ridgelines dropping sharply into deep “V” shaped canyons. These “V” shaped canyons are abundant throughout the canyons. Also they reference many scenic ridgelines.

Note: there is a Scenic Preservation Specific Plan.

They plan to grade up to 100ft vertical relief of the scenic ridgelines.

This is not acceptable.

They also plan to build houses that can tower 35ft above the scenic ridgelines.

This is not acceptable. I will discuss this point more in another section.

They plan to grade the scenic ridges and create in their own words:

(Quote)

“The majority of cut slopes will cause slope failures requiring stabilizing measures. Slope instability could lead to slope failures that would propose a hazard to property and life safety.” Following their mitigation measures, they do not consider their grading and filling a significant impact to the project site stability. They use the term significant(ly) a lot. Everywhere I see the term significant(ly), I see a really bad picture of the feature in question.

Response:

The proposed project includes grading some of the secondary ridges that descend from the Prominent Ridgeline that lies to the northeast of the project site (see Topical Response 6). No designated Prominent Ridgeline in the Specific Plan would be graded and no homes would be located in whole or in part in a Prominent Ridgeline Protection Area. In addition, the proposed project does not include any homes that would exceed the elevation of any designated Prominent Ridgeline. Since the commenter does not provide any evidence or analysis to support these contentions, no further response is possible.

With respect to the concern expressed regarding cut slopes, the relevant language in the Draft EIR is misquoted. On pages IV.A-30 and IV.A-31, the Draft EIR actually states the following:

The majority of the proposed cut slopes on the project site will expose highly weathered and/or highly jointed bedrock, which will be susceptible to possible surficial failure or deep-seated slope failures and will require stabilization measures. . . . Slope instability could lead to slope failures that would pose a hazard to property and life safety. Therefore, this is considered a potentially significant impact. However, incorporation of the mitigation measures below would reduce this potentially significant impact to a less-than-significant level.

As recommended in Mitigation Measures A-4 and A-5, most cut slopes would be replaced with a stabilization fill slope or buttress fill slope to provide appropriate stabilization in accordance with the LABC.

Comment 121-6:

Appendix D Section 2

They are planning to do Blasting which would significantly affect noise, air quality, and vibration. Not to mention what affect it will have on any wildlife that is left. And once again they say this will not have any significant impact.

The community will not tolerate this.

The community is a peaceful and quiet place to live and the air quality is the best air in the entire Greater Los Angeles area. Their proposed plans will totally change the characteristics of the community forever. How can they say that there will be no significant impact?

Response:

Blasting is discussed on page IV.A-26 in the Draft EIR, where it is noted that, based on the project site investigations and Caltrans' experience constructing Interstate 210, the majority of the bedrock can be excavated without blasting. However, localized areas may still require blasting due to the variability of the onsite bedrock conditions.

Typically, construction blasting is achieved by a series of sequenced charges that are detonated sequentially such that each new small blast enhances the traveling shock wave used to crack the rocks. The purpose of blasting is to fracture rocks, not to expel them. Such blasting does not create ejected material as might be seen in a Hollywood movie. The associated noise during a controlled blast is a loud thump similar to a large wave crashing on the shore. Controlled blasting would not create noise or vibration impacts that would significantly affect adjacent residents or their homes.

Bedrock excavation characteristic studies within the project site were conducted to determine the feasibility of excavation of bedrock materials within the project site. All data gathered within the project site indicated that bedrock materials could be excavated without blasting. However, due to localized blasting required to construct Interstate 210 through the area, it is prudent to anticipate that some blasting may be required to achieve design cuts within the project development area. This would most likely be limited to localized hard zones within the cut areas of the project site.

Finally, the thresholds of significance for soils and grading impacts are presented on pages IV.A-26 and IV.A-27 in the Draft EIR. When project impacts do not exceed the thresholds, impacts are considered less than significant. If project impacts do exceed the thresholds, but mitigation measures can be employed, project impacts can be reduced to a less-than-significant level. As stated on page IV.A-36 of the Draft EIR, with implementation of recommended Mitigation Measures A-1 through A-13, potentially significant impacts on geology and soils would be reduced to a less-than-significant level.

Comment 121-7:**Appendix D Section 13****4.3 Import**

In this section they discuss bringing in foreign dirt required for grading.

This will introduce alien species that cause a secondary succession to over take the native species. The foreign land fill can be brought on site without quarantine. This will further destroy the environment. The 48 hours they talk about, for lab work to be performed, before bringing foreign land fill on site is a play on words. It doesn't take 48 hours to get routine lab work performed. The foreign land fill

should be quarantined totally and completely until the results are reviewed by qualified independent Botanists and signed off on.

Response:

As discussed in Section III (Project Description) of the Draft EIR, it is anticipated that the grading for the proposed project would be balanced (i.e., no export or import of earth materials would occur from the project site). The passage regarding the importation of soil materials to which this comment refers can be found in Appendix D (Geotechnical Evaluation) to the Draft EIR. This passage addresses general grading specifications, and discusses select materials that would be imported to the project site, such as road base, sand backfill, gravel base, etc. For geotechnical purposes, testing would be necessary to verify that select import soils meet criteria for strength, gradation and other engineering characteristics required by the LABC.

Comment 121-8:

7.0 Excavation

In this section, if you read in between the lines, they talk about during the grading process, they can (Quote)

Further excavation or overexcavation and refilling of cut areas shall be performed.

Which means that they can basically over excavate to their own desire. Bad planning on their part, only means a lot of over excavating.

Response:

As with all grading projects, remedial excavations and cut slopes would be observed and mapped by the geologist to verify that anticipated geologic conditions exist within the excavation. If, for example, the remedial excavation does not expose material that is suitable as a base for compacted fill materials, remedial excavations would need to extend deeper to reach the suitable material. This is a normal procedure that is required by the LABC.

Comment 121-9:

Appendix D Section 14

Duke entry alternative plan

This is the last section in appendix D.

This plan was conveniently buried at the end where most people won't even read it.

The proposed alternative plan is out of bounds of the development site.

Who owns the land?

Why wasn't it included in the overall plan scope? The writing is on the wall.

This is a big secret "alternate" entrance that the entire development is dependent on.

Response:

See Response 118-16.

Comment 121-10:

In 3.0 Proposed Development,

There is no mention of the Duke Entry Alternative Plan.

There is mention of the Verdugo Crestline Road or Inspiration Way Emergency Access. This means that the proposed plan cannot support Emergencies.

Emergency Services have to be incorporated into the primary plan.

The primary site entrance is inadequate and will be discussed in a separate section.

Their way to address the main entrance short comings is to have

Secretly kept alternative entrance plans that will solve all the problems.

When the Main entrance fails to adequately support the needs of the project,

On other maps, the short road to the Duke property is a Cul De Sac, and I was asking myself, what is the true purpose of this. [sic] There has to be a hidden secret agenda for this Cul De Sac.

The reason this is here is because they plan to use this in the development as soon as the short comings of the main entrance are recognized.

There was a reason why they couldn't include it in the formal plans in the first place.

Response:

Contrary to the comment, the proposed emergency access is discussed on page III-6 in the Draft EIR. With respect to the concern expressed regarding emergency access to the project site, see Topical Response 11.

With respect to the concern expressed regarding the cul-de-sac issue and the alternative primary access to proposed Development Area A through the Duke Property pursuant to Alternative C, see Response 118-16.

Comment 121-11:

Section IV. B. AIR QUALITY

Appendix E

Air Quality Report

(QUOTE)

The need for and amount of blasting required is uncertain.

They don't have accurate information about the amount of blasting needed. I didn't see any accurate statistics about how much air pollution will be generated by the blasting.

Response:

As discussed in Appendix E (Air Quality Report) to the Draft EIR, as well as on page IV.B-12 in the Draft EIR and Response 121-6, above, the precise amount of blasting that would be required would not be known until construction begins and actual soil conditions are known, although it is anticipated that, at most, infrequent blasting would be required in localized areas. However, the analysis is based on the condition that all blasting and crushing equipment would be equipped with water spray devices that would prevent fugitive dust emissions from creating a nuisance or adversely affecting sensitive receptors in the vicinity. This condition has been added as recommended Mitigation Measure B-6 in the Draft EIR (see Section III (Corrections and Additions) of this Final EIR) as follows:

B-7 Blasting and crushing equipment shall be equipped with water spray devices in order to maintain soil moisture and prevent fugitive dust emissions.

Comment 121-12:

(QUOTE)

The project would not have a significant cumulative adverse impact on local air quality. There are 22 pages of charts and figures and mitigation measures to come to the conclusion that there will be no significant impact on air quality. This community has the best air quality in the greater Los Angeles area, and they will destroy it.

Response:

See Response 24-4.

Comment 121-13:

Section IV. D. BIOLOGICAL RESOURCES

1. FAUNA

On page 16 of 66:

(Quote)

A detailed discussion of wildlife movement is discussed in section
Section IV D. 3. Wildlife Movement

When I reviewed that section of wildlife movement,
Birds and small mammals are NOT addressed by the study at all.
The following statements are from Section IV D. 3:

(Quote)

All resident and migratory avifauna (birds) can simply go somewhere else,
And therefore the birds will not be addressed in this study.

(Quote)

The proposed project would not change the existing conditions relative to dispersal movement of small mammals and reptiles.

Corrective action needed:

There was no study of these movements.

The movements of Birds and Small Mammals need to be scientifically studied in detail.

The planned development would be a barrier that would prevent or hinder the free movement of small mammals and some birds to and from the adjacent areas.

Have you ever seen a road runner fly?

I have.

If a road runner attempted to cross the 210 freeway, it would likely become road kill.

Response:

The impact of the proposed project on birds relative to regional movement is discussed on page IV.D-128 in the Draft EIR:

Most resident and all migratory avifauna that currently use the project site can easily disperse to other portions of the Verdugo Mountains, as well as across surrounding developed areas to other areas of open space such as the San Gabriel Mountains or the Santa Monica Mountains. Resident avifauna with lesser dispersal abilities can disperse easily across Interstate 210 ("I-210") and La Tuna Canyon Road to the main body of the Verdugo Mountains. For these reasons, resident and migratory avifauna are not addressed in this study.

The development of the proposed project would not affect the ability of any bird species to move in either direction across Interstate 210, as is the existing condition. As such, there would be no significant impact to regional avian movement associated with the proposed project.

The impact of the proposed project on small mammals relative to regional movement is also discussed on page IV.D-128 in the Draft EIR:

Dispersal to and from the project site by small mammals and reptiles has already been cut off by construction of the I-210 and surrounding development, and the proposed project will not change the existing conditions relative to dispersal/movement of such species. Therefore, the impact of the proposed project on small mammals and reptiles will not be addressed further in this study.

With respect to the concern expressed regarding wildlife movement and long-term viability, see Topical Response 5.

Comment 121-14:

Appendix G

Section IX Bio.PDF

On P. 60 of 69

Section 7.5 Minimum Replacement Standards

I am very disturbed by what this section has to offer to the community.

This section is attempting to justify the removal of Mature Oak Trees,

but that they do not need to follow the city ordinance of replacing the trees, because they are a “Large Property”. In other words, since they are destroying such a large amount of Oak Trees and other trees, it should not be necessary to replace them.

This section says very clearly that they intend to destroy the trees by grading,

And are not planning to follow city ordinance to replace them.

If you read between the lines,

They are planning to first grade and totally destroy a very large swath of Mature Trees.

They only plan to replace the 15 gallon trees and boxes very minimally only along the road sides, Common areas, and entry way.

They state that it is only significant to replace the Oaks, where people will easily see them,

The environment doesn't care about what people see from the road.

The Oaks and other trees are part of the environment, and cannot be removed because they are not in the line of site of people driving along in their cars.

In all other areas of total destruction,

They plan to replace with some 1 and 5 gallon trees (over time meaning many years?),

But only if they are in a direct line of site.

If you close your eyes then you don't need to replace any trees?

They are also planning to “Enhance the Habitat” by planting Acorn seeds.

That is worded such that it sounds like they are doing a favor by removing Mature Trees,

And improving the habitat by replacing them with Acorns.

The planned replacement of trees is not acceptable by any stretch of the imagination.

Response:

See Topical Response 2.

Comment 121-15:

I have some general comments about the Wildlife and how the project will affect them:
I don't think there was enough time observing the species. That would explain why they failed to observe many species that exist on the property. 4 days of tracking is not sufficient sampling time. Also it appears that their sampling stations were right next to the freeway. Location has a lot to do with population studies.

Response:

With respect to the concern expressed regarding the survey activities of the project biologists, see Topical Response 4. With respect to the concern expressed regarding the location of the track stations, many of the track stations were located at culverts that carry flows beneath La Tuna Canyon Road, and additional track stations were located at culverts at Interstate 210. Other track stations were located in canyon mouths or wildlife trails. Each track station was placed at a location where wildlife movement was expected based on earlier reconnaissance-level surveys.

Comment 121-16:

The grading and removal of natural cover will expose many critters to predation.

Response:

See Response 49-1.

Comment 121-17:

There is no mention of the study of insects.
In other words, there were no scientific methods used in classifying and counting insects.
They are part of the ecosystem.
By grading, you will remove insects, the bird population that feed on the insects will decline.
And so on.

Response:

Project biologists conducted a thorough review of the CNDDDB and other resources for all special-status species expected to occur on the project site or for which suitable habitat occurs and the site. Reviews were also conducted for special-status species that have a historic habitat range that includes the project site. The literature review is detailed on pages IV.D-2 and IV.D-3 in the Draft EIR. Project biologists also met on the project site with biologists from the USFWS and the CDFG to review the overall survey program. No special-status insects or other invertebrates were determined to exhibit potential

for occurring on the project site. As such, there would be no impacts to special-status insects or other invertebrates associated with the proposed project.

Comment 121-18:

The Coyotes I see almost every day. The studies did not accurately count the Coyote population. The studies did seem to accurately count the road killed Coyotes, and there will be a lot more dead Coyotes when they are displaced by the planned project site. They daily navigate the planned project site which will become a barrier for their movements. I expect that the Coyotes will be perceived as a threat to some of the new tenants. The new tenants may even try to poison the Coyotes.

Response:

See Response 27-1 and Topical Response 5.

Comment 121-19:

I frequently hike the project site north of the 210 freeway.

I have observed a Long Eared Owl at night and early in the morning.

The Owl stays away from well lit areas at night. The increased lighting produced by the project would have a direct impact on the owl behavior.

I have observed the Owl on my early morning walk along Verdugo Crestline.

The owl is disturbed by my presence at ¼ mile away and fly's [sic] away. This is a very delicate balance between the Owl and the land.

Response:

In Southern California, the long-eared owl (*Asio otus*) most commonly occupies riparian habitats and areas of dense oak woodlands. Suitable habitat for the long-eared owl is limited along Verdugo Crestline Drive due to the general lack of riparian forest and/or oak woodland. The most suitable habitat areas on the project site include the southern mixed riparian forest in the La Tuna Canyon Wash and the southern coast live oak riparian forest in Drainage 14. Approximately 38.93 acres of suitable habitat occur on project site, 35.45 acres (91 percent) of which would be preserved as open space. There would be no significant impact to the long-eared owl associated with the proposed project.

Comment 121-20:

I often see large groups of California Quail. You will be walking along, then all of a sudden out of the brush out comes a bunch of 15 or so Quail. Removal of the brush will have direct impact on bird nesting and population.

Response:

California quail (*Callipepla californica*) was identified as occurring on the project site on page IV.D-26 in the Draft EIR. This species is widespread and common and impacts to California quail during grading would not be considered significant. There would be no significant impacts to any bird species associated with the proposed project.

Comment 121-21:

Section IV. E. NOISE

(QUOTE)

The estimated blasting sound levels are expected to be well below these published Maximum Allowable Exposure Limits.

Does that mean that I will not have permanent hearing damage?

What if I have a heart condition. [sic]

My neighbor Amir Sharmad told me that his wife Angela has a heart condition and that loud noises affect her condition. That means that people with a similar heart condition may need to sell their house and relocate.

Response:

As indicated on page IV.E-16 in the Draft EIR, blasting, if necessary, would occur infrequently, last for a fraction of a second and be well below published noise exposure limits. Although OSHA's noise exposure limits are related to hearing loss, the expected noise levels resulting from construction of the proposed project are far below OSHA's safety limits. Page IV.E-16 in the Draft EIR states that noise due to blasting, if blasting were to occur, is estimated to be between 93 dB and 114 dB at the closest homes, and would last for a fraction of a second (in comparison, the noise level of thunder is approximately 115 dB⁶⁵). In addition, OSHA's maximum allowable noise levels for a time period of 15 minutes (continuous exposure) is 115 dB. For this reason, blasting, if it were to occur, would not have a significant impact.

In addition, blasting noises would not occur unexpectedly (i.e., shock or alarm due to the sound would be minimized) because community residents would be informed of any scheduled blasting activities, as recommended in Mitigation Measure E-11. See also Response 121-6.

⁶⁵ Egan, David M., *Architectural Acoustics*, page 13, 1988.

Comment 121-22:

This section did not describe the impact of noise on Wildlife.

Animals cannot co-exist with this magnitude of development.

Wildlife will be stressed out and will move out.

There will be an increase in road kill on the 210 freeway.

As well as an increase in traffic accidents on the 210 freeway.

There will be loss of life due to traffic accidents caused by vehicles swerving to avoid an animal trying to escape the construction noise.

Response:

With respect to the concern expressed regarding animal coexistence with the proposed project, see Response 49-1. With respect to the concern expressed regarding noise impacts on wildlife, see Response 54-1.

In addition, wildlife is subject to a variety of stressors, natural and unnatural, that will cause them to migrate from a particular area. Grading associated with the proposed project would displace animals that occupy affected areas, many of which would move into areas of adjacent habitat where they would continue to persist. In some instances, carrying capacities would be exceeded and mortality would result until a new equilibrium is reached. See also Response 166-5.

No special-status animal species would be affected by the proposed project, with the exception of the Ashy rufous-crowned sparrow. However, potential impacts to this species would not be considered significant (see Response 9-15). Once development is completed and landscaping is installed (much of which would include native species), new areas of habitat would be created. Species adapted to the urban/wildland interface would occupy these areas and in many instances, carrying capacity for these species would be increased. There would be no significant impacts associated with the displacement and/or loss of common wildlife species associated with the proposed project.

The common property boundary with Caltrans is fenced with chain link fence. This fence would prevent most migrating animals from reaching Interstate 210 during clearing and grading. Bird species flying in the direction of Interstate 210 would be able to fly over the traffic, thereby avoiding collisions. Medium- and large-bodied mammals would be restricted by the chain link fence and forced to move to the west to areas of open space. Also, as detailed in Topical Response 5, animals such as coyotes and

bobcats that live in proximity to high traffic areas have developed learned responses that lower the potential for traffic collisions,⁶⁶ meaning that they would likely avoid Interstate 210.

Small mammals (e.g., mice, voles, etc.) that can move through the chain link fence would generally not be visible to drivers if they reach traffic lanes of Interstate 210 and would not be expected to cause traffic accidents.

Comment 121-23:

Most pets will not adjust to blasting and other noise created from the blast site.

Response:

The analysis of the potential effect of blasting on pets in the surrounding community is not required under CEQA. With respect to the impact of blasting on people, see Responses 121-6 and 121-21.

Comment 121-24:

How many people in the surrounding community have pets that will be adversely affected by construction noise? That is just about every single person in the community.

Response:

It is unknown how many pets would be adversely affected by construction noise. No survey of pets in the surrounding community has been conducted, nor is any required under CEQA.

Comment 121-25:

Section IV. F. ARTIFICIAL LIGHT AND GLARE

Appendix F

Artificial Light and Glare

Photo 5 in Figure IV F-4

Typical Southwesterly View from Tranquil Drive toward Interstate 210.

⁶⁶ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California, Conservation Biology, Volume 17, No. 2, pages 566-576, April 2003.

This is incorrect.

Should be

Typical southwesterly View from Reverie Road toward Interstate 210.

This plan has not sufficient knowledge of the adjacent community.

Note that all of the houses are facing towards the Scenic Ridge line and not the Freeway. You cannot actually see or hear the Freeway from inside of one of these houses.

Response:

The caption for Photo 5 in Figure IV F-4 in the Draft EIR has been revised in Section III (Corrections and Additions) of this Final EIR to read as follows: "Typical southwesterly view from Reverie Road toward Interstate 210."

Comment 121-26:

IV G Land Use

Table IV.G-4

P. 16 Community Plans

I urge the City Council that they do not allow the development to change the Land use designation as stated in this section. They should only be allowed to build within the current zoning laws and in accordance with the Scenic Preservation Specific Plan.

Response:

The proposed project fully complies with the applicable requirements in the Specific Plan (see generally Response 57-10). The balance of this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 121-27:

1-3.1

The Project is not consistent with Community Plan Policies.

The Neighborhood Character and Identity will be totally destroyed.

There will be significant Impacts on Services, Public Facilities, Traffic Levels, and Environmental Impacts.

Response:

For the reasons discussed on page IV.G-19 in the Draft EIR, the proposed project is consistent with Policy 1-3.1 in the Sunland-Tujunga Community Plan. This comment does not state a specific concern regarding the adequacy of that discussion and a further response is therefore not possible. Contrary to this statement, and as discussed in some detail in the Draft EIR, the proposed project would not have any significant impacts on public services, public facilities or traffic, and the commenter provides no evidence or analysis to the contrary.

Comment 121-28:**1-3.3**

Most of the existing views of hillsides and mountainous areas would be affected.

Not only would their views be affected, but they would be looking at total destruction of the environment for Years and Years to come.

The proposed development would not conform to the Scenic Specific Plan as is stated here.

Response:

See Topical Response 6. In addition, and contrary to this comment, the proposed project would conform to the Specific Plan in all applicable respects, and the commenter provides no evidence or analysis to the contrary (see Response 57-10).

Comment 121-29:**1-6.3**

The proposed grading would totally destroy the environment. I have discussed this to some degree in other sections. They are not doing minimal grading. They are doing the most damage by grading possible.

Response:

See Topical Response 6.

Comment 121-30:**1-8.1**

They are building a gated community. How does this preserve the equestrian oriented neighborhood? The proposed equestrian park and facilities is not adequate to address this issue.

Response:

See Topical Response 8.

Comment 121-31:

5-1.5

The Foothill (210) freeway and La Tuna Canyon Road are designated as scenic highways.

These are designated as scenic corridors.

This project is going to look like a disaster area from these highways.

Response:

See Response 35-2.

Comment 121-32:

13-2.1

These statements made here just are not real.

I have commented about the impact that the project will have on traffic.

Response:

As discussed on page IV.G-22 in the Draft EIR, the proposed project would be consistent with Policy 13-1.2 in the Sunland-Tujunga Community Plan, which requires highway street dedications in accordance with City standards and criteria. This comment does not identify any specific concern with respect to that analysis, so no further response is possible.

Comment 121-33:

14-1.1

Anybody attempting to leave the gated community to access La Tuna Canyon by bicycle, would be in danger of being hit by traffic. The traffic here is very fast. It is right next to several freeway exits and a [sic] freeway entrances.

Response:

Policy 14-1.1 in the Sunland-Tujunga Community Plan is directed to the City, not individual developers. It requires the City to plan for and encourage funding and construction of bicycle routes connecting residential neighborhoods to schools, open space areas and employment centers. However, it does not require the funding or construction of any bicycle route. For these reasons, the proposed project is not, and cannot be, inconsistent with Policy 14-1.1. In addition, the inclusion of bike paths

within the proposed Development Areas is unrelated to the purpose underlying Policy 14-1.1 and, in any event, is a positive attribute of the project. Finally, as discussed on page IV.G-23 in the Draft EIR, the proposed project does not include any roadway improvements that would conflict with the City's planned bikeway on a segment of La Tuna Canyon Road.

Comment 121-34:

14-2.3

(QUOTE)

Neither development area is appropriate for horsekeeping due to the steep topography. I have seen horses kept in some pretty steep and hilly areas. If the land is deemed too steep for horses, how can we justify to change the zoning to accommodate 280 houses?

Response:

See Topical Response 8. Many residential projects are located in hillside areas, but for the reasons stated in the Draft EIR and in Topical Response 8, horsekeeping is not an appropriate use in hillside areas characterized by steep topography.

Comment 121-35:

The Scenic Preservation Specific Plan is intended to preserve, protect, and enhance the unique natural and cultural resources of the Plan area.

The Foothill (210) freeway and La Tuna Canyon Road are designated as scenic highways. This project is going to look like a disaster area from these highways.

Response:

The proposed project would comply with all applicable requirements in the Specific Plan relating to scenic corridor protection. With respect to the concern expressed regarding the aesthetic impact of the proposed project as viewed from La Tuna Canyon Road, see Topical Response 6.

Comment 121-36:

IV H Population and Housing

I cannot imagine that these 280 luxury built homes are going to only have 2.97 persons per house. I believe the number will be much higher. This is going to be a gated, large capacity dwellings. We are going to see large families, and multiple families, which will stretch the infrastructure of the community. It is common to see multiple families living in a large house. My neighbor has a large

house and there are 3 families living there. There are 9 people living in that house, and it is not even half the size of the proposed luxury houses. The 2.97 persons per house statistic should not be used to gage population estimates or the impact they will have. In some cultures it is common for many families of relatives to live together in the same house.

Response:

The Draft EIR uses the estimated number of 2.97 persons per single-family dwelling in accordance with the Sunland-Tujunga Community Plan. While it is possible that more than one family may inhabit one of the single-family homes, this is not “common” and would not be the predominant living arrangement. The condition of multiple families living together in one household is a coping mechanism of low-income sections of society and is not anticipated in the market that the project homes would serve. As reflected in the Student Generation Factors in the Draft L.A. CEQA Thresholds Guide, as income level rises, family size declines. Table FEIR-10 below demonstrates this phenomenon for two-bedroom and three-bedroom (or more) single-family homes. For example, a two-bedroom single-family residence will generate on average 0.3 elementary school children at the lower income level, 0.25 elementary school children at the medium income level, and 0.2 elementary school children at the higher income level.

**Table FEIR-10
Student Generation Factors**

Land Use	Generation Factor		
	Elementary School	Middle School	High School
Lower-income areas			
SFD – 2 bed	0.3	0.15	0.15
SFD – 3+ bed	0.6	0.25	0.25
Medium-income areas			
SFD – 2 bed	0.25	0.1	0.1
SFD – 3+ bed	0.5	0.25	0.25
Higher-income areas			
SFD – 2 bed	0.2	0.1	0.1
SFD – 3+ bed	0.4	0.2	0.2
Source: City of Los Angeles, Draft LA CEQA Thresholds Guide, Exhibit J.3-10, Reproduction of Los Angeles Unified School District (LAUSD) Student Generation Factors, page J.3-54.			

Comment 121-37:

IV I Transportation/Traffic

In addition to the large families that will probably live in these luxury homes, There are other factors that contribute to Traffic problems:

Construction Equipment that contribute to traffic:

Since Area A & B is an outside in approach, all of the initial staging will occur on La Tuna Canyon Blvd. Area B which is immediately adjacent to the 210 freeway. Traffic that will exit west bound at La Tuna canyon will be right to the center of the staging area for Area B. This construction will cause gridlock for all traffic attempting to travel from Sun Valley/Burbank area to the Foothill community via La Tuna Road.

Response:

With respect to the concern expressed regarding the size of the families that would live in the proposed homes, see Response 121-36.

With respect to the concern expressed regarding construction traffic, pages IV.I-11 and IV.I-12 in the Draft EIR included a discussion of construction traffic associated with the proposed project. The equipment staging area and construction worker parking for Development Area A would be located off of La Tuna Canyon Road near the Interstate 210 interchange during the initial phases of construction grading. After the start of construction grading, the equipment staging and construction worker parking for Development Area A would be moved onsite as space allows. The equipment staging area and construction worker parking for Development Area B would be located onsite, off of La Tuna Canyon Road near the easterly proposed Development Area B access point during the initial phases of construction grading. After the start of construction grading, the equipment staging and construction worker parking for Development Area B would be moved further onsite as space allows. The comment that the staging area for Development Area B would cause gridlock on La Tuna Canyon Road is incorrect, as the staging area for Development Area B would be located on the project site.

Comment 121-38:

(QUOTE)

There would be no trips generated by trucks hauling dirt to and from the project site.

This is a grossly inaccurate statement.

The grading is considered a balanced site. They grade and fill, re-using the existing dirt that has been "cleaned" to remove rocks and bolders [sic]. The rocks and bolders [sic] are not re-used to fill. Rocks and Bolders [sic] probably make up a very large percentage of the graded material. This material will likely be hauled off site. There will be a long line of dump trucks hauling to and from the construction sites.

Response:

With respect to the concern expressed regarding balanced grading for the proposed project, see Topical Response 6. With respect to the concern expressed that rocks and boulders would likely be hauled offsite, the commenter is incorrect to assume that the rocks and boulders would not be used as fill. The rocks and boulders unearthed during grading activities would be kept onsite, crushed and used as fill. If some boulders are too large to be crushed and used onsite, they would be used as rip rap in the onsite drainage facilities. It is anticipated that no rocks or boulders would be hauled offsite.

Comment 121-39:

In Appendix D section 13-4.3 import

They discuss the import of foreign dirt (they plan to bring in foreign dirt in that section). Note that the import of foreign dirt will introduce alien species and secondary succession of unwanted species. Also will increase traffic to and from the project site.

Response:

With respect to the concern expressed regarding the import of fill material, see Response 121-7. With respect to the concern expressed regarding construction traffic, see Response 59-2.

Comment 121-40:

On Page 13 of 46.

(Quote)

Emergency access.

The purpose of emergency access is to permit adequate vehicular access to the project site by emergency vehicles (eg., police, fire, ambulance), as well as to allow the evacuation of the project site by residents in case of emergency (eg., fire, earthquake, landslide, etc).

Example of Verdugo Crestline or Inspiration Way.

So what this is saying that they plan to open the flood gates in an emergency to let all of the 1000 cars evacuate the emergency access at the same time that the emergency vehicles are trying to enter the community. This is not acceptable for obvious safety reasons.

The emergency access should only be planned for Emergency Access.

This does not mean that the Emergency Access part of the plan is acceptable.

It is not.

The roads are narrow and twisting and turning.

The roads are also OUR (the adjacent community) only evacuation routes, Which means that any [sic] the emergency vehicles would have road blocks to their planned Emergency Access to the new development.

This kind of general statement regarding access and evacuation from the project, opens the door to general access to and from the project site by the residents. This means that eventually, most of the traffic to and from the new project will be through these corridors.

The Verdugo Crestline is currently a park and hike location. This would further impare [sic] access. 28 feet minimum is required for this plan. Some of the areas along the planned Emergency Access are not currently 28 feet. To implement the plan would mean that current residents would be denied parking.

Response:

See Topical Response 11.

Comment 121-41:

Service Providers that contribute to additional traffic:

Utilities of all types: Electric, Gas, Cable, Water & Power, Garbage pickup.

Landscaping and Gardening.

Pool Maintenance.

House Maintenance: Handy Man, Plummer, Electrician, Painters, etc...

Home Improvements like Concrete patio additions.

Maids and Butlers.

Baby Sitters.

Tutors, Special Education, and Private Lessons.

Deliveries of Furniture, Appliances.

Pizza, Food, and Grocery delivery.

Home Buisness [sic].

There is the traffic that is generated by the lookie loos that want to see first hand the total destruction of the environment that is generated by the new development. They will use the existing community access to try to find a place to park their car. This will cause a Fire Hazard as they will be parking in No Parking areas that must be kept clear for the Fire Engines and other Emergency Vehicles. Even if they do not park their car and get out, the additional flow of traffic will cause hazardous conditions. These adjacent areas cannot handle the traffic created either directly or indirectly by the development.

If the Development was to proceed as planned, people goods and services would attempt to gain access to the gated community by traveling through the adjacent communities. As I just stated, the adjacent community cannot handle any increased flow of traffic that this would create.

Response:

With respect to the concern expressed regarding the services and businesses that would generate traffic associated with the proposed project, see Topical Response 9. With respect to the concern expressed regarding fire hazards during construction activities, see Response 38-7.

Comment 121-42:

In figure IV.I-4

There is no mention that the Duke property is being planned as an emergency entrance. They are concealing the hidden intent that the property will be used as an emergency access. A few words about the planned secondary emergency access. Once they are in place, they would become primary main entrances to the complex (the writing is on the wall). The primary entrances cannot handle the traffic.

Response:

Contrary to this comment, there is no plan to use the Duke Property for secondary emergency access.

Comment 121-43:

Impact construction will have on the 210 freeway.

I am a resident expert.

The 210 freeway west in the morning commute is traveling at up to 80 miles per hour. Some cars go faster, some slower. This is also a road heavily traveled by 18 wheelers. Now picture a displaced animal attempting to cross the 210 freeway to escape from the development. Cars are going to swerve to avoid hitting the animals. Multicar pile ups are going to occur very frequently involving 18 wheel trucks. This will likely result in not only property damage, but loss of life. What once used to be a great commute on the West 210 in the morning commute, will now be a disaster area.

There will be a debris field created by dump trucks that and other construction traffic that are leaving the project and entering the freeway. Also any cars driving by the project will pick up debris and deposit on the freeway. Debris on the freeway will cause a hugh [sic] amount of damage. Cracked windshields, chipped paint, broken headlights, etc...

Also dump trucks that and other construction traffic that are leaving the project and entering the freeway will likely be dropping rocks on the freeway.

Response:

With respect to the concern expressed regarding construction traffic associated with the proposed project, as discussed on pages IV.I-11 and IV.I-12 in the Draft EIR, construction traffic impacts would be less than significant. Grading of the project site would be balanced onsite, eliminating the need to haul in additional fill onsite or to haul away excessive material offsite, thereby reducing the likelihood that grading material would be deposited onto nearby roadways and freeway. In addition, the “good housekeeping” guidelines in recommended Mitigation Measures A-6, A-7, A-8, A-11 and A-12 would further reduce the likelihood of grading material and debris being deposited onto nearby roadways and Interstate 210, which could cause damage to vehicles. See also Response 59-2.

The balance of this comment does not state a concern regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 121-44:

(QUOTE)

The proposed mitigation to install a traffic signal at that intersection will reduce the cumulative impact to a less than significant level. Therefore, no significant cumulative impacts will occur.

Correct me if I am wrong.

They are saying that by installing a single traffic signal at one of the construction site entrances, that single act will reduce all traffic issues to less than significant.

Here again we have 46 pages of facts and figures, more than enough to get lost in, and then at the very end, the mitigation measure that doesn't amount to much.

Response:

The traffic signal would be installed at the intersection of the Interstate 210 Westbound Ramps and La Tuna Canyon Road, and not at one of the construction site entrances as stated in this comment. The statement in this comment that the Draft EIR says that the installation of this traffic signal would reduce all traffic impacts to a less-than-significant level is also incorrect. As discussed in Section IV.I (Transportation/Traffic) of the Draft EIR, the intersection at which the traffic signal would be installed is the only one of the nine study intersections that would be significantly impacted by the proposed project. Accordingly, the installation of the traffic signal would reduce the impact of the proposed project at that one intersection to a less-than-significant level.

Comment 121-45:

Quality of the maps on the Canyon Hills Figures Page:

The maps are poor quality and many are not legible.

The detail in the maps are required to make intelligent decisions about the plan.

The legend text and graphical icons are often totally unreadable.

The map detail is often totally unreadable.

The map detail often looks like a giant grouping of indistinguishable blobs of ink.

After trying to find a detail in these maps,

It becomes futile and I want to just give up.

Human nature will accept unreadable maps as if they are depicting the truth.

I do not accept these maps or anything that they are trying to detail to the public.

Corrective action needed:

We need better quality maps.

Rework all of the graphics that are not legible into a more readable format.

Response:

See Response 94-14.

Comment 121-46:

In closing, I would like to request that the City will require that the Canyon Hills Project re-issue the DEIR to address the Errors that are stated within my report. I also request that the Project Plan stays within the Community Plan, current Zoning laws, and the Scenic Preservation Specific Plan.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. With respect to the implied concern expressed that the proposed project does not comply with the Sunland-Tujunga Community Plan, the Specific Plan and applicable zoning laws, see Response 57-10.

Commenter 122: Barbara & Christopher Carter, 9522 Cordero Avenue,
Tujunga, CA 91042, December 28, 2003

Comment 122-1:

During the last year, our involvement in our city government met with positive success fighting a very difficult uphill battle in eliminating a serious blight from our neighborhood. That battle was over the granting of a conditional use permit to allow AT&T to place a cellular facility directly behind our home, which would have resulted in catastrophic financial loss and seriously threatened the surrounding neighbors impacted by this proposal. The predatory and covert nature with which the AT&T application was filed, handled, and shared with those immediately impacted taught us a very hard lesson. If you aren't paying attention, you will become a quick victim of unthinking and uncaring businesses who are out to make a fast buck at others' expense. The many thousands of dollars which we had to dole out in fighting the CUP (which never should have been allowed to get to the stage it did), and the toll on our daily lives for the month we spent fighting it will not soon be forgotten.

We had an enormous burden placed upon us due to lack of due diligence by all parties involved the Department of Water and Power, the City, and AT&T. We are really thankful that we happened to be home while the actual impact was being lied about and being raced to a permit with potentially disastrous and litigious consequences for all involved. That any citizen of Los Angeles should be subjected to such carelessness without thoroughly checking out ALL OF the impacts on the taxpayers involved appear to be more sinister to us than well intended. Specifically, money is changing hands at the expense of those who bear an enormous burden as a consequence with NO BENEFIT. No due diligence was done in an adequate fashion to really check out the impact of placing such a facility in such a sensitive area, no conversations were held with the people impacted, no checking of actual property owner rights by those who even held the paperwork. The permit proposal was rife with lies and falsehoods. Finally, and with a tremendous neighborhood push, the City Council stepped up to the plate and came out and saw what the problem was. Dale Thrush is now our neighborhood hero – he did the right thing for the community and put his weight behind us and got it stopped. What an effort was made to get there so unnecessary. What it demonstrated is that if you make enough noise and do your homework, you might have a chance with the City, and it might work better than money changing hands. It gave us some faith.

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-2:

Here we go again. Has anyone really seriously looked at the extensively flawed proposal submitted by Whitebird for the Canyon Hills draft EIR? Is anyone really looking into what they submitted? It is rife with falsehoods. The plans to place high density neighborhoods in an area treasured for its scenic beauty, black starry skies, quiet, low density areas, sensitive wildlife area loaded with wild oaks and many species that thrive in a dwindling resource we can't believe this is being considered. It appears to be a fait accompli. We understand that the new shopping center at Lowell and Foothill – hardly a high-end development with the inclusion of such low-end shops – may have some connection to this. We understand the new intersection at Verdugo Hills Golf Course may have some connection. Apparently there are others in the works.

Response:

This comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-3:

If the horrific wildfires we just suffered aren't enough incentive to take a look at what is currently on the planning table, and pay attention to the paperwork submitted in the proposal, what is? What will it take to stop such irresponsible and irreversible development, which will have devastating results on this area?

Response:

With respect to the concern expressed regarding wildfire, see Topical Response 13. In addition, this comment expresses opinions about the proposed project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-4:

Here is what we can forward to if it passes:

1. Loss of our scenic and peaceful way of life, increased threat of hazards and pollution.

Response:

With respect to the concern expressed regarding hazards, as discussed in Section IV.M (Hazards and Hazardous Materials) of the Draft EIR, the proposed project's impacts with respect to hazards and hazardous materials would be less than significant. With respect to the concern expressed regarding pollution, see Response 24-4. The balance of this comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-5:

2. Loss of night blackness to view stars from light and dust pollution.

Response:

See Response 73-5.

Comment 122-6:

3. Seriously impacted wildlife area, loss of PROTECTED oaks and wildlife habitat, loss of wildlife.

Response:

With respect to the concern expressed regarding impacts to wildlife, Section IV.D (Biological Resources) of the Draft EIR includes extensive discussions of the proposed project's impacts on wildlife in the Verdugo Mountains. As discussed therein, the proposed project would not have a significant impact on wildlife (see also Topical Response 5). With respect to the concern expressed regarding oak trees, Section IV.D.2 (Native Trees) of the Draft EIR acknowledges that the proposed project would have a significant short-term impact on coast live oaks. However, the proposed project's long-term impact on coast live oaks would be less than significant following implementation of the recommended mitigation measures (see also Topical Response 2).

Comment 122-7:

4. Ugly scarring of scenic vistas along the 210 and La Tuna, treasured for their beauty.

Response:

See Topical Response 6.

Comment 122-8:

5. 20 years of continuous construction nuisance, noise pollution, air pollution, dust, turmoil, traffic at a large scale beyond what the sensitive area can bear.

Response:

As stated on page III-4 in the Draft EIR, the development of the proposed project is estimated to be completed in 2009. This would result in a five-year construction period not 20 years as stated in this comment. With respect to the concern expressed regarding noise impacts from construction, see Response 52-15. With respect to the concern expressed regarding air quality impacts from construction, see Response 24-4. With respect to the concern expressed regarding potential traffic impacts during construction, see Response 121-37.

Comment 122-9:

6. More cars than La Tuna Canyon can bear – nearly 3,000 daily trips total added to a low current volume.

7. Congestion on the 210 heavily increased by this development, already getting worse.

Response:

With respect to the concern expressed regarding traffic impacts on La Tuna Canyon Road, see Topical Response 10. With respect to the concern expressed regarding traffic impacts on Interstate 210, see Topical Response 9.

Comment 122-10:

8. Significantly increased fire risk in VERY HIGH FIRE ZONE – already in an area recently vandalized by fire. Just add more potential fire starters.

Response:

See Topical Response 13.

Comment 122-11:

9. Water usage in their proposal is based on the total acreage, not the developed acreage.

Response:

The Draft EIR includes an analysis of the proposed project's anticipated consumption of water in Table IV.L-1. As shown in Table IV.L-1 in the Draft EIR, future water usage is calculated based on the number of single-family homes included in the proposed project, not acreage.

Comment 122-12:

10. Permanent damage to the hillsides and canyons caused by cut and fill method of construction.

Response:

See Topical Response 6.

Comment 122-13:

11. High density zoning which will invite more of the same, turning the area into another Santa Clarita overdeveloped area, increasingly damaging the life we treasure here.

Response:

The statement that the proposed project involves "high density zoning" is incorrect (see Response 75-23).

Comment 122-14:

12. Air pollution from construction and hundreds of added cars in a fragile canyon area.

Response:

See Response 24-4.

Comment 122-15:

13. Increased trash and construction trash.

Response:

Section IV.L.3 (Solid Waste and Disposal) of the Draft EIR analyzed the proposed project's potential impacts to solid waste services. As discussed on pages IV.L-17 through IV.L-19, the proposed project's construction-related and operational impacts on solid waste services would be less than significant.

Comment 122-16:

14. Impassable roads when we are trying to get to work due to construction.

Response:

See Response 121-37.

Comment 122-17:

15. La Tuna Canyon road is already known to be dangerous, increased risks to all coming and going, especially during the heavy rain storms we are known to have – SUCH AS LANDSLIDES.

Response:

Proposed grading along La Tuna Canyon Road south of Interstate 210 would be limited to the two access roads to Development Area B and an access road to the equestrian park. Grading at these access points would be very limited and would not affect the existing stability of slopes along La Tuna Canyon Road. Unstable slope conditions that may exist south of La Tuna Canyon Road are outside of the project site. Any existing slope instabilities outside of the project site would remain in their current condition. In addition, with respect to the concern expressed regarding existing safety on La Tuna Canyon Road, see Topical Response 10.

Comment 122-18:

It isn't hard to imagine how the peace and scenic beauty we moved here for will soon be a dream of the past. Some facts about this area:

1. The zoning is low density – they have permits for only about 90 homes. That is far more reasonable, but they haven't proven trustworthy with their current plans, and should not be allowed to build at all.

Response:

The City has not yet approved permits for any homes on the project site. In any event, this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-19:

2. The area is known for a century as having some of the cleanest air in Los Angeles – that will change.

Response:

Air quality throughout the entire region, including the Sunland-Tujunga area, has changed substantially over the past century. In any event, it is acknowledged in Section IV.B (Air Quality) of the Draft EIR that the proposed project would have air quality impacts associated with its construction and operation. This comment does not state any specific concern regarding the adequacy of that analysis, so no further response is possible.

Comment 122-20:

3. The area is known for being able to see stars less light pollution that will change with the development and the lighting required for nearly 300 homes and the construction.

Response:

See Response to 73-5.

Comment 122-21:

4. The low density zoning was put in place to preserve the area it is this very quality that we cherish, and which makes it an attractive area to buy real estate.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-22:

5. The high wind, high fire danger in the area is real and quantified by many years of evidence. You are now going to increase danger to a new group of nearly 300 families. Haven't we learned that lesson well enough yet? Is the City ready for another disaster and more financial and human loss?

6. Access to roads for fire fighting is very limited, and INADEQUATE in their planning. We are really lucky that the fire which was started in the VERY AREA they are planning to use about 3 years

ago didn't burn down this neighborhood. The winds were low. They put it out very fast. It could have been very different.

Response:

With respect to the concern expressed regarding fire, see Topical Response 13. With respect to the concern expressed regarding emergency access, see Topical Response 11.

Comment 122-23:

7. This is a quiet cul-de-sac area, the traffic pattern will change that quickly for everyone.

Response:

As stated on page IV.E-20 in the Draft EIR, a maximum increase of 1 dBA would occur at the noise monitoring locations shown on Figure IV.E-1. An increase of 3 dBA would generally be considered a perceptible increase in noise and would result in a significant impact. Therefore, the proposed project would not result in a significant noise impact with respect to vehicular noise.

Comment 122-24:

8. The water tanks they are planning to piggyback onto will place a new burden on surrounding residents at existing DWP stations.

Response:

As stated on page IV.L-2 in the Draft EIR, there is an existing DWP water tank located on Estepa Drive, northeast of the project site. As stated on page IV.L-3 in the Draft EIR, in order to adequately serve the proposed project's demand for water, two new 1.5-million gallon water tanks would be provided. It is likely that one of these tanks would be located adjacent to the existing tank on Estepa Drive, while the second tank would be located within the northern portion of Development Area A. Implementation of the proposed project would not burden existing residents by depleting local water supplies. As stated on page IV.L-4 in the Draft EIR, the DWP has stated that water requirements for any project that is consistent with the growth projections in the City's General Plan, which includes the proposed project as demonstrated in Section IV.G (Land Use) of the Draft EIR, have been taken into account in the planned growth in water demand and that sufficient water supplies are available to accommodate the proposed project.

Comment 122-25:

9. When someone actually does the math, you will see that their plans to piggyback onto sewage facilities in La Tuna will be woefully inadequate. This will require more ripping up of La Tuna.

Response:

As shown on Table IV.L-3 in the Draft EIR, the proposed project would be expected to generate approximately 92,400 gallons of sewage per day, based on a sewage generation rate of 330 gallons per dwelling unit per day. The proposed project would be served by a gravity-flow remote service line that would connect to the City's existing 15-inch sewer line under La Tuna Canyon Road. As stated on page IV.L-11 in the Draft EIR, the existing sewer line under La Tuna Canyon Road has the capacity to handle the additional sewage generation from the proposed project, based on the number of lateral tie-ins presently contributing to the sewer flow. Therefore, the proposed project's impact on sewer systems would be less than significant.

Comment 122-26:

10. The hiking enjoyed in this area is enjoyed for a reason, no houses and few cars. That will be gone.

Response:

See Response 27-4.

Comment 122-27:

11. The schools aren't prepared to deal with a new influx of students.

Response:

See Response 56-5.

Comment 122-28:

Where is the benefit to us for this blight? The money goes to developers who aren't even from California.

At some point, someone needs to really decide if we will just continue to rip up our beautiful and dwindling open space for money or take a stand for re-developing the blighted areas we have left behind in the wake of development in Los Angeles. We live here because it is NOT Orange County.

Mayor Hahn, I met you at a fundraiser at a mutual friend Patty Glaser's home this year. You mentioned that your biggest challenge is keeping crime down, getting more police on the streets, and continuing to make Los Angeles a better place to live. I contributed to your campaign because of the increased access we have to our City Government, through the local councils, and applaud your efforts to make Los Angeles remain one city. That undivided city has to pay attention to the taxpayers which live here, not outside interests from other states who would gladly rape the land to line their pockets while the citizens of Los Angeles just "deal with it". They have no interest in preserving anything but their wallets. It is time to take a stand to preserve the beauty we have here, and pay attention to the truth.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-29:

We strongly recommend that they re-submit their proposal, and this time, tell the truth. We also strongly recommend that the City take a more discerning look at what is really in the proposal, and what the burden on the neighborhood is vs. the benefits to those who must bear it.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3. The balance of this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 122-30:

The extremes which my husband, an architect, has been through in simply placing ATM machines for Washington Mutual throughout the Southland to distribute welfare checks should be the same planning criteria that Whitebird has to meet. If what he had to do for installing an ATM into an existing bank building was any indication, this project will never pass. Where is the fairness?

Thank you for your time, please keep La Tuna Canyon a beautiful and unspoiled nature preserve that it currently is. Just say NO TO LIES AND FALSE PROPOSALS.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 123: Kim Clark and Edward J. Clark, 10369 Silverton Ave.,
Tujunga, CA 91042, December 28, 2003

Comment 123-1:

We have reviewed the Draft EIR for the Canyon Hills Project and have grave concerns over the way this project does not conform to our Community Plan as adopted by the City of Los Angeles. As a constitution for development, (State of California Government Code Section 65360), the plan is the foundation upon which all land use decisions in a city or county are to be based. It expresses community development goals and embodies public policy relative to the distribution of future land use, both public and private. In the case of the Canyon Hills Project, the process of the Community Plan is being circumvented by spot-amending it on an incidental basis for a big project.

Response:

As discussed in detail on pages IV.G-19 through IV.G-24 in the Draft EIR, the proposed project is consistent with all applicable policies in the Sunland-Tujunga Community Plan. The statement in this comment that the Sunland-Tujunga Community “is being circumvented by spot-amending it on an incidental basis for a big project” is unclear. However, to the extent that the commenter contends that it is unlawful for the City to amend the Sunland-Tujunga Community Plan with respect to a specific development project, see Response 143-28.

Comment 123-2:

The Goals stated in section 5-1.4 of the Sunland-Tujunga-Lake View Terrace-Shadow Hills- East La Tuna Canyon Community Plan is: “Preserve as much of remaining undeveloped hillside land, as feasible, for open space and recreation value.” This is the adopted will of the people residing within this Plan area. The Program further states: “The City should encourage continuing efforts by the County, State and Federal agencies to acquire vacant lands for publicly-owned open space.” The Canyon Hills project site is exactly the type of land this Goal is designed to protect, and the developer is actively seeking a Major Plan Review and Amendment without going through the proper public notification and hearings as required. The proposed project is clearly NOT consistent with our existing plan.

Response:

With respect to the concern expressed regarding the consistency of the proposed project with Policy 5-1.4 in the Sunland-Tujunga Community Plan, see Response 75-29. The commenter is correct that the Program for Policy 5-1.4 is for the City to encourage the acquisition of vacant land for public open

space. However, the contention that the proposed project is inconsistent with that Program is incorrect. A proposed project cannot be inconsistent with a Program that relates solely to potential City action.

The statement in this comment that the project developer is not going to comply with the noticing and hearing requirements with respect to the proposed amendments to the land use and zoning designations for the proposed Development Areas is incorrect. The project developer and the City would comply with all such requirements.

Comment 123-3:

Further, the Goal of Section 5-1.5 is: "Protect Scenic Corridors by establishing development controls in harmony with each corridor's individual scenic character." The Program states: "Plans for Scenic Corridors should be prepared and implemented. The plans should include... "3. Controls on use and intensity of use of lands within and or adjacent to the Scenic Corridor." The Canyon Hills project, by its very nature, destroys important wildlife habitat, and destroys valuable chaparral, and riparian plant communities which currently act as a transition zone from adjacent residences to the Scenic Corridor.

Response:

See Response 35-2.

Comment 123-4:

From California Government Code section on "subdivisions": 66473.5. Findings: consistency with general and specific plans

No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1. A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan.

Response:

See Response 123-1. The balance of this comment references certain requirements and findings relating to the approval of a tentative map or a parcel map for a project, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further

response is required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 123-5:

California Law also states in section 66474. Findings: grounds for denial

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes ANY of the following findings, [and MOST of the findings can easily be made]:

(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

Canyon Hills is asking for the Plan to be amended for their development without proper due process and public input.

Response:

See Responses 123-2 and 123-4.

Comment 123-6:

(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The Specific Plan for Sunland Tujunga specifically designates this area as open space, and is zoned consistently.

Response:

See Response 123-4. Contrary to this statement, the Specific Plan does not designate any portion of the project site as "open space".

Comment 123-7:

c) That the site is not physically suitable for the type of development.

The proposed site is raw, nearly pristine chaparral and riparian habitat, currently a transitional zone between adjacent residences and a designated Scenic Corridor. The proposed development requires nearly complete leveling of steep canyons and mountain ridges, resulting in a gross change in it's [sic] topography and character.

Response:

See Response 123-4.

Comment 123-8:

(d) That the site is not physically suitable for the proposed density of development.

Adequate ingress and egress will not be provided considering the number of proposed households. The traffic in particular generated by this volume of households cannot be accommodated by Tujunga Canyon Blvd, Lowell Ave., or La Tuna Canyon for access to goods and services.

Response:

See Response 123-4.

Comment 123-9:

(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The ecological area of concern currently occupied by the thousands of plant and animal species will be completely destroyed. The rich diversity contained within the riparian areas will be effectively lost. Riparian habitat is the second most endangered habitat on the planet. The watershed quality of these hillsides would also be greatly diminished as the waters would be diverted into flood control systems.

Response:

See Response 123-4.

Comment 123-10:

(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

The DEIR does not give any significant information on the two 1.5 million gallon water tanks proposed for construction on or near the project. The development of two high capacity water tanks would in itself have devastating environmental impacts, but there is no analysis of such included in the DEIR. There is no mention of these tanks in either of the alternative projects. The tanks would have significant visual impacts. There is no mention of the necessary discretionary action by the City to agree to sell, lease or grant an easement over the land which would enable the land to serve as a site for the first tank.

Response:

With respect to the concern expressed regarding the design of the subdivision conflicting with easements, see Response 123-4. With respect to the concern expressed regarding the proposed water tanks for the project, see Response 118-10.

Comment 123-11:

The Utilities and Service Systems section does 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 [sic] would be extended approximately 5,000 feet to the project site.” (Id. At IV.L-3). Yet, there is no analysis of the mile-long, water-supply system. Since the water must be moved uphill from La Tuna Canyon, a system would have to include a pumping and chlorination station as well as 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?

Response:

See Response 118-11.

Comment 123-12:

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*[sic], 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. 15121 a).

Response:

See Response 118-12.

Comment 123-13:

When the project is examined in light of the Sunland-Tujunga Community Plan, it is clearly inconsistent with the adopted will this community to develop land along these hillsides for residential use. A spot Plan Amendment of this magnitude without due process and public input is unconscionable.

Response:

See Response 123-1.

Commenter 124: Helen and Donald De Ruiters, 9508 Glory Ave., Tujunga, CA 91042, December 28, 2003

Comment 124-1:

As a longtime resident of Tujunga, we are extremely upset with this proposed development and find it to be unacceptable as to its present form. We draw your attention to the following reasons listed below.

In, reading the DEIR, it is alarming to see the total disregard for existing laws as to land usage such as a proposed variance of 15% up to 20% grade for hillside development. Then, there is the issue of building not 87 homes, which were satisfactory initially, to now increasing the number to 280 homes. Why was this allowed? Individual home owners have to comply with the law with regard to city ordinances but, in this case, an out of state developer gets all kinds of special considerations. Something does not add up and this should be investigated.

Response:

The comment incorrectly characterizes the requested entitlements. First, no variance for hillside grading is required or being sought by the proposed project. Second, no entitlements for the proposed project have been approved yet. Third, the proposed project would be required to conform to all applicable laws. With respect to the right of an individual property owner to seek amendments to the land use and/or zoning designation for a site, see Responses 118-16 and 143-28.

Comment 124-2:

Our community plan is our own land use plan and is one component of the general plan whereas the referenced DEIR is a major land form alternative. This major revision of our community plan finds that those who have drafted it have offered no acceptable alternative.

Response:

The meaning of this comment is unclear. However, to the extent the commenter contends that the Draft EIR did not include an adequate discussion of alternatives, that is incorrect. Section VI (Alternatives to the Proposed Project) of the Draft EIR provides an assessment of the environmental effects of five alternatives to the proposed project, as required by CEQA. This comment expresses an opinion that acceptable alternatives have not been offered, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a further response is not possible. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 124-3:

Whitebird should not be allowed to have zoning changed from an A-1 do R-9 and R-11. These variances set a very serious precedent for future development in this and other areas.

Response:

The project applicant has not sought any variances with respect to the proposed project. In any event, this comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 124-4:

The DEIR does not consider the grading because of this slope change which will ultimately result in landslides which we have experienced in the past. The cutting off of the tops of hills, the uprooting of trees, not to mention the severity to wildlife, which your own report indicates would occur, will just exacerbate the situation. Many of us have been told that Sunland-Tujunga is a “throwaway community.” The movement of 4.6 million cubic yards of dirt, the small lot sizes and congestion that will occur, not to mention the diesel which is known to be a serious health hazard by the AQMD will certainly give it a further negative reputation. The roads in our area are deplorable not to mention the highways. This infrastructure is collapsing and more roads and 280 homes will contribute to this dilemma.

Therefore, we object to the General Plan Amendment as proposed in the DEIR.

Response:

With respect to the grading impacts associated with the proposed project, see Topical Response 6. In addition, and contrary to this comment, Section IV.A (Geology and Soils) of the Draft EIR provides a detailed analysis of the proposed grading. As discussed therein, potential landslide hazards would be mitigated to less-than-significant levels. The “uprooting of trees” and the “severity to wildlife” would not exacerbate landslide conditions. With respect to the concern expressed regarding lot sizes, see Response 52-9. With respect to diesel emissions associated with construction activities, see Response 57-7. Finally, this comment expresses concern regarding existing roads and infrastructure, and that the proposed project would contribute to this problem, but provides no evidence or analysis to support that contention and does not state any specific concern regarding the adequacy of the analysis in the Draft EIR.

Commenter 125: Catherine Giesiche, 7526 Wentworth Street, Tujunga, CA 91042, December 28, 2003

Comment 125-1:

I'm writing you about my concerns of the Canyon Hills Project and feel the EIR holds some errors and is inadequate.

I believe this development threatens the quality of life we have in this community. That stretch of the 210 freeway about La Tuna Canyon is the most scenic peaceful stretch of highway around.

It is an island of wilderness that is home to cougars, deers [sic], owls, and coyotes. It is laced with waterfalls and used by equestrian [sic], hikers and mountain bikers.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 125-2:

Sunland and Tujunga have a city plan that is based on as Equestrian lifestyle where many properties are large enough to care for a horse.

The Canyon Hills Project completely ignores this aspect of our community other than placing equestrian trails that don't connect to the existing trails we have.

Response:

See Topical Response 8.

Comment 125-3:

I'm also concerned about the traffic situation this development will incur. We already have increased traffic that is jamming up. I fail to see how an additional 280 homes is going to help relieve our already crowded streets.

Response:

See Topical Response 9.

Comment 125-4:

I believe the City of Los Angeles should redo the EIR and really study the impact such a development will have on our community.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3.

Commenter 126: William D. Green, 10520 Alskog St., Sun Valley, CA 91352,
December 28, 2003

Comment 126-1:

Please accept the attached comments regarding the Draft Environmental Impact Report [EIR] for the Canyon Hills Development proposed for the northern Verdugo Hills in the vicinity of Sunland and Tujunga.

The comments relate specifically to Part IV, pages A- 1 through A- 29 as they cover the geology and geologic hazards in the proposed residential housing development.

My qualifications to assess the geology of the area include two professional academic degrees in Geology; a B.S. from Tufts University on the east coast and a M.S. from the University of Arizona in Tucson. In addition I have over 30 years of environmental assessment experience related to atmospheric chemistry and air pollution.

In 1985, I moved to the Shadow Hills section of Sunland and later moved to Sun Valley Hills on the southern slope of the Verdugo Mountains. For these past 18 years I have become very familiar with the local geology and topography of these mountains.

Since retiring four years ago I have worked as an Adjunct Professor at Glendale Community College teaching geology classes which include field trips in the La Tuna Canyon area of the Verdugo Mountains where the proposed Canyon Hills Development is situated.

Thank you for accepting my evaluations of the EIR. They are presented from the point of view of a professional individual who has no vested interest in the outcome of the project.

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 126-2:

I have a M.S. degree in Geology from the University of Arizona and have worked professionally in the environmental assessment field for 38 years. For the past 4 years I have taught Geology and other physical sciences at Glendale Community College here in the Los Angeles area.

In the course of teaching Geology I have used the area around La Tuna Canyon and the proposed Canyon Hills Development as one of the stops on my field trips to demonstrate the existence and effects of landslides, rockfalls, mud slides and other mass wasting phenomenon.

A drive on La Tuna Canyon Rd will show any observer the results of these phenomenon. In many places, wooden retaining walls have been placed to catch rocks and boulders that are shaken from the hillsides by heavy rains or minor earthquakes. In places the pavement has been "white striped" and narrowed to keep cars away from unstable hillsides.

Several years ago, shortly after the Northridge Earthquake, a "solid" rock face bordering La Tuna Canyon Rd. just east of the Canyon Hills Development collapsed onto the road. The scar left by this rock slide measures about 60' by 30'.

The following comments address specific pages in Part IV Section A of the EIR relating to the Geology of the area.

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 126-3:

A-2 "Faulting and fracturing of the rock due to uplift over the past 1.6 million years".

The area of the Canyon Hills Development has experienced extreme tectonic stress resulting in the shattering of the rock into relatively small pieces, often as small as a few inches to a few feet on each side.

Response:

Onsite geology consists of numerous surficial and bedrock units. The surficial units consist of artificial fill, topsoil/colluvial soils, recent alluvium and landslide debris. Bedrock units consist of sedimentary and volcanic Topanga formation and basement igneous rock, including granite, quartz diorite and metamorphic gneisses. As described above, the structure of the project site and the Verdugo Mountains is a direct result of uplift and exposure of the Mesozoic bedrock units. Sympathetic faulting and fracturing of the bedrock throughout the Verdugo Mountains has developed as a result of the uplift. These sympathetic faults are considered inactive (> 1.6 million years old).

Comment 126-4:

A-3 “Landslides – loose material unsuitable for support of embankments or engineering improvements”.

Numerous known landslides [eleven] were identified in the EIR. Nothing was said about the possibility of undetected or fossil landslides hidden under recent alluvium. Failure of such an ancient landslide is one of the six factors that led to the collapse of the St. Francis Dam [Wm Mulholland] in 1928 with the loss of 600 lives.

Response:

Within the project site, the existing landslide materials are the result of prior accumulations of loose rock and debris flowing down canyon from steeper slopes above, and steeper slope areas undercut by stream erosion. The debris flows typically occur during periods of heavy rainfall and/or in association with ground shaking caused by earthquakes. These materials are composed mainly of brown silty sands with some gravel, cobbles and boulders. The areas mapped on the project site that contain landslide debris (commonly referred to as “landslides” or “landslide areas”) are typically less than 20 feet in thickness and exist at the base of steeper slopes. The landslides’ consistency is generally loose and unsuitable for the support of fill embankments or engineered improvements.

Large, ancient bedrock landslides such as the type attributed as one of the contributing factors in the 1928 failure of the St. Francis Dam are typically not present in the rock types within the proposed Development Areas. No evidence of such large landslides was observed at the project site, and the commenter does not suggest that any such ancient landslides exist there.

Comment 126-5:

A-11 “Leucocratic granitic rock”.

The report says this is a good foundation rock, which it is when the rock is coherent and unfractured. My observations in the area find the rock heavily shattered and subject to rock falls in steep terrain. Shortly after the Northridge earthquake a rock slide occurred at a location about 100 yards east of the Canyon Hills property when an outcrop of this granite measuring 30 feet wide by 60 feet high collapsed onto La Tuna Canyon Road.

“Quartz diorite rock which is the major rock unit in the area of the Canyon Hills Development, is completely intruded by units of the Leucocratic granite”.

Again, the principle of the weakest link applies to these rock formations.

Response:

The statement that the leucocratic granitic rock formations within the project site are highly fractured and subject to rockfall in steep terrain is correct, as discussed in the Draft EIR. To address potential rockfall and other mass wasting phenomenon, a system of buttress and stabilization fills have been proposed as part of the grading of the proposed Development Areas. In addition, in order to mitigate potential seismically-induced rock fall within natural areas, Mitigation Measure A-1 in the Draft EIR requires the project developer to incorporate setback zones from potential rock fall areas identified in the Draft EIR. It should be noted that the oversteepened cut slope east of the proposed Development Areas that failed in the 1994 Northridge Earthquake did not incorporate any of the stabilization techniques proposed for the project.

Comment 126-6:

A-12 "Gneissic [metamorphic] rock exists in small pockets in the western portions of the development area".

Gneiss exhibits foliation zones which can weaken the rock. Normally, gneiss, if it has not been excessively stressed, can be an excellent foundation rock, however the presence of high percentages of mica bordering on a transition to schistosity can weaken the rock. Again, one of the suspect causes for the failure of the St. Francis dam was the fact that the east abutment of the dam was anchored in the Pelona Schist.

Response:

Gneiss consists of granitic rocks and quartz diorite metamorphosed under conditions of high temperature and pressure. Gneissic Rocks (gn) are generally found in the western portion of the project site. Small, localized pockets are located within the proposed Development Areas and are predominantly dark gray biotite-quartz-feldspar gneiss. This geologic unit ranges from thin layered gneiss to somewhat incoherent gneissoid quartz diorite or biotite diorite. Foundation characteristics of the gneissic rocks indicate good to very good bearing characteristics, low to very low potential for settlement, and high compressive strength. This formation, as observed, is highly weathered near the surface, with the degree of weathering decreasing with depth. As stated in this comment, a portion of the Gneissic Rock is schistose in nature.

Again, the conditions for mega paleo-landslides that developed within the Pelona Schist that contributed to the 1928 St. Francis dam failure are not present within the rock types in the proposed Development Areas.

Comment 126-7:

A-13 “There are no known active faults in the area”.

True, there are no identified active faults which traverse the development area, however several active faults exist within 2 miles of the site. The Verdugo fault which parallels Glen Oaks Blvd in Sun Valley forms the southern face of the Verdugo Mountains. Peak ground acceleration [PGA] values listed on page A-16 of the EIR indicate that ground motion in the Canyon Hills Development could reach 0.82 g during an earthquake on the Verdugo fault. The ground motion in the same area during the Northridge earthquake was 0.35.

[“g” is the acceleration due to gravity, perpendicular to the surface of the earth, ie; - the constant pull we feel on our feet as we stand on the surface. In an earthquake, that “g” force is expressed parallel to the surface and is the force that rips buildings off their foundations.]

During the Northridge earthquake, considerable damage was done to houses in lower La Tuna canyon and in the vicinity of Bluffdale, Wheatland and Vinedale streets in Sun Valley, adjacent to the canyon. Although the EIR states that the distance to the epicenter of the Northridge earthquake is 7 miles, I have measured it to be approximately 10 miles: considerably farther than the 2 mile distance to the Verdugo fault. A magnitude 6.7 earthquake similar to the Northridge quake, that close to Canyon Hills, would trigger mass wasting in the form of landslides, rock slides and rockfalls as well as the lateral ground motions that could separate houses and their foundations from the stabilized pads they are seated on.

Response:

As with all properties in the seismically active Southern California region, the project site is susceptible to ground shaking during a seismic event. Potential impacts from seismic ground shaking are present throughout Southern California and would be of comparable intensity at the project site as it would be for large parts of the City and the region. The proposed homes and infrastructure that comprise the project will be designed in accordance with the seismic parameters set forth in Table IV.A-2 of the Draft EIR, which incorporate the known seismic framework of the region, the relative activity of nearby faults, the proximity of the project site to active faults (or “near-source” effects), and soil and bedrock conditions beneath the project site. Compliance with the LABC utilizing the parameters set forth in the Draft EIR would reduce seismic risks to an acceptable level. Ground motions of up to 0.82g could be expected for an earthquake occurring on the design fault for the project site (as discussed on pages IV.A-16 through IV.A-18 in the Draft EIR).

Comment 126-8:

A-14 “Other active faults in the area include the Sierra Madre fault 1.5 miles to the E-NE and the San Fernando fault 2.0 miles to the NW.”

Although the Sierra Madre fault has been quiet recently, the western extension of it, the San Fernando fault, was responsible for the Sylmar earthquake in 1971. Many houses under construction in the foothills of Sylmar at that time were sheared off their foundations and collapsed in upon themselves like houses of cards. Ground motions 0.8+ g were measured at Pacoima dam during that quake. Thank you for your consideration of my comments and observations.

Response:

See Response 126-7.

Comment 126-9:

A-19 “Approximately 50% of the natural slopes are in the earthquake induced landslide hazard zone”

Will the residents of this development really feel comfortable in these houses? This area seems to be one that cries to be left alone. [my opinion]

They speak of 11 landslides in the general area with 7 existing on the development project land. These range in size up to 370’ wide, 150’ high and 20’ deep. To remove these will take a lot of earth movement, dust and noise in these quiet mountains.

Response:

Approximately 50 percent of the natural slopes within the project site and the Duke Property are located within an Earthquake Induced Landslide Hazard Zone as delineated on the State of California Seismic Hazard Maps, Burbank and Sunland Quadrangle. According to California Geologic Survey, Special Publication 118, the zones are defined as “areas meeting one or more of the following criteria”:

- Areas known to have experienced earthquake-induced slope failure during historic earthquakes;
- Areas identified as having past landslide movement, including both landslide deposits and source areas; and
- Areas where the California Geologic Survey’s analysis of geologic and geotechnical data indicate that the geologic materials are susceptible to earthquake-induced slope failures.

Based on geologic mapping of the project site, it does not appear that the project site suffered considerable earthquake-induced landslides as a result of the 1971 San Fernando or 1994 Northridge earthquakes or other historic earthquakes of lesser magnitudes. Within the project site boundaries, rock fall would be the most likely form of earthquake-induced slope failure. A rock fall is defined as a free fall of rock fragments of various sizes detached from a slope. The fall may be combined with rolling and leaping of fragments, which may be broken into pieces in the process. Specifically, rock fragments might detach and roll downslope onto homes and other improvements below. Eight areas of potential seismically-induced rock fall have been identified within the proposed Development Areas (see Figure IV.A-1 in the Draft EIR). These eight areas of potential seismically-induced rock fall are all located within an Earthquake Induced Landslide Hazard Zone, as discussed above.

In order to mitigate potential seismically-induced rock fall, Mitigation Measure A-1 on page IV.A-33 in the Draft EIR requires the project developer to incorporate setback zones from potential rock fall areas identified in the Draft EIR. In areas where proposed structures may encroach within the setback area, rock fall containment devices shall be incorporated into the design. Examples of such devices include debris fences or walls, rock bolting and netting, or rock fall containment basins.

Comment 126-10

A-21 through 24

“Slope stability is a function of joint set orientation.”

Joints are cracks which extend through solid rock and, due to the tectonic forces which create them, tend to have a common orientation or direction.

According to the EIR, all 5 sectors of the development exhibit unstable joint sets in a southerly direction. Sector II also has unstable joint sets in the westerly and northwesterly directions and a southeasterly set is evident in Sectors IV and V. A short drive down La Tuna Canyon provides ample evidence of the failure of these joint sets in the region.

Response:

As recommended in Section IV.A (Geology and Soils) of the Draft EIR, cut slopes exposing adverse joint sets would be stabilized utilizing buttress and stabilization fills to increase the stability of slopes exposing unstable structural features. Mitigation Measures A-4 and A-5 in the Draft EIR require the project developer to incorporate buttress and stabilization fills slopes to mitigate cut slopes exposing adverse geologic conditions.

Comment 126-11:

“Fall slopes have a 1.5 safety factor during an earthquake.”

Again, I refer back to page A-19 and my question regarding the comfort the residents will feel if their children are in the area during an earthquake.

Response:

Fill slopes constructed of excavated and recompacted earth materials are proposed to a maximum height of approximately 200 feet. Slope stability analyses of these configurations utilizing shear strength testing of soil materials from within the proposed Development Areas indicates that the proposed slopes for the project meet or exceed the LABC criterion of a 1.5 factor of safety under static loading conditions.

Comment 126-12:

A-25 “On site bedrock is highly weathered and fractured. A seismic refraction profile indicated a low velocity indicative of low physical strength (fractures and jointing] in the bedrock.”

Although the EIR indicates that this is good because it will make excavation on the site easier, and will preclude the need for blasting, it also points to the weakness of the underlying rock foundation throughout the entire project area.

Response:

Excavatability or “rippability” refers to the hardness and ability of conventional earthmoving equipment to excavate earth materials within the project site. Excavatability surveys evaluate bedrock hardness generally by measuring a shear wave velocity through the bedrock formation with a higher velocity representing more resistant bedrock material. This is compared through empirical relations to determine relative ease of excavation for differing types of earthmoving equipment.

As noted in this comment, onsite bedrock materials appear to be highly weathered and fractured where observed during our field observations at the ground surface. The results of the seismic refraction survey generally indicate that the bedrock materials encountered to the depths explored exhibit relatively low seismic velocities corresponding to easily excavatable rock.

Although the rock should be excavatable by conventional earthmoving equipment, the seismic velocities still represent a competent material for support of engineered fills and proposed improvements and structures within the Development Areas.

Comment 126-13:

A-26 "Ground water not a problem. The ground water table is 18-60 feet below the project land surface."

Although liquefaction and water induced soil creep are not a problem in the area due to the alluvial nature of any sediments [coarse sands and gravels] and the excellent surface and ground water drainage, there are frequent temporary springs and seeps which can persist for 2-6 weeks after moderate rains. Again, due to the shattered nature of the bedrock and the extensive joint system, water is quickly absorbed in these cracks and eventually appears in unpredictable places at lower elevations. This can lead to softening of fill dirt and soil collapse. In some cases it can induce seepage under the concrete pads of buildings and the establishment of persistent mold infestations.

Response:

Ground water within the bedrock materials would be generally in weathered zones, fractures or joints. The seasonal seeps and springs would be generally confined to the narrow alluvium bottom of canyons and tributaries canyons. Within areas of grading, subdrainage would be provided in accordance with the Los Angeles Building Code and Grading Code and in accordance with the General Earthwork and Grading Specifications included in Appendix D to the Draft EIR. This subdrainage is designed to intercept ground water and convey it to appropriate drainage systems, thereby enhancing stability.

Comment 126-14:

CONCLUSIONS

The Environmental Impact Report [EIR] does not adequately address the seismic vulnerability of the proposed Canyon Hills development project.

The extremely shattered nature of the rock and the close set joint patterns have led to chronic problems of landslides, rockfalls and massive failures of rock faces, as evident in road cuts along La Tuna Canyon Road, the principal local road in the area.

The proximity of three [3] active faults within 2 miles of the project, and the fractured nature of the bedrock, invites a potential disaster if any of these faults experience a magnitude 6.5 or higher earthquake, as occurred in 1971 on the San Fernando fault.

Response:

Numerous active and potentially active faults capable of generating earthquakes exist within the Southern California area. The project site is at no higher or lower risk from seismic shaking, fault

rupture, or other seismic effects than any other similar site in Southern California, and should be considered typical of the Southern California area. The proposed homes and infrastructure that comprise the proposed project will be designed in accordance with the seismic parameters set forth in Table IV.A-2 of the Draft EIR, which incorporate the known seismic framework of the region, the relative activity of nearby faults, the proximity of the project site to active faults (or “near-source” effects) and soil and bedrock conditions beneath the project site.

As recommended in Section IV.A (Geology and Soils) of the Draft EIR (pages IV.A-30 and IV.A-31), cut slopes exposing adverse joint sets would be stabilized utilizing buttress and stabilization fills to increase the stability of slopes exposing unstable structural features to factors of safety as required by the City of Los Angeles Building Code. Mitigation Measures A-4 and A-5 in the Draft EIR require the project developer to incorporate buttress and stabilization fills slopes to mitigate cut slopes exposing adverse geologic conditions.

Commenter 127: Elizabeth Helms, Ahead With Horses Inc., 9311 Del Arroyo Drive, Sun Valley, CA 91352, December 28, 2003

Comment 127-1:

OPOSED[sic]!! OPOSED[sic]!!! OPOSED[sic]!!!

THIS IS "BAIT AND SWITCH" AT ITS WORST!!!

THIS IS UNMITIGATED FRAUD PERPERTRATED AGAINST AN UNSUSPECTING COMMUNITY THAT FAITHFULLY ATTENDED ALL THE PUBLIC HEARINGS[sic] FOR A PROPOSED EQUESTRIAN FACILITY DEVELOPMENT ONLY - NO HOUSES!!!!

THE UNDERSIGNED PURCHASED THEIR PROPERTIES TO USE IN CONFORMANCE WITH THE GENERAL PLAN AND NOT FOR SPECULATION. OUR PROPERTY VALUES AND THE LIFETIME[sic] INVESTMENT OF NOT ONLY OUR DOLLARS BUT SERVICE TO THE COMMUNITY SHOULD NOT BE DEVALUED BY THOSE SEEKING ONLY MATERIAL WEALTH AND SHOULD BE PROTECTED BY CITY PLANNING RATHER THAN VICTIMIZED!!!!!!

OUR LIFE EXPERIENCE LIVING IN LA TUNA CANYON CONTRAVENES THE FINDINGS OF THIS EIR REPORT!

FURTHER, WE QUESTION THE VALIDITY OF EIR REPORTS PREPARED BY THOSE WITH MATERIAL INTERESTS. FOR A CITY THAT PRIDES ITSELF ON ITS ETHICAL STANDARDS, IT SEEMS TO HAVE NONE IN CITY PLANNING PRACTICES.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 128: Lisa Keene, 7314 Verdugo Crestline, Tujunga, CA 91042,
December 28, 2003

Comment 128-1:

With the current wildfires that have occurred in Southern California and several wildfires that have affected the Verdugo mountains I believe it necessary to comment on this portion of the DEIR. One fire I can remember started just south of Verdugo Crestline Dr. burned towards the freeway, jumped the freeway to the main portion of the Verdugo mountains, burned up to the ridge and over to the Burbank side of the range. The fire was not stopped until it hit the Glendale line. Another, just a few years ago, started at the entrance to the 210 freeway at La Tuna and burn [sic] north towards the current community. I was there for this fire and saw just how much difficulty the fire department had negotiating the small and windey [sic] roads in the Hillhaven area. While the fire department did an excellent job saving homes in a tight situation it was a tense and dangerous job. With the narrow country roads and tight turns it was near impossible to evacuate exiting humans and animals along with the large fire trucks trying to get in. I cannot begin to imagine trying to add an additional 280 homes and at least twice that many cars trying to get out and fire equipment trying to get in. It was a scary and dangerous fire.....and this was a dry day without the deadly Santana [sic] winds.

Response:

See Topical Response 13.

Comment 128-2:

I would like to address the two following statements and show that the current DEIR is flawed and does not adequately reflect the reality of the neighboring communities. That the proposed secondary fire evacuation routes of Verdugo Crestline Dr. and or Inspiration Way are not well thought out and are irresponsible, not only to the proposed Canyon Hills Project, but also the current community in which these routes traverse. While the current proposal would lead one to believe that with an additional fire exit along one of these routes sufficient thought has been given to the fire escape. I have included several photos references that demonstrate just how dangerous and flawed this thinking is.

< < See original letter for graphic insert> >

The same intersection from the opposite view. This is trash day cans are out sometimes for 3 days before taken in. As you can see, they would be a very difficult passage for cars coming and going as well as fire equipment. Not acceptable as a fire exit for an additional 230 homes.

As [sic] stated by the DEIR IV. Environmental impact analysis J. public services page IV.j-6
!.Fire protection:[sic]

“The proposed project would introduce an estimated 831 residents into previously uninhabited hillside areas considered to be subject to very high fire hazards by the LAFD. This new resident population would increase the potential for wildlife fire start in the area and, concomitantly, the need for fire protection and emergency services in the area.”

regarding [sic] construction

“while the proposed project’s construction_related [sic] activities would increase the potential for starting a wildfire, construction is not considered to be a high-risk activity and the LAFD is equipped and prepared to deal with such fire should they occur. Project construction would not be expected to tax fire fighting and emergency services to the extent that there would be a need for new or expand fire facilities, in order to maintain acceptable service ratios, response times, or other performance objective of the LAFD. Therefore, construction_related [sic] impact to fire protection and medical emergency services would be less than significant.”

< < See original letter for graphic insert> >

This is a major intersection in order to exit Verdugo Crestline and out Hillhaven. I will show that it is not a viable exit for the proposed Canyon Hills project.

< < See original letter for graphic insert> >

The same intersection from the opposite view. This is trash day cans are out sometimes for 3 days before taken in. As you can see this would be a very difficult passage for cars coming and going as well as fire equipment. Not acceptable as a fire exit for an additional 230 homes.

< < See original letter for graphic insert> >

another [sic] intersection at Inspiration Way and Alene shows just how narrow these roads are. Even paved and improved using this street as a fire exit for the proposed Canyon Hills project is just unrealistic. Two cars can not pass without one pulling over.

< < See original letter for graphic insert> >

another [sic] view of Inspiration Way about 30 feet from last image no wider than the last, imagine cars trying to come and go along with fire equipment.

This covers why I believe the DEIR is flawed. It’s seems reasonable that I would not have to explain why I believe in addition that these reasons are the same for Paragraph 2 of the DEIR that I have included. Construction workers need to have fire escapes as well. When a developer is building as

many homes as indicated here in this report it is unconscionable to believe that there is “no significant impact”. [sic] to the workers and especially to the surrounding homes.

Response:

With respect to the concern expressed regarding emergency access for proposed Development Area A, see Topical Response 11. With respect to the concern expressed regarding construction activities, see Response 70-2. With respect to the concern expressed regarding potential fire risk, see Topical Response 13.

Comment 128-3:

One could argue that with enough expansion of existing roads and improvements that they could be made acceptable. How much impact does this have to existing homes and property? How much esthetic loss of small country roads to existing home owners? The DEIR does not cover any of this. Many of these roads were laid out during a time when actual view of the lay of land was not done and do not take into account slope and natural contour. While looking good on paper does not reflect the actual lay of the roads.

Response:

As discussed in Topical Response 11, segments of publicly dedicated roads that would be used for the proposed secondary emergency access between Development Area A and Foothill Boulevard (including Hillhaven Avenue, Inspiration Way and Verdugo Crestline Drive) would be improved to a minimum 20-foot paved roadway within the existing public right-of-way, in accordance with the requirements of the LAFD. See also Response 107-9. Therefore, the proposed project would have no aesthetic impact on “small country roads” due to road widenings.

Comment 128-4:

In conclusion this is one of many areas that I believe to have omitted very important information and reasonable solutions. Putting a whole community at danger. We have all seen the devastation that the fires in Southern California can do. I grew up here in California and quite frankly have seen more than my share of these fires. Some friends in Malibu, most in my own back yard going back to the fire in 1976 where the entire foothill range from Sylmar to Altadena burned. I have first hand experience in evacuation and the chaos that occurs. Paniced [sic] people trying to save homes, family and pets. I live and travel these roads everyday and saw the danger then and more than ever now.

Making any of the two roads a fire exit for this proposed development would be putting all of us a risk for property and life.

This DEIR is Flawed [sic]

Response:

See Topical Response 11 and Topical Response 13.

Commenter 129: Elektra Kruger, President, Shadow Hills Property Owners Assoc., P.O. Box 345, Sunland, CA 91041 December 28, 2003

Comment 129-1:

We differ somewhat in our opinions with the Canyon Hills Project developers in terms of their claims of consistency with the Objectives and Goals of the Sunland – Tujunga – Lake View Terrace – Shadow Hills – East La Tuna Canyon Community Plan (heretofore to be referred to as the “Community Plan”). We differ in opinion with many of the items listed in Table IV-G-4 of the Canyon Hills Draft Environmental Impact Report (heretofore to be referred to as the “DEIR”), however most have been addressed in prior response letters submitted by the Shadow Hills Property Owners Association (heretofore to be referred to as “SHPOA”). We wish to address here only two, that of entry numbers 14-2.3 and 14-2.4. The Community Plan Policy statement of entry number 14-2.3 states: “Encourage the development of equestrian trails through residential areas appropriate for horsekeeping.” The Community Plan Policy entry number 14-2.4 includes among it’s [sic] statement: “New trails should be expanded where appropriate and feasible.” The Consistency Discussion of the DEIR responds to statement number 14-2.3 stating that neither of the Canyon Hills Project Development Areas are appropriate for horsekeeping due to the steep topography and no part of the DEIR’s “Consistency Discussion” for entry number 14-2.4 addresses potential expansion of new trail systems. We appreciate that the developers may not understand the capabilities of the horse and rider or nature of the trails utilized in the Verdugo Mountain region, therefore I would strongly recommend that the developer meet with representatives of organizations holding a strong interest in the overall future development of the Canyon Hills Project. This would include such organizations as the Foothill Trails District Neighborhood Council, ETI Corral 20 and the Trails Committee of SHPOA.

Response:

With respect to the concern expressed regarding the consistency of the proposed project with Policies 14-2.3 and 14-2.4 in the Sunland-Tujunga Community Plan, see Topical Response 8. The balance of this comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 129-2:

A very different subject: I remind the Los Angeles Planning Department and the Canyon Hills Project Developer of the tragic incident in December 2003 in which extensive mudslides were responsible for a great deal of damage to property and worse to loss of life in the Devore Waterman Canyon Area near

San Bernardino. This resulted from heavy rains following recent wildfires which had engulfed the hillsides. La Tuna Canyon is highly susceptible to wind-driven wildfires and will be all the more so with the increased population of the Canyon Hills Projects' proposed 280 homes. A heavy rain following a canyon fire will surely saturate the bare soil resulting in liquefaction. Absolutely NO lot, home or roadway should be constructed near a known rock-fall area or known landslide area and no cut or fill should be greater than 10 feet.

Response:

As discussed in the Draft EIR, the geotechnical consultant for the project concluded that the primarily granular nature of the surficial materials within the proposed Development Areas are not conducive to the development of mud flow and debris flow. The commenter is correct that debris flows can occur on any sloping site following a fire and/or during heavy rainfall. As recommended in Mitigation Measure A-1 in the Draft EIR, rock fall, mud and debris flows would be contained within setback zones, diverted by debris fences or walls or contained by debris basins within the proposed Development Areas. Erosion control measures would also be required by the City during construction. It should be noted that the implementation of the mitigation measures and requirements described above would provide protection in existing residential areas that does not currently exist.

With respect to the concern expressed regarding wildfire, see Topical Response 13.

Comment 129-3:

A further very different subject: This in reference to Consistency Discussion Section 7A.2 page IV-G-25. I quote: "No grading or removal of native vegetation shall occur within any Prominent Ridgeline Protection Area(s), except as necessary to meet fire safety and brush clearance requirements, to develop recreational trails, or for landscaping associated with residential lots." We believe that no grading should be permitted more than 10 feet beyond a residential footpad. While there are structural restrictions relative to Prominent Ridgeline Protection Areas, lot lines may extend into these said areas. It is therefore very important to restrict grading and removal of native vegetation for residential landscaping which may disrupt the viewshed of the ridgeline.

Response:

It is first noted that the discussion referenced in this comment has been revised in Section III (Corrections and Additions) of this Final EIR to conform to the provisions in the final version of Specific Plan. As reflected in Section III (Corrections and Additions), the provision referenced in this comment was moved to Section 6A.6 of the Specific Plan, with some modifications. In any event, the commenter does not suggest that the proposed project is inconsistent in any way with Section 6A.6 of the Specific Plan. Therefore, no further response is required pursuant to CEQA. However, the

comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 129-4:

I am confused by the wording of the Consistency Discussion Section 7A (DEIR IV-G-25). I quote: "As reflected in the site plan for the proposed project, none of the proposed homes would be located in whole or in part in a Prominent Ridgeline Protection Area and no proposed home located within five feet of a Prominent Ridgeline Protection Area would exceed 36 feet in height." If none of the homes for the proposed project are located even "in part" in the Prominent Ridgeline Protection Area, then how could there be an option for a home located within 5 feet of the Protection Area with a height limit of 36 feet. This would imply that these homes would be "in part" inside a Ridgeline Protection Area. If I am misreading this paragraph, I am sure I am not alone. I recommend that this paragraph of the DEIR be more clearly written.

Response:

While the discussion from the Draft EIR referenced in this comment is unambiguous, it has been modified in Section III (Corrections and Additions) of this Final EIR to conform to the provisions in the final version of the Specific Plan.

The provision referenced in this comment was replaced in Section 6A.2 of the final Specific Plan with a new provision which states that no buildings or structures shall be constructed so that the highest point of the roof, structure or parapet wall is less than 25 vertical feet from the designated Prominent Ridgeline directly above the highest point of the building or structure. As discussed in Section III (Corrections and Additions) of this Final EIR, the proposed project would comply with this requirement.

Comment 129-5:

A response to the Land Use Mitigation Measure noted on page IV-G-28. I quote: "The proposed project would not physically divide an established community or conflict with any applicable land use plan, policy regulation, habitat conservation plan or natural community conservation plan." The proposed site plan would most definitely conflict with "any applicable land use plan", that being the Community Plan which projects an eventual development to Very Low Residential I density for the Development A Area and Minimal density for the Development B Area. Thus, this Mitigation Measure, as stated, is in error.

Response:

See Response 24-3. In addition, the language referenced in this comment is not a “mitigation measure”. Rather, this provision in the Draft EIR explains why the proposed project’s land use impacts would be less than significant, so that no mitigation measures are required.

Comment 129-6:

Response to the DEIR’s Project Growth calculations on page IV-H-5. While the calculations were based correctly on Community Plan housing density projections, no consideration was given to the lot size effect of hillside ordinance restrictions and the slope density formula. While indeed the unit allotment would be greater than the 87 we used in arguments in previous letters which were based on the current AI zoning, the allotted units would still be much less than the 359 calculated here. Please repeat these calculations taking the hillside ordinance and slope density formula into consideration.

Response:

The discussion referenced in this comment demonstrated that the proposed project is within the City’s growth projections, as reflected in the Sunland-Tujunga Community Plan, and that the development of the proposed project therefore would not induce substantial population growth. The growth projection in the Sunland-Tujunga Community Plan did not take into account limitations on housing density associated with the application of the slope density formula in Section 17.05C of the LAMC, and the commenter provides no evidence or analysis to the contrary. Rather, the growth projections are based solely on the Community Plan residential land use designations. The analysis in the Draft EIR was consistent with the methodology used in the Sunland-Tujunga Community Plan.

Commenter 130: Robert C. Lappo, 10237 Fernglen Ave., #203, Tujunga, CA 91042, December 28, 2003

Comment 130-1:

As a citizen of Los Angeles (Tujunga), I am deeply concerned that the Environment Impact Report focusing on the Canyon Hills Project does NOT paint an accurate picture of the environmental and community impacts resulting from this development project. I am STRONGLY OPPOSED to any further development around the La Tuna Canyon area as well as the Verdugo Hills.

Development in these areas will further destroy the natural habitat for wildlife which is already endangered from existing construction on these hillsides. In addition, new housing in this area will result in an increase of not only traffic but air-pollution in an area where these levels are already at a critical point. As a separate issue, sources tell me that the legal entitlement of Whitebird, the developer, to do business in California and L.A. County has come under question. I am very opposed to environmental-destruction and harm to the community from development in the interest of profit.

Thank you for taking my views into consideration.

Response:

Potential environmental impacts to plant and animal habitats, traffic, and air quality are addressed (respectively) in Sections IV.D (Biological Resources), IV.I (Transportation and Traffic) and IV.B (Air Quality), in the Draft EIR. Regarding the adequacy of the Draft EIR, see Topical Response 1. With respect to the legal status of the project applicant, see Response 94-2. The balance of this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required pursuant to CEQA. However, the balance of this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 131: Charlie Marko, 7930 Apperson Street, Sunland, CA 91040,
December 28, 2003

Comment 131-1:

The Draft Environmental Impact Report for Canyon Hills is, in my opinion, inadequate, incomplete, and misleading. In particular, the section dealing with Aesthetics (IV N) blatantly tries to downplay the enormity of the project and it's [sic] irreversible harm to our community's visual resources. Key information (found elsewhere in the DEIR) is omitted and/or contradicted in the Aesthetics section in an attempt to fool the reader into thinking that the project will be "invisible".

Response:

Contrary to the comment, the analysis in the Draft EIR concluded, based on detailed analysis, that the proposed project would have significant aesthetic impacts with respect to scenic vistas, scenic resources and visual character.

Comment 131-2:

Here are some examples:

1) There will not, as the DEIR claims, be 693 acres of "permanently preserved open space". Throughout the DEIR, the claim is made that 693 acres of the 887 acre project area will be set aside as "permanently preserved open space". The developer apparently has arrived at this figure by subtracting the 194 acres that the homes will be "clustered" on from the 887 acre total project area. But on page 111-6 (Project Description, Grading and Construction) we are told, that "the combined grading operations for the entire project site would affect a total area of approximately 240.23, acres". Then, on page IVN-14, (only one page after making the "693 acres of open space" claim) it's stated that "...grading and brush clearance/fuel modification will permanently alter the appearance of 310.7 acres within the project site." This would leave us with only 576.3 acres of open space. Unless, of course, one turns to page IV C-3 (Hydrology), and learns that only 448 acres would be unaffected by the proposed development.

On page III-8 (Project Description), the report concedes that the "permanently preserved open space" will consist of both "modified open space" and "natural open space". Obviously, the developer is trying to call any patch of land where there isn't a house "permanently preserved open space". The parking lot of our local Kmart has plenty of "modified open space", but you won't find anyone hiking or picnicking there on a Sunday afternoon.

Response:

See Response 75-8. As discussed on page III-8 in the Draft EIR, approximately 111 acres of the 693 acres of preserved open space on the project site would consist of modified open space. Modified open space includes ungraded areas that would be subject to fuel modification and areas that would be graded but remain open space. The modified open space includes approximately 94 acres of land in the fuel modification zone that would be ungraded, but remain open space. See also Topical Response 6 regarding the increase in open space.

With respect to hydrology, approximately 448 acres of the project site neither contribute runoff to the proposed Development Areas nor receive runoff from the proposed Development Areas. Consequently, the development of the proposed project would have no hydrologic effect on those 448 acres. This calculation is relevant to computing the capacity of the proposed storm drainage improvements and has nothing to do with the calculation of preserved open space.

Comment 131-3:

2) Use of contradictory and/or, misleading, language: The proposed project would require a massive amount of grading. Ridgelines would be reduced in height by as much as 80 feet. Artificial slope walls would reach as high as 200 feet. Grading operations “would involve a total earthwork quantity of 4.6 million cubic yards (plus 20 percent for remedial grading).” The Aesthetics section (page IV.N-11) of the DEIR says: “Overall, the effect is that of a community perched on the land, rather than forced onto it.”

I can think of no bird that needs to move 4.6 million cubic yards in order to “perch”.

Response:

See Topical Response 6.

Comment 131-4:

3) The Aesthetics Section fails to even mention the construction of two 1.5 million gallon water tanks. According to page IV.L-3 (Utilities and Service Systems-Water), “the proposed project would be required to provide two 1.5 million gallon water tanks.” One would be “at an elevation of approximately 1,900 feet” and the second would be “at an elevation of approximately 2,200 feet”. It goes without saying that these two massive structures would have a significant adverse effect on the visual character and quality of our community. Yet there isn’t a single word about them in the section of the DEIR dealing with aesthetics.

Response:

See Responses 38-8, 38-9 and 38-10.

Comment 131-5:

4) “Aesthetics” does not address the construction of sound barriers along Interstate 210. Figure TV. E-2 (Receptors and Barriers used in Traffic Model) maps out the placement of sound barrier walls along Interstate 210. These walls, ranging in height from 6 to 16 feet, would obviously have a significant adverse effect on the visual character of the freeway. “The Sunland-Tujunga Community Plan designates Interstate 210 as a scenic freeway” (page IV.N-2). Despite this, the DEIR never discusses their impact on our community’s visual resources.

Response:

See Response 114-2.

Comment 131-6:

5) No measurements are ever given for the minimum distance between houses. The DEIR claims that the development has been “designed to create a low-density, clustered residential community that avoids the appearance of a ‘tract’ development”...“Hence, the design avoids the look of large house: squeezed onto small lots.” But in section III (Project Description) we are told that these homes will average 4,000 Square feet in size and be situated on lots as narrow as 70 feet. The only distance the report ever provides for the space between these large homes is “ample side-yard spacing” (page IV.N-11, Aesthetics). One can only assume that “ample” can be interpreted as “legal”. “Legal” side-yard spacing could result in very large homes spaced only 10 feet apart.

Response:

The comment erroneously assumes that the 70-foot dimension described in Table III-1 in the Draft EIR relates to the minimum lot width. In fact, it is the minimum dimension of the proposed building pads. Because the proposed project would be a hillside development, adjoining building pads would be separated by slopes that accommodate the differences in pad elevations. The slopes between the building pads would also be part of the lot and would add additional separation between the pads.

Comment 131-7:

6) No measurement is given for the proximity of homes closest to Interstate 210 or La Tuna Canyon Road. In addition to designating Interstate 210 as a scenic freeway, the Sunland-Tujunga Community plan designates La Tuna Canyon Road as scenic secondary highway. The proximity of the

development's "clustered" homes will help determine its impact on the visual character of these roadways. The DEIR fails to provide this information, and, therefore fails to fully assess the project's impact on our community.

Response:

The absence of measurements for the proximity of homes closest to Interstate 210 or La Tuna Canyon Road does not render the Draft EIR inadequate, incomplete or misleading. The Draft EIR presented an extensive analysis of the proposed project's aesthetic impacts. Section IV.N (Aesthetics) included 41 pages of analysis and presented 20 figures (including six visibility analyses and eight visual simulations) that depict various aspects of the proposed project's aesthetic impacts. Based on this analysis, the Draft EIR concluded that the proposed project would have a significant impact on the scenic resources and visual character of the project site and surrounding area. Consequently, the addition of this information would not change any conclusions contained in the Draft EIR. In addition, the Sunland-Tujunga Community Plan does not include any restrictions regarding the proximity of homes to Interstate 210 or La Tuna Canyon Road. Numerous homes already exist in close proximity to La Tuna Canyon Road. Section 9A of the Specific Plan limits the height of structures within the Interstate 210 and La Tuna Canyon Road scenic corridors to 30 feet, and the proposed project would comply with that requirement.

Comment 131-8:

7) The Visual Simulations are vague, incomplete, and misleading. The DEIR's Visual Simulations (Figures IV N-12 through IV.N-20) do not depict the housing development proposed in this report. The spacing between houses is far too great to accommodate 280 homes on 194 acres. The lots appear much larger than the 70 to 90 foot parcels described in Section III, Project Description. There is no evidence of the massive landform alterations that will occur after 4.6 million cubic yards of grading. The simulations from Interstate 210 do not show the 6 to 16 foot sound barrier walls. There is no evidence of brush clearance/fuel modification; the homes in these fanciful "simulations" seem to be completely enveloped in native vegetation. As depicted, these homes would most likely fail to comply with brush clearance standards.

Response:

Contrary to the comment, the visual simulations do depict the housing development as proposed. The visual simulations for the proposed project utilized computer modeling technology, combining AutoCAD site plans, GIS mapping of three-dimensional topography and homes, and a blend of 3D-Max and Photoshop programs, to translate a two-dimensional site plan and architectural footprints into a composite three-dimensional model and "after development" simulated images that can be compared to existing "before development" views.

The intent of the visual simulations was to provide a reasonably accurate representation of the aesthetic impacts that would result from the proposed project as seen from eight different public vantage points that are representative of the major roadways and trails around the project site. The terrain model used in preparing each of the visual simulations was based upon the project grading plan and existing topographic contours of ungraded areas of the project site. Three-dimensional models of the homes were placed on proposed lots within the terrain model so as to conform to the City's applicable residential setbacks.

The spacing between houses is accurate. The lots may appear larger than what the commenter expected, due to the commenter's confusion between building pads and building lots (see Response 131-6). A comparison between the "before" and "after" view simulations reveal that there are substantial differences in the topography, which reflect the changes in the project site created by the grading plan. Visual Simulation 5 clearly presents a sound wall on the south side of Interstate 210. Brush clearance is also depicted in each visual simulation. The commenter provides no evidence to support his opinion that the homes "would most likely fail to comply with brush clearance standards." The maintenance of the brush clearance/fuel modification areas described in the Draft EIR will be required pursuant to the Los Angeles Fire Code (Article 7 of the LAMC).

Comment 131-9:

The DEIR (page IV N 17) claims that, "The photo simulations include generic streetscape and residential landscaping, aged to show what the growth could look like after approximately 10, years of growth." This statement begs the question: If they find it necessary to artificially age these photos by a decade, just how bad will this site look for the first 10 years?

Response:

Until the landscape material matures, it would look smaller, with larger spaces between individual plants. Consequently, during this interim period there would be less screening of the proposed Development Areas.

Comment 131-10:

Overall, these simulations are very vague. The "photos" are taken from an extreme distance, with the houses appearing as blurry objects that are smaller than the cars and bushes in the foreground. They fall far short of providing an accurate picture of what this project will look like.

Response:

The intent of the visual simulations was to provide a reasonably accurate representation of the aesthetic impacts that would result from the proposed development as seen from eight different public vantage

points that are representative of the major roadways and trails around the project site. The project site covers an area of 887 acres (or roughly 1.4 square miles). It is not possible to take a close-up photograph that would accurately represent the entire area. Therefore, the photographs were taken from the most representative vantage points available. With respect to the concern expressed regarding that the “houses appearing as blurry objects that are smaller than the cars and bushes in the foreground”, this is due to the visual phenomena known as “perspective” which causes large objects to appear small when viewed from a distance. With respect to the commenter’s contention that the visual simulations appear “very vague”, see Response 131-8.

Comment 131-11:

8) The “Observation Points” chosen for the DEIR seem to be carefully chosen. Observation Points 1 through 6 of the DEIR (IV.N-15) are probably the only spots on the planet where there would be little or no view of this massive development. Any reasonable person looking at the site map will conclude that this project will be seen from a great distance and from virtually any angle.

Response:

See Responses 158-12, 158-13 and 158-15. In addition, the rationale for each observation point was presented on pages IV.N-15 through IV.N-17 in the Draft EIR.

Comment 131-12:

9) The report attempts to minimize the loss of visual resources along Interstate 210 and La Tuna Canyon Road. By using numerous hypothetical situations that sound like grade school math word problems—“At 65mph, it takes a vehicle approximately two minutes thirty seconds to traverse the length of the property.”—the DEIR (pages IV.N-7 through 9) tries to downplay the enormous adverse visual impact of this project on our scenic roadways. Yes, one will only see it for two and a half minutes when traveling at 65mph, because at 65mph, you’re covering over a mile a minute. By the DEIR’s own admission, this project will have 2.7 miles of frontage along Interstate 210 and stretch approximately one mile along La Tuna Canyon Road. Yet the author(s) attempt to bury these facts under pages of frivolous “word problem” text.

Response:

The analysis in the Draft EIR does not indicate that “one will only see it [the proposed project] for two and a half minutes when traveling at 65mph.” Rather, the analysis indicates it takes approximately two minutes and thirty seconds to traverse the length of the project site, when traveling at 65 mph. The periods of time during which the proposed Development Areas are visible from Interstate 210 are much

shorter. The detailed visibility analysis is presented in Section IV.N (Aesthetics) of the Draft EIR. See also Response 131-1.

Comment 131-13:

The visual character of the Verdugo Mountains is more than just a backdrop. Our community's visual resources are one of its [sic] most precious. These resources are non-renewable. The authors of this report must realize this as well. That would explain why the section on "Aesthetics" is so vague and incomplete. This section of the report, as the rest of the DEIR, is inadequate. It must be revised so that it reflects not just the developer's opinion, but the truth as well.

Thank you for your time and consideration.

Response:

See Responses 131-1 through 131-12. Regarding the adequacy of the Draft EIR, see Topical Response 1.

Commenter 132: Wayne Meseberg &: Lucy Burger, 7431 Tranquil Dr.,
Tujunga, CA 91042, December 28, 2003

Comment 132-1:

We have lived in the Hillhaven community of Tujunga for almost twelve years, and our home is very near development area A of the proposed Canyon Hills Project. We have looked at the DEIR, and we have many concerns, including the fact that the DEIR fails to adequately address the total impact of the development upon the culture and lifestyle of the Tujunga community. We will direct our comments to a few areas of special concern to us.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Comment 132-2:

1) Wildlife.

As the owners of almost 3 acres of open land at the corner of Tranquil Dr. and Glen-O-Peace Parkway, we have had ample opportunity to see coyotes and hawks every day. On one occasion we saw a bobcat sitting on our hill, and on Christmas day one year a mountain lion was sitting on our driveway.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

See also Topical Response 5 regarding coyotes, bobcats and mountain lions.

Comment 132-3:

Most important, we want to tell you that we have seen a Peregrine falcon sitting in the branches of our eucalyptus forest several times. We often go and sit in the forest in the afternoon, and the Peregrine falcon perches above us on the lower branches of the tree for twenty minutes at a time. We do not see the peregrine falcon mentioned in the DEIR, but it is here without a doubt, and it is a special status species in the state of California. What a beautiful bird, and what a beautiful wildlife area right here in the city of Los Angeles!

Response:

See Response 41-1.

Comment 132-4:

This wildlife area is a treasure, and we believe that the high density housing area which is being proposed will significantly harm the wildlife habitats existing today. Please preserve the natural life of this area by insisting that Whitebird develop its land within the requirements of the current laws and community plan. These are the laws and requirements which we the citizens of California have created because we treasure the land and have envisioned a slow-growth, semi-rural community here. We have something very special right here in Los Angeles. Let's keep it.

Response:

Sections IV.D.2 (Flora and Fauna) and IV.D.3 (Wildlife Movement) of the Draft EIR include extensive discussions of the proposed project's impact on wildlife in the Verdugo Mountains. As discussed therein, the proposed project would not have a significant impact on wildlife.

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 132-5:

2) Equestrian Lifestyle.

The high density housing which has been proposed reduces the lot sizes so that the homes are no longer truly adequate as horse properties. Horsekeeping requires adequate space for boarding and corralling, and the lot sizes proposed do not provide enough space for this. Whitebird proposes a small 3-acre, open-to-the-public equestrian center as an appeasement for the loss of the ability to have a semi-rural equestrian culture in our Verdugo Mountains. This is preposterous. Three acres is a very small equestrian facility and does not begin to compensate for the loss of the opportunity for a genuine horsekeeping lifestyle on private properties in the Verdugo Mountains- a lifestyle which can exist in the Verdugo Mountains provided that Whitebird develops the property according to the existing zoning requirements, which is what we are insisting upon.

Response:

See Topical Response 8.

Comment 132-6:

3) Lifestyle of the Open Community.

We understand from the Canyon Hills Project meetings that the proposed development is a modern gated community. The DEIR does not address this at all. For years we have been walking and hiking every morning on the roads of the Verdugo Mountains as do many other people. This is a real part of our culture. Friendships are made, information is passed among neighbors on the morning walks, and everyone is welcome to enjoy the God-given beauty of the Verdugo Mountains. Let us not exchange our culture and beautiful open roads for a gated community which limits access to the land.

Response:

See Response 27-4.

Comment 132-7:

4) Project Alternatives.

We believe that alternative B (development of area A only) is completely unacceptable because it changes nothing in terms of density. It will negatively affect our culture and wildlife areas in all the ways that we have previously addressed in this letter, and it changes nothing of the noise light and traffic effects on our area either. There is no advantage in this alternative over the original plan. Alternative C is also unacceptable for every reason mentioned above except that the traffic flow would change a little bit. We believe that project alternative D is acceptable because the low density would preserve the culture and quality of life in a manner consistent with the environment we have now. Although alternative D does not provide for dedication of open space by donating the undeveloped area to the Santa Monica Conservancy, we do believe that this is preferable to the proposed Canyon Hills Development. As long as private owners of all those areas build according to the current laws and community plan, we believe that the beneath of the land, the semi-rural culture of the area, and the wildlife would be preserved in a better way under alternative D than in the currently proposed project.

Response:

With respect to the commenter's concern with respect to Alternative B, see Response 118-15. With respect to the commenter's concern regarding Alternative C, see Response 118-16. The portion of the comment relating to Alternative D does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 133: John Novak, 10041 Silverton Avenue, Tujunga, CA 91042,
December 28, 2003

Comment 133-1:

Los Angeles celebrates diversity, both in its peoples and its terrain. Our community is in the northeastern edge of the mountainous part of that terrain. Every day many thousands of Californians and visitors drive along the I-210 through our La Tuna Canyon. Here everyone is treated to a glimpse of California's history in its natural scenic highlands and flora. Building the 87 homes allowed by present zoning would diminish, but not destroy the ambiance. Building a dense development of nearly 300 homes with towering noise barriers in the middle of this scenic corridor would devastate the site. La Tuna Canyon is an irreplaceable asset, which Los Angeles cannot afford to lose.

Please re-examine the DEIR with an emphasis on building 87 homes on 887 acres under current zoning restrictions.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

An alternative to the proposed project involving the development of 87 homes on the 887-acre project site was included in Section VI (Alternatives to the Proposed Project) of the Draft EIR as Alternative D. As discussed on page VI-51 of the Draft EIR, Alternative D is consistent with current zoning requirements applicable to the project site, including the slope density formula set forth in Section 17.05C of the LAMC.

Commenter 134: Anja Schaefer and Ole Kagelmacher, 7702 Valmont Street,
Tujunga, CA 91042, December 28, 2003

Comment 134-1:

After reviewing the above EIR, we conclude that it is inadequate, because the impact of the proposed development on the community is greatly understated. We ask the consultant to redo the EIR and have the City of Los Angeles re-release the EIR for additional comments when the deficiencies are corrected.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 134-2:

There are important aspects still to be determined, like the potential access points via Woodward Ave to Mc Groarty or Inspiration Way to Hillhaven. Extensive construction would be required to turn Woodward Ave into an emergency access for the project, negatively impacting the aesthetic and recreational value of the undeveloped northern hillside for our neighboring community. At present, Woodward Ave is practically non-existent north of Glenties Way, overgrown and deteriorated, returned to nature. There is a network of trails however, that locals use and maintain for hiking, mountain biking and horseback riding. Ingress/Egress is still an open issue and our concern is that possibly opening these emergency access points to traffic would negatively impact the adjacent residential areas.

Response:

Regarding the consideration and rejection of an alternative that would provide secondary emergency access to Development Area A via Woodward Avenue, see Response 61-6.

Comment 134-3:

Site details are unclear in terms of views from the north side. Are any structures going to be visible from Tujunga?

Response:

Development Area A is located entirely on the south facing slopes of La Tuna Canyon and none of the proposed homes in Development Area A would be visible from Foothill Boulevard, consistent with the Specific Plan.

Comment 134-4:

Verdugo Crestline Drive and Viewpoint Drive as well as numerous trails border the site of the proposed development or will be cut off by it. The aesthetic impact on recreational users would be severe. Any proposed recreation facilities located within the project would be private.

Response:

With respect to the concern expressed regarding hiking along Verdugo Crestline Drive and other trails that may be affected by the proposed project, see Response 56-2. With respect to the concern expressed regarding Viewpoint Drive, this roadway intersects with Verdugo Crestline Drive north of Development Area A and outside of the project site. Implementation of the proposed project would not obstruct pedestrian access to Viewpoint Drive.

Comment 134-5:

A significant local landmark and vista point, the cross of San Ysidro on Mount Mc Groarty, must be included in the EIR as a historic resource and protected from development. The current proposal would cut off one access road to the site.

Response:

See Response 58-4.

Comment 134-6:

As homeowners and residents of the Tujunga neighborhood just north of the proposed building site and frequent recreational users of the area, we find that the draft EIR does not address these topics sufficiently. This is of great concern to us and many neighbors. We appreciate the open spaces and the rural character of our community.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1.

Commenter 135: LG Swan, 8764 Apperson Street, Sunland, CA 91040,
December 28, 2003

Comment 135-1:

I appreciate this opportunity to comment on the referenced DEIR. I have lived at this Sunland address, which is within 500 feet of the proposed project boundaries, for five years. The rural atmosphere is the reason I've stayed here.

In my review of the DEIR, I noted several areas worth submitting comments on. I am briefly listing these areas here, to be followed by my detailed comments.

Environmental Setting Section II C, Related Projects
Duke Property (frequently mentioned throughout the DEIR)
Environmental Setting Section (generally, in it's [sic] entirety) Archaeology Section IV.0.2 and Appendix L
Biological Resources Section IV.D.1 Flora and Fauna
Environmental Setting Section II B, Overview page II-5

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 135-2:

I first noted the Related Projects in the Environmental Setting Section II C. Figure II-2 shows locations of identified related projects. Table II-3 lists the identified related projects as shown on Figure II-2. I know of five related projects not identified. Although small and of infill nature, these five projects are just as 'related' as the thirteen identified in the report.

All of these unidentified projects are at the west end of Apperson Street and on Hidden Oak Drive, north and south of Apperson Street in Sunland where I live. One developer has built five rather large homes on five rather small lots (two projects). Another developer has built two rather large homes on five small lots (two projects) and is planning to build a third home on two very small lots combined with the proposed street vacation area (one project).

Response:

See Topical Response 7.

Comment 135-3:

The property adjacent to the street vacation area is over a blue line stream. This property and the street vacation property (vacation stream property) have been graded 'flat' since October, 2003 in preparation for new construction. Actual construction will commence at the end of five years' street vacation application process. In my humble opinion, actual construction on the vacation stream property will further the 'tenuous' in the tenuous existence of Missing Link #27.

Wildlife has historically used this property for a multitude of wildlife community services. Food, water (the blue line stream) and access to wildlife paths/corridors connecting to and from the Verdugos, the Angeles National Forest and Missing Link #27 are three examples of the services sought here. The seekers include gray fox, quail, red tail hawk, peregrine falcon, owl, silvery legless lizard, rattlesnake, desert slender salamander, coyote, rabbit and many others. When the bulldozers arrived about three years ago, the wildlife activity deviated from the observed 'norm' in that fewer sightings of fewer species have been noted in these three years. Winter wildlife movement has resumed somewhat, though it is now diverted through our property and through a few other properties to the west of the 'vacation stream' property.

In my humble opinion, the foregoing exhibits major deficiencies in the DEIR.

Restrictions on wildlife movement and degradation of available wildlife community services are two cumulative impact areas that must be reassessed using revised impacts data.

Response:

The projects referenced by the commenter are located at the west end of Apperson Street and on Hidden Oaks Drive, are not part of a wildlife movement corridor (see Response 182-1). The use of the neighborhoods and associated habitat fragments in the vicinity of Apperson Street and Hidden Oaks Drive by a variety of animal species that are adapted to human habitat is expected, but the area is not part of a wildlife movement corridor (as discussed in Response 182-1). While the residential areas in the vicinity of Apperson Street and Hidden Oaks Drive do not represent a viable wildlife movement corridor between Tujunga Wash and the Verdugo Mountains for animals (e.g., coyotes, gray foxes and raccoons) that manage to move through the area, the proposed project would not affect their ability to reach the main body of the Verdugo Mountains (see Responses 4-5 and 4-6).

Based on the commenter's description, impacts to this area occurred in 2000 ("three years ago" as dated from December 28, 2003) and were part of the existing condition prior to the start of

investigations on the project site. Therefore, those projects were not included in the list of related projects in the Draft EIR (see Response 36-5 and Topical Response 7).

With respect to the general concern expressed regarding the peregrine falcon, see Response 41-1. With respect to the general concern expressed regarding the silvery legless lizard, see Response 143-18. With respect to the general concern expressed regarding quail, see Response 121-20. With respect to the general concern expressed regarding the red-tailed hawk, see Response 145-11. With respect to the general concern expressed regarding owls, see Response 121-19. With respect to the general concern expressed regarding rattlesnakes and other amphibians (including the salamander), see Response 149-80. In addition, as summarized on pages IV.D-58 through IV.D-63 in the Draft EIR, no significant impacts to any species of lizard, rabbit or frog were identified.

Comment 135-4:

Traffic, air quality, population and public community services are also areas of impact that should be reassessed using revised impacts data that includes these 'unidentified' projects data and many other projects within this area. One specific data factor I would like to point out is a vehicle count. Associated with these five 'unidentified' related projects, I have noted a resident vehicle count of twenty-one (21).

Response:

See Topical Response 7. In addition, with respect to the home that the developer is "planning" to build (as discussed in Comment 135-2), but apparently has not built yet, as discussed in Response 29-5, the traffic analysis in the Draft EIR included a two percent annual ambient growth factor to account for unknown related projects not included in the traffic analysis. The trips that could be generated by small residential developments that were approved, but unbuilt, at the time the CEQA process for the proposed project began were accounted for in the Draft EIR through the application of this annual ambient growth factor.

Comment 135-5:

The 'Duke Property' is frequently referenced throughout the DEIR. It is also identified as a Related Project. I'm not understanding the relationship between the project developers and the Duke Property. If the Duke Property is on the open market for sale, how can one (person or entity) maintain any claim of any rights? Moreover, how can results compiled using the Duke Property data as if it were an integral and undeniable actual property in the developer's possession be valid? This presents more discrepancy with the DEIR.

Response:

See Responses 118-16 and 149-11.

Comment 135-6:

Many serious cumulative impacts of the proposed Canyon Hills project have been either summarily dismissed, downplayed in their significance, or based upon figures in obvious conflict with other figures used in the DEIR, e.g., in the Archaeology Section IV.0.2, and the related Appendix L. The Investigation Methodology and Results, Onsite Investigation paragraph of Section IV.0.2, The [sic] archaeologist states that only 50 acres were accessible to the investigators. Therefore, only 50 acres were examined. In the Archaeological Appendix L, the archaeologist discusses the on site walkover: "Because of the lack of a previous survey over the entire 600 acres of the property, it became prudent to conduct a walk over survey of the proposed parcel..." Here (Appendix L, Page 8), less than 50 acres of the project site was cited as accessible.

Going with the 887-acre site size estimate, if the bulk (837 of 887) of the project site were inaccessible to (unexamined by) the archaeologists, could not the other onsite reviewers have been similarly restricted? Extensive preparatory 'literature review' notwithstanding, would not such restrictions provide incomplete or insufficient data? This presents another deficiency in the DEIR.

Response:

See Response 16-5.

Comment 135-7:

The Biological Resources Section IV D.1 Flora and Fauna with its related appendices is a very large subject for review. I did, however note the following for review.

A disturbingly large number of both flora and fauna species were dismissed throughout the Biological Resources Section by the verbiage: "...However, it was not detected in the Study Area during the surveys and is not expected to occur based on lack of detection." This seems to me to be circular logic and deceptive. Biological surveys were not conducted across all seasonal occurrences of all species as set forth in the California Department of Fish and Game Guidelines document (dated 12.9.1983, rev. 5.8.2000). Conclusions, summaries and results compiled from such data are questionable, calling into question all of the DEIR analyzed impacts. This represents another deficiency in the DEIR.

Response:

The commenter is incorrect. As discussed in Topical Response 4, biological surveys were conducted throughout all seasons. Furthermore, the conclusions, summaries and results set forth in the Draft EIR that addressed biological resources are not questionable and do not call into question the adequacy of the Draft EIR.

Comment 135-8:

Finally, I note that the proposed development areas and the entire 'Study Area' are entirely within what Los Angeles County has designated as 'Los Angeles Verdugo Mountains Significant Ecological Area (SEA) 40,' as stated in the DEIR on page II-5. Both of these aspects of the project also lie entirely within the boundaries of the City of Los Angeles. Though County SEA policies apply only to unincorporated areas, could not the City of LA bring Significant Ecological Area 40 into it's [sic] own planning? Perhaps the current Agricultural land use designations could be revised to reflect a new 'Environmental' land use designation. Such a revision could allow for continuance of vital wildlife community services, create environmental easement parameters and establish any number of other environmentally friendly guidelines that would prevent the further degradation of the City of LA's natural resources. Of particular preservation value is viewshed. One need only travel to Santa Clarita (north on Interstate 5) to encounter the effects of lost viewshed resources due to high-density residential development.

Response:

This comment expresses an opinion regarding planning in the City, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. See also Response 32-1.

Comment 135-9:

Too many discretionary actions are required for the project to move forward. These discretionary actions include: amendments to land use and zoning designations set forth in the LA City General Plan and the Sunland-Tujunga Community Plan. Page 33 of the I. Summary Section of the DEIR states: "The proposed project would be consistent with the proposed zoning for the project site." This is more circular verbiage that I find insulting. I propose that this proposal be submitted for discretionary rejection by the lead agency, the City of Los Angeles:

Thank you for your consideration and hosting this entire process as Lead Agency. Happy New Year 2004 to all at the Planning Department.

< < See original letter for graphic insert> >

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 136: Daniel and Nancy Sweeney, 9517 Cordero Avenue,
Tujunga, CA 91042, December 28, 2003

Comment 136-1:

It has recently come to our attention that the development of 280 homes is being proposed next to our neighborhood. Of course we were very unhappy to hear about this because we enjoy the rural nature of the area. There are still no curbs along most of Tujunga Canyon Blvd and none at all along La Tuna Cyn and we like it that way. The woodlands and wildlife throughout Tujunga were some of the chief reasons we moved here 25 years ago. Now it seems a lot of changes are going to take place and not all of them good.

Of course a property owner should have the right to build on his land – even an out of state corporation whose only interest is speculation. However, I find it disturbing that developer Whitebird is expecting a number of zoning variances and additional exemptions to be made to increase their profitability while leaving our community with a greater number of homes in the development than present ordinances allow. We ask you to please deny Whitebird these numerous variances.

Response:

The project applicant has not requested any zoning variances or exemptions with respect to the proposed project. In any event, this comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 136-2:

I realize that 280 homes will increase the tax base for the city but at what price? One specific variance the developer has requested concerns the removal of over 400 live oak trees. If our state found it imperative enough to introduce a law to protect live oak trees, why is it acceptable for Whitebird to remove any of them? An ordinary citizen has to obtain a permit to remove a dead live oak tree from his property.

Response:

As discussed on pages IV.D-110 and IV.D-111 in the Draft EIR, up to 235 coast live oaks could potentially be impacted by the proposed project (as discussed in Response 149-105, the number of potentially impacted coast live oaks has slightly increased from 232 to 235). This includes the trees that would be removed, as well as trees that could be adversely affected by compaction of large areas of the

root zone and loss of bark and cambium layer due to contact with construction equipment. The impacted trees are located within the project grading limits as well as the adjacent 20-foot wide disturbance area. The remaining 1,017 coast live oaks are outside the disturbance area and would be preserved. A variance is not required with respect to the removal of the impacted oak trees. However, the removal of the oak trees would be subject to the applicable provisions in Section 8B of the Specific Plan and/or Sections 46.00 et seq. of the LAMC. See also Response 100-1.

Comment 136-3:

So our feeling is this: Whitebird, which is an out of state corporation must also follow the zoning laws as any ordinary citizen living in this city would have to or what is the point of ordinances? Surely, Whitebird was aware of the restrictions it would face well before the purchase of this site.

Response:

This comment does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 136-4:

If granted these variances and exemptions, Whitebird's development will certainly change the entire nature of the area and might open the door for future requests by future La Tuna Canyon developers. It just takes one foot in the door. Furthermore, the developer's desire for a larger profit should not be a reason to grant the extensive variances requested.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 136-5:

Another worry is the project's location in a "Very High Fire Hazard Zone" which is prone to wind driven fires. The new resident population will increase the potential for wildfires starting in the area. No matter what fire requirements are met by Whitebird, we are now dealing with the human factor and fires are inevitable. What a shame it would be to increase the probably of fires which are already prevalent up here. Are we going to destroy the remaining woodlands that will exist along La Tuna

Canyon? Haven't we learned our lesson from the most recent fires Los Angeles, Orange and San Bernardino counties experienced?

Response:

See Topical Response 13.

Comment 136-6:

Please deny Whitebird's request for it's [sic] variances and exemptions and thank you for your attention to our concerns.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 137: Annelene Voigt, 3427 Montrose Avenue, La Crescenta, CA
91214, December 28, 2003

Comment 137-1:

I am a citizen of La Crescenta for over 20 years and live about 2-3 miles from the anticipated Canyon Hills Project. My whole neighborhood, as well as everybody living on both sides of the Verdugos will be drastically affected by the environmental impact such an undertaking will create. Gone forever will be the beautiful green hills and mountain tops and canyons, our hiking trails, streams and the sounds of nature. Gone forever will be our way of life as we enjoyed it and took it for granted all these years.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 137-2:

As I studied some of the DEIR filed by Whitebird with the City Planning Department and from attending several Community Meetings in regard to the Canyon Hills development plan, I understand that: The existing given zoning, "City Hillside Ordinance" and "Slope Density Formula", at 887 acres of ownership allows the building of 87 housing units and not Whitebird's projected 280 homes. I desperately urge you to have the company abide by these ordinances and DO NOT CHANGE the existing zoning law in order to accommodate this out-of-state developer.

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. See also Response 57-10.

Comment 137-3:

I am grateful to the City Council for passing the Scenic Preservation Plan. While the site plan of the Canyon Hills Project does not appear to conflict with the Scenic Preservation Plan in terms of constructing homes that would silhouette a Prominent Ridgeline, it frequently has it's [sic] proposed homes silhouetting principal ridgelines which, to me, still goes against the heart of the Preservation Plan. Additionally, the Community Plan DOES say there is to be no grading of PRINCIPAL

RIDGELINES, something of which the Whitebird site plan is highly guilty and this, along with the homes built atop the graded plateaus, will be clearly visible from, and a blight to, the designated Scenic Corridor of La Tuna Canyon Road.

Response:

The commenter is correct that the proposed project would not conflict with the Specific Plan with respect to designated Prominent Ridgelines. With respect to the concern expressed regarding the impact of the proposed project on principal ridgelines, see Responses 75-37 and 111-7.

Comment 137-4:

TRAFFIC

The DEIR states that there would be NO significant increase of rush hour traffic on the I-210 and the La Tuna Canyon Road. This is grossly understated! I live on Montrose Ave. on the south side of, and below, the I-210 and I can verify that the existing daily traffic is already too much. In the morning rush it is already almost impossible to enter the Fwy at Pennsylvania Ave. on-ramp into a stop-and-go slow traffic. Now add several hundred more cars every day, and what we will get is not an "INSIGNIFICANT" increase in traffic, but a complete traffic jam.

Response:

With respect to the concern expressed regarding traffic impact of the proposed project on Interstate 210, see Topical Response 9. With respect to the concern expressed regarding traffic impact of the proposed project on La Tuna Canyon Road, see Topical Response 10.

Comment 137-5:

Since we have no sound barrier walls on our – the south – side of the Fwy, the noise, especially from big trucks changing gears, is already very disturbing and the vibrations rattle my windows and have caused cracks in the walls and foundations. Now add several hundred more cars every day, plus heavy trucks and earth-moving machinery during the 5-years of grading and preparing for the Canyon Hills Project, and life below the I-210 will become unbearable.

Response:

Traffic noise impacts are based on the increase in traffic noise levels, which, in turn, are based on the increase in traffic volumes. Both construction and residential traffic increases on nearby roads were considered in the Noise Impact Study (Appendix H to the Draft EIR) and presented in Section IV.E (Noise) of the Draft EIR. In both cases, the increase in noise due to these factors was calculated to be a

maximum of 1 dBA, which is imperceptible to the human ear and, as discussed on pages IV.E-17 through IV.E-21 in the Draft EIR, would not result in significant vehicular noise impacts with respect to the construction and operation of the proposed project.⁶⁷

Comment 137-6:

Whitebird states in it's [sic] DEIR that the traffic increase will only amount to less than 0.65 vehicles per Canyon Hills household in the morning and less than 0.8 returning in the evening. I cannot quite follow that mathematics when I realize that the average home on their drawing boards will have 4-5 bedrooms and 3-4 car garages. Out of a 3-car garage, I am sure 2.5 vehicles will leave every morning and return every night – not 0.65! The DEIR indicates an almost 2,700 ADT over the current traffic volume, an almost 20% traffic volume increase, a SIGNIFICANT increment that can hardly be tolerated on the narrow, winding La Tuna Canyon Road with constant lane changes and the existing speed limits.

Response:

With respect to the concern expressed regarding traffic impacts, see Topical Response 9. The commenter is correct in assuming that, in the morning, two to three cars may exit the project site, returning in the afternoon or early evening. However, the traffic analysis in Section IV.I (Transportation/Traffic) of the Draft EIR was conducted to determine the peak one-hour time frame during the morning and afternoon commutes. Based on the traffic counts conducted at the study intersections, the morning and evening peak hours generally occurred from 7:30 AM to 8:30 AM and 5:00 PM to 6:00 PM, respectively. It is inaccurate to assume that all cars would leave the project site during the morning peak hour and return during the evening peak hour. Instead, the expectation is that vehicles would exit the project site in the morning over an extended time frame (e.g., 5:30 AM to 9:30 AM) and return in the late afternoon or evening over a similar extended time period (e.g., 4:00 PM to 8:00 PM). Therefore, the trip rates used to forecast the potential trip generation (which have been derived based on traffic counts conducted at existing single-family residential developments) for the one-hour AM and PM peak times were appropriate and reflected the anticipated trip generation characteristics of the proposed project. With respect to the concern expressed regarding traffic impacts to La Tuna Canyon Road, see Topical Response 10.

⁶⁷ Egan, M. David, *Architectural Acoustics*, page 21, 1988.

Comment 137-7:

Let me add something else from my own observation. When I was still working at Lockheed, I traveled two times a day on La Tuna Canyon Road. At that time I would pass, more often than I would have liked, dead wild or domestic animals killed by traffic, and report them to the Dead Animal Pick-up Department. That was 20 years ago and I am sure things did not get any better since. But I hate to think what will happen when 2,700 extra car trips will add to that slaughter of wild and domestic animals in the Canyon.

Response:

During field visits for the wildlife movement study, project biologists mapped the locations of dead animals along La Tuna Canyon Road (see Figure IV.D-21 in the Draft EIR), which included two coyotes and one skunk that were killed in vehicle collisions. Additional road kill data from Swift et al.⁶⁸ mapped road-kill locations (also depicted on Figure IV.D-21 in the Draft EIR). As such, vehicle collisions with wildlife are the existing condition associated with the project site. As noted in Topical Response 5, Riley et al.⁶⁹ found that bobcats and coyotes shift from at-grade crossing to use of culverts during periods of increased traffic, thereby minimizing the potential for vehicle collisions. As such, the less-than-significant increase in traffic on La Tuna Canyon Road associated with the proposed project (see Topical Response 10) would not result in a significant impact on wildlife due to losses from vehicle collisions.

The loss of domestic animals would not be considered an impact to biological resources. Any loss of domestic animals would therefore not be considered significant.

Comment 137-8:

Driving through the Canyon now, one is already confronted with the unpleasant sight of litter, of dumped debris and abandoned household goods, which is cleaned up only once a year. Now add to that area an increase of 20% of through traffic, one can visualize a 20% increase in litter and dumping.

⁶⁸ Swift, C., A. Collins, H. Gutierrez, H. Lam, and I. Ratiner, Habitat linkages in an urban mountain chain. In *Interface between ecology and land development in California*, Edited by J. E. Keeley, 1993.

⁶⁹ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California, *Conservation Biology*, Volume 17, No. 2, pages 566-576, April 2003.

This will mean, that the area will not only become an eyesore for the residents of La Tuna Canyon Road, but also a health hazard. So I can only feel sorry for La Tuna Canyon residents, who have not only to deal with highly increased traffic, noise and air pollution in front of their doors, but also with the increase of debris piled up around their properties.

Response:

This comment is largely based on the presumption that all of the proposed project's residents would engage in the illegal behavior of littering in the project area. Such a claim is not supported by any evidence or research and is therefore speculative. However, it is important to note that an analysis of the proposed project's potential to increase crime in the project area set forth in Section IV.J.2 (Police Protection) of the Draft EIR. The LAPD is the local law enforcement agency responsible for providing police protection services to the project site and the immediate project vicinity. As such, the LAPD would be responsible for enforcing litter laws in the project area. As indicated on pages IV.J-16 through IV.J-18 in the Draft EIR, the proposed project would not significantly impact the LAPD's ability to provide police protection services to the project area.

Comment 137-9:

TREES

Living in La Crescenta, I am a citizen of Glendale. When I wanted to remove a sick and dying oak tree from my property, I needed an inspection and a special permit from the City. Therefore, I am very concerned that the Whitebird, an out-of-state developer, demands a free hand in killing 232 mature, old, healthy California Live Oak trees and I urge the City to please uphold such a demand. I understand that the City has already a Minimum Replacement Standard in their Municipal Code, which would require Whitebird to replant two live, healthy 15-gal or larger trees for any one tree removed. But according to the DEIR, Whitebird will not replace the trees at the area from where they removed the existing trees, but wants to plant replacement trees only at development entry points, common areas, private lots, etc., which will only benefit the Development in it's [sic] overall pleasant appearance, but would not help the damaged Riparian Habitat, so vital for the survival of wildlife. The proposal of reseeding these depleted areas with acorns I find quite Don Quixotic. Oaks are very slow growing trees to begin with and without the protection of a mature tree, acorns may germinate but cannot survive.

Response:

See Topical Response 2.

Comment 137-10:

FIRE

It is only two months since we and the whole world became witness to the biggest fire catastrophe in California History. Whole communities were destroyed and lives were lost, communities that were built into woodland – wilderness – brush areas, into grassy hills and canyons, quite similar to the one in La Tuna Canyon. Therefore, I can only see another disaster in the making if the Canyon Hills Development will go ahead as planned. A gated community of 211 houses in the Development A Area with 831 residents and with only one escape route, namely the narrow, winding La Tuna Canyon Road is totally inconceivable. As I understand this Project built into an already highly vulnerable area to fire hazards, is not in compliance with the City of Los Angeles Fire Code, which specifies a maximum response distance for a fire truck of 1.5 miles. The nearest station to Canyon Hills, however will be 2.8 miles away from the proposed site of the single ingress/egress to the community. Taking into account fleeing inhabitants colliding with advancing fire trucks on the only access road, and the disaster is complete! In the DEIR, Whitebird assured us, that every home will be furnished with automatic fire sprinklers – I can only refer again to the 2300 homes lost in the October fires. I am sure, many of those homes DID have automatic fire sprinklers.

Response:

With respect to the concern expressed regarding wildfire, see Topical Response 13. With respect to the concern expressed regarding emergency access, see Topical Response 11.

Comment 137-11:

And now a last urgent plea to the City Planning Department: Please do not deprive us and generations to follow of the last few green open breathing-spaces in this City and condemn us to live in another urban blight area!

Response:

This comment expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 138: Dean Wallraff, 10211 Sunland Blvd., Shadow Hills, CA
91040, December 28, 2003

Comment 138-1:

I believe that the Canyon Hills Draft EIR grossly understates the amount of incompatibility of the proposed project with the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan (the "Community Plan").

On page III-2, the Community Plan states:

The community includes large areas of open space and natural landforms. It is one of the more rural areas of the City and supports a substantial equestrian-oriented population. It is a policy of the Plan to protect these areas from encroachment by incompatible uses.

The proposed development is an incompatible use. Converting hundreds of acres of open space into a housing development that will not have any sort of rural character goes against the spirit of the Community Plan.

Response:

The statements referenced in this comment are not policies in the Sunland-Tujunga Community Plan, but rather summarize certain attributes of portions of the Community Plan area and the general nature of some of the policies in the Sunland-Tujunga Community Plan. The Draft EIR was not required to discuss whether the proposed project is consistent with those general statements. The responses below address the specific concerns raised by the commenter with respect to certain goals and policies in the Sunland-Tujunga Community Plan.

Comment 138-2:

The Community Plan Policy 1-3.3 reads: "Preserve existing views of hillside and mountainous areas." The proposed development is obviously incompatible with this.

Response:

See Topical Response 6.

Comment 138-3:

Policy 1-6.2: "Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Plan area." The "Program" entries go on to cite the Minimum

and Very Low densities and the Citywide Hillside Ordinance, but the DEIR blithely states that “the proposed project takes into account the steepness of topography...” while asking for changes in land-use designation and, effectively, exemption from the Hillside Ordinance. In fact, the project is inconsistent with the plan, as evidenced by its need for such changes in public policy.

Response:

See Topical Response 6.

Comment 138-4:

Policy 1-6.3: “Require that grading be minimized to reduce the effects on environmentally sensitive areas.” The DEIR, on page IV.G-20, when addressing this policy, begins: “While the proposed project would require approximately 4.6 million cubic yards (including remedial) of grading...,” then goes on to say how this is, in some sense minimal. This is nonsense! This is a huge amount of grading. It may be minimized in some sense, assuming that the project goes forward as proposed, but this amount of grading is clearly inconsistent with the Plan.

Response:

See Topical Response 6

Comment 138-5:

Community Plan Goal 5-1 reads: “To preserve existing open space resources and where possible develop new open space.” While it may be laudable that a large portion of the project would still consist of open space, the conversion of 194 acres of open space into housing developments is inconsistent with this goal. It’s also inconsistent with Policy 5-1.4: “Preserve as much of the remaining undeveloped hillside land, as feasible, for open space and recreational uses.” It would be far better of [sic] the City would follow the “Program” that follows this policy: “The City should encourage continuing efforts by the County, State and Federal agencies to acquire vacant lands for publicly-owned open space.”

Response:

With respect to the consistency of the proposed project with Objective 5-1 and Policy 5-1.4 in the Sunland-Tujunga Community Plan, see Response 75-29. Contrary to this comment, the permanent preservation of approximately 78 percent of the open space on the project site would be consistent with Policy 5-1.4.

Comment 138-6:

The project is also incompatible with Policy 5-1.5: “Protect Scenic Corridors by establishing development controls in harmony with each corridor’s individual scenic character.” The proposed development would make a major negative change in the aesthetics of the Scenic Corridors designated in the Community Plan (cop of page III-13), particularly I-210 and La Tuna Canyon Road. Virgin hillsides which are gratifying to the eye would be replaced with relatively dense housing developments.

Response:

See Response 35-2.

Comment 138-7:

The Community Plan (top of page III-16) finds that the area it covers is “grossly underpoliced.” The Program following Policy 8-1.1 states that “The decision-maker should include a finding as to the impact on police protection service demands of the proposed project or land use change.” This finding could only be negative: adding another 280 homes will stress police resources even further.

Response:

See Response 29-4.

Comment 138-8:

The “Transportation Demand Management” section of the Community Plan begins (on page III-19) by stating: “It is the City’s objective that the traffic level of service (LOS) on the street system in the community not exceed LOS E.” The projections in the DEIR (in Table IV.I-6, page IV.I-28) show that the LOS projected for I-210 Westbound Ramps and Sunland Boulevard is LOS F. This table projects the increase in V/C at 0.006, which is not “significant,” but this projection is based on the trip volumes forecast in Table III.I-3 on page IV.I-18, which are way too low for this area. The projection in that table is that the total vehicle trips during the AM peak hour from 280 homes will be 53 in and 158 out. This may be reasonable as an abstract city-wide average, but these are to be large, expensive homes, suitable for families with several cars and maids, gardeners, etc. A better estimate would be double these figures (for both AM and PM peak hours), which would make the impact at I-210 WB/Sunland and Tujunga Canyon Blvd/Foothill Blvd. significant.

Response:

The City’s objective that the LOS on the street system in the community not exceed LOS E is not a policy in the Sunland-Tujunga Community Plan and is not a mandatory requirement. In addition, this

objective bears no relation to the analysis of whether the proposed project would have any significant traffic impacts. The City has developed thresholds of significance for determining whether any such significant impacts exist, which are set forth on page IV.I-10 in the Draft EIR. With respect to the concern expressed regarding the trip generation forecasts used in the traffic analysis in the Draft EIR, see Topical Response 9.

Comment 138-9:

The DEIR, on page IV.G-16, in discussing compatibility of the proposed project with the Community Plan proposes changing the land-use designation for 237 acres from Minimum Residential, Very Low I Residential or Very Low II Residential to Low Residential. Of course the project will be compatible with the Community Plan and existing land-use designations if these are changed to fit the project! But we should not change our land-use policies to suit the developer.

Similarly, at the top of page IV.G-26, the DEIR proposes changes to the existing zoning designations for the portion of the site where homes will be built, and goes on to show that the proposed land-use will be compatible with the new zoning rules. Of course it will be, if these changes are approved, but neither they nor the proposed land-use designations should be changed. The proposed project with the surrounding neighborhoods, and we residents of the area would much prefer that the developer propose an alternative project that's consistent with existing land-use designations and zoning regulations. No such alternative was proposed in the DEIR, which is a significant omission that needs to be rectified.

Response:

The commenter is correct that the proposed project would be consistent with the proposed Community Plan land use designations for the Development Areas. However, the statement in this comment that the Draft EIR did not include an alternative consistent with the existing land use designations and zoning regulations applicable to the project site is incorrect. Section VI (Alternatives to the Proposed Project) of the Draft EIR includes Alternative D, which involves the development of 87 homes on the 887-acre project site. As discussed on page VI-51 in the Draft EIR, Alternative D is consistent with the current land use and zoning designations for the project site, as well as the slope density formula in Section 17.05C in the LAMC.

Commenter 139: Michele Zack, 2485 N. Marengo, Altadena, CA 91001,
December 28, 2003

Comment 139-1:

As a longtime resident of the foothill area and local elected representative, (Altadena) I wish to express my opposition to the Canyon Hills project. This area is part of our natural heritage/viewscape, and to develop it to such density for housing is shortsighted and both economically and ecologically unsound.

We need to begin placing more real value on the open space which enriches us all, and not let a few developers and residents rob us of the natural heritage that belongs to everyone. It takes planning and backbone to end mindless sprawl, and that is what I would recommend that residents of the immediate area get involved in.

The alternative is something that most everyone will regret. This project is exactly the “thin end of the wedge” that will result in and lead to consequences no one will like much 20 years from now when people think back to the rugged beauty that was lost when it is past time to do anything about it.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 140: Paul Ayers, P.O. Box 29011, Glendale, CA 91209,
December 29, 2003

Comment 140-1:

I believe that the EIR regarding, the above referenced project is deficient because it seriously understates the impact of this development on the community. Accordingly, I urge you in your response to the EIR to (1) have the consultant revise the EIR to correct the deficiencies, and (2) have the City of Los Angeles re-release the EIR for additional comments once said deficiencies are corrected.

Response:

Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding recirculation of the Draft EIR, see Topical Response 3.

Comment 140-2:

I believe the following concerns are not adequately addressed by the EIR:

*The Development threatens the rural nature of the surrounding communities without adequate mitigation.

Response:

Contrary to this comment, the Draft EIR adequately analyzed the impacts of the proposed project on the surrounding community. For example, Section IV.B (19 pages) analyzed the air quality impacts of the proposed project on the surrounding community. Section IV.D (162 pages) evaluated the impacts of the proposed project on the biological resources found on the project site and the surrounding area. Section IV.E (30 pages) assessed the proposed project's noise impacts on the surrounding community. Section IV.F (24 pages) analyzed the proposed project's artificial light and glare impacts on the surrounding community. Section IV.N (42 pages) analyzed the aesthetic impacts of the proposed project on the surrounding community. Where impacts were determined to be significant, the Draft EIR recommended mitigation measures designed to reduce those significant impacts to the extent feasible. However, mitigation measures are not required for impacts determined to be less than significant (see Section 15126.4 of the CEQA Guidelines).

Comment 140-3:

*The number of daily vehicle trips generated by the development.

Response:

See Topical Response 9.

Comment 140-4:

*The disruption caused by 5 years of construction necessary for full development.

Response:

The construction impacts associated with the proposed project are discussed throughout Section IV (Environmental Impact Analysis) of the Draft EIR.

Comment 140-5:

*Scarring from grading visible from the 210 and La Tuna Canyon.

Response:

See Topical Response 6.

Comment 140-6:

*Light pollution from new street lights.

Response:

The Draft EIR acknowledged that proposed project would create significant adverse night lighting impacts (see page IV.F-24 in the Draft EIR) with respect to views of the Development Areas from La Tuna Canyon Road and the residential neighborhood in proximity to Development Area A.

Comment 140-7:

*Elimination of areas, and access to areas, used by equestrians, hikers, and mountain bikers.

Response:

With respect to the concern expressed regarding the impact of the proposed project on hiking, see Response 27-4. With respect to the concern expressed regarding the impact of the proposed project on biking, see Response 56-2. With respect to the concern expressed regarding the elimination of areas used by equestrians, see Topical Response 8. In addition, as discussed on page IV.J-26 in the Draft EIR, the proposed Development Areas would include active recreational facilities for children, youth and adults. Combined, the recreational facilities in the proposed Development Areas would provide

approximately 1.7 acres of recreational opportunities, in addition to the proposed three-acre equestrian park and 693 acres of preserved open space.

Comment 140-8:

*Grading of ridgelines by as much as 80 feet and permanent alteration of 310 acres.

Response:

See Topical Response 6.

Comment 140-9:

*Increase air pollution and dust during and after construction.

Response:

Contrary to this comment, Section IV.B (Air Quality) of the Draft EIR included detailed analyses of the air quality impacts with respect to construction and operation of the proposed project. The Draft EIR concluded that subject to compliance with required codes, regulations and mitigation measures, the operation of the proposed project would not result in significant adverse air quality impacts. However, emissions of NO_x and PM₁₀ during the construction phase would remain significant after mitigation. See also Response 39-3.

Comment 140-10:

*Significant loss of mature trees.

Response:

Contrary to this comment, the Draft EIR included a detailed analysis of the impact of the proposed project on coast live oak trees and western sycamore trees. The Draft EIR concluded that, in the short-term, the loss of up to 235 coast live oak trees would be significant (as discussed in Response 149-105, the number of impacted coast live oaks has increased from 232 to 235), but that the implementation of the conceptual tree mitigation program would reduce that impact to a less-than-significant level in the long-term (see also Response 149-105). In addition, see Responses 9-2 and 100-1.

Comment 140-11:

*Loss of rare habitat and significant impact to other area plants and animals.

Response:

Contrary to this comment, the Draft EIR fully analyzed the impact of the proposed project on rare habitat, plants and animals. As discussed on pages IV.D-54 and IV.D-55 in the Draft EIR, the development of the proposed project would result in the loss of 2.64 acres of southern mixed riparian habitat, 0.31 acre of southern willow scrub and 0.59 acre of southern coast live oak riparian forest which would constitute significant impacts without mitigation. These impacts would be mitigated to a less-than-significant level through implementation of recommended Mitigation Measures D.1-1, D.1-2, D.1-3 and D.1-4 (see pages IV.D-63 and IV.D-64 in the Draft EIR). No other significant impacts to rare habitat would occur in connection with the proposed project. Regarding the loss of coast live oaks, see Topical Response 2.

Comment 140-12:

*Addition of 420 children to our local area schools.

Response:

See Response 56-5.

Comment 140-13:

*Danger of loss of life and property during a wildfire, as the northern portion of the development would effectively have only one way to escape a fire.

Response:

See Topical Response 11.

Comment 140-14:

*numerous trash truck trips to haul out the estimated 5,000,000 lbs of trash generated during construction.

Response:

As shown in Table IV.L-5 on page IV.L-18 in the Draft EIR, the construction phase of the proposed project would be expected to generate 4,905,600 pounds of solid waste. As discussed on pages IV.L-17 through IV.L-18 in the Draft EIR, the proposed project's construction-related solid waste impact would be less than significant. The commenter does not state any specific concern regarding the adequacy of the solid waste analysis, so no further response is possible.

In addition, regarding potential air quality impacts from trucks used during construction of the proposed project, see Response 140-9.

Commenter 141: Niguine Bensimon-Tree, 12050 Spring Trail, Kagel Canyon,
CA 91342, December 29, 2003

Comment 141-1:

I have lived in Los Angeles my whole life and have recently moved into the valley to a lovely spot named Kagel Canyon. The main reason I moved out here was to get away from the chaos of downtown LA.-my former location- and find refuge in a more peaceful area. This is what I found in the canyon. The plant species and wildlife in my little neighborhood are spectacular, and if there is construction in these ever-so loved Verdugo Mountains, I'm afraid all that has been preserved in its natural beauty will be destroyed.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Nonetheless, potential environmental impacts to plant and animals are addressed in Section IV.D (Biological Resources) of the Draft EIR. As discussed therein, impacts to biological resources would be less than significant after mitigation, with the exception of a significant short-term impact on coast live oaks.

Comment 141-2:

The wildlife will have no place to live and will wander into neighborhoods, knocking over trash cans and posing a threat to our household pets.

Response:

See Response 27-1.

Comment 141-3:

More people will move in which will cause even more traffic, pollution, and a greater demand for all necessities, including food, which, while the supermarkets are on strike, will make obtaining food near impossible.

Response:

The proposed project's impacts on traffic and air quality are addressed in Sections IV.I (Transportation and Traffic) and IV.B (Air Quality) of the Draft EIR. As concluded therein, impacts to air quality and traffic would be less than significant after mitigation, with the exception of NO_x and PM₁₀ emissions during construction, which would remain significant after mitigation. This comment does not state a specific concern regarding the adequacy of those analyses, so no further response is possible. With respect to the concern expressed regarding the impact of the proposed project on food supplies, no such analysis is required under CEQA and a response to this statement is therefore not required. It is noted, however, that the supermarket strikes referenced above ended sometime ago.

Comment 141-4:

The area these contractors would like to develop is home to many stables, and people come from all around Los Angeles to ride here in the Verdugo Mountains/Canyon area. What will become of all the equestrian trails? We will have horses living in the canyon who have to be driven out to Malibu before they can roam freely, now that doesn't make any sense.

Response:

See Topical Response 8.

Comment 141-5:

Overall, I believe that these new houses should not be built in La Tuna Canyon/Verdugo Mts. It will cause so much more harm than any good it can provide. I'm sure the people who are looking to move into the canyon can understand that if they buy one of these new houses built, they will be making their lives, not to mention those of everyone around them, so much more difficult that they will not want to have these houses built either. Please do not allow our canyons to be exploited and the last of our natural plants and wildlife reserves destroyed.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 142: Toni Bird, 432 Georgian Road, La Canada, CA 91011,
December 29, 2003

Comment 142-1:

Please stop the Whitebird Development from building on the land adjacent to the 210 freeway 9 (canyon Hills Project, EIR Case no: ENV-2002-2481-EIR and Reference Nos: SCH#2002091018

We can not handle the extra density. The roads and the rest of the infrastructure can not take any more major developments such as is planned. We need as much green area as we have now. There is a problem with the pollution in this area already.

Thank you for your attention in this matter.

Response:

This comment expresses opinions about the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Commenter 143: Douglas Carstens, F.A.L.C.O.N., 3250 Ocean Park Boulevard, Suite 300, Santa Monica, CA 90405, December 29, 2003

Comment 143-1:

On behalf of the Foothill Area League of Conservation Organizations and Neighbors (“FALCON”), we submit these comments on the Draft Environmental Impact Report (“EIR”) on the project. Whitebird, Inc. proposes a massive residential development project (“the Project”) that includes only 280 units and requires at least 4.5 million cubic yards of grading and affects over 305 acres of land. It is proposed entirely within the Verdugo Mountains Significant Ecological Area (“SEA”), which is unique for its breathtaking scenic vistas of mountains, ravines, rock outcroppings, and natural beauty. In some places, grading for the proposed Project would reduce existing ridgelines by as much as 80 feet, utterly devastating the natural landforms and vegetation that make the area unique.

Our comments identify a number of deficiencies in the DEIR and urge preparation and circulation of a revised Draft EIR. The environmental analysis is especially inadequate with regard to air quality impacts during construction; construction noise; impacts from artificial light; and scenic vistas, scenic resources and visual character impacts; and impacts on coast live oak trees. For these impact areas, the DEIR recognizes significant impacts will occur that will not be mitigated, but fails to explore the significance of those impacts, develop a full range of effective mitigation measures, or analyze alternatives to avoid the impacts, as it must. Due to the many deficiencies identified here and in the numerous comment letters of FALCON’s members and consultants, a revised Draft EIR should be prepared and circulated. The revised Draft EIR should provide an appropriate analysis of the environmental impacts of the Project as proposed and an adequate evaluation of reasonable alternatives and mitigation measures.

Response:

This comment summarizes certain concerns regarding the adequacy of the Draft EIR that are discussed in the balance of this comment letter, and are therefore addressed in the detailed responses below. Regarding the adequacy of the Draft EIR, see Topical Response 1. Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 143-2:

FALCON is a community education network linking conservation groups and concerned neighbors in the Foothill areas of Sunland-Tujunga, La Tuna Canyon, Lake View Terrace, Shadow Hills, La Crescenta, Montrose, Glendale and Burbank. FALCON provides education and resources in support of

protecting and preserving the rural culture, character and wildlife habitats of the northeast Foothill communities for future generations.

FALCON partners with a wide range of like-minded organizations, including Canyon Area Preservation, Shadow Hills Property Owners Association, La Tuna Canyon Community Association, Hansen Dam Advisory Committee, Glendale-Crescenta, V.O.I.C.E., Sierra Club, California Wilderness Coalition – plus other groups and hundreds of individuals throughout the area. FALCON also supports the work of the Santa Monica Mountains Conservancy and its efforts to strengthen the wildlife corridors across our interconnected mountain ranges. Most FALCON members have been actively involved in these and other organizations for years, and came together in 2002 to promote collaboration and mutual education across these conservation groups and all Foothill communities. FALCON holds a Board of Directors seat on the Sunland-Tujunga Neighborhood Council. This seat represents stakeholder group interests in Foothill area conservation and protection through upholding our Community Plan and the Scenic Preservation Specific Plan. FALCON respects property owners' rights to develop their property, but expects that property owners will only do so in total compliance with existing city and state laws, codes and guidelines which ensure responsible development in the Foothill areas.

Response:

This comment provides background information for FALCON, but does not state a concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, to the extent that this comment implies that the proposed project would not comply with “existing city and state laws, codes and guidelines,” see Response 57-10.

Comment 143-3:

FALCON's members believe development should avoid Area B altogether and take place, if at all, in Area A, at reduced densities that avoid ridgelines. In view of the fact that current regulations would allow only 40 homes in Area A, (DEIR, p. VI-42), it is not reasonable to propose construction of 280 houses for this area as an alternative to the Project, as analyzed in the DEIR's Alternative B. Analysis of development in Area A only, with more than 40 but fewer than 280 houses, must be considered to provide a reasonable range of alternatives.

Response:

The commenter is incorrect that the current regulations would allow only 40 homes in Development Area A. Under the City's slope density formula, 87 homes would be permitted in Development Area

A. In any event, the inclusion of Alternative B in the Draft EIR was reasonable and appropriate. With the approval of the proposed amendments to the land use and zoning designations for Development Area A, 280 homes would be permitted in Development Area A. Pursuant to Section 15126.6 of the CEQA Guidelines, the lead agency is required to select a range of reasonable alternatives to the project that could avoid or substantially lessen one or more of the proposed project's significant effects, but is not required to consider every conceivable alternative to a project. As discussed in the Draft EIR, Alternative B could avoid or substantially lessen one or more significant environmental effects associated with the proposed project. As set forth on page VI-73 in the Draft EIR, Alternative B was selected as the environmentally superior alternative.

In any event, as a practical matter, the Draft EIR did analyze the alternative suggested in this comment. As discussed in the preceding paragraph, Alternative B analyzed the comparative environmental impacts associated with the elimination of proposed Development Area B. With respect to proposed Development Area A, Alternative B analyzed the comparative environmental impacts associated with the development of 158 homes, while Alternative D analyzed the comparative environmental impacts associated with the development of 40 homes.

Comment 143-4:

FALCON's members are particularly concerned that, even after mitigation, the Project's impacts will be significant in numerous ways that could be mitigated with an appropriate redesign of the proposed Project. In order to comply with the California Environmental Quality Act ("CEQA"), the City must make greater efforts to mitigate the significant impacts or develop an alternative that avoids them. The Verdugo Mountains Significant Ecological Area that would be impacted by the Project has irreplaceable wilderness, where wildlife flourishes in its natural habitat, despite being in close proximity to an increasingly urbanized part of Southern California. These preserves should not be compromised by pollution, noise, and an improperly planned residential development that readily could be better designed and impacts mitigated. A key function of an EIR is to evaluate whether or not to approve a project, not just to evaluate impacts of a project that will be approved. (Laurel Heights Improvement Assn. v. Regents of University of California ("Laurel Heights I") (1988) 47 Ca1.3d 376, 394.) Because of the significant, unmitigated adverse impacts, the proposed Project must be substantially redesigned or rejected altogether.

Response:

The determination in the Draft EIR that the proposed project would result in significant and unavoidable environmental impacts does not require the redesign of the proposed project. The Draft EIR includes a range of reasonable alternatives that would substantially lessen one or more significant environmental impacts associated with the proposed project, as well as numerous and feasible mitigation measures. The lead agency has the authority under Section 21081(b) of the California Public

Resources Code and Section 15093 of the CEQA Guidelines to adopt a statement of overriding considerations and approve the proposed project, notwithstanding its significant and unavoidable environmental effects.

To the extent that the comment indicates that the proposed project would have a significant impact on habitat or wildlife, the comment provides no support for that conclusion. The Draft EIR extensively analyzed the proposed project's impacts on flora and fauna and wildlife movement and determined that, with the implementation of the recommended mitigation regarding flora and fauna impacts, no significant impacts would occur.

Comment 143-5:

In addition to our clients' concerns regarding the inadequate EIR, they are disturbed by the apparent disregard for the importance of mitigating significant impacts and complying with the City General Plan's Conservation Element, the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan ("Community Plan"), the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan ("Specific Plan"), the Slope Density Ordinance (Los Angeles Municipal Code section 17.50 E), and the Oak Tree Ordinance (Los Angeles Municipal Code section 46.00). The EIR fails to recognize the significance of the conflicts with the Conservation Element, Community Plan, the Specific Plan, and the City's ordinances all designed to limit development impacts to sensitive areas such as the Project site. Without identification of those conflicts and fuller analysis of possible methods for their mitigation, the DEIR fails to fulfill its function as an informational document. Even with a fully informative EIR, the City could not approve the Project as proposed because of these applicable legal requirements.

Response:

See Response 57-10. Section IV.G (Land Use) in the Draft EIR includes a detailed analysis of the proposed project's consistency with the Sunland-Tujunga Community Plan, the Specific Plan and the slope density ordinance. Section IV.D.2 (Native Trees) in the Draft EIR evaluates the consistency of the proposed project with the City's tree ordinance. In each case, the Draft EIR determined that the proposed project is consistent with those plans and ordinances. The Draft EIR did not include any specific discussion with respect to the consistency of the proposed project with the Conservation Element of the City's General Plan because the applicable policies in the Conservation Element are embodied in the Sunland-Tujunga Community Plan and/or the Specific Plan and, as set forth in Section IV.G (Land Use) in the Draft EIR, the proposed project is consistent with those plans. For example, Section 15 (Land Form and Scenic Vistas) of the Conservation Element includes a policy that the City "encourage and/or require property owners to develop their properties in a manner that will, to the greatest extent practical, retain significant existing land forms (e.g., ridge lines, bluffs, unique geologic features) and unique scenic features. . ." The Specific Plan has identified the Prominent Ridgelines on

the project site and the proposed project would adhere to all of the standards and restrictions in the Specific Plan relating to those Prominent Ridgelines and corresponding Prominent Ridgeline Protection Areas.

Notwithstanding the above, Table FEIR-11 provides a brief discussion of the proposed project’s consistency with relevant policies contained in the Conservation Element (the objectives to which the policies relate are also shown for informational purposes, but the consistency analysis is limited to the stated policies). Section IV.G (Land Use) of the Draft EIR has been revised to include the following Conservation Element consistency analysis (see Section III (Corrections and Additions) of this Final EIR).

**Table FEIR-11
City of Los Angeles Conservation Element Consistency Analysis**

Objective/Policy	Consistency Analysis
ARCHAEOLOGICAL AND PALEONTOLOGICAL	
<p>Objective: Protect the City’s archeological and paleontological resources for historical, cultural, research and/or educational purposes.</p> <p>Policy 1: Continue to identify and protect significant archaeological and paleontological sites and/or resources known to exist or that are identified during land development, demolition or property modification activities.</p>	<p>Consistent: As discussed in Sections IV.O.2 (Archaeological Resources) and IV.O.3 (Paleontological Resources) of the Draft EIR, no archaeological or paleontological resources are known to exist on the project site. If archaeological or paleontological resources are discovered on the project site, implementation of the mitigation measures listed in Sections IV.O.2 (Archaeological Resources) and IV.O.3 (Paleontological Resources) of the Draft EIR would ensure that no significant impacts would occur to archaeological and paleontological resources.</p>
CULTURAL AND HISTORICAL	
<p>Objective: Protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.</p> <p>Policy 1: Continue to identify and protect significant historic and cultural sites and/or resources known to exist or that are identified during land development, demolition or property modification activities.</p>	<p>Consistent: As discussed in Section IV.O.1 (Historic Resources) of the Draft EIR, no cultural or historical sites or resources are known to exist on the project site.</p>

Table FEIR-11 (continued)
City of Los Angeles Conservation Element Consistency Analysis

ENDANGERED SPECIES	
<p>Objective: Protect and promote the restoration, to the greatest extent practical, of sensitive plant and animal species and their habitats.</p> <p>Policy 1: Continue to require evaluation, avoidance, and minimization of potential significant impacts, as well as mitigation of unavoidable significant impacts on sensitive animal and plant species and their habitats and habitat corridors relative to land development activities.</p>	<p>Consistent: With implementation of the mitigation measures listed in Section IV.D.1 (Flora and Fauna) of the Draft EIR, implementation of the proposed project would not result in any significant impacts to biological resources, with the exception of coast live oaks. As discussed in Section IV.D.2 (Native Trees) of the Draft EIR, in the long-term, replacement planting would be sufficient to mitigate project impacts with respect to coast live oaks to a less-than-significant level. In the short-term, until the trees reach a maturity sufficient to provide seed production and nesting opportunities, this impact would remain significant. However, as this impact would be mitigated in the long-term, the replanting program is considered sufficient mitigation, to the greatest extent practical, to minimize this unavoidable significant impact.</p>
EQUINE AREAS	
<p>Objective: Retain equine oriented uses as a part of the City's heritage and for recreational, educational and economic purposes.</p> <p>Policy 1: Continue to encourage the establishment of new equine uses and K districts and to protect existing significant areas from encroachment.</p> <p>Policy 2: Establish standards and procedures for a comprehensive equine trail system, similar to the bikeways system, including provisions for protection of watershed and natural environments.</p> <p>Policy 3: Continue to expand and maintain trail linkages which will reinforce the viability of equine uses.</p>	<p>Consistent: See Topical Response 8.</p>

Table FEIR-11 (continued)
City of Los Angeles Conservation Element Consistency Analysis

HABITATS	
<p>Objective: Preserve, protect, restore and enhance natural plant and wildlife diversity, habitats, corridors and linkages so as to enable the healthy propagation and survival of native species, especially those species that are endangered, sensitive, threatened or species of special concern.</p> <p>Policy 1: Continue to identify significant habitat areas, corridors and buffers and to take measures to protect, enhance and/or restore them.</p>	<p>Consistent: As discussed in Section IV.D.1 (Flora and Fauna) of the Draft EIR, implementation of the proposed project would not result in any significant impacts to biological resources, with the exception of coast live oaks (see above). As discussed in Section IV.D.3 (Wildlife Movement) of the Draft EIR, there would be no significant impacts to regional or local wildlife movement associated with the proposed project during operation or construction. Furthermore, the proposed project design incorporates the preservation of approximately 693 acres of open space, approximately 78 percent of the 887-acre project site.</p>
LANDFORM AND SCENIC VISTAS	
<p>Objective: Protect and reinforce natural and scenic vistas as irreplaceable resources and for the aesthetic enjoyment of present and future generations.</p> <p>Policy 1: Continue to encourage and/or require property owners to develop their properties in a manner that will, to the greatest extent practical, retain significant existing land forms (e.g., ridge lines, bluffs, unique geological features) and unique scenic features (historic, ocean, mountains, unique natural features) and/or make possible public view or other access to unique features or scenic views.</p>	<p>Consistent: As described in Section IV.N (Aesthetics) of the Draft EIR, implementation of the proposed project would result in a significant unavoidable impact on existing scenic resources, scenic vistas and visual character. However, the proposed project has been designed to minimize visual intrusion into the project area's scenic resources. Clustering of the homes in two development areas would maximize the preservation of open space and retain large hillside areas on the project site. In addition, the proposed residential lots would be located in a manner that would prevent future homes from obstructing views of the "Prominent Ridgelines" designated in the Specific Plan. The proposed project design, in addition to the mitigation measures listed in Section IV.N (Aesthetics) of the Draft EIR, would, to the greatest extent practical, retain existing land forms and unique scenic features for present and future generations.</p>

Comment 143-6:

As discussed below, various impacts of the proposed Project must be analyzed in greater depth and mitigated more effectively. Moreover, an alternative to the Project that avoids construction or grading of ridgelines and does not interfere with wildlife movement corridors should be added to the DEIR's alternatives analysis.

Response:

With respect to the concern expressed that the Draft EIR include an alternative that would not involve construction or grading of ridgelines, see Response 143-3. With respect to the concern expressed that the Draft EIR include an alternative that would not interfere with wildlife corridors, as discussed on pages VI-7, VI-19, VI-33 and VI-64 in the Draft EIR, none of the alternatives analyzed in the Draft EIR, except for Alternative D, would affect wildlife movement. Moreover, as discussed in Section IV.D.3 (Wildlife Movement) of the Draft EIR, the proposed project itself would not have a significant impact on wildlife movement.

Comment 143-7:**II. The EIR Fails To Adequately Analyze and Mitigate The Adverse Environmental Impacts of the Proposed Project as Required by CEQA.**

The DEIR is not sufficient because it fails to fully analyze impacts, propose sufficient mitigation for those impacts, or analyze alternatives that would avoid those impacts. The requirement for an EIR under CEQA serves the dual purpose of enabling a reviewing agency to make an informed decision and making the decisionmakers' reasoning accessible to the public, thereby protecting informed self-government. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 670.) Preparation of an EIR on the Project may facilitate better decision-making and properly involve the public only if the EIR provides a meaningful analysis of impacts, alternatives, and mitigation measures. Public Resources Code 21100 prescribes the contents for all EIRs. The DEIR should be an environmental full-disclosure document. As the California Supreme Court has said:

CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.

(*Concerned Citizens of Costa Mesa v. 32nd District Agricultural Association* (1986) 42 Cal.3d 929, 936, emphasis added.)

Response:

The Draft EIR includes a detailed and adequate analysis of the proposed project's environmental impacts, includes a significant number of proposed mitigation measures and analyzes a reasonable range of alternatives, all as required under CEQA and the CEQA Guidelines. This comment does not offer any specific evidence to support its contention that the environmental impact analyses, mitigation

measures and alternatives analyses included in the Draft EIR are inadequate (see Topical Response 1). Therefore, no further response is required.

Comment 143-8:

A. A Thorough Analysis of Impacts Is Required.

State CEQA Guidelines Section 15126.2 subdivision (b) requires an EIR to “Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance” and describe, “Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect. . . .” CEQA also provides that an EIR must not merely identify the impacts. As stated in *Santiago County Water Dist. v. County of Orange*, (1981) 118 Cal.App. 3d 818, 831:

“What is needed is information about how adverse the adverse impact will be. ‘An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences.’ (Guidelines, Section 15150.)”

(Id. at 831, emphasis added.) This DEIR fails to meet that mandate.

Response:

The commenter does not explain why the Draft EIR fails to comply with the legal requirements described in the comment. In any event, the Draft EIR includes detailed analyses of all of the proposed project’s potentially significant environmental impacts. The Draft EIR also includes a list of project objectives (see pages III-9 through III-10 in the Draft EIR) that reflect why the project has been proposed, notwithstanding its significant environmental impacts. Those objectives include (1) providing a substantial amount of high-quality housing for local and area residents to meet existing and future needs of those desiring to live in the northeast San Fernando Valley, and helping alleviate the substantial housing shortage in the City, (2) providing greater regional housing opportunities for homebuyers and assisting in satisfying the housing needs for the region, (3) invigorating the local economy by providing employment and business opportunities associated with the construction, use and occupancy of the proposed project and (4) developing a residential project that is financially viable and thereby permits (a) the donation or dedication of all of the project site located outside of the Development Areas and (b) the development of public and private equestrian and other recreational amenities on the project site.

Comment 143-9:

B. The DEIR Must Consider and Adopt Reasonable Mitigation Measures to Avoid Significant Impacts.

CEQA requires that every EIR must contain a complete discussion of potential mitigation measures available to avoid or reduce adverse environmental effects. (Pub. Resources Code section 21000(b)(3); Guidelines section 15126(c).) This is because one of the basic purposes of an EIR is to “indicate the manner in which significant effects can be mitigated or avoided.” (Pub. Resources Code section 21002.1(a).) A mitigation monitoring plan with fully enforceable conditions is required. (Pub. Resources Code section 21081.6(b).) A public agency must determine that all proposed mitigation measures and/or project alternatives capable of substantially reducing environmental impacts have actually been incorporated into the project or that the proposed mitigation measures or alternatives are infeasible for specific economic, social, or other reasons. (Pub. Resources Code section 21081(a); *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30.) The EIR violates CEQA’s requirement that every EIR contain a complete discussion of potential mitigation measures available to avoid or reduce adverse environmental effects. (Guidelines section 15126(c).)

As discussed below, the Project fails to mitigate its extensive adverse impacts on ridgelines by siting houses away from ridgelines, avoiding grading the ridgelines, providing more effective mitigation for coast live oak losses, and reducing the number of houses to reduce the grading and construction air quality impacts that will result. Although the DEIR asserts the Project is much less damaging than other potential projects that could be proposed, that is not the point. Rather, the policy embodied in CEQA is that the Project may not be approved “if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects” of the Project. (Pub. Resources Code section 21002.)

Response:

CEQA does not require an EIR to contain a “complete discussion” of potential mitigation measures available to avoid or reduce “adverse environmental effects”. Rather, an EIR is required to describe feasible mitigation measures that could minimize significant adverse environmental impacts, as set forth in Section 15126.4(a)(1) of the CEQA Guidelines.

As discussed in greater detail in Topical Response 6, the proposed project has been designed to minimize its grading-related impacts: the proposed Development Areas have been clustered in the more naturally level portions of the project site; the site plan avoids the most sensitive onsite resources and retains approximately 78 percent of the project site as open space; construction does not intrude into any Prominent Ridgeline Protection Area; and contour grading techniques are proposed to blend the manufactured slopes back into the natural terrain. However, given the steep topography of the project

site, it is impossible to avoid all grading of secondary ridgelines. Therefore, there is no additional feasible mitigation with respect to grading/aesthetic impacts.

In addition, the commenter does not suggest any specific mitigation measure. While the comment is couched in terms of providing unspecified mitigation, the general import of the comment is that the Draft EIR should have included an additional alternative that reduced the significant environmental effects associated with the proposed project. However, the Draft EIR included a detailed analysis of a reasonable range of alternatives, including two reduced-density alternatives (Alternatives D and E) and an alternative that eliminated Development Area B (Alternative B).

Comment 143-10:

C. The EIR's Analysis of Numerous Impacts and Mitigation Measures is Deficient.

Many serious problems have been identified by members of FALCON and consultants engaged by them to examine the DEIR. These deficiencies in the DEIR's analysis of various impact areas have been set forth in full detail in comment letters you have received, or will receive, from these members and consultants. These letters identify deficiencies with regard to the EIR's analysis of air quality, traffic, cumulative impacts, land use, hydrology, public services, geology and soils, noise, lighting and glare, and other areas. Each of these comments must be answered so that important issues will not be "swept under the rug." (People v. County of Kern (1974) 39 Cal.App.3d 830, 841.) Without detracting from the need for the City to fully respond to those comments, we wish to emphasize certain particular points set forth below.

Response:

Pursuant to Section 15132 of the CEQA Guidelines, this Final EIR includes a response to every comment received on the Draft EIR.

Comment 143-11:

It is particularly important to accurately and completely analyze the Project's impacts and strategies to avoid them because of its sensitive location. The significance of a Project's impacts vary with its setting. (CEQA Guidelines section 15125 (c).) The Project is proposed entirely within the Verdugo Mountains SEA, so its massive grading and landform alteration is particularly damaging. As the Conservation Element states: "SEAs are significant habitats identified by Los Angeles County as important for the preservation and maintenance of biodiversity. . . . Each SEA was selected on the basis of existing known habitats of sensitive or endangered species as well as sites containing a diversity of native plant and animal resources." (City of Los Angeles General Plan Conservation Element, p. II-30.)

Response:

See Response 32-1.

Comment 143-12:

1. The Visual impacts of Landform Alteration and Grading of Slopes Must be Further Mitigated.

One of the most significant adverse impacts of the proposed Project is the construction of residential development in heretofore protected and pristine environmentally sensitive areas or protected ridgelines and extensive grading required by that construction. The Project is in an environmentally sensitive area because it is entirely located within the Verdugo Mountains SEA No. 40. (DEIR, p. IV.G-28.) As acknowledged by the DEIR, “The most dramatic visual element of the Verdugo Mountains is the open space, which provides highly prized visual relief from the surrounding urban development.” (DEIR, p. IV.N-2.)

The Project will dramatically alter the existing topography. Four and a half million or more cubic yards of grading will affect 240.2 acres of land. (DEIR, IV-N-38.) In some places 80 feet will be cut off the top of ridgelines and used to fill the Project site’s canyons. (DEIR, IV-N-14.) The EIR states “. . . some of the proposed homes in Development Area B would be elevated above La Tuna Canyon Road and visible to passersby. Consequently, the substantial increase in the number of homes in the canyon and their high visibility from La Tuna Canyon Road would substantially impact the rural ambiance of that portion of La Tuna Canyon. For these reasons, the Project could be considered to substantially degrade the existing visual character or quality of the Development Areas and the proposed Project’s impact on the visual character and quality of the Project site would therefore be considered significant.” (DEIR, p. IV-N-39.)

The Project’s significant impacts must be mitigated or an alternative chosen to avoid those impacts. The EIR states “Project impacts with respect to scenic vistas, scenic resources and existing visual character would remain significant following implementation of the recommended mitigation measures.” Because these significant impacts remain significant even after mitigation, the City must fully analyze and choose feasible alternatives and mitigation measures. The Supreme Court has noted that alternatives are a form of mitigation and serve the same function: “we note that alternatives and mitigation measures have the same function--- diminishing or avoiding adverse environmental effects. The chief goal of CEQA is mitigation or avoidance of environmental harm.” (Laurel Heights I, supra, 6 Ca1Ath at 403.) In one way or another, the City may not simply accept the Project’s significant visual impacts when mitigation of the impacts and alternatives to the Project are feasible.

CEQA establishes that any substantial, negative aesthetic effect is to be considered a significant environmental impact for CEQA purposes. (Quail Botanical Gardens Foundation, Inc. v. City of Encinitas (1994) 29 Cal.App4th 1597, 1604.) Thus, “any substantial, negative effect of a project on view and other features of beauty could constitute a ‘significant’ [aesthetic] environmental impact under CEQA.” (Ibid.)

Response:

See Topical Response 6. In addition, CEQA does not require significant impacts to be mitigated to the “maximum extent possible”. Rather, pursuant to Section 15126.4(a)(1) of the CEQA Guidelines, an EIR must describe feasible mitigation measures which could minimize significant adverse environmental impacts. CEQA does not require analysis of every imaginable mitigation measure; its concern is with feasible means of reducing significant environmental effects.

Comment 143-13:

As discussed below, the plan for lowering ridgelines impermissibly conflicts with the Community Plan policies and is not mitigated to the maximum extent possible, as CEQA requires. One of the objectives of the City’s General Plan is to “protect and reinforce natural and scenic vistas as irreplaceable resources and for the aesthetic enjoyment of present and future, generations.” (Conservation Element, p. II-48.) The Project must be modified to preserve ridgelines as required by the Community Plan and Conservation Element and to reduce visual impacts as required by CEQA.

Response:

Contrary to this comment, the fact that the proposed project includes the lowering of some secondary ridgelines is not inconsistent with the Community Plan. With respect to the project design elements that would minimize impacts to natural and scenic vistas, see Topical Response 6. With respect to the proposed project’s consistency with the Conservation Element, see Response 143-5. As discussed in some detail in the Draft EIR, the Specific Plan has identified all of the Prominent Ridgelines and corresponding Prominent Ridgeline Protection Areas that could be affected by the proposed project. The proposed project has been designed to comply with all of the standards and restrictions in the Specific Plan with respect to the designated Prominent Ridgelines and Prominent Ridgeline Protection Areas located on or adjacent to the project site. Finally, as discussed in Response 143-12, CEQA does not require significant impacts to be mitigated to the “maximum extent possible”.

Comment 143-14:

Further mitigation of the Project’s visual impacts is possible. Visual Simulation #8 shows homes that are developed well below ridgelines and that do not have as adverse of a visual impact as do the homes

depicted in Visual Simulations #1-7. (DEIR, Figs. IV.N-13 to IV.N-20.) Because it is entirely possible to site homes so that they do not intrude upon views of prominent ridgelines as shown by Visual Simulation # 8, the Project must be redesigned to the extent it allows any homes to intrude upon such views.

Response:

The comment apparently confuses the visibility of any proposed home that breaks any skyline silhouette with the Specific Plan protection of Prominent Ridgelines as viewed from a scenic highway right-of-way. As discussed in Section IV.G (Land Use) of the Draft EIR, the proposed project is consistent with the prominent ridgeline protection measures in the Specific Plan. In particular, none of the proposed homes would encroach into any Prominent Ridgeline Protection Area visible from the right-of-way of a scenic highway. Contrary to this comment, neither Visual Simulation 7 nor Visual Simulation 8 represents views of a Prominent Ridgeline from a scenic highway right-of-way. Visual Simulation 7 is a view of the northern portion of Development Area A from Verdugo Crestline Drive, while Visual Simulation 8 is a view of a portion of Development Area B from a hiking trail within La Tuna Canyon Park. While it may be technically feasible to site homes such that they do not break the skyline as viewed in Visual Simulation 7, it would be equally possible to find another viewing location where the relocated homes would break the skyline. In fact, it is conceivable that, for any given configuration of proposed homes, a view could be found from which some homes might break the skyline. Section 15126.4(a)(1) of the CEQA Guidelines provides that an EIR shall describe feasible measures which could minimize significant adverse impacts. Because there are an infinite number of potential views from which one might be able to see one or more homes break the skyline, further mitigation of visual impacts by relocating the homes is not considered practical or feasible.

Comment 143-15:

Lastly, on December 19, 2003, the Los Angeles City Council adopted the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan. This Plan prohibits development of prominent ridgelines and has measures to further protect oak trees. The DEIR states "Since the Draft Specific Plan has not been formally adopted yet, it currently has no legal force or effect and does not have to be considered in this Draft EIR." (DEIR, p. IV.G-6.) However, the DEIR discussed the plan's principal components "for informational purposes." (Ibid.) Now that the Specific Plan has been adopted, the DEIR must be revised to evaluate the plan's compliance with the provisions of the Specific Plan.

Response:

See Response 75-4.

Comment 143-16:

2. Biological Resources/ Oak Tree Impacts.

- a. The Analysis of Biological Resources is Deficient Because of Miscounts and Species That Are Present But Not Identified in the DEIR.

CEQA requires that an EIR must adequately describe a project's existing environment. (CEQA Guidelines section 15125 (a).) However, the DEIR fails to accurately report existing biological resources. The DEIR's tree inventories are inadequate because FALCON's members found willow and oak trees that would be impacted that were not identified in the EIR's tree survey. Willow trees were not even mentioned in the EIR's tree survey. Some of the omitted oak trees are part of Southern Coast Oak Riparian habitat which is missing from Figures IV.D-3 and D-5. This habitat would be lost when the development is completed but the impact of this loss has not been considered by the EIR.

Response:

See Responses 149-105 and 149-112.

Comment 143-17:

The DEIR also includes misinformation about Humboldt Lilies. Figure IV.D-2 shows only 5 Humboldt Lilies in Drainage 4 and its tributaries. Other evidence indicates there are at least 60 Humboldt Lilies in these areas. This is a sensitive species and the impacts to all of the Humboldt Lilies must be considered in the EIR.

Response:

See Response 102-3.

Comment 143-18:

The field surveys found no evidence of bobcats, mule deer, mountain lions, western toads or peregrine falcons that are likely to occur on this site. However, many of these species have been spotted by local residents. Several species of special concern, such as Cooper's hawks, 2-striped garter snakes and silvery legless lizard, were not found on the property according to the field study, but residents of the area have reported seeing these species frequently. The DEIR's failure to reveal their existence shows its preparers violated the principle that an EIR must conduct a "thorough investigation." (CEQA Guidelines section 15145.)

Response:

Although not identified during surveys, bobcats were noted as occurring on the project site on page IV.D-157 in the Draft EIR. Potential impacts to the movement of bobcats are also discussed in Topical Response 5.

As discussed on page IV.D-149 and shown in Figure IV.D-21 in the Draft EIR, evidence of mule deer presence (i.e., tracks along Verdugo Crestline Drive and scat along Drainage 14) was recorded on the project site. Potential impacts to the movement of mule deer were addressed on pages IV.D-149 and IV.D-156 in the Draft EIR.

With respect to the concern expressed regarding Cooper's hawks, see Responses 145-7 and 145-8. With respect to the concern expressed regarding the presence of mountain lions on the project site, see Response 4-16. With respect to the concern expressed regarding the presence of peregrine falcons on the project site, see Response 41-1. With respect to the concern expressed regarding the presence of Western toads on the project site, see Response 94-9. With respect to the concern expressed regarding the presence of silvery legless lizards on the project site, see Response 145-14.

With respect to the concern expressed regarding the two-striped garter snake, focused surveys for the Coast Range California Newt (see page IV.D-46 in the Draft EIR) provided an opportunity for the detection of the two-striped garter snake, which was not detected during the biological surveys conducted for the proposed project. Potentially marginal habitat for this aquatic species was noted in La Tuna Canyon Wash, which is the only drainage with semi-permanent or permanent water (see pages IV.D-45 and IV.D-46 in the Draft EIR). Because La Tuna Canyon Wash would not be impacted by the proposed project, there would be no potential for significant impacts to the two-striped garter snake.

With respect to the concern expressed regarding the thoroughness of the biological surveys conducted for the proposed project, see Topical Response 4.

Comment 143-19:

- b. The Mitigation for Biological Resource Impacts that the DEIR Discusses is Inadequate.

Without an adequate analysis of impacts to biological resources, it is not possible for the DEIR to address the adequacy of mitigation measures for those impacts. The mitigation measures proposed for displaced oak and sycamore trees are especially inadequate. The Project will cause a loss of 232 live coast oak trees and 27 western sycamore trees. Mitigation for these lost trees is proposed in the form of replacement trees. While these lost trees are being replaced at a ratio greater than that required by the Los Angeles Municipal Code, the placement chosen for these trees makes them inadequate as a mitigation measure. The largest of the replacement oak trees are being placed in areas such as

entryways, common areas, and road right-of-ways. Planting trees in areas such as these that are frequently disturbed by human activity does not replace the full ecosystem support that makes wild oaks and their understory so valuable. If this mitigation measures [sic] is to be valid, the EIR must discuss how the plants, especially the seedlings will be protected from recreational disturbances.

Response:

See Topical Response 2. Furthermore, the smallest coast live oak that would be planted in the entry points, common areas and road right-of-ways would be 15-gallons, and no seedlings would be used in these areas. These areas would be managed landscaped areas and industry-standard protective measures would be used to ensure the health and condition of the trees.

Comment 143-20:

Finally, the DEIR fails to mitigate impacts to wildlife movement sufficiently. The proposed Canyon Hills development Project is located within the Rim of the Valley Trail Corridor portion of the Santa Monica Mountains. The EIR incorrectly claims the regional wildlife movement corridor will not be impacted. This is incorrect because the southern portion of the development would cut off an important access from the eastern Verdugo Mountains to the San Gabriel Mountains by the development footprint for Area B. Area B needs to be preserved by adoption of additional mitigation or development of another alternative in order to protect the wildlife movement corridor.

Response:

See Responses 32-3, 4-4, 4-5 and 4-13.

Comment 143-21:

Also, a functional wildlife corridor of at least 500 feet needs to be provided through Area A in order to prevent the isolation of the open space in the northwestern half of Area A.

Response:

See Response 4-15.

Comment 143-22:

III. The City's Oak Tree Ordinance Prohibits Unnecessary Removal of Oak Trees.

Absent a showing of the necessity for their removal, the City's Oak Tree Ordinance does not allow removal of any of the 232 oak trees proposed for removal by the Project, even if their loss were effectively mitigated. A permit for the trees' removal may only be granted if their removal "will not

result in an undesirable, irreversible soil erosion or increased flow of surface waters” and “their continued existence . . . prevents the reasonable development of the subject property” or the trees show a “substantial decline from a condition of normal health and vigor.” (Los Angeles Municipal Code section 46.02 (b).) The DEIR fails to address the effect the trees’ removal will have on soil erosion or surface waters. The DEIR reports that many trees “are not accessible due to difficult terrain and dense vegetation.” (DEIR, p. IV.D-114.) Many of the trees are located in clusters that could be avoided: for example trees 312 to 351 are “Impacted” (DEIR IV.D-100), but they are located in ways that allow development around them without their removal. (DEIR, Fig. IV.D-14.) Because the EIR fails to demonstrate that it is infeasible to develop the property without removing the oak trees, a permit for their removal may not be granted.

Response:

As discussed on pages IV.D-111 and IV.D-112 in the Draft EIR, the design for the proposed project minimizes impacts to the coast live oaks and western sycamores through clustered development and reduced canyon fills. This approach would preserve nearly 82 percent of the coast live oaks on the project site. Preserving trees 312 to 351 would require a significant alteration to the site design. The area within the grading limit line would be graded for the proposed project, changing the existing drainage conditions. The proposed project would be subject to the City’s stormwater management and water quality requirements that are required of all new development, both during and following construction. Section 46.02(b) of the LAMC allows for a removal permit to be granted if the removal would not result in undesirable, irreversible soil erosion through diversion or increased flow of surface waters. The removal of coast live oaks within the grading areas would not conflict with this requirement as erosion control would be addressed through project design.

Comment 143-23:

IV. The EIR Fails To Consider Reasonable Alternatives.

A. CEQA Requires a Full Analysis of Alternatives.

The DEIR’s discussion of Project alternatives is too constricted to provide a basis for meaningful public discussion or evaluation by decision makers because the feasible alternative of both reducing the footprint and reducing the number of units in the Project is not addressed. Discussion of project alternatives and mitigation measures has been described by the California Supreme Court as the “core” of an EIR. (Citizens for Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 564.) The EIR must describe a range of reasonable alternatives to the Project, as well as mitigation measures that would minimize the adverse impacts of the Project as it is proposed. As stated in the guidelines:

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

(CEQA Guidelines, section 15126.6 (b), emphasis added.)

In fact, “One of [an EIR’s] major functions...is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by responsible officials.” (Wildlife Alive v. Chickering (1976) 18 Ca1.3d 190, 197, emphasis added.) The EIR must “produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” (San Bernadino Valley Audubon Society, Inc, v. County of San Bernadino (1984) 155 Cal.App.3d 738, 750-751.)

The EIR analyzes the Project, a no project alternative and four other alternatives. Alternative B is development of Area A only with 280 lots; Alternative C is development with access through Duke property; Alternative D is development under current land use designation with 87 homes; and Alternative E is reduced density of 210 homes sited on Development Areas A and B. However, the DEIR fails to analyze an alternative that both reduces the size and density of the proposal.

Response:

There is no requirement under CEQA that an alternative must be included in a Draft EIR that reduces both the size and density of a proposed project. Rather, the alternatives analysis in a Draft EIR must include a range of reasonable alternatives that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more significant effects associated with the proposed project, as set forth in Section 15126.6(c) of the CEQA Guidelines. The five alternatives analyzed in the Draft EIR satisfied those requirements. As set forth in the Draft EIR (page VI-4), a reduced-footprint alternative with less than 280 units was considered prior to the preparation of the Draft EIR, but was rejected as infeasible during the scoping process because it would have substantially increased traffic in the residential neighborhood adjacent to Development Area B and would not have been financially viable. It should also be noted that the alternatives suggested in this and other comment letters were not suggested in response to the Notice of Preparation or at the scoping meeting with respect to the Draft EIR.

Comment 143-24:

The EIR should analyze a clustered equestrian estate development that does not include homes placed on or near ridgelines. Such an alternative would be lower density, as Alternative D is, and would avoid

impacts in a large portion of the Project site, as Alternative B would. However, it would have fewer impacts than Alternative D because it is clustered and fewer impacts than Alternative B because it has fewer units. Therefore, it is possible to lessen or avoid the Project's significant impacts by redesigning the Project to be in a smaller area with fewer units. None of the alternatives analyzes a project in which both the size and number of units are reduced in comparison with the proposed Project. It is imperative that the DEIR analyze such a feasible alternative.

The DEIR states a reduced footprint alternative was analyzed but that it would "substantially increase traffic in a residential neighborhood north of the project site, and would not be financially viable." (DEIR, p. VI-4.) This explanation is insufficient for rejecting analysis of a reduced footprint alternative. In *Village Laguna of Laguna Beach, Inc., v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1034, the court found a county's rejection of an alternative as economically infeasible was insufficient because it ". . . did not explain why it found the alternative economically infeasible." Similarly, if the number of units were reduced as well as reducing the footprint of the Project, there is no reason it would increase traffic in residential neighborhoods to the north of the Project site.

Response:

With respect to the alternative equestrian project suggested in this comment, see Response 143-23. Furthermore, as discussed in Topical Response 8, although the proposed Development Areas are located in the more naturally level portions of the project site, the topography in Development Area A is too steep to support an equestrian community. As also discussed in Topical Response 8, following the publication of the Draft EIR, the proposed project has been modified to increase the size of the proposed lots in Development Area B to 20,000 square feet, which is the minimum lot size for horsekeeping on residential lots under the Specific Plan.

With respect to the rejection of the reduced-footprint alternative discussed on page VI-4 in the Draft EIR, the court's analysis in *Village Laguna of Laguna Beach Inc. v. Board of Supervisors* is inapplicable. That alternative was not analyzed in the Draft EIR. Instead, it was rejected as infeasible during the scoping period prior to the preparation of the Draft EIR. The analysis in *Village Laguna* applies only to alternatives that are evaluated in a Draft EIR. Pursuant to Section 15126.6(c) of the CEQA Guidelines, if an alternative is rejected as infeasible during the scoping process, the Draft EIR is only required to "briefly explain" the reasons underlying that determination.

In the case of the rejected alternative, all of the homes in Development Area A would have been located in the northern portion of the project site in the vicinity of Verdugo Crestline Drive. This is an existing roadway that could be improved to provide adequate access to the alternative project site. As a result, all of the suggested alternative's traffic would enter and exit Development Area A through the existing neighborhood to the north. In contrast, in order to provide access from the La Tuna Canyon Road/Interstate 210 intersection (similar to the proposed project), an extended roadway would be

required through the undeveloped hillsides below the project site, which would be prohibitively expensive for a reduced-density project and would result in significant visual impacts.

Comment 143-25:

Alternative B is determined to be the environmentally superior alternative. (DEIR, p. VI-73.) Alternative B “would eliminate all impacts on the portion of the project site south of Interstate 210.” (Ibid.) However, the DEIR states Alternative B would not satisfy all of the Project objectives because it would result in development of a substantially denser residential community. (DEIR, p. VI-27.) In light of Alternative B’s superiority to the proposed Project and its avoidance or reduction of various significant impacts, its failure to attain every project objective does not make it infeasible. Furthermore, it highlights the fact that the EIR lacks an alternative that has both fewer units and a reduced footprint. The failure to provide an analysis of such an alternative violates the rule of reason that an EIR must present a reasonable range of alternatives.

Response:

This comment misstates the analysis on page VI-27 in the Draft EIR. The Draft EIR does not state that “Alternative B would not satisfy all of the Project objectives because it would result in development of a substantially denser residential community.” Rather, the Draft EIR determined that Alternative B would not satisfy at least three of the project objectives, in part due to the increased density in Development Area A, which would increase from 211 homes to 280 homes under Alternative B. In addition, while Alternative B would eliminate any adverse environmental impacts with respect to Development Area B, the implementation of Alternative B would intensify the environmental impacts on Development Area A with respect to geology and soils, construction noise, traffic, EMF and aesthetics. Contrary to the comment, the Draft EIR does not state that Alternative B is infeasible due to its inconsistency with several project objectives. However, such inconsistency does provide a legal basis, among others, for the decisionmaking bodies to find that Alternative B is infeasible.

Comment 143-26:

V. Conflicts with the Community Plan Require Redesign of the Project.

By seeking to amend the general plan to suit its development, the applicant asks the City to go about the land use planning process backwards. A general plan is the “constitution for future development . . . located at the top of the hierarchy of local government law regulating land use’ . . .” (De Vita v. Napa (1995) 9 Cal.4th 763, 773, internal citations omitted.) A general plan is more than an “exhortation” -- it is a “commandment.” (Debottari v. City of Norco, (1985) 171 Ca1.App.3d 1204, 1211.) The proposed Project must be consistent with the Community Plan. (Govt. Code section 66473.5.) Whereas the City has the ability under certain circumstances to override significant, unmitigated impacts

pursuant to CEQA, the Government Code does not provide for any such overriding of inconsistencies. (San Bernadino Valley Audubon Society, Inc, v. County of San Bernadino (1984) 155 Cal.App.3d 738, 753.) Therefore, the Project must be redesigned to eliminate the inconsistencies between it and the Community Plan.

Response:

See Response 143-5. To the extent that the commenter contends that it is unlawful for the City to amend the Community Plan land use designation for portions of the project site, see Response 143-28.

Comment 143-27:

- A. The Community Plan Requires Minimization of Grading and Preservation of Ridgelines and Scenic Views.

The Project conflicts with the Community Plan's clearly expressed mandates to minimize grading in hillside areas and to preserve ridgelines. The Community Plan sets forth objective 1-6: "To limit residential density and minimize grading in hillside areas." (Community Plan, p.III-5.) Objective 1-6.3 is "Require that grading be minimized to reduce the effects on environmentally sensitive areas." (Ibid.) Footnote 7 of the Community Plan Map states that subdivisions in hillside areas "shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership." Map Footnote 9 states "There shall be no grading of principal ridgelines within the Plan boundaries." Principal ridgelines, as well as "prominent" ridgelines are thus protected.

The Community Plan also sets a policy to "Preserve existing view's of hillside and mountainous areas." (Community Plan, 1-3.3.) The Project's proposed grading of ridgelines discussed above as they affected visual values violate these specific, mandatory Community Plan requirements. As such, the grading and placement of houses on or near ridgelines must be significantly reduced before the Project can be approved.

Response:

With respect to the concern expressed regarding the consistency of the proposed project with Objective 1-6 and Policy 1-6.3 in the Sunland-Tujunga Community Plan, see Responses 12-7 and Topical Response 6. With respect to the concern expressed regarding Footnote 7 in the Sunland-Tujunga Community Plan, see Response 15-4. With respect to the concern expressed regarding Footnote 9 in the Sunland-Tujunga Community Plan, see Response 75-37. With respect to the concern expressed regarding Policy 1-3.3 in the Sunland-Tujunga Community Plan, see Topical Response 6.

Comment 143-28:

B. The Community Plan Requires the Preservation of Horsekeeping.

The Community Plan may not be amended so it is internally inconsistent by encouraging the preservation of horsekeeping in one set of policies, but eliminating the possibility of horsekeeping from a large area of the Project site. The Community Plan supports the preservation of this equestrian lifestyle and cautions “against possible precedent setting actions including zone variance, conditional use, or subdivision that might endanger the preservation of horsekeeping uses.” (Community Plan, I-8.)

Changing the general plan designation for this single area is a clear example of “‘piecemeal adjustment’ . . . in response to development pressures” which is disfavored by courts. (DeVita v. County of Napa (1995) 9 Cal.4th 763, 790.) Where a general plan is changed frequently to make room for new development, it does not serve as an effective curb on “haphazard community growth.” (Selby Realty Co. v. City of San Buenaventura (1973) 10 Ca1.3d 110, 120.) The California Legislature intended that General Plans provide stability rather than flexibility for parcel-by-parcel readjustment. Additionally, the Los Angeles City Charter states that amendments for particular geographic areas should only be made “provided that the part or area involved has significant social, economic or physical identity.” (Los Angeles City Charter section 555 (a).) The applicant’s parcel has no such unique identity. Amendments to the City’s General Plan should only be made as part of a larger planning process, not in response to individual requests.

The Community Plan presently designates 884 acres of the 887 acres Project site as A1 Agricultural or A1K Equestrian, each of which would allow the development of property on lots large enough for horsekeeping. (DEIR, p. IV.G-26.) Neither RE-9 or RE-11 as is proposed for 237 acres of the Project development (DEIR, p. IV.G-26) allows lots that are legally large enough for the keeping of horses under Los Angeles Municipal Code section 12.07.01-A-3-b.

The amendment and zone change would contribute to the erosion of the equestrian nature of the community that is highly prized by residents of the area, and would detract from the quality of life of the entire area. Once the plan is amended and zoning is changed in one location, such as the applicant’s property, similar proposals are likely to follow for nearby properties. Therefore, a precedent for development that endangers horsekeeping would be set in contravention of the Community Plan.

Response:

With respect to the concern expressed regarding the impact of the proposed project on horsekeeping and the equestrian nature of the community, see Topical Response 8. To the extent that the commenter contends that it is unlawful for the City to amend the Community Plan land use designation for portions

of the project site, that is incorrect. Section 555(a) of the Los Angeles City Charter relates to City-initiated amendments to elements of the City's General Plan and updates of the 37 community and district plans that collectively comprise the Land Use Element of the General Plan. As set forth in Section 555(b) of the City Charter, only the City Council, City Planning Commission or Director of Planning may propose such amendments to the General Plan. The provisions in Section 555 of the City Charter have been incorporated into Section 11.5.6 of the LAMC. In contrast, Section 11.5.8 of the LAMC sets forth the procedures for the consideration and approval of general plan amendments proposed by individual property owners. Pursuant to Section 11.5.8, the Director of Planning has developed administrative procedures and forms with respect to such general plan amendments, including the Major Plan Review process required in connection with the proposed amendments to the land use designations established in the Sunland-Tujunga Community Plan for portions of the proposed Development Areas.

Comment 143-29:

VII. The DEIR Must be Recirculated Because Significant New Information Must Be Added.

The DEIR must be recirculated after information is added to make it legally adequate. It will not be possible to rely upon the response to comments because the DEIR is so deficient as to render public comment "in effect meaningless." (Laurel Heights I, *supra*, 6 Cal 4th at 1130.) The purpose of an EIR is to provide the public with detailed information about a project before it is approved. (Pub. Resources Code sections 21002.1; 21003.1.) "[W]hen significant new information is added to the EIR after public notice is given of the availability of the DEIR, but before certification, the EIR must be recirculated for public review. . . ." (CEQA Guidelines section 15088.5; Pub. Resources Code section 21092.1.) After the information to address the deficiencies identified here and by other public comments is added, a revised DEIR must be recirculated.

Response:

Regarding the recirculation of the Draft EIR, see Topical Response 3.

Comment 143-30:

The DEIR is seriously inadequate. The analysis of the extent of various significant impacts must be augmented, additional mitigation for the impacts must be developed, and alternatives that avoid the impacts analyzed. These inadequacies must be corrected in order for the EIR to meet CEQA's minimal requirements. Therefore, we urge that a Revised DEIR be prepared and circulated to fully and adequately comply with CEQA's requirements. Even with mitigation, where impacts remain significant and conflict with Community Plan policies intended to minimize grading in hillside areas and preserve scenic views and ridgelines, the Project must be modified to eliminate any inconsistency.

Thank you for consideration of these comments. We sincerely hope that they will be helpful to the City in producing a document which is meaningful to the decision-makers and the public, and that will afford the protection for our environment envisioned by CEQA.

Response:

With respect to the concern expressed regarding the “inadequacies” noted in the comment, see Response 143-7. Regarding the recirculation of the Draft EIR, see Topical Response 3. With respect to the implied concern expressed that the proposed project would not comply with the Sunland-Tujunga Community Plan, see Response 57-10. With respect to the implied concern expressed that a project must be redesigned if it would lead to significant environmental effects after mitigation, see Response 143-4.

Commenter 144: Ivan & Roberta C. Cole, 10040 Wentworth Street, Shadow Hills, CA 91040, December 29, 2003

Comment 144-1:

The Draft Environmental Impact Report is well presented. There are a few areas from our perspective that require clarification, answers to questions and/or additions.

Overview of Environmental Setting

II B. Regional Setting

Need explanation and maps depicting higher elevations of the Verdugo Mountains which have been “preserved as permanent open space through Public acquisition,” specifically in La Tuna Canyon and Sunland-Tujunga area where the Canyon Hills Project is considered.

Response:

As stated on page II-1 in the Draft EIR, the intention of Section II (General Description of Environmental Setting) was to provide a brief overview of the project site’s regional and local setting. The discussion of the environmental setting in a Draft EIR does not need to be exhaustive. Rather, Section 15125(a) of the CEQA Guidelines states:

[The] environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.

As such, maps depicting preserved open space in the higher elevations of the Verdugo Mountains were not included in Section II (General Description of Environmental Setting) of the Draft EIR. Instead, detailed descriptions of the environmental setting as it relates to each of the issues analyzed in the Draft EIR are presented throughout Section IV (Environmental Impact Analysis) of the Draft EIR.

Comment 144-2:

Project Site

Proximity to I 210 is critical. Note that the Freeway noise and air pollution can be intolerable and a health hazard to residents in the proposed project. This Freeway is a designated Truck Route with 27,000 trucks traveling per day with projections of increasing numbers. We live about 1/2 a mile south of the Freeway. The noise is a hindrance to the quality of life. The Project Site will be more directly

impacted. Will this require high concrete sound barrier walls? The natural beauty of the land forms will be further impaired. The air quality needs to be determined. Complete disclosure to future residents is imperative.

Response:

The statement in this comment that there are 27,000 trucks traveling per day on Interstate 210 is incorrect. As set forth in data published by Caltrans, the annual average daily traffic (AADT) is 94,000 vehicles per day for the Interstate 210 segment west of La Tuna Canyon Road and 100,000 vehicles per day for the Interstate 210 segment east of La Tuna Canyon Road. In addition, Caltrans data⁷⁰ indicates that 7.5 percent of these vehicles are trucks (including both medium and heavy trucks). Based on this recent Caltrans data, the average number of trucks would be approximately 7,050 per day for the Interstate 210 segment to the west of La Tuna Canyon Road and 7,500 per day for the Interstate 210 segment to the east of La Tuna Canyon Road.

As discussed in the Draft EIR (see Figure IV.E-2), the project includes several proposed noise barriers. With respect to the aesthetic impact associated with the proposed sound barriers, see Responses 114-2 and 115-4.

With respect to the air pollution associated with Interstate 210, and its potential impact on future project occupants, see Response 149-46.

Comment 144-3:

In reference to comments made regarding projects on the Verdugo Mountains in Burbank and Glendale, the circumstance is different. Development on their hills was acceptable at the time it occurred. Note that the I 2 [sic] Freeway does not allow truck traffic because of it's [sic] severe impact on residential areas. More recently, Glendale recognized the importance to retain the natural beauty of the Verdugo Mountains and has considered working towards a Scenic Preservation Plan like the San Gabriel/Verdugo Mountains Scenic Preservation Plan Los Angeles City Council has approved.

⁷⁰ California Department of Transportation, Caltrans Traffic Volumes, 2000, website: <http://www.dot.ca.gov>, April 28, 2004.

Response:

This comment does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 144-4:

III B. Project Characteristics

“Approximately 693 acres (78%) of Project Site.would be permanently preserved as open space.” How and when will this be legally documented.

Response:

See Response 107-8.

Comment 144-5:

IV I. Fire Department Protection

What is an acceptable Fire Department response time for a high risk fire area? How about the adequate response time for paramedic services?

Response:

With respect to LAFD response time to the project site, see Topical Response 13. With respect to paramedic services, see Response 23-3.

Comment 144-6:

IV J. Libraries

Mitigation Measures

The DEIR states that there is a “less than significant impact.” When the 2,000 census indicates that the Sunland-Tujunga Library requires enlargement, the additional residential population of approximately 831 would put appreciable strain. To plan to divert this population to other libraries (La Crescenta and Sun Valley) contributes to greater stress on families. They will need to travel further and increase the use of their vehicle and energy which impacts on the environment.

Response:

The library impact analysis contained in Section IV.J.4 (Libraries) of the Draft EIR acknowledges that the Sunland-Tujunga Community Plan states that library services in the area are not adequate. However, as also discussed in the Draft EIR, the Los Angeles Public Library has stated that the Sunland-Tujunga Branch Library is currently meeting the needs of the community. Furthermore, the Draft EIR estimates that the approximate equivalent of a 20-foot by 20-foot room would be needed to meet the library needs of the future project residents. This construction would not be expected to result in any significant environmental impacts. Therefore, the proposed project's impacts on libraries would be less than significant.

The comment regarding stress on families expresses an opinion about the proposed project, but does not state a specific concern or question regarding the adequacy of the environmental analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment 144-7:**IV K-1 Energy Conservation - Electricity**

Will Solar Energy conservation be utilized in the Project homes? The thrust is to encourage use of solar energy in new construction to conserve LADWP electricity use. What plans are in place for this direction?

Response:

The proposed project does not include plans to utilize solar energy. However, as stated on page IV.K-3 in the Draft EIR, "The proposed project would comply with Title 24 energy conservation standards for insulation, glazing, lighting, shading, and water and space heating systems in new homes." Furthermore, individual homeowners may choose to install solar panels and use solar energy.

Comment 144-8:**IV O-1 Historic Resources**

Absent in this report is the Sunland-Tujunga Land Mark, the Cross of San Ysidro. Residents and visitors attend an interfaith, nondenominational Easter Sunrise Service sponsored by the Kiwanis Club since 1923 (80 years).

Thank you for considering the issues presented.

Response:

See Response 58-4.

Commenter 145: Michael Cornish, 9319 La Tuna Canyon, Sun Valley, CA
91352, December 29, 2003

Comment 145-1:

I have had the opportunity to review section the DEIR for the above-mentioned project and have some serious concerns with regard to the biological section. The survey has neglected to consider several highly sensitive species and there are numerous errors that indicate that there is a lack of knowledge and/or careless use of existing literature and range maps resulting in some inadequately based and biologically irresponsible conclusions.

Several species and subspecies are confused and are cited as occurring in the Study Area when in fact the area is out of their range such as Gilbert's Skink (*Eumeces gilberti*); Speckled Rattlesnake, (*Crotalus mitchellii*); Red Diamond Rattlesnake (*Crotalus ruber*); Orange-throated Whiptail (*Cnemidophorus hyperythrus beldingi*). Common names are either misspelled or out of date: "Logger-Head Shrike" is correctly indicated as Loggerhead Shrike, Plain Titmouse (*Parus inornatus*) has been changed to Oak Titmouse (*Baeolophus inornatus*). This is troubling as it indicates that the surveys appear to have been conducted in a rushed manner with inexperienced personnel working under constraining time budgets.

Response:

With respect to the concern expressed regarding the adequacy of the biological surveys, see Responses 9-1, 9-3, 9-8, 9-10, 9-16 and Topical Response 4.

Comment 145-2:

The survey reports only one sighting of the Yellow-breasted Chat (*Icteria Virens*) north east of area B (proposed development south of the 210 freeway on La Tuna road) (page IV.D44). Such a single reported sighting is surprising, as I have observed this species to be fairly evenly distributed over both area A and B (proposed development north of the 210 freeway) and in the surrounding area of the Verdugo mountains south of La Tuna Canyon Road.

Response:

The yellow-breasted chat has strict habitat requirements, and is restricted to breeding in areas of dense riparian habitat in southern California (see page IV.D-44 in the Draft EIR). The yellow-breasted chat would only be found in chaparral during the migration season as they move through different habitats. The chaparral and coastal sage scrub on the project site do not represent habitat suitable for breeding according to the habitat requirements described in Kaufman (1996):

Habitat: Brushy tangles, briers, stream thickets. Breeds in very dense scrub (such as willow thickets) and briery tangles, often along streams and at the edge of swamps or ponds.⁷¹

The project site exhibits only minimal potential habitat in Drainage 4 and localized patches of marginally higher quality habitat in La Tuna Canyon Wash. Therefore, focused surveys were conducted in La Tuna Canyon Wash and Drainage 4, where limited areas of suitable habitat were observed. No yellow-breasted chats were detected in either drainage. A single individual was detected, during general wildlife surveys, in Drainage 5, near the southwest corner of the project site, well removed from the proposed Development Areas (see Figure IV.D-2 in the Draft EIR). Given that it was a single individual and it was only observed on a single occasion, it was likely a migrating individual.

Comment 145-3:

Similarly, the yellow warbler (*Dendroica petechia*) is mentioned as having been observed only once (page IV.D44)(not shown on Fig IVD2). However, this species is also fairly uniformly distributed over the Study Area and proposed development area. Both of these avian species are California Department of Fish and Game Species of Special Concern (CDFGSSC) and consequently sightings and distribution need to be researched and reported accurately.

Response:

Like the least Bell's vireo and the yellow-breasted chat, the yellow warbler also breeds in riparian areas in Southern California. Also like the yellow-breasted chat, this species would only be found in chaparral during the migration season as they move through different habitats. The chaparral and coastal sage scrub on the project site does not represent habitat suitable for breeding according to the habitat requirements described in Kaufman (1996):

Habitat: Bushes, swamp edges, streams, gardens. In the west, restricted to streamside thickets.

The project site exhibits limited potential habitat in Drainage 4 and limited habitat in La Tuna Canyon Wash. Therefore, focused surveys were conducted in La Tuna Canyon Wash and Drainage 4, where limited areas of suitable habitat were observed. No yellow warblers were detected. A single individual

⁷¹ Kaufman, Ken, *Lives of North American Birds*, 1996.

was detected during general wildlife surveys in chamise/coastal sage scrub ecotone on the Duke Property (see Figure IV.D-2 in the Draft EIR). Given that it was a single individual and it was only observed on a single occasion, like the yellow-breasted chat, it was likely a migrating individual.

Comment 145-4:

Although Vaux's Swift (*Chaetura vauxi*) which is another CDFGSSC is not endemic to the area, the species is migratory and the observed individuals (page IV.D-44) foraging in mixed flocks with other species use the area as it presents a feeding opportunity along their migratory route. The proposed development would result in habitat alteration upstream along the La Tuna Wash would in turn adversely impact insect populations. In turn, this would either alter or eliminate this feeding zone and possibly compromise these individuals [sic] ability to reach their breeding areas in northern California and further north from there.

Response:

The development of the proposed project would not result in any material impact to La Tuna Canyon Wash. Two span bridges would be constructed across La Tuna Canyon Wash for access to proposed Development Area B, which would impact less than 0.2 acres of riparian habitat. In contrast, the portion of La Tuna Canyon Wash within the project site supports 4.0 acres of riparian habitat, which means that approximately five percent would be affected. No other impacts to La Tuna Canyon Wash would occur. A decrease of riparian habitat by approximately five percent would not result in a measurable decrease in the insect population. In addition, a portion of the insects that comprise the forage base originates in adjacent uplands, reducing the proportion of insects from the riparian area to well below five percent. As such, the function of La Tuna Canyon Wash as a migratory stopover would not be compromised and there would be no significant impact to this migratory species associated with the proposed project.

Comment 145-5:

The Coastal California Gnatcatcher (*Polioptila californica californica*) is a federally listed species, which was not observed by surveyors (page IV.D-45). This is somewhat surprising, as I have observed these occasionally over the entire proposed development area and adjacent areas except for the northern edge of area B. Additionally this species has been documented in the western/central Verdugo Mountains.

Response:

The coastal California gnatcatcher is an obligate or near obligate resident of coastal sage scrub,⁷² a low growing scrub community that exhibits limited distribution on the project site, accounting for a total of approximately 75.4 acres on the project site and only about 2.0 acres in the proposed Development Areas. At some sites in Southern California, investigators have found that gnatcatchers prefer to nest in coastal sage scrub dominated by California sagebrush,⁷³ whereas at other sites, gnatcatchers will use a variety of coastal sage scrub species such as California sage brush, California buckwheat and San Diego sunflower, while less than one percent of nests are located in chaparral species such as chamise (with no nesting records in ceanothus).⁷⁴ Scrub habitats with tall shrubs and/or closed canopies, as are predominant on the project site, appear to be avoided during breeding and nest building,⁷⁵ although areas of adjacent willows or mulefat and, in some cases, chaparral adjacent to high quality coastal sage scrub, will be used during certain hours of the day or during summer and fall for foraging.⁷⁶ The overall lack of high quality coastal sage scrub on the project site and, in particular, in the proposed Development Areas, combined with the presence of dense, closed-canopy chaparral, means that the project site has very low potential for supporting the coastal California gnatcatcher.

Blue-gray gnatcatchers (*Polioptila caerulea*), a closely related taxon, were detected on the project site and regularly nest in chaparral in Southern California. As noted in the methods section on page IV.D-17 in the Draft EIR, each of the surveyors (Mr. Riefner, Mr. Ahrens and Mr. Bomkamp) have been

⁷² Bontrager, D.R., *Habitat Requirements, Home Range and Breeding Biology of the California Gnatcatcher (Polioptila californica) in South Orange County California*. Unpublished Report Prepared for Santa Margarita Company, 1991.

⁷³ Atwood, J., and D.R. Bontrager, *California gnatcatcher (Polioptila californica)*. In: *The Birds of North America*, No. 574, page 32, 2001.

⁷⁴ Greshaver, Mary, Patrick Mock, and Kristine L. Preston, *Breeding Behavior of the California Gnatcatcher in Southwestern San Diego County, California*. In: *Western Birds*, Volume 29, No. 4, pages 299-322, 1998.

⁷⁵ Weaver, Kenneth, *Coastal Sage Scrub Variations of San Diego County and Their Influence on the Distribution of the California Gnatcatcher*. In: *Western Birds*, Volume 29, No. 4, pages 392-405, 1998.

⁷⁶ Campbell, Kurt, Richard Erickson, William Haas, and Michael Patten, *California Gnatcatcher Use of Habitats other than Coastal Sage Scrub: Conservation and Management Implications*. In: *Western Birds*, Volume 29, No. 4, pages 421-433, 1998.

issued Section 10(a)(1)(A) Permits for conducting presence/absence surveys by the USFWS. Section 10(a)(1)(A) Permits for conducting presence/absence surveys for the California gnatcatcher are only issued to individuals who can demonstrate appropriate expertise relative to the California gnatcatcher and have the ability to distinguish between these two closely related taxa. It is likely that the observations of the commenter were of the blue-gray gnatcatcher, which does occupy chaparral and can be very difficult to distinguish from the coastal California gnatcatcher, except by individuals with substantial experience with these species. Other species often misidentified as California gnatcatchers include bewicks wren and bushtits.

Comment 145-6:

The Section also reports that no Least Bell's Vireo (*Vireo belli pusillus*) (page IV.D-45), which is a [sic] both a federal and state listed species, was observed during the surveys. The survey reports that "is not likely to occur in the Study Area as the habitat appears marginal, lacking dense understory thickets needed for nesting by this species". On the contrary, the habitat does present patches of sufficiently dense understory that this species requires.

Response:

The habitat on the project site is marginal with only limited areas with appropriate understory. Nevertheless, a full suite of protocol surveys was conducted and least Bell's vireo was not detected.

Comment 145-7:

On page IV.D-45 the Coopers Hawk (*Accipiter cooperii*), another CDFGSSC is discussed. The report cites observations of Cooper's Hawks during flyovers, but notes that there were "nesting and other breeding activities were not observed during the numerous avian surveys". This statement in itself reveals that the biologists are not familiar with avian behavior in general and especially not experienced with raptor and accipiters biology.

Response:

It is unclear how the statement on page IV.D-45 in the Draft EIR that "nesting or other breeding activities were not observed during the numerous avian surveys" reveals that the biologists who prepared the biological surveys are not familiar with avian behavior in general and especially not experienced with raptor and accipiters biology. In any event, Jeff Ahrens, the principal wildlife biologist for the proposed project, has extensive experience in conducting nesting/breeding surveys for raptors (including Cooper's hawks). Mr. Ahrens gained extensive raptor experience in the Western U.S. and Alaska while working for USFWS conducting spotted owl surveys in Oregon and monitoring peregrine falcons in Alaska, among a variety of biological survey duties. As a biological consultant,

Mr. Ahrens has conducted numerous raptor foraging studies in Southern California and has also successfully implemented a burrowing owl relocation program in Chino, California.

Comment 145-8:

This species is not only present but also breeds in the area. The habitat and prey base in both area A and B and the adjacent “Duke Property” are ideally suited to Cooper’s Hawks. Like the other North American accipiters, Cooper’s Hawks are stealth hunters and extremely opportunistic. The birds spend most of the time perched or “still hunting” which is typical of an ambush predator and as such will not be detected by inexperienced observers. Sometimes their distinctive calls are indicative of their presence to experienced observers. The reported “flyovers” are most often a component of ringing flight, which during the nesting season almost always involve courtship and display, or some other form of breeding and courtship, or territorial display.

This is not a species that breeds within or close to developed areas, and nesting pairs will readily abandon a nest when disturbed. These factors that have undoubtedly contributed to the species decline in numbers of Coopers Hawks and its consequent listing as a CDFGSSC species. The proposed development would have a highly significant negative impact on the prey base, which in turn would lead to nesting failure and an eventual abandonment of the area by these birds. Additionally, development and human activity would attract the attendant corvids (Common Raven (*Corvus corax*) and American Crow (*Corvus brachyrhynchos*)), which compete negatively with resident raptors and ultimately drive them out of the area.

It is troubling that none of these issues has been addressed in the DEIR, where the surveyors observed a few flyovers and declare this sensitive species is simply not present, and therefore would not be impacted by the proposed development. In fact, quite the opposite will be true, the proposed development would adversely affect this species resulting in its eventual disappearance from the area. The DEIR meanwhile simply dismisses the species presence in the area, its biological requirements, and the significant impact of the proposed development in a total of six lines.

Response:

The statement “[t]his is not a species that breeds within or close to developed areas” is incorrect and reflects a misunderstanding by the commenter regarding the current knowledge of the breeding biology of the Cooper’s hawk. For example, Kaufman states the following:

Habitat: Mature forest, open woodlands, wood edges, river groves. Also found in trees along rivers through open country, and increasingly in suburbs and cities where some tall trees exist for nest sites.⁷⁷ [Emphasis added]

Similarly, in referring to a recent study of Cooper's hawks conducted in Arizona, Riley et al. comment:

For some predators such as red foxes (Harris 1981), raccoons (Riley et al. 1998) and Cooper's Hawks (*Accipiter cooperii*; Mannan & Boal, 2000), density increases and home range size decreases in urban areas, presumably because of high-density food supplies and sufficient habitat requirements.⁷⁸ [Emphasis added]

Peter H. Bloom, one of the foremost raptor experts in Southern California, has also confirmed the use of urban areas of Southern California not just for foraging but also for successful breeding, based on a number of observations in Los Angeles and Orange Counties.⁷⁹

Based on these considerations, the conclusion by the commenter that "[t]he proposed development project would have a highly significant negative impact on the prey base, which would in turn lead to nesting failure and an eventual abandonment of the area by these birds," is untrue. As noted in the quotation above from Riley et al. cited in footnote 8, in urban areas, the density of Cooper's hawks tends to increase due to the high number of urban-adapted avian prey species associated with developed areas. The data on this species indicate that there would not be a significant impact on the Cooper's hawk associated with the proposed project.

Similarly, regarding the attraction of crows and ravens (corvids), these species are very common in urban areas throughout Southern California, and while they compete with raptors, the trends in urban-adapted species such as red-tail hawks (increasing nationally since 1960 with numbers stable or still

⁷⁷ Kaufman, Ken, *Lives of North American Birds*, 1996.

⁷⁸ Riley, Seth, R. Sauvajot, T. Fuller, E. York, D. Kamradt, C. Bromley, and R. Wayne, *Effects of Urbanization and Habitat Fragmentation on Bobcats and Coyotes in Southern California*. In: *Conservation Biology*, Volume 17, No. 2, pages 566-576, April 2003.

⁷⁹ Bloom, Peter H., Personal communication to Tony Bomkamp regarding use of residential neighborhoods for successful breeding.

increasing) and red-shouldered hawk (stable),⁸⁰ do not show a measurable impact by corvids on the more tolerant, urban-adapted raptors which now include the Cooper's hawk.

Comment 145-9:

Another CDFGSSC, the Sharp-shinned Hawk (*Accipiter striatus*) is not mentioned in the DEIR. Because of the extreme reversed sexual size dimorphism among accipiters, the larger females of this species are often confused with male Coopers Hawks. Sharp-shinned Hawks occurs in the Study Area in winter because the habitat supports flocks of migrating passerines, which these small accipiters use as a prey base. The proposed development would result in the loss of habitat and consequent absence of these migrating flocks along with the Sharp-shinned Hawks.

Response:

The Sharp-shinned hawk was included in the faunal compendium as a species expected to occur onsite. However, no Sharp-shinned hawks were detected during wildlife surveys. The GLA biologists who conducted the wildlife surveys are very familiar with the size differences between male and female Sharp-shinned hawks, their similarity in plumage and size with the Cooper's hawk, and are also expert at distinguishing between the two species (typical diagnostic characters include the straight edged wings, longer tail and the stiff and choppy wingbeats in the Cooper's hawk).

As noted in this comment, Sharp-shinned hawks are winter residents and do not breed in Southern California. Therefore, the proposed project exhibits no potential for affecting breeding by this species. The loss of foraging habitat associated with construction of the proposed project would not be measurable.

The actual losses during construction amount to approximately two percent of the habitat in the Verdugo Mountain ecosystem. However, with revegetation of areas subject to temporary grading, combined with increases in urban-adapted avifauna in the post-project condition from subsequent revegetation within the proposed Development Areas (see Response 145-8 above), there would be no loss in prey base for the Sharp-shinned hawk, were it to occur onsite.

⁸⁰ Kaufman, Ken, *Lives of North American Birds*, 1996.

Comment 145-10:

Neither has the DEIR made any mention of the Merlin (*Falco columbarius*), which is another CDFGSSC. This small falcon is also winter visitor to the area. The proposed development would have a significant negative effect on wintering individuals of this species.

Response:

Merlins are uncommon winter visitors to Southern California. See Response 145-9 above.

Comment 145-11:

The Red-shouldered Hawk (*Buteo lineatus*) is another year round resident that breeds in the area but was never mentioned during the survey. These small buteos have declined in recent decades due to habitat loss among. [sic] Red-shouldered Hawks are relatively small and are shy and inconspicuous during most of the year except for short periods during the courtship and breeding season where they are highly territorial and vocal. It is also easily mistaken for the larger and more common Red-tailed Hawks (*Buteo jamaicensis*) by inexperienced observers.

Response:

Red-shouldered hawks were detected on the site as noted in the faunal compendium. The statement in this comment that this species suffered decline in previous decades is correct. However, what is not mentioned in this comment is that, in recent years, this species has shown an upward trend in the western United States in both the Christmas Bird Count and in the Breeding Bird Survey.⁸¹ In any event, the red-shouldered hawk has no special status. Nonetheless, as set forth in Mitigation Measures D.1-5 and D.1-6 (a) and (b) (measures that apply to any raptors on the project site), no impacts to this species would be allowed and any nests detected in the proposed Development Areas would be protected through the nesting period. The proposed project exhibits no potential to significantly impact this species.

Comment 145-12:

No mention was made in the DEIR of the Golden Eagle (*Aquila chrysaetos*) which is another CDFGSSC and a California Fully Protected species. These birds are occasionally observed along the

⁸¹ Stokes, Donald and Lillian Stokes, *Stokes Field Guide to Birds: Western Region*, page 519, 1996.

higher ridgelines and especially perched on the Southern California Edison transmission line that approximately bisects the proposed development area A. As it sometimes difficult to differentiate between these raptors and Red-tailed Hawks, especially when viewed from a distance or from below, these eagles are often misidentified as buteos.

Response:

GLA biologists did not observe golden eagles onsite, including “flyovers”. Furthermore, this species was not included in the faunal compendium as potentially occurring on the project site as the project site does not include suitable nesting sites (usually cliffs or less frequently in large trees) or foraging areas. With respect to foraging areas, the project site is clearly not suitable habitat as described by Kaufman: “Habitat: open mountains, foothills, plains, open country. Requires open terrain.” The dense chaparral and locally dense areas of oaks are not suitable for this species, which is adapted to foraging in tundra, prairie, grasslands or scrublands with large open areas. There is no potential for the project to affect the golden eagle.

Comment 145-13:

The San Diego Coast Horned Lizard (*Phrynosoma coronatum blainvilli*) another CDFGSSC is [sic] occurs in areas of loose soil and sand within the Study Area. Horned lizards are only seasonally active and a survey conducted during periods of inactivity would therefore not reveal the presence of individuals. The absence of scat (page IV.D-46) is not a reliable indicator of the species presence as scat is often consumed by other animals and easy destroyed/fragmented by wind, rain, soil movement and photo-degradation among other factors.

Response:

As noted on page IV.D-46 in the Draft EIR, although the San Diego coast horned lizard was not observed, it is expected to occur on the project site. Furthermore, as discussed on page IV.D-60 in the Draft EIR, 652 acres of the project site would be preserved as open space, most of which consists of high quality habitat for this species. Therefore, the proposed project would not significantly impact this species.

Comment 145-14:

On the same page the report claims that another CDFGSSC, the Silvery Legless Lizard (*Aniella pulchra*) is expected to “occur in low numbers”. “Low numbers” is an arbitrary term and as such is meaningless. If the purpose of the report is to insinuate that the numbers of these lizards in the proposed development area is insignificant, it is not true. In fact this species does occur all over the Study Area and proposed development area. As this is a fossorial species, a representative survey

would have involved some light digging. The habitat in the area is ideal and grading and terrain alteration would serve to destroy many individuals and eliminate these animals from the developed areas.

Response:

Focused surveys for the Silvery Legless Lizard were conducted, which included careful sifting through oak duff in the limited areas of suitable habitat within the proposed Development Areas. No Silvery Legless Lizards were detected. However, as noted on page IV.D-59 in the Draft EIR, they are expected to occur in the proposed Development Areas as well as in open space portions of the project site. Substantial areas of suitable oak habitat would be preserved (approximately 13.5 of the 14.3 acres on the project site) as summarized in Table IV.D-6 in the Draft EIR. As stated in the Draft EIR, no significant impacts to this species would occur from the proposed project.

Comment 145-15:

The proposed development would significantly impact the plants and trees that are found in the area. The loss of the 232 Oaks and 27 sycamores naturally occurring can not be mitigated by post development landscaping and instead will adversely affect the habitat and devastate all the dependant autotrophic animal species. It is neither realistic, nor is it biologically accurate to indicate that replacement planting in manicured artificial clusters along “entryways”, [sic] road right-of-ways”, “parks and common areas”, [sic] detention basins”, “flood control”, “fuel modification areas”, “private lots” and “equestrian trails” will somehow replace the mature trees and their associated understory that has been destroyed. This kind of change will be permanent and irreversible, and the entire ecosystem of the area will be severely damaged. To suggest that that [sic] planted trees will provide “seed production” and “compensate fully for the loss of mature trees” is irresponsible as oak seedlings will not generate under artificially planted and disturbed sites.

Response:

See Topical Response 2.

Comment 145-16:

Large mammal surveys were done using literature, track stations and tick presence. These are all indirect means and are only a component of a through [sic] survey and can be accomplished by laypersons. Very little effort was made to spend time in the field in an attempt to observe wildlife activity. No nocturnal predator surveys using night vision equipment was conducted neither were radio telemetric studies done to accurately determine wildlife movement. Consequently the conclusions that

most of the large mammals exist in low, very low, and not present categories on the study site are inaccurate and biologically irresponsible.

Response:

This comment substantially understates the scope of the wildlife movement study by describing the effort as: “. . . using literature, track stations, and tick presence.” The methods actually employed are detailed in over five pages in the Draft EIR (see pages IV.D-134 through IV.D-138). Furthermore, the characterization of time spent in the field as: “[v]ery little effort was made to spend time in the field in an attempt to observe wildlife activity” is also an untrue statement. As summarized in the Survey Activity Table in Topical Response 4, the wildlife movement study included approximately 95 hours of directed field work led by Jeff Ahrens, a highly experienced wildlife biologist, (not a “layperson”). In addition to the hours spent during the focused surveys, observations of wildlife movement paths and wildlife observation or observations of wildlife sign/activity were noted during other survey efforts (see page IV.D-134 in the Draft EIR). A complete list of surveys conducted is provided in Topical Response 4.

With respect to the concern expressed regarding the use of radio telemetry studies, see Response 4-12.

In order to conduct studies using night vision equipment, it is still necessary to conduct reconnaissance visits in order to determine the most likely corridors or movement paths (such as culverted under-crossings of roads) where such equipment would actually record wildlife movement. Based upon field reconnaissance, track stations were placed by GLA at the same locations where infrared cameras could have been placed and served the same function. As noted in Table IV.D-17 in the Draft EIR, 19 of the 21 track stations showed use by coyotes and a variety of other species such as gray fox, raccoon, mule deer and spotted skunk. The placement of infrared cameras at these locations would have provided photographs rather than the detected footprints, but would not have changed the results of the surveys.

The assertion that large mammal occupation is characterized in the Draft EIR as “low,” “very low” and “not present” is not an accurate characterization of the discussion in the Draft EIR. This mischaracterization can be demonstrated by comparing the analysis in the Draft EIR with their average home range sizes as documented in the scientific literature.

Table FEIR-7 in Topical Response 5 lists the average home ranges for male and female coyotes. Based on the average home ranges for coyotes, the project site would support one male and up to two females. In contrast, the Draft EIR states on page IV.D-141 that the project site supports approximately five coyotes at any given time (this judgment was based on documented home range sizes combined with onsite observations).

Table FEIR-7 in Topical Response 5 also lists the average home ranges for male and female bobcats. Based on the average home ranges for bobcats, the project site would support one male and two females. This is consistent with the discussion in the Draft EIR, which states on page IV.D-157 that the project site supports a “limited number” and “up to a few” bobcats (this judgment was based on documented home range sizes combined with reports by residents).

Based on the average home range for American badgers, which is 490 acres for both males and females, the 887-acre project site would support one to two males and a similar number of females. This is also consistent with the Draft EIR, which states on page IV.D-152 that the project site is expected to support “low numbers” (this judgment was based on documented home range sizes combined with other factors such as limited food sources, as described on page IV.D-152 in the Draft EIR).

Comment 145-17:

The survey reports that the Gray Fox (*Urocyon cinereoargenteus*) is “not as common either on the project site or within the Study Area as coyotes” (page IV.D-141). This again is an irresponsible conclusion - one that is based on the biologist’s failure to observe and document foxes present in the Study Area and the project site. Evidence for the insinuated low numbers of foxes is based simply on the lack of scat.

Response:

The commenter has taken the quoted language out of context. The paragraph in which the quoted language occurs first states that GLA biologists identified “moderate use of the project site by gray fox.” The subsequent statement quoted in the comment simply reflects that, based on the amount of scat observed, the gray fox is not as common on the project site as coyotes. Other portions of the wildlife movement analysis in the Draft EIR (see pages IV.D-150 and IV.D-151 and Figure IV.D-21), provide further discussion of the presence of gray foxes throughout the project site. The gray fox is not a special-status species and is highly adapted to the urban edge, and is described by Crooks as an edge-enhanced species.⁸² The development of the proposed project would not significantly impact this species.

⁸² Crooks, Kevin, Relative Sensitivities of Mammalian Carnivores to Habitat Fragmentation. In: Conservation Biology, Volume 16, No. 2, pages 488-502, April 2002.

Comment 145-18:

Bobcats (*Lynx rufus*) populations in the area are also dispensed with through second-hand and subjective methodology. Although the surveyors remark that “bobcats are likely present in the area” (page IV.D-141), they conclude that “bobcats are present.... in very low numbers”. A number of observation periods spent in the field, especially by observers that are experienced and can interpret secondary real-time signs of bobcat presence such as alarm calls of other avifauna will undoubtedly observe more than a “low number” of bobcats.

Response:

See Response 145-16.

Comment 145-19:

The Mountain Lion (*Felis concolor*) are also present occasionally in the Verdugo Mountains and surrounding area. There are a substantial number of Mule Deer (*Odocoileus hemionus*) and other smaller species to form a substantive prey base to support a few individuals. The DEIR argues that this species does not occur in this area as it is unable to negotiate the “Missing Link” or wildlife corridor between the Tujunga Wash and the Verdugo Mountains /Study Area/ development area, while at the same time conceding that the corridor is used by coyotes and foxes. This is another disturbing aspect of the DEIR as it indicates that personnel performing the survey are not familiar with Mountain Lion behavior. These animals are extremely dexterous and move much more rapidly than foxes and coyotes and any corridor capable of supporting coyote and fox movement will also support mountain lion movement. Residents have reported sightings in the area and although not common this species is present and has a definitive place in the local ecosystem.

Response:

This comment states that, with respect to mountain lions, there is “a substantive prey base to support a few individuals.” As noted in Response 90-2, the entire Verdugo Mountains cover approximately 18 square miles, which is approximately one-tenth of the home range of the average male mountain lion (which is 187 square miles, as noted on page IV.D-138 in the Draft EIR). It is unclear whether the commenter is suggesting that the Verdugo Mountains would support a “few” resident mountain lions or simply constitutes a portion of the territory for a single male mountain lion that overlaps with the range of a single female lion (both remain solitary except when females are caring for young). Based on all available literature, it is apparent that, at best, the Verdugo Mountains provide portions of home ranges for one or potentially two mountain lions.

In any event, to the extent that mountain lions are currently able to negotiate the series of man-made obstacles in the Missing Link area and reach the main body of the Verdugo Mountains on the south side of La Tuna Canyon Road, the development of the proposed project would have no impact on the Missing Link area or other portions of the regional wildlife movement corridor identified in the Draft EIR that would allow large animals to do so.

Comment 145-20:

Similarly the American Badger (*Taxidea taxus*) is also reported as being “uncommon” in the area. Besides relying on the same indirect evidence as used to report other large mammal occurrence in the area, the survey reports that suitable habitat especially soil does not occur in the area (page IV.D-141). This is incorrect. Habitat requirements for these animals is entirely adequate and there are many areas where the soil has been disturbed by water flow that results in loose of mildly compacted soils that the animals need.

Response:

With respect to the concern expressed regarding large mammal occurrence, see Response 145-16.

The commenter is correct that suitable soils for American badgers, occur onsite, but that the areas with suitable soils are limited. The commenter states that suitable soils may be present in drainages where soil has been disturbed by flowing water. On page IV.D-152 in the Draft EIR, it is noted that such areas were searched during the wildlife movement surveys (which included walking the length of Drainage 4, La Tuna Canyon Wash, Drainage 14, Drainage 5 and tributaries to these drainages), jurisdictional delineation (which also involved walking the length of the drainages, including Drainage 4 and La Tuna Canyon Wash) and tree surveys (which also required walking portions of the drainages where oak trees were located).

Comment 145-21:

The project site, Study Area and the Verdugo Mountains in general form an island that is surrounded by development. However, given the present size of this island, the area supports a relatively large number of animals and plants. The present biodiversity is maintained because of the size of the area and its proximity to the Verdugo Mountains and the San Gabriel Mountains. A reduction in the open space by the proposed development would permanently impact not only the developed area, but all of the surrounding open space as well. Not only will all of the avifauna in the developed area be destroyed, but also the presence of the development and associated human activity will alter the ecosystem of the surrounding area.

Response:

See Topical Response 5.

Comment 145-22:

An artifact of the development will be the introduction of nuisance species of birds such as House Sparrows (*Passer domesticus*), corvids and the European Starling (*Sturnus vulgaris*) and mammals such as Roof Rats (*Rattus rattus*) and House Mouse (*Mus musculus*). Domestic and potentially feral dogs and cats, which will arrive along with human inhabitants, will have a devastating effect on endemic wildlife. These human-associated species compete and drive out their more fragile resident competitors, which will have a ripple effect on the ecosystem of the entire area.

Response:

Adjacent to the eastern boundary of proposed Development Area A and the eastern and northern boundaries of the Duke Property are existing residential areas that include the introduced nuisance species noted in this comment, plus dogs and cats that are pets of the occupants. During the biological surveys, GLA biologists regularly observed dogs and cats along the urban/wildland edge. As such, the existing condition on the portion of the project site adjacent to Development Area A includes potential impacts to native fauna due to the presence of non-native urban adapted nuisance species, plus domestic cats and dogs. With the development of the proposed project, the urban/wildland edge, adjacent to Development Area A, would be shifted such that the newly developed areas would be the location of the urban/wildland edge and the current edge would become part of the “internal” portions of the developed areas. Non-native nuisance species and domestic pets that roam the current edge would be “buffered” by the new development and their impacts on native fauna would be reduced or eliminated. The “shift” in the urban/wildland interface would not result in changed conditions, just a shift in the area that would be potentially affected. There would be no significant impact associated with the shift in the urban/wildland interface. In addition, as discussed in Response 63-6, the project applicant has proposed a new mitigation measure that would require a homeowner education program regarding the potential impacts on wildlife by domestic animals and inform the future project residents regarding the potential affects on domestic animals left outside that can be taken by coyotes and killed. With implementation of the homeowner education program, it is expected that there would be a net decrease in impacts to wildlife along the urban/wildland interface from domestic animals over the existing conditions.

This comment also states that “[t]hese human-associated species compete and drive out their more fragile resident competitors, which will have a ripple effect on the ecosystem of the entire area.” In addition to the presence of these species as the existing condition, it is important to make several other points. First, both proposed Development Area A and the Duke Property exhibit no such measurable

effects from the existing condition. Avifauna use in these areas is high and diversity of bird species is typical and consistent with other, more remote portions of the project site. As such, neither Development Area A, which has existing adjacent development, nor Development Area B, which does not have existing adjacent development, would be subject to significant impacts (i.e., a “ripple effect”) that would have any measurable effect on native avifauna. This conclusion is further supported by the second point, set forth below.

Second, many of the resident avifauna typically associated with scrub, riparian or woodland habitats also adapt well to urban occupation. For example, species such as song sparrows, yellow-rumped warblers, bullocks orioles, western bluebirds, western kingbird, American robin, black phoebes, wrentits, bushtits, and house wrens will breed in ornamental vegetation or gardens in parks and suburban settings.⁸³ Other species, such as common yellow-throats, spotted towhees, bewick’s wrens, lesser goldfinch, ash-throated flycatchers, just to cite a few examples, will forage in residential areas that are either adjacent to areas of occupied native habitat or during periods of migration or dispersal.⁸⁴ The presence of human habitation does not pose a risk to the vast majority of bird species that occupy the project site. Very few of the bird species identified from the site are “edge sensitive”. One such species, the California thrasher, while requiring large blocks of habitat away from urban edges, is not a special status species, and there would be sufficient habitat (693 acres of open space) for this species and other more edge sensitive species following development. There would be no significant impact to native avifauna associated with the proposed project with respect to either Development Area A or Development Area B.

Third, as noted in Response 145-8, Cooper’s hawks are well-adapted to the urban setting. The presence of many of the nuisance bird species, such as house sparrows and starlings, associated with development, would provide an increased prey base for the Cooper’s hawk, providing for enhancement of the overall habitat values in the area for this special-status species.

Fourth, edge-enhanced species, such as the gray fox, would benefit from the presence of increased prey such as roof rats, house mice and other nuisance species that are associated with development. Species such as the gray fox, coyotes and, to a lesser extent, bobcats and American badgers would also serve as a control for many of these nuisance species.

⁸³ Kaufman, Ken, *Lives of North American Birds*, 1996.

⁸⁴ Bomkamp, Tony, Personal observations of avian species in backyard of personal residence located in heavily urbanized portion of Placentia, northern Orange County, California. Observations span 2002 to early 2004.

Comment 145-23:

Additionally, the development in area B will severely limit and eventually choke off wildlife movement from the San Gabriel Mountains via the only existing corridor (Missing Link in DEIR) from the Tujunga wash to the Verdugo Mountains and surrounding area. Besides not allowing replacement of individuals in the Verdugo Mountains, isolation would eventually result in a decline and loss of both species and individuals due to a reduction in specific gene pools. A good example of such a model can be seen in the case of the Mountain Yellow-legged frog (*Rana muscosa*). This species was unable to utilize the increasingly constricted corridors and rotation imposed by development in recent decades and now occurs in the San Gabriel Mountains only, even though the habitat in the Verdugo Mountains is suitable. As a result of its continued isolation due to habitat loss through development, satellite population [sic] of this species have disappeared resulting in a very small core population which was listed as Federally Endangered in 2002.

Response:

With respect to the concern expressed regarding the impact of construction in Development Area B on regional wildlife movement, see Responses 4-4, 4-5 and 4-13.

In addition, the comment does not address a specific group of organisms, but instead makes a broad generalization that “[b]esides not allowing replacement of individuals in the Verdugo Mountains, isolation would eventually result in decline and loss of both species and individuals due to a reduction in specific gene pools.” This is followed by the use of the Mountain yellow-legged frog as an example/model of a species that has been adversely affected by loss of movement corridors, with the implication that because suitable habitat for this species occurs in the Verdugo Mountains, the proposed project precludes its re-colonization of the Verdugo Mountains.

First, as set forth on pages IV.D-153 through IV.D-160 in the Draft EIR, access to the project site by large mammals through the “Missing Link” would not be affected by the proposed project. Furthermore, use of the project site by these mammals, based on home range requirements, would not be significantly affected, as there would be sufficient area to support them (see, e.g., Topical Response 5 relative to the coyote and bobcat). Avifauna, reptiles and amphibians, and small mammals were also addressed on page IV.D-128 in the Draft EIR as follows:

Most resident and all migratory avifauna that currently use the project site can easily disperse to other portions of the Verdugo Mountains, as well as across surrounding developed areas to other areas of open space such as the San Gabriel Mountains or the Santa Monica Mountains. Resident avifauna with lesser dispersal abilities can disperse easily across Interstate 210 (“I-210”) and La Tuna Canyon Road to the main body of

the Verdugo Mountains. For these reasons, resident and migratory avifauna are not addressed in this study.

Dispersal to and from the project site by small mammals and reptiles has already been cut off by construction of the I-210 and surrounding development, and the proposed project will not change the existing conditions relative to dispersal/movement of such species. Therefore, the impact of the proposed project on small mammals and reptiles will not be addressed further in this study.

Therefore, the Draft EIR clearly demonstrated that the proposed project exhibits no potential for limiting or eliminating movement to and from the Verdugo Mountains by reptiles, amphibians and small mammals as this is the existing condition caused by previous development.

With regard to the Mountain yellow-legged frog, the loss of sufficient connectivity to allow movement between the Verdugo Mountains and the San Gabriel Mountains occurred decades ago and should in no way be associated with the proposed project. Furthermore, enhancement of the "Missing Link" area as proposed by the Santa Monica Mountains Conservancy (see Comment 4-11) would not allow for dispersal by the Mountain yellow-legged frog to the Verdugo Mountains because any such dispersal event would still require travel for approximately two miles through numerous man-made obstacles, including segments of major arterials and/or residential streets, that extend for several hundreds of feet at a time (see description of the Missing Link area on pages IV.D-142 through IV.D-145 in the Draft EIR). The proposed project would not affect the Mountain yellow-legged frog.

Comment 145-24:

The entire Biological section of the DEIR has been inadequately prepared and contains some serious overall flaws. The mitigation requirements suggested are hopelessly inadequate at best. I am hopeful that the department of City Planning will require a more complete and accurate biological impact report be completed before any consideration is given to allow development in this biologically fragile area.

I appreciate the opportunity to comment. Please do not hesitate to call me at (310) 794-5608 or (818) 768-6241 should you have any questions or require more information.

Response:

The biological studies included an extensive literature review and pre-survey site visits with biologists from USFWS and the CDFG to review survey requirements and survey protocols. The pre-survey site visits were followed by over 700 hours of in-the-field surveys by a staff of highly qualified wildlife biologists and botanists.

The commenter contends that the proposed mitigation measures are inadequate, but does not explain why. In any event, the proposed mitigation measures with respect to the loss of riparian habitat are consistent with mitigation requirements for other projects with similar impacts. Impacts to Corps and CDFG jurisdiction would be compensated at 2.4:1 and 2.0:1 (respectively), ensuring no net loss of habitat area or function (Mitigation Measures D.1-1 and D.1-2 on pages IV.D-63 and IV.D-64 in the Draft EIR). Impacts to non-jurisdictional riparian habitats would be mitigated “in-kind” at a ratio of 1:1 to ensure no net loss.

The mitigation for native trees substantially exceeds City requirements, as discussed in Topical Response 2.

Commenter 146: Steve Crouch, Canyon Area Preservation, P.O. Box 633,
Tujunga, CA 91043, December 29, 2003

Comment 146-1:

This is a supplemental letter commenting on the above referenced DEIR for the Canyon Hills project from Canyon Area Preservation (CAP). CAP has previously submitted a separate letter commenting on Land Use issues. This letter will cover the following points:

- I. Discretionary approval for speculative land deals.
- II. Alternative C in the DEIR and the Scenic Plan.
- III. Other road improvements requested by the Highway Patrol.

The Canyon Hills DEIR was released in October 2003 with a comment period extending until December 31, 2003. This is an unfortunate timeframe considering the traditional holiday periods of Thanksgiving and Christmas/Hannukah [sic] fall during this period. Many people who would otherwise have been able to do the necessary research and make meaningful comments may not have had the time to make submissions, so I hope the Planning Department can extend a courtesy and accept letters past the deadline. CAP would like to submit additional comment letters, but there hasn't been adequate time available to do all that we wanted.

Response:

The Draft EIR was circulated for review and comment by the public and other interested parties, agencies and organizations for 90 days, which is 45 days longer than the public comment period required under CEQA.

With respect to the concern expressed regarding other issues summarized in this comment, see Responses 146-2 through 146-10, below.

Comment 146-2:

- I. Discretionary approval for speculative land deals.

This Canyon Hills DEIR presents a difficult problem for the City Planning Department and the citizens that are affected by this proposed development. The primary difficulty is that the project is seeking discretionary approvals for amendments to the General Plan and the Community Plan, zone changes, and other laws and ordinances based on a proposal that is no more than a speculative land deal. The developer/speculator is making guesses about the future marketplace, and the City is being asked to