

# Chapter 1 INTRODUCTION

This Environmental Impact Report (EIR) assesses the potentially significant environmental effects of the proposed Brasada Residential Project (project), including various amendments to the City of San Dimas General Plan and Specific Plan No. 25. As required by the California Environmental Quality Act (CEQA) (California Public Resource Code § 21000 et seq.) and CEQA Guidelines (Section 15000, et seq.), this EIR:

- Assesses the potentially significant direct and indirect physical environmental effects of the proposed project as well as the potentially significant cumulative environmental impacts that could occur from implementation of the proposed project;
- Identifies potential feasible means of avoiding or substantially lessening significant adverse impacts; and
- Evaluates a range of reasonable alternatives to the proposed project, including the required No Project Alternative.

## 1.1 Project Overview

The approximately 273-acre proposed project site is located in the foothills of the San Gabriel Mountains in the northern portion of the City of San Dimas. The proposed project is located in an area of the City commonly referred to as the Northern Foothills. Generally, the project site lies north of Foothills Boulevard, and is primarily bounded by the corporate boundary of the City of Glendora to the west; in addition, a portion of the project site's western boundary is adjacent to a single family residential lot. Properties to the immediate north and east of the project site contain a mix of private and public lands, and are largely undeveloped. Further east from the project site, residential and recreational uses (including parks and a golf course) occur. The southern portion of the project site is bounded by single-family residential development. The project site is essentially undeveloped and is located in hilly terrain that is cut by several canyons and drainages. The regional location of the proposed project is shown in Figure 1-1.

The proposed project would subdivide approximately 273-acres into the following: 61 single-family residential lots; seven common area lots, including private roadways; one approximately 83-acre parcel that is anticipated to remain in open space and/or habitat conservation land and offered for dedication to the city or a conservancy; related infrastructure, including entry gates, utilities, water quality control basins and a water storage facility. Additionally, the project site includes an easement over approximately 2.83 acres of property to the south of the proposed tentative tract map and for the

purpose of access, drainage, grading, utilities, landscaping and maintenance. The proposed project also includes a 0.18-acre fire turn around on County land east of the project site. Other than the 0.18-acre turn around, the proposed project does not propose modifying any offsite existing motorways. The project includes amendments to the existing San Dimas General Plan and Specific Plan No. 25. These amendments may also affect other properties within the Northern Foothills although no project other than the proposed project located on the project site and described in Chapter 3 is being considered for approval by the City. General Plan Amendment 08-02 and Specific Plan Amendment 08-04 would implement the project under the 2004 Settlement Agreement reached between the project applicant and the City of San Dimas, and accommodate other changes resulting from the proposed project's design. The Settlement Agreement is described below in Section 1.2.2, 2004 Settlement Agreement and Release.

## 1.2 Project Background

### 1.2.1 General Plan Amendment 99-1 and Specific Plan No. 25

In 1999, the City of San Dimas approved General Plan Amendment 99-1 (now incorporated into the City's current General Plan) and Specific Plan No. 25 (now codified in the City's Municipal Code in Chapter 18.542) for a 972-acre portion of the City known as the Northern Foothills, including the proposed project site. At that time, the City of San Dimas also certified the Northern Foothills Implementation Project Program Environmental Impact Report (NF-PEIR) (SCH No. 98121072). The 972-acre Northern Foothills area is generally located north of Foothill Boulevard between the City boundaries of Glendora to the west and La Verne to the east. It is bounded on the north by the Angeles National Forest.

General Plan Amendment 99-1 and Specific Plan No. 25 were prepared during a development moratorium in the City that existed between May 19, 1997 and July 22, 1999. The development moratorium began as a result of the City Council approving Ordinance No. 1080: *An Ordinance of the City Council of the City of San Dimas Establishing a Moratorium on the Issuance of Building or Other Discretionary Permits and the Receipt and Processing of Applications Seeking Development Approval for Properties Identified in the City's Northern Foothills*. Ordinance 1080 proposed that a 45-day moratorium be imposed on development in the Northern Foothills, until potential revisions to existing city regulations could be reviewed and considered for revision. The original 45-day moratorium was extended until July 22, 1999 by the City Council through approval of Ordinance No. 1082 and Ordinance No. 1083. The purpose of General Plan Amendment 99-1 and Specific Plan No. 25 was expressed as the following in the NF-PEIR:

"1) Preserve sensitive resources in place, 2) Adapt future hillside development to the natural hillside topography, and 3) Maximize view opportunities to as well as from development. The overall project objective is to fit future projects into their hillside setting rather than altering the hillside to fit the projects. While individual property rights within the northern foothills must be acknowledged and recognized, the priority between development and natural resource values should be given to protecting the resource." (NF-PEIR p. 3-5.)

General Plan Amendment 99-1 and Specific Plan No. 25 revised underlying land use designations and densities. As analyzed in the NF-PEIR, General Plan Amendment 99-1 and Specific Plan No. 25 could (depending on a number of design factors) lead to ultimate development of a range between 47 and 120 residential lots in the Northern Foothills area, with lot sizes ranging between five and 80 acres. However, the development criteria identified in these planning documents, could restrict development in certain areas, which would have the potential to reduce the ultimate lot count. The minimum density of the Northern Foothills area was expressed as at least one home on each of the 47 undeveloped assessor's parcels, assuming those were legal parcels. The maximum density for analyzing environmental impacts examined in the certified NF-PEIR was 120 units.

General Plan Amendment 99-1 and Specific Plan No. 25 identified "Development Feasibility Zones," in the Northern Foothills in the text of General Plan Amendment 99-1 and Specific Plan No. 25 and depicted these areas on Exhibit II-5.2 of the General Plan and Exhibit B of Specific Plan No. 25 (page Z-565). The Development Feasibility Zones consist of areas which studies prepared by the City of San Dimas indicate development may be supported, due to more favorable topography and proximity to infrastructure. However, permissible lot sizes in these areas were identified as a range between five and 40 acres, although lot sizes could be reduced to one acre in a clustered land division. General Plan Amendment 99-1 and Specific Plan No. 25 also established a broadly defined "rural" planning policy. This policy emphasized the need for equestrian lots and trails, limited residential development to single story structures and limited grading and infrastructure.

In 1999, the City of San Dimas adopted General Plan Amendment 99-1 and Specific Plan No. 25 and certified the NF-PEIR. Shortly thereafter, the project applicant filed a legal challenge in Los Angeles County Superior Court (Case No. BC 213996, filed July 23, 1999) against the City's approval of General Plan Amendment 99-1 and Specific Plan No. 25. On March 4, 2002, the trial court dismissed the case, holding that the project applicant must first re-present an actual application to the City of San Dimas for a decision under General Plan Amendment 99-1 and Specific Plan No. 25 before seeking further judicial relief. The project applicant appealed that decision and later filed an appeal with the California Supreme Court.

## 1.2.2 2004 Settlement Agreement and Release

Faced with the prospects of ongoing litigation, the project applicant and the City of San Dimas entered into a Settlement Agreement and Release (Settlement Agreement) in 2004, available for reference at the City of San Dimas Temporary City Hall, 186 Village Court, San Dimas, CA 91773. The Settlement Agreement authorized dismissal of the project applicant's claims and litigation in exchange for requiring the City of San Dimas, while retaining its final discretionary and legislative authority, to consider approval or denial of a project submitted by the project applicant.

The Settlement Agreement established a framework and a set of standards for this process. Some of these standards and framework consist of: 1) promoting open space and the natural setting for residentially zoned property by offering the project applicant's property to various conservancies; 2) providing the project applicant with a concurrent right or the City of San Dimas with an obligation to process amendments to General Plan Amendment 99-1 and Specific Plan No. 25; 3) providing for cooperative CEQA and entitlement processing; and 4) increasing the range of dwelling unit densities on the project applicant's property from a maximum of 20 lots up to a maximum of 38 lots (based upon the

applicant's then-held property), subject to further increase in the event that the applicant obtained rights to other adjacent property or if transferred development rights were permitted. The Settlement Agreement addressed access, inclusion of dwelling units consolidated from adjoining properties acquired by the project applicant, or transfers of development rights purchased from other property owners in the Northern Foothills. The Settlement Agreement incorporated an exhibit entitled "San Dimas Lotting Concept Plan," as well as cross-sections, showing approximately 38 to 45 (the increase of 7 lots was associated with consideration of a density transfer program not now contemplated) large private lots on approximately 202 acres of the project applicant's property in various hillside and ridgeline locations. No public open space or other public amenity was identified on the concept plan.

## 1.3 Purpose and Use of the EIR

The City of San Dimas has prepared this EIR for the following purposes:

- To satisfy the requirements of CEQA, pursuant to Public Resource Code (PRC) Section 21080;
- To inform the general public; the local community; responsible, trustee, and federal public agencies; and others of the nature of the proposed project, its potential significant environmental effects, potentially feasible measures to mitigate those impacts, and reasonable potentially feasible alternatives to the proposed project;
- To enable the City of San Dimas Planning Commission and City Council to consider the environmental consequences of approving the proposed project; and
- For consideration by responsible agencies in issuing permits and approvals for the development that would occur from the implementation of the proposed project.

As described in CEQA and the CEQA Guidelines, public agencies are charged with the duty to avoid or substantially lessen significant environmental effects, with consideration of other conditions, including economic, social, technological, legal, and other benefits. This EIR is an informational document, the purpose of which is to identify the potentially significant effects of the proposed project on the environment and to indicate the manner in which those significant effects can be avoided or significantly lessened; to identify any significant and unavoidable adverse impacts that cannot be mitigated to a less than significant level; and to identify reasonable and feasible alternatives to the proposed project that would avoid or substantially lessen any significant adverse environmental effects associated with the proposed project.

The proposed project would require the approval of a number of discretionary actions. According to Sections 15050 and 15367 of the CEQA Guidelines, the City of San Dimas is designated as the "Lead Agency" for the proposed project. The lead agency is required to consider the information in the EIR, along with any other relevant information, in making its decisions on the proposed project. Although the EIR does not determine the ultimate decision that will be made regarding implementation of the proposed project, CEQA requires the City of San Dimas to consider the information in the EIR prior to project approval and make findings regarding each significant effect identified in the EIR.

The EIR is circulated to responsible agencies and trustee agencies with resources affected by the proposed project, state agencies with jurisdiction by law, federal agencies, and interested parties and individuals. Responsible agencies are those agencies that have discretionary approval authority over

one or more actions involved with the development of a proposed project. Trustee agencies are state agencies having jurisdiction by law over natural resources affected by a proposed project that are held in trust for the people of California. The purpose of public and agency review of the EIR includes sharing expertise, disclosing agency analysis, checking for accuracy, detecting omissions, discovering public concerns, and soliciting comments. In reviewing the EIR, reviewers should focus on the sufficiency of the document in identifying and analyzing potentially significant physical effects on the environment and avoiding or mitigating the significant effects of the proposed project.

This EIR will be used by the City of San Dimas to evaluate the environmental implications of adopting the proposed project. Once certified this EIR will be relied upon by responsible and trustee agencies with permitting or approval authority over the proposed project.

## 1.4 Agency Approvals

The following list indicates the various discretionary actions and agency approvals that may be required to implement the proposed project and the agencies that would grant discretionary approval for these actions, if required.

- City of San Dimas: General Plan Amendment 08-02 approval, including numerous amendments to the General Plan to implement the Settlement Agreement and to accommodate the proposed project design, including increasing the maximum allowable density; revising recommended environmental thresholds and appropriate levels of development; and revising other relevant objectives and policies as identified in Chapter 3, Project Description, and Section 4.9, Land Use.
- City of San Dimas: Specific Plan Amendment 08-04 approval, including numerous amendments to Specific Plan No. 25 to implement the Settlement Agreement and to accommodate the proposed project design, including increasing the maximum allowable density, revising lot size standards, revising open space and "no building" areas by adding provisions recognizing consolidation of open space by clustered development, revising various grading standards, revising building height standards to allow some two story structures, revising various lot and site design standards, revising certain horsekeeping standards, and revising access and circulation standards.
- City of San Dimas: Tentative Tract Map No. 70583 approval. The tentative tract map would create 61 single family residential lots, seven common area lots (or "lettered lots"), one approximately 83 acre remainder parcel that is intended to remain open space and/or habitat conservation land, an approximately 2.83 acre easement over property to the south for certain access, drainage and landscape uses, and 0.18 acre off-site fire turn around, and related infrastructure (including roads, utilities, water tank, and water quality and drainage basins) if the proposed project is approved.
- City of San Dimas: Development Agreement approval. The Development Agreement would vest certain land use entitlements and approvals granted by the City if the proposed project is approved.
- City of San Dimas: Grading Permit and other building permits and plan approvals.
- County of Los Angeles: If applicable and required, emergency access route approval along the eastern boundary of the proposed project site.

- U.S. Fish and Wildlife Service: Formal consultation and compliance with Endangered Species Act Section 7 or Section 10a.
- U.S. Army Corps of Engineers: Clean Water Act Section 404 Permit.
- Regional Water Quality Control Board: Clean Water Act Section 401 Water Quality Certification.
- State Water Resources Control Board: Construction Activities Storm Water General Permit (National Pollutant Discharge Elimination System).
- California Department of Fish and Game: Streambed Alteration (i.e., Section 1602) Agreement.
- Golden State Water Company and California Public Utilities Commission: Approval of Golden State Water Company service area and Tariff Map Line extension.
- County Sanitation District of Los Angeles County: Annexation into Sanitation District Number 22 service area.
- California Department of Water Resources, Division of Dam Safety: If required by existing project design, approval of an application for the construction of a dam and reservoir.

## 1.5 EIR Review Process

### 1.5.1 Public and Agency Review

The City of San Dimas prepared an Initial Study for the proposed project in compliance with CEQA Guidelines Section 15063 and a Notice of Preparation (NOP) in compliance with CEQA Guidelines Section 15082. On May 5, 2010, the NOP and Initial Study were mailed to a distribution list consisting of the State Clearinghouse, responsible, trustee, and other relevant local, state, and federal agencies, and interested individuals. The 30-day NOP comment period ended on June 4, 2010. Comments received during the NOP public review period are available in Appendix A of this EIR.

This Draft EIR will be made available for a 45-day period for review and comment by the public and public agencies from September 20, 2010 to November 4, 2010. Comments on the Draft EIR must be received by 5:00 p.m. on November 4, 2010 and sent to:

Larry Stevens, AICP  
 Assistant City Manager for Community Development  
 City of San Dimas  
 Community Development Department  
 245 East Bonita Avenue  
 San Dimas, California 91773  
 E-mail: [lstevens@ci.san-dimas.ca.us](mailto:lstevens@ci.san-dimas.ca.us)

A hardcopy of the Draft EIR is available for review during normal operating hours for the duration of the public review period at the following locations:

- City of San Dimas, Temporary City Hall, 186 Village Court, San Dimas, California 91773

- San Dimas Public Library, 145 N. Walnut Avenue, San Dimas, California 91773

An electronic version of the Draft EIR is available on compact disk (CD) upon request from the City of San Dimas. The Draft EIR is also available for review or downloading on the City of San Dimas' website, available at [www.cityofsandimas.com](http://www.cityofsandimas.com), during the public review period.

## 1.5.2 Project Approval Process

Following the close of the public comment period, responses to all timely submitted written comments (including comments presented at the Planning Commission hearing during the public comment period) that raise environmental issues regarding the proposed project will be prepared and included in the Final EIR. The Final EIR (consisting of the Draft EIR and public comments and responses) will be reviewed by the San Dimas Planning Commission in a public hearing. The Planning Commission will provide a recommendation regarding EIR certification and project application approval to the City Council. The EIR will then be considered by the City Council in a public hearing, and certified if it is determined to be in compliance with CEQA. After or concurrent with certification of the EIR, the City of San Dimas may rely upon the EIR to support discretionary project application decisions approving the proposed project.

## 1.5.3 CEQA Findings and Mitigation Monitoring and Reporting Program

When a public agency approves a project for which an EIR has been certified which identified one or more significant environmental effects, CEQA requires that the agency make one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. Because significant environmental effects have been identified in this EIR, findings will be required for the proposed project.

CEQA requires that when a public agency makes findings based on an EIR, the public agency must adopt a reporting or monitoring program for those measures that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program must be designed to ensure compliance during project implementation. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed project.

## 1.6 Organization of the EIR

This EIR is organized into two volumes. Volume I addresses the impacts of the physical development of the proposed project and associated technical appendices are contained in Volume II.

Volume I of the proposed project EIR includes the following:

- **Executive Summary.** Summarizes the proposed project, environmental impacts that would result from implementation of the proposed project, proposed mitigation measures that would avoid or reduce impacts, and the level of significance of impacts both before and after mitigation.

- **Chapter 1, Introduction.** Provides an introduction and overview describing the background of the proposed project, the purpose and intended use of the EIR, and the review and certification process.
- **Chapter 2, Environmental Setting.** Describes project site characteristics that constitute the baseline physical conditions of the proposed project site and discusses the general and regional plans that are applicable to the proposed project.
- **Chapter 3, Project Description.** Provides a detailed description of the proposed project, including its location, background information and major objectives.
- **Chapter 4, Environmental Analysis.** Each subsection of Chapter 4 contains project and cumulative analyses of various issues under each environmental topic addressed in the EIR. Each subsection contains the following information: environmental setting, regulatory framework, project impacts and mitigation, cumulative impacts and mitigation, issues with no potential to have a significant effect on the environment, and references.
- **Chapter 5, Other CEQA Considerations.** Provides discussions required by CEQA regarding unavoidable significant impacts, growth inducing impacts, and environmental effects found not to be significant.
- **Chapter 6, Alternatives.** Describes alternatives to the proposed project that could avoid or substantially lessen significant effects and evaluates their environmental effects in comparison to the proposed project.
- **Chapter 7, Preparers.** Identifies the persons who prepared this EIR.

Volume II of the proposed project EIR consists of supporting materials and technical appendices and includes the following:

- **Appendix A.** Notice of Preparation and Comment Letters Received on the NOP
- **Appendix B.** Air Quality and Greenhouse Gas Emissions Technical Report
- **Appendix C.** Biological Resources Technical Report and Third-Party Review
- **Appendix D.** Cultural Resources Assessment
- **Appendix E.** Geotechnical Report
- **Appendix F.** Phase I Environmental Site Assessments and Fire Protection Plan
- **Appendix G.** Hydrologic Assessment Report and Groundwater Impact Assessment
- **Appendix H.** Standard Urban Stormwater Mitigation Plan
- **Appendix I.** Traffic Impact Assessment
- **Appendix J.** Public Services and Utility Providers Letters
- **Appendix K.** Sewer Assessment
- **Appendix L.** Resumes of Key Professional Staff

Volume III of the proposed project EIR will be prepared after the 45-day public review of the Draft EIR is complete. This volume will consist of comments and responses received during the 45-day public review period, any revisions to the Draft EIR resulting from the public review comments/responses, and the mitigation, monitoring and reporting program.

## 1.7 References

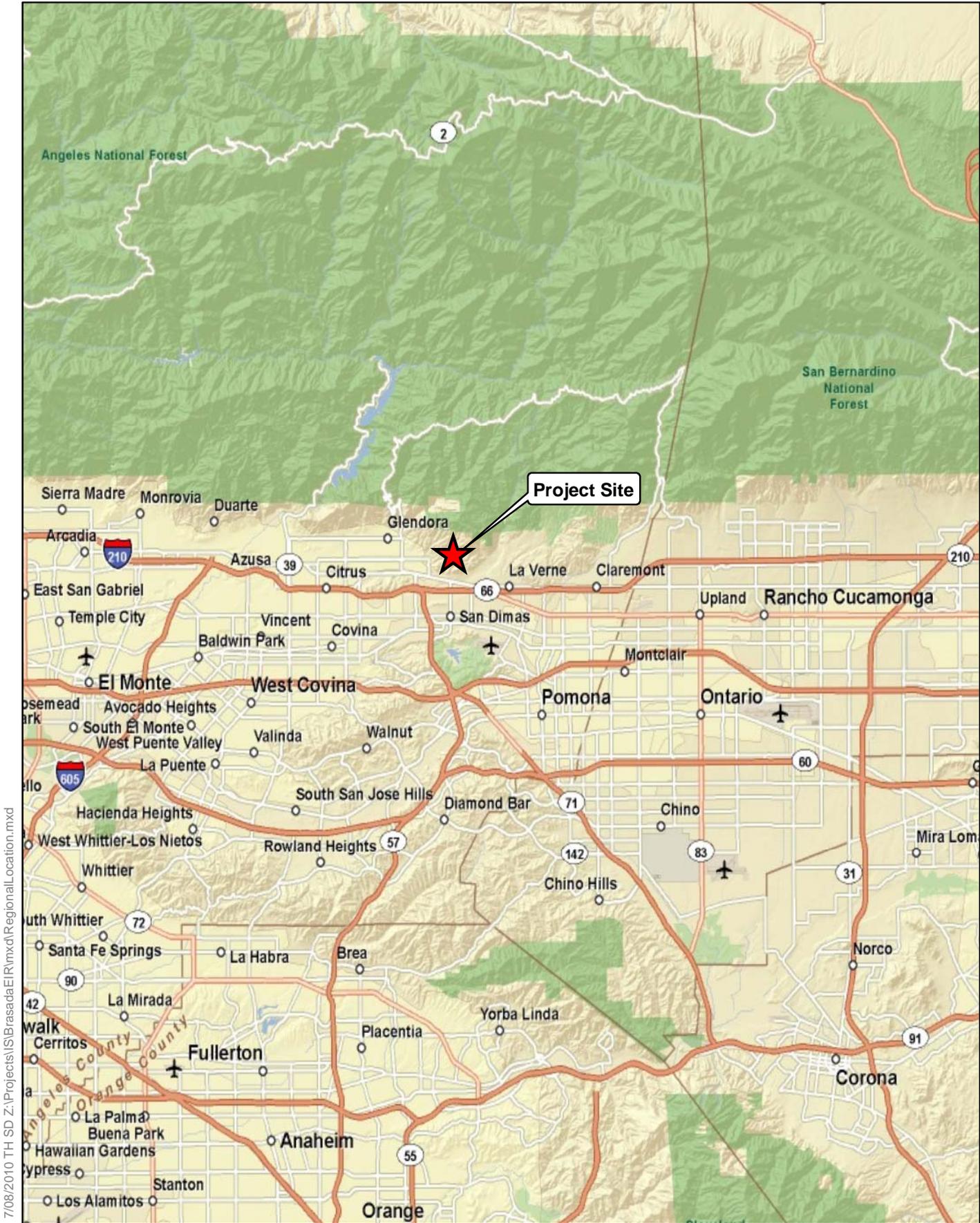
City of San Dimas. San Dimas Municipal Code. Chapter 18.542, Specific Plan No. 25. Available at <http://www.qcode.us/codes/sandimas/>

City of San Dimas. General Plan. September 1991. Available at <http://www.cityofsandimas.com/ps.developmentservices.cfm?ID=2404>

City of San Dimas and NJD, LTD. 2004 Settlement Agreement and Release. Dated December 21 2004. Available at the City of San Dimas City Hall, 245 East Bonita Avenue, San Dimas, CA 91773.

Robert Bein, William Frost & Associates (RBF). 1999. Final Northern Foothills Implementation Program Environmental Impact Report. SCH # 98121072. June.

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Source: ESRI 2010



**REGIONAL VICINITY MAP  
FIGURE 1-1**