

COMMENTS

RESPONSES

Mr. Larry Stevens
November 1, 2010
Page 3

If you have any other questions or require additional information, please contact Mr. Toan Duong at (626) 458-4945 or by e-mail at tduong@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works


DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

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cc: City of Glendora (Jerry Burke)

reduce environmental impacts associated with the construction of on-site wastewater facilities to a less than significant level.

- E-4 The City agrees with this comment. EIR Section 4.12.3.1, Issue 1 – Wastewater Treatment, states that as part of the proposed project, the site would be annexed into the service areas of the County Sanitation Districts of Los Angeles County and the County of Los Angeles Consolidated Sewer Maintenance District. In addition, the proposed on-site sewer system would be designed to comply with County Public Works sewer design standards.
- E-5 Section 4.12, Utilities, Service Systems and Energy, of the Draft EIR has been revised to reflect the minor text changes suggested in this comment. The revisions do not trigger recirculation of the Draft EIR, per Section 15088.5 of the CEQA Guidelines. Refer to response to comment E-1 regarding revisions to the Draft EIR that would require recirculation.
- E-6 The City agrees with this comment. As stated in EIR Sections 4.8.3.1, Issue 1 – Drainage Alteration, Erosion and Siltation, and 4.8.3.4, Issue 4 – Flood Hazards, the Los Angeles County Flood Control District will be responsible for reviewing any applicable drainage improvements and debris, water quality, retention and/or detention facility or basin designs. This will also be made a condition of project approval.

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4.12 UTILITIES, SERVICE SYSTEMS, AND ENERGY

4.12 Utilities, Service Systems, and Energy

This section evaluates the potential impacts on utilities, service systems, and energy resulting from implementation of the proposed project. This includes the potential for the proposed project to conflict with or obstruct existing capacity and future implementation of utilities and service systems or to result in a cumulatively considerable net increase in demand for services. Utilities and service systems that currently serve the surrounding project area and would be extended to serve the proposed project site include wastewater, water, solid waste, and energy. Storm water and associated drainage facilities are addressed in Section 4.8 (Hydrology and Water Quality). The disposal of hazardous waste is discussed in Section 4.7 (Hazards and Hazardous Materials).

Information contained in this section is based upon written communication with the County of Los Angeles Consolidated Sewer Maintenance District (CSMD 2010), the County Sanitation Districts of Los Angeles County (CSD 2010), the Golden State Water Company (GSWC 2010), Southern California Gas Company (GC 2010), Southern California Edison (SCE 2010) and other sources as cited throughout the section. Appendix J of this EIR provides copies of the utility service provider's written communication.

4.12.1 Environmental Setting**4.12.1.1 Wastewater**

The existing caretaker's residence on the project site disposes of wastewater through a septic leach field. The CSMD, through the County of Los Angeles Department of Public Works Sewer Maintenance Division, is responsible for the maintenance of local sewers within the City of San Dimas. The CSMD system serves over one-half million parcels and a population of approximately 2.3 million people. The CSMD service area includes unincorporated areas of the county of Los Angeles, 38 cities, and two contract cities. The CSMD system includes over 4,600 miles of sanitary sewers, 153 pump stations, and four wastewater treatment plants (CSMD 2010). The CSMD trunk-sewer closest to the proposed project site is an eight-inch line located to the south of the project site, beneath Cataract Avenue.

Within the vicinity of the proposed project site, local sewers operated and maintained by CSMD transport sewage flows to the CSD sewer mains for treatment. CSD sewer mains transport sewage to the San Jose Creek Water Reclamation Plant (WRP) for treatment. The San Jose Creek WRP is located in the City of Industry, has a design capacity of 100 million gallons per day (mgd) and is operated and maintained by CSD. Currently, the San Jose Creek WRP processes an average flow capacity of 75.3 mgd. The CSD trunk sewer closest to the proposed project site is an eight-inch line located in Amelia Avenue between Country Oak Road and Baseline Road.

4.12.1.2 Water Supply

The existing project site is primarily undeveloped and requires little potable water. Aside from water tanks that serve the existing caretaker's residence, no water supply infrastructure exists on site. The proposed project site would be provided with potable water from the GSWC, which is an investor-owned public utility company regulated by the California Public Utilities Commission. GSWC operates the San Dimas water system which serves the City of San Dimas, portions of the cities of La Verne, Walnut, Covina, and a portion of the adjacent unincorporated area of Los Angeles County. GSWC



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November 2nd, 2010

Larry Stevens, AICP
Assistant City Manager for Community Development
City of San Dimas
Community Development Department
245 East Bonita Avenue
San Dimas, California 91773

RE: Environmental Impact Report for Tentative Tract map 70583 (Brasada Tract)

Dear Mr. Stevens,

Golden State Water Company (GSWC) has reviewed the Draft Environmental Impact Report for the Brasada Residential Development and has the following comments.

On Page 4.12-10, paragraph two beginning with; “The proposed project would require the construction...” discusses specifics on how the development will be served by GSWC. A few corrections are necessary to ensure the accuracy of the description.

F-1.

1. The paragraph indicates that there will be two 8-inch waterlines installed within the development; however, there will only be a single 12-inch line installed within the development. The description indicates that one 8-inch pipeline will be a dedicated transmission main from the booster pump station to the tank and that the other pipeline would run from the tank to serve the proposed lots. The single 12-inch pipeline will function to both serve the proposed lots and fill the tank from the booster station.

F-2.

2. The size of the proposed tank to be located in the eastern central portion of the project site will be 500,000 gallons, not 750,000 gallons.

If you need any further assistance or clarification, please contact me by phone at (916) 853-3681.

Sincerely,

Adrian Combes, P.E.
Civil Engineer
Planning Department

Golden State Water Company (11/2/10)

F-1

The revisions recommended in the comment have been made to the appropriate subsections of Draft EIR Section 4.12, Utilities, Service Systems, and Energy, and Chapter 3, Project Description. These revisions were made to more accurately describe the project’s proposed on-site water infrastructure. Because the impacts associated with the project’s proposed water infrastructure were fully addressed in the Draft EIR, these revisions do not constitute significant new information pursuant to Section 15088.5 of the CEQA Guidelines that would require recirculation of the Draft EIR. Additionally, the location of these revisions on site is in the same locations as the water utility lines previously discussed. As stated in Section 15088.5 of the CEQA Guidelines, significant new information includes: a new significant environmental impact that would result from the proposed project or a new mitigation measure; a substantial increase in the severity of an environmental impact, unless mitigated to a less than significant level; a feasible project alternative of mitigation measure considerably different from others previously identified that would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it; or revises portion of the analysis that was inadequate or conclusionary in nature such that meaningful public review was precluded. The requested revision does not meet any of these criteria.

F-2

The tank size revision recommended in the comment has been made to the appropriate subsections of the following Draft EIR sections to more accurately describe the size of the proposed on-site water storage tank: Chapter 3, Project Description; Section 4.1, Aesthetics; Section 4.10, Public Services; and Section 4.12, Utilities, Service Systems, and Energy. Because the impacts associated with the construction and operation of the on-site water storage tank were fully addressed in the Draft EIR, these minor revisions do not trigger recirculation of the EIR, as identified in CEQA Guidelines Section 15088.5. Refer to response to comment F-1 regarding the criteria established in CEQA Guidelines Section 15088.5 that would trigger EIR recirculation.

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RESPONSES



South Coast
Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-MAILED: NOVEMBER 4, 2010

November 4, 2010

Mr. Larry Stevens, Assistant City Manager lstevens@ci.san-dimas.ca.us
Community Development Department
City of San Dimas
245 East Bonita Avenue
San Dimas, CA 91773

Draft Environmental Impact Report (Draft EIR) for the Proposed Brasada Residential Project (SCH #2010051020)

South Coast Air Quality Management District (11/4/10)

- | | | | |
|------|---|-----|---|
| G-1. | The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final Environmental Impact Report. | G-1 | This comment is an introduction to comments G-2 through G-10. It does not raise a significant environmental issue for which a response is required. |
| G-2. | AQMD staff is concerned that all feasible mitigation measures have not been considered to reduce the significant emissions associated with the extensive grading activities for this project. Additional mitigation measures that might reduce these emissions are described in the detailed comments attached to this letter. | G-2 | This comment summarizes the comments that are addressed in responses to comments G-6 through G-10. Please refer to these responses regarding the recommended mitigation measures. |
| G-3. | Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Report. The AQMD staff would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments. | G-3 | The commenter's request to receive written responses to his comments will be honored. In compliance with Public Resources Code § 21092.5, the City of San Dimas will provide written responses 10 days prior to certification of the Final EIR to all public agencies that commented on the proposed project, including the comments from the South Coast Air Quality Management District (SCAQMD). |

Sincerely,

Ian MacMillan
Program Supervisor, Inter-Governmental Review
Planning, Rule Development & Area Sources

COMMENTS

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Construction Emissions

G-4. 1. In Table 4.2-13 in the Air Quality section of the Draft EIR, the lead agency has determined that localized air quality construction impacts are significant assuming a maximum area disturbance of five acres and a 50-meter distance between receptors and construction activities. The lead agency based its determination using the SCAQMD mass localized significance thresholds (LST) for sites up to five acres. Since the lead agency has based its localized impacts analysis on a maximum soil disturbance of five acres per day and has used the mass lookup tables instead of performing a dispersion modeling analysis, the five acre per day maximum soil disturbance should be added to the construction mitigation measures listed on pages 4.2-19 and 4.2-20 in the Final EIR for enforceability.

G-5. 2. During the demolition phase, the lead agency states that approximately 100,000 cubic feet of demolition would be required to demolish the existing caretaker’s quarters, stable and barn. In the URBEMIS2007 output sheets, however, the lead agency has entered the total building volume of 100,000 cubic feet as an assumption for demolition, but appears that the emissions from this activity were not estimated as the modeling does not include inputs for the daily volume of buildings to be demolished or for the on-road truck emissions generated by hauling away debris. These additional demolition assumptions should be incorporated into the modeling and the revised emission estimates included in the Final EIR.

Construction Mitigation Measures

G-6. 3. Because the lead agency has determined that construction phase emissions for nitrogen oxides (NOx) and particulate matter (PM10 and PM2.5, fugitive dust) exceed the established significance thresholds, the AQMD recommends the following additions to the mitigation measures listed starting on page 4.2-19 in the Draft EIR, if applicable and feasible. Additional measures are located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Recommended additions:

NOx and PM (exhaust)

G-7. Consistent with measures adopted by other lead agencies, including the ports of Los Angeles and Long Beach, the lead agency should commit to the following schedule;

- Prohibit all diesel trucks from idling in excess of five minutes, both on-site and off-site;
- April 1, 2010, to December 31, 2011: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 2 off-road emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices

G-4 Air quality impacts to localized sensitive receptors are evaluated in Section 4.2.3.3, Issue 3 – Impacts to Sensitive Receptors, and Appendix B, Air Quality and Greenhouse Gas Technical Report, of the Draft EIR. The commenter incorrectly states that impacts are based on an assumption of a 50-meter distance between receptors and construction activities. As shown in EIR Table 4.2-13, Localized Construction Emissions Concentrations, impacts were evaluated for sensitive receptors located at distances of 25 meters, 50 meters, and 200 meters from construction activities, depending on the location of each phase of construction. A significant impact was identified for sensitive receptors located within 200 meters of the mass grading phase of construction, not 50 meters as the commenter indicates.

The commenter correctly states that impacts to sensitive receptors as a result of construction activities are based on a maximum area disturbance of five acres per day. Per the commenter’s request, mitigation measure AQ-1 has been revised to identify a five acre maximum daily soil disturbance requirement for the project site. This addition provides clarification to the mitigation measure to reflect the assumptions used to determine potential impacts, as evidenced in the text of the Draft EIR, which clearly identified the impact threshold. It does not constitute significant new information pursuant to § 15088.5 of the CEQA Guidelines that would require recirculation of the Draft EIR. As stated in § 15088.5 of the CEQA Guidelines, significant new information includes: a new significant environmental impact that would result from the proposed project or a new mitigation measure; a substantial increase in the severity of an environmental impact, unless mitigated to a less than significant level; a feasible project alternative of mitigation measure considerably different from others previously identified that would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it; or revises portion of the analysis that was inadequate or conclusory in nature such that meaningful public review was precluded. The requested revision does not meet any of these criteria.

G-5 This comment identifies a detail that was inadvertently omitted in the assumptions utilized in the URBEMIS model to estimate construction emissions related to the demolition phase. While the emissions for demolition of the existing on-site buildings were calculated, emissions generated from hauling the demolition materials off-site were not calculated. In response to this comment, the demolition-phase construction emissions have been recalculated assuming a maximum of 5,000 cubic feet per day. This assumption is conservative based on a one-month construction period with 22 working days. The analysis in

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Appendix B and the discussion in Draft EIR Section 4.2.3.2 have been updated to reflect this assumption. Table 4.2-9, Construction Maximum Daily Emissions, has been updated as follows, with deletions shown in strike-out text and additions shown in underlined text. The revision shown below was also made to Table 4.2-13, Localized Construction Emissions Concentrations. As stated previously, this revision affects the estimates for the demolition phase of construction only.

Table 4.2-9. Construction Maximum Daily Emissions

Construction Phase	Pollutant Emissions (pounds per day)					
	CO	NO _x	ROG	SO _x	PM ₁₀	PM _{2.5}
Demolition	<u>56</u>	<u>79</u>	1	0	<u>±3</u>	1
Mass Grading ⁽¹⁾	60	141	16	0	7,725	1,617
Trenching	9	15	2	0	1	1
Paving	10	15	3	0	1	1
Sum of Building Construction and Coating Phases	31	17	6	0	1	1
<i>Building Construction</i>	<i>31</i>	<i>17</i>	<i>4</i>	<i>0</i>	<i>1</i>	<i>1</i>
<i>Coating</i>	<i>0</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>0</i>	<i>0</i>
SCAQMD Threshold	550	100	75	150	150	55
Significant Impact?	No	Yes	No	No	Yes	Yes

⁽¹⁾ Assuming a maximum land disturbance of five acres per day.

Bold = Exceeds SCAQMD threshold

ROG = reactive organic gases; NO_x = nitrogen oxides; CO = carbon monoxide;

PM₁₀ = respirable particulate matter; PM_{2.5} = fine particulate matter; SO_x = sulfur oxides

Source: URBEMIS 2007.

As shown in the revised Table 4.2-9, the inclusion of haul trips for demolished materials slightly increases the emissions of carbon monoxide, nitrogen oxide (NO_x), and respirable particulate matter (PM₁₀) during the demolition phase. However, emissions would still be still far below the SCAQMD significance thresholds and therefore will remain less than significant. The inclusion of haul trips for demolished materials would also slightly increase greenhouse gas (GHG) emissions during the demolition phase. Emissions of carbon dioxide equivalent (CO₂e) would increase from a total of eight metric tons to 11 metric tons. The total GHG emissions for construction would increase from 2,957 metric tons CO₂e to 2,960 metric tons CO₂e. Amortized construction emissions would still be 99 metric tons of CO₂e and the total annual GHG emissions from the proposed project would not change as a result of the increased GHG emission during demolition.

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G-7.
cont

certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations;

- January 1, 2012, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations;
- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations;
- A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment;
- Reroute construction trucks away from congested streets or sensitive receptor areas;
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hour to the extent practicable;
- Use electricity from power poles rather than temporary diesel or gasoline power generators;
- Configure construction parking to minimize traffic interference;
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow;
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hour to the extent practicable; and
- All vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.

Therefore, the conclusions previously reached in the Air Quality and Greenhouse Gas Technical Report and Draft EIR regarding project exceedance of SCAQMD significant thresholds during construction, and annual GHG thresholds, would not change based on this revised information. These minor revisions do not trigger recirculation of the EIR, as identified in CEQA Guidelines Section 15088.5. Refer to response to comment G-4 regarding the criteria established in CEQA Guidelines Section 15088.5 that would trigger EIR recirculation.

G-6 This comment introduces a list of recommended mitigation measures to reduce NO_x, PM₁₀ and PM_{2.5} emissions. As stated in the comment, SCAQMD does not necessarily recommend that all of the listed mitigation measures be included in the Final EIR, only the ones that are applicable to the proposed project and are feasible. The commenter does not identify which mitigation measures the SCAQMD feels are applicable and feasible. The City's determination of the applicability and feasibility of the recommended mitigation measures are addressed in responses to comments G-7 through G-10.

G-7 This comment provides a list of mitigation measures that would reduce NO_x, PM₁₀ and PM_{2.5} emissions from exhaust. As shown in Table 4.2-11, Mitigated Construction Daily Maximum Emissions, implementation of mitigation measure AQ-2A would fully reduce NO_x emissions to below a significant level. Therefore, no additional mitigation is required to reduce NO_x emissions.

The mitigation measures recommended in the comment were evaluated based on their ability to reduce PM₁₀ and PM_{2.5} emissions. One measure has already been partially incorporated into EIR mitigation measure AQ-2A. This measure requires that construction equipment meet Tier 2 off-road equipment emissions. Additional modifications have been made to this measure as recommended in the comment.

Several of the recommended measures are not applicable or feasible for the proposed project. The requirement to reroute construction trucks away from congested streets is not feasible because Cataract Avenue is currently the only road available to access the project site. The recommendation to configure construction parking to minimize traffic interference does not apply because construction staging would occur on-site and would not affect off-site traffic. The recommendation to provide dedicated turn

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lanes for the movement of construction trucks or equipment is not applicable because it would potentially result in safety hazards on Cataract Avenue and other off-site roads from diverted traffic and could result in additional air quality impacts from increased traffic congestion. The recommendation that all off-road diesel-powered construction equipment meet Tier 3 standards in 2012 and Tier 4 emissions standards by 2015 is infeasible due to the CARB's decision on February 11, 2010 to postpone implementation of the requirements of the In-Use Off-Road Diesel Vehicle Regulation. CARB released proposed changes to this regulation in October 2010. Under the proposed changes, most construction fleets would not be required to make changes to their fleet until 2017¹. Because construction fleets would not be required to meet the stringent equipment standards recommended by SCAQMD, it is infeasible to require the proposed project to hire such a fleet. These requirements would also give an unfair competitive advantage to larger construction fleets that may have more resources to implement fleet changes ahead of the implementation schedule required by CARB. These recommended mitigation measures are considered to be infeasible for the project and would not be implemented.

The remaining mitigation measures recommended in the comment have been incorporated into measure AQ-2A in the Final EIR to further reduce PM10 and PM2.5 emissions. These mitigation measures include:

- i. When feasible, construction equipment shall be powered using electricity rather than diesel or gasoline powered generators.
- ii. All vehicles and equipment shall be properly tuned and maintained according to the manufacturers' specifications.
- iii. All diesel trucks shall be prohibited from idling in excess of five minutes, both on-site and off-site.
- iv. A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- v. Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment prior to leaving the site.
- vi. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour.

¹ California Air Resource Board. October 2010. Proposed Changes to the In-Use Off-Road Diesel Vehicle Regulation. Accessed November 11, 2010. Available at http://www.arb.ca.gov/msprog/or-diesel/documents/reg_change_fact_sheet_off_road_upd1027%20_4.pdf

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- vii. Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.
- viii. Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
- ix. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- x. Construction activities that have the potential to affect traffic flow off-site shall be scheduled during off-peak traffic hours to the extent practicable.

The SCAQMD does not provide any estimates for the extent to which these mitigation measures would reduce emissions of particulate matter, nor does URBEMIS include any estimates for these measures. Therefore, while implementation of these measures may offer additional reductions in PM10, and PM2.5 emissions beyond those identified for mitigation measure AQ-2A in Table 4.2-11, this impact would not be reduced to a less than significant level. The impact would remain significant and unavoidable.

In summary, the revisions to mitigation measure AQ-2A would further reduce emissions of particulate matter, but would not change the overall significant and unavoidable impact identified for this issue in the Draft EIR. The EIR revisions do not constitute significant new information that would trigger recirculation of the EIR, as identified in CEQA Guidelines Section 15088.5. Refer to response to comment G-4 regarding the criteria established in CEQA Guidelines Section 15088.5 that would trigger EIR recirculation.

G-8 This comment provides a list of mitigation measures to reduce particulate emissions from fugitive dust. Several of the mitigation measures recommended in this comment are already included in the Draft EIR. The recommendation to pave all roads is included in mitigation measure AQ-2B. The recommendations to apply soil stabilizers to inactive areas and water unpaved areas three times daily are already listed in mitigation measure AQ-2A, although the requirement for watering was updated to specifically include parking and staging areas. The remaining recommended mitigation measures have been incorporated in the Final EIR in mitigation measure AQ-2A. These mitigation measures include:

- i. Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment prior to leaving the site.

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G-8. Particulate Matter (fugitive dust)

- Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip;
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph;
- Pave road and road shoulders;
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more);
- Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces;
- Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water); and
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.

G-9. AQMD Rules

4. Demolition Activities Involving Asbestos Removal

On page 4.2-16 in the Air Quality section of the Draft EIR, the lead agency described proposed demolition activities including the demolition of various structures that have the potential for contact with asbestos. In the Final EIR, the lead agency should cite compliance with AQMD Rule 1403 – Asbestos Removal. Compliance with this rule would also include testing prior to demolition and AQMD approval of Rule 1403 plans prior to the beginning of these activities.

G-10. 5. Large Operations Notification

Based on the project description, the lead agency states that the proposed project will include approximately 1.3 million cubic yards of earthwork during construction disturbing approximately 90 acres of the 273 total acre project site during mass grading. Although the lead agency describes compliance with AQMD Rule 403 – Fugitive Dust on page 4.2-10 in the Air Quality section of the Draft EIR, it also appears that the proposed project would fall under the requirements of Rule 403 for large operations according to AQMD Rule 403(c)(18). The lead agency should therefore submit to the AQMD Form 403N (Large Operation Notification Form) and contact AQMD engineering and compliance staff at (909) 396-2392.

- ii. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour.
- iii. Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.
- iv. Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.

The SCAQMD does not provide any estimates for the extent to which these mitigation measures would reduce emissions of particulate matter, nor does URBEMIS include any estimates for these measures. Therefore, while implementation of these measures may offer additional reductions in PM10, and PM2.5 emissions beyond those identified for mitigation measure AQ-2A in Table 4.2-11, this impact would not be reduced to a less than significant level. The impact would remain significant and unavoidable.

In summary, the revisions to mitigation measure AQ-2A would further reduce emissions of particulate matter, but would not change the overall significant and unavoidable impact identified for this issue in the Draft EIR. These revisions to the EIR do not constitute significant new information that would trigger recirculation of the EIR, as identified in CEQA Guidelines Section 15088.5. Refer to response to comment G-4 regarding the criteria established in CEQA Guidelines Section 15088.5 that would trigger EIR recirculation.

G-9 Air quality impacts to localized sensitive receptors are evaluated in Section 4.2.3.3, Issue 3 – Impacts to Sensitive Receptors, and Appendix B, Air Quality and Greenhouse Gas Technical Report, of the Draft EIR. While asbestos is not an air pollutant that is required to be addressed under CEQA, the discussion of potential impacts to sensitive receptors has been updated to specify that the proposed project would comply with Rule 1403 – Asbestos Removal. The addition of this discussion does not constitute new information that would preclude meaningful review of the Draft EIR. Compliance with SCAQMD Rule 1403 is a requirement of all projects that involve demolition activities, and would be required for the proposed project whether or not the discussion was included in the Draft EIR. The revision to the EIR does not identify any new potential significant impacts of the proposed project; it only specifies a regulation with which the project is required to comply. Therefore, this revision to the Draft EIR does not

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constitute significant new information that would trigger recirculation of the EIR, as identified in CEQA Guidelines Section 15088.5. Refer to response to comment G-4 regarding the criteria established in CEQA Guidelines Section 15088.5 that would trigger EIR recirculation.

- G-10 This comment correctly identifies the proposed project as a large operation under SCAQMD Rule 403. It is assumed that the commenter is referring to the definition of a large operation provided in Section 403(c)(14) of this rule, not Section 403(c)(18) as is identified in the comment, which provides the definition of particulate matter. According to Section 403(c)(14) of Rule 403, a large operation means any active operations on a property which contains in excess of 100 acres of disturbed surface area, or any earthmoving operation which would exceed a daily earth-moving volume of 7,700 cubic meters (10,000 cubic yards) three times during the most recent 365-day period. The proposed project would not disturb more than 90 acres of the project site, but would have the potential to move up to 65,000 cubic yards of material per day, as shown in the URBEMIS outputs provided in Appendix B. The discussion of SCAQMD Rule 403 in Section 4.2.2.3, Local Regulations, of the Draft EIR has been revised to specify that the proposed project is a large operation and would be subject additional requirements. The additional requirements do not include any additional dust control practices. This specification does not require any change to the impact analysis for project construction emissions. Therefore, this revision to the Draft EIR does not constitute significant new information that would trigger recirculation of the EIR, as identified in CEQA Guidelines Section 15088.5. Refer to response to comment G-4 regarding the criteria established in CEQA Guidelines Section 15088.5 that would trigger EIR recirculation.

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Donna Lee
Region Manager
Local Public Affairs

November 5, 2010

Mr. Larry Stevens
Assistant City Manager
Community Development
City of San Dimas
245 East Bonita Avenue
San Dimas, CA 91773

Subject: **Draft Environmental Impact Report (DEIR) - Brasada Residential Project**

Dear Mr. Stevens:

Southern California Edison (11/5/10)

H-1.

Southern California Edison (SCE) appreciates the opportunity to review and provide comment on the DEIR for the Brasada Residential Project. The project is described as a proposal to subdivide a 273 acre site into 61 single-family residential lots, seven common area lots, one approximately 83-acre parcel anticipated to remain in open space and/or habitat conservation land and offered for dedication to the city or a conservancy, and related infrastructure, including entry gates, utilities, surface water quality control basins and a water storage facility. Additionally, an easement is proposed over an approximately 2.83-acre portion of a 6 acre off-site property to the south of the proposed tentative tract map for purposes of access, drainage, grading, utilities, landscaping and maintenance. The project is stated to be located in the foothills of the San Gabriel Mountains in the northern portion of the City of San Dimas.

H-1

This comment provides a description of the proposed project, as provided in Chapter 3, Project Description, of the Draft EIR. It does not address the adequacy or accuracy of information provided in the Draft EIR. Therefore, no further response is required.

H-2.

SCE Company right-of-ways are purchased for the exclusive use of SCE to operate and maintain its present and future facilities. Any proposed use will be reviewed on a case-by-case basis by SCE's Operating Department. Approvals or denials will be in writing based upon review of the maps provided by the developer and compatibility with SCE right-of-way constraints and rights. In the event the project proposes to impact SCE facilities or its land related rights, please forward six (6) sets of project plans depicting SCE's facilities and its associated land rights to the following location:

H-2

There are no Southern California Edison (SCE) rights-of-way on the proposed project site. SCE's closest electrical facilities to the proposed project site are located along Cataract Avenue and Country Club Drive in the City of Glendora. On-site electrical lines to serve the proposed project would be connected to the existing off-site SCE electrical lines located within Cataract Avenue. As part of the proposed project, a 2.83-acre easement is proposed for the purpose of access, drainage and retention, grading, utilities, landscaping and maintenance. This easement area is owned by the applicant. Section 4.12, Utilities, Service Systems and Energy, evaluates the proposed project's impacts related to electricity. The project applicant is responsible for coordinating with SCE to ensure that the project's connection to the existing electrical lines does not impact SCE rights-of-way.

Real Properties Department
Southern California Edison Company
2131 Walnut Grove Avenue
G.O.3 – Second Floor
Rosemead, CA 91770

800 W. Cienega Ave.
San Dimas, CA 91773
909-592-3766
Fax 909-592-3723
Donna.Lee@SCE.com



COMMENTS

RESPONSES

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11/5/10
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H-3.

Please note if development plans result in the need to build new or relocate existing SCE electrical facilities that operate at or above 50 kV, the SCE construction may have environmental consequences subject to CEQA review as required by the California Public Utilities Commission (CPUC). If those environmental consequences are identified and addressed by the local agency in the CEQA process for the larger project, SCE may not be required to pursue a later, separate, mandatory CEQA review through the CPUC's General Order 131-D (GO 131-D) process. If the SCE facilities are not adequately addressed in the CEQA review for the larger project, and the new facilities could result in significant environmental impacts, the required additional CEQA review at the CPUC could delay approval of the SCE power line portion of the project for two years or longer.

Once again, SCE appreciates the opportunity to review and respond to the DEIR for this project. If you have any questions regarding this letter, please do not hesitate to contact me at (909) 592-3766.

Sincerely,



Donna Lee
Region Manager
Local Public Affairs
Southern California Edison

H-3

Section 4.12, Utilities, Service Systems and Energy, evaluates the proposed project's impacts related to electricity. Section 4.12.3.6, Issue 6 – Energy Consumption, states that as part of the environmental review for the proposed project, SCE determined that the anticipated electrical load for the proposed project is already accounted for in the projected load growth for SCE. Therefore, the proposed project site would be adequately served under SCE's existing and planned facilities and construction of the proposed project would not result in the need to build new or relocate existing SCE electrical facilities.

COMMENTS

RESPONSES

From: David Jallo
 Sent: Thursday, November 04, 2010 1:24 PM
 To: Larry Stevens
 Subject: Brasada Development Comments

Dear Larry,

I would like to offer the following comments regarding the Brasada Development.

- I-1. 1. This development will have major adverse impacts on wildlife. The size of the developed area will remove a sizeable area of habitat for the listed species. It will also reduce or remove migration routes for wildlife. This will especially have a negative effect on wildlife accessing the adjacent San Dimas Canyon Nature Center. Invasive plants from residential plantings, yard run off, light pollution, and noise will also adversely affect wildlife at the nearby nature center.
- I-2. 2. The view shed from the nature center will be negatively impacted. People seeking to enjoy untarnished views will have to see homes versus green hills.
- I-3. 3. The noise from homes will also detract from a natural experience.
- I-4. 4. A hillside development of this form will increase fire danger by adding people to a fire sensitive area. The homes with barbeques, electrical wiring, gasoline powered lawn mowers, and other activities will add to the potential for destructive wildfires.
- I-5. 5. Studies have shown developments of this type to be significant in cost for Public Services, such as fire protection and flood control. Fire will continue to occur in this wildland interface. This will result in major costs for fire protection and flood control.
- I-6. 6. Its taking these resources away from other residents and negatively affecting flora and fauna that makes the Brasada Project a bad idea.

Sincerely,

David Jallo

David Jallo (11/4/10)

- I-1 Section 4.3, Biological Resources, of the Draft EIR evaluates the adverse impacts to wildlife and other biological resources from implementation of the proposed project. The analysis in this section evaluates habitat removal, potential blockage of wildlife movement corridors and indirect impacts to biological resources from noise, light pollution, invasive plants and surface runoff. The Draft EIR determined that significant impacts to candidate, sensitive, and special status plant and animal species, riparian habitat and other sensitive natural communities, wetlands, and local policies or ordinances and habitat conservation plans, would occur as a result of the proposed project. All impacts to biological resources resulting from implementation of the proposed project would be reduced to below a level of significance with the mitigation measures identified in the Draft EIR.

With regard to wildlife movement corridors, Section 4.3.3.5, Issue 5 – Wildlife Movement Corridors, determined that the proposed project would not interfere substantially with the movement of regional wildlife species because 183 acres of the 273-acre project site would remain undisturbed and the project site does not serve as an important regional wildlife corridor linkage. In addition, an 83-acre parcel on the project site would be made available for habitat conservation and/or open space. Refer to response to comment B-11 for a detailed summary of the project's impacts to biological resources.

The San Dimas Nature Center is located approximately one third of a mile (1,800 feet) east of the eastern boundary of the project site within San Dimas Canyon County Regional Park. The Nature Center is physically separated from the project site by Sycamore Canyon Road, other areas of San Dimas Canyon County Park and intervening topography. As discussed above, the proposed project would not result in a significant impact to the movement of regional wildlife species. Therefore, the project would not impede wildlife species from accessing the San Dimas Nature Center.

- I-2 Section 4.1, Aesthetics, provides an evaluation of the proposed project's potential to affect the surrounding viewshed and be visible from off-site areas. Section 4.1.3.2, Issue 2 - Scenic Vistas, determined that implementation of the proposed project would have a very limited effect on existing scenic vistas, although some development would be visible from off-site locations. As described in this section, the exact number of homes that would be

COMMENTS

RESPONSES

visible from off-site locations has not been determined. The proposed project is relatively unobtrusive and is limited in its extent, and specific site characteristics and project design features proposed as part of project implementation would serve to limit the visual impact of the project. Although the Draft EIR determined that the proposed project would have a less than significant impact to scenic vistas, it acknowledges that the potential for the residential development to be seen from an off-site location exists. Section 4.1.3.1, Issue 1 – Visual Character and Quality, states that implementation of the proposed project would involve significant grading and landform alteration that would substantially degrade the existing visual character of the site and/or its surroundings. Although mitigation measure Aes-1A would be implemented to reduce this visual character and quality impact, it would not lessen the impact of the project to below a level of significance and impacts would remain significant and unavoidable.

- I-3 Chapter 5, Other CEQA Considerations, provides an evaluation of the proposed project's impacts related to noise. As stated in Section 5.1, Other Effects Found Not Significant, due to the low number of vehicle trips generated from the proposed project and the fact that these trips would be distributed across a number of nearby roadways throughout the day, traffic generated by the project would not increase the traffic noise level above the City's noise standards (Section 8.36 of the San Dimas Municipal Code). This section also determined that the operation of residences associated with the proposed project would not create significant noise impacts to the surrounding area. Residences do not typically include sources of substantial noise, such as truck delivery areas, or noise-generating equipment such as generators or commercial heating, ventilation, and air conditioning (HVAC) systems. Noise generated by residential development is generally characterized by nuisance noises, such as lawn mowers, loud music or barking dogs. These noises would be intermittent and temporary and would not permanently increase ambient noise levels. Additionally, the residences are located throughout the project site, so that many homes would be spaced too far apart to generate noise that would be audible at a neighbor's residence or offsite location. The San Dimas Canyon Nature Center is located approximately 1,800 feet east of the easterly edge of the project site boundary and would be separated from the project site by other areas of San Dimas Canyon Park. The distance and intervening topography between the Nature Center and project site would ensure that operational noise associated with the project would not exceed the City's noise standards or substantially increase noise levels at the Nature Center. Construction activities for the proposed project would adhere to the noise standard requirements of the San Dimas Municipal Code (Section 8.36.100) for all construction activities, which would mitigate the intermittent noise impacts of construction activity.

COMMENTS

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- I-4 Section 4.7, Hazards and Hazardous Materials, addresses the potential for the proposed project to be impacted by a wildland fire. As stated in Section 4.7.3.3, Issue 3 – Wildland Fire Hazards, the proposed project site is located in a Very High Fire Hazard Severity Zone, and would place structures and people at risk from wildland fire. The proposed project would be subject to a number of specific requirements, including the preparation, approval, and implementation of a Fire Protection Plan. The Fire Protection Plan must contain the following: 1) specific requirements for suitable building materials and methods; 2) prescriptions for fuel modification zones and vegetation restrictions; 3) covenants, deeds, and restrictions for the maintenance of fuel modification zones, landscaping, and building restrictions on individual properties within the development; 4) the provision of suitable infrastructure as required by applicable codes including water supply, pipelines and hydrants; 5) the provision of suitable access and emergency access to the project site; and 6) any other applicable requirements as determined by the City of San Dimas. Mitigation measure Haz-3A requires that a comprehensive Fire Protection Plan for the project be approved by the City of San Dimas Development Services Department. Implementation of this mitigation measure would reduce impacts related to wildland fire to a level below significant.

Emergency access, which would be required in the event of a wildland fire hazard at the proposed project site, is addressed in Section 4.7, Hazards and Hazardous Materials (Section 4.7.3.2, Issue 2 – Emergency Response Plans and Routes); and in Section 4.11, Transportation and Traffic (Section 4.11.3.3, Issue 3 – Emergency Access). Both of these sections describe that emergency access to and from the proposed project site would be provided from Cataract Avenue. The Draft EIR determined that the provision of one emergency access route, along Cataract Avenue, would be inadequate to serve the proposed project in the event of an emergency and, therefore, the proposed project's impacts related to emergency access are considered significant. Mitigation measure Tra-3A requires the project applicant to provide at least one additional emergency access route improved to City standards, to serve the proposed project. With implementation of this mitigation measure, the project's impact related to emergency access would be reduced to a level below significant. However, due to separate jurisdictional approvals and public and private property ownership authorizations that may be required to obtain and improve a second emergency access route to the project site, mitigation measure Tra-3A may be determined to be infeasible by the City. In the event that mitigation measure Tra-3A is determined to be infeasible, the proposed project would have a significant and unavoidable impact related to emergency access.

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- I-5 It is unclear what “studies” the commenter is referring to in the comment. The Draft EIR addresses the proposed project’s potential to impact public services, including fire protection, police protection, public schools, and parks and trails, in Section 4.10, Public Services. Section 4.10.3.1, Issue 1 – Fire Protection, states that as part of the environmental review process for the proposed project, the Los Angeles County Fire Department (LACoFD) reviewed the proposed development and determined that implementation of the proposed project would not have a significant impact on the provision of fire protection services or ability to meet response times. Additionally, LACoFD determined that implementation of the proposed project would not result in the need for new or physically altered fire facilities or the need for additional equipment or staffing. Therefore, the proposed project would be served with adequate fire protection services, within acceptable response times, and would not require the construction of new or physically altered fire protection facilities, such as fire stations. Emergency access is a separate issue addressed in Section 4.7, Hazards and Hazardous Materials (Section 4.7.3.2, Issue 2 – Emergency Response Plans and Routes); and in Section 4.11, Transportation and Traffic (Section 4.11.3.3, Issue 3 – Emergency Access). Refer to response to comment I-4 for a detailed response regarding this issue.

Draft EIR Section 4.10.3.2, Issue 2 – Police Protection, states that as part of the environmental review for the proposed project, the San Dimas Sheriff Station reviewed the proposed project and determined that implementation of the development would not require the construction of a new or altered police station or other police facilities. The Station Operations Lieutenant described the San Dimas Sheriff Station as not currently operating at full capacity, and determined that implementation of the proposed project would not require additional staffing at the San Dimas Sheriff Station and would not require the need for new or physically altered facilities. Similar to the surrounding areas, the proposed project would be served with regular patrol units in standard police vehicles. Due to the size of the proposed project, implementation of the development would not impact existing response times and would be adequately served with police protection.

Draft EIR Section 4.10.3.3, Issue 3 – Public Schools, states that as part of the environmental review for the proposed project, the Bonita Unified School District reviewed the proposed project and determined that there is adequate classroom capacity to serve the students that would be generated by the proposed project. Additionally, Bonita Unified School District confirmed that implementation of the proposed project would not impact existing school services and would not require the construction of new or physically altered school facilities. Further, as required

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by Government Code Section 65995, the project would pay statutory fees for schools based on the size of a particular residence. These fees are set by state law and are considered full mitigation for school impacts.

Draft EIR Section 4.10.3.4, Issue 4 – Parks and Trails, determined that implementation of the proposed project would include the construction of a new equestrian trail that would have a potentially adverse physical effect on the environment. Implementation of mitigation measures Pub-4A and Pub-4B, in addition to other applicable mitigation measures in other sections of the EIR (Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, and Hydrology), would reduce environmental impacts related to parks and trails to a level below significant. Based upon the above determinations, implementation of the proposed project would not result in fire, police, school or park and trail resources being taken away from other residences in the area in order to serve the proposed project.

Potential impacts related to flood control from the proposed project are analyzed in Section 4.8, Hydrology and Water Quality. As discussed in Section 4.8.3.4, Issue 4 – Flood Control, implementation of the proposed project would not substantially alter the existing drainage patterns of the site in a manner which would result in flooding on or off site or place housing or structures within a 100-year flood hazard area. No mitigation is required. The project would improve an existing flooding condition at the northern terminus of Cataract Avenue by providing an adequately sized detention basin upstream of this area. Refer to response to comment B-3 for a detailed response regarding this issue.

I-6 Refer to response to comment I-5 for information related to the proposed project's impact to the provision of public services. As discussed in this response, implementation of the proposed project would not result in fire, police, school or park and trail resources being taken away from other residences in the area in order to serve the proposed project.

Refer to response to comment I-1 for information related to the proposed project's impacts on flora and fauna. As discussed in this response, the project's significant impact to biological resources would be reduced to a less than significant level with implementation of the mitigation measures identified in the Draft EIR.

COMMENTS

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October 20, 2010

City of San Dimas

Community Development Department

245 East Bonita Avenue

San Dimas, CA 91773

ATTN: Mr. Larry Stevens, Assistant City Manager for Community Development

REF: Brasada Residential Project

Mr. Stevens,

As a property owner who will be impacted by the proposed Brasada Residential Project, we would like to express the following concerns.

- J-1. Our property located at the top of Shirlmar Avenue, APN#8665-001-006, we feel is a privileged location at the top of a hill without anything impeding its views and absolute calm setting over the surrounding nature of the foothills of San Dimas. We have expressed to you our desire to build a single family home on our property and our concern is that the proposed Brasada project will impede, obstruct and adversely affect the views from our hilltop property and will negatively affect the value of our property that profits from its 180 degree view over the surrounding foothills. The unobstructed view was one of the reasons we purchased the property and felt assured that any future development would be limited in this area based on the requirements of Specific Plan No. 25. Our property is located in Plan 25, which was originally intended to maintain the rural nature of the foothills and protect its natural resources. Our understanding of Plan 25 is that priority would be given to protecting those resources. It appears the proposed Brasada project is in conflict with those priorities.

Sincerely,

Rudy and Gracie Laurretta

1205 Oak Creek Road

San Dimas, CA 91773

Rudy and Gracie Laurretta (10/20/10)

J-1 This comment does not address the adequacy or accuracy of information provided in the Draft EIR. The commenters indicate that the proposed project may affect their property values, which are economic in nature, by impacting views from this currently vacant lot in the later event that they decide to develop the property. The later development of this property is speculative at this time because there is presently no pending application for development. The protection of economic property values associated with views are not considered environmental issues under CEQA, unless a land use ordinance is in place to protect views. The City of San Dimas has not adopted a view preservation ordinance to protect private views. The commenters also indicate that they believe the view from their property would be impacted by the development of the proposed project. The existing condition of the commenters' property is that of a vacant lot; as such, this forms the environmental baseline from which to analyze impacts to this lot. Since there are no existing residential uses or structures on the commenter's property, no residential views would be affected on this property.

J-2 Regarding property values, Section 15064(e) of the CEQA guidelines states that economic and social changes resulting from a project shall not be treated as significant effects on the environment that would require mitigation, but a physical change that is caused by economic or social effects of a project may be regarded as a significant effect. The commenter does not provide any evidence that changes in property value as a result of view changes would result in a physical environmental impact. Therefore, this comment does not address the adequacy or accuracy of information provided in the Draft EIR, nor does it address an environmental issue relevant under CEQA. No further response is required.

J-3 With regard to maintaining the rural nature of the foothills and protecting its natural resources, the following project objectives are consistent with this goal.

- Objective 2: Adopt amendments to the General Plan and Specific Plan No. 25 that are sensitive to the unique character of the Northern Foothills, particularly with respect to visual, open space and biological resources, while meeting the parties obligations under the Settlement Agreement.

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- Objective 4: Establish residential density and development standards (including two-story structures) that permit the construction of a single-family residential project that also provides the possibility for amenities to the community in the form of multi-use trails, connective trail access to adjacent properties and open space for habitat conservation and/or recreational uses.
- Objective 5: Focus development, residential access roads, grading and residential lot locations into areas that are less visually intrusive than may have otherwise occurred under the “San Dimas Concept Lotting Plan” that is part of the Settlement Agreement.
- Objective 6: Consolidate and increase opportunities for open space by allowing clustered development, two-story structures, and smaller lot sizes and identifying “no build areas” on residential lots.

With regard to project conflicts with Specific Plan No. 25, the proposed project’s consistency would be reliant upon a number of Specific Plan amendments identified in Chapter 3, Project Description, in Section 3.3.1.2, Specific Plan No. 25 Amendments. Adoption of these amendments as part of project approval would allow the project to be consistent with the Specific Plan. The proposed project’s consistency with Specific Plan No. 25 is evaluated in Section 4.9, Land Use and Planning, of the Draft EIR. Section 4.9.3.1, Issue 1 – Applicable Land Use Plans, Policies, and Regulations, provides Table 4.9-2, Project Consistency Analysis with City of San Dimas Specific Plan No. 25, which identifies the objectives and policies found in the various sections of Specific Plan No. 25 that are relevant to the proposed project. This table also provides an evaluation of the proposed project’s consistency with these sections of the Specific Plan No. 25. Where applicable, Table 4.9-2 identifies which Specific Plan No. 25 guidelines may need to be amended to achieve consistency. In addition to the amendments listed in Table 4.9-2, the proposed project would include revisions to the language in Section 18.52.010 of Specific Plan No. 25, Purpose and Intent. The proposed project would also create a separate subarea of Specific Plan No. 25 to accommodate the project-specific attributes of the proposed project. The majority of the proposed amendments and revisions to Specific Plan No. 25 would be limited to the project site, although some changes would affect the entire Specific Plan area. Upon approval of the proposed Specific Plan amendments, the proposed project would not be in conflict with priorities of Specific Plan No. 25.

COMMENTS

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Attachments: 12876088108200.jpg; 12876086703890.jpg; 12876086221900.jpg; 12854494562885.jpg; 12854494503513.jpg; 12854490262450.jpg; 12754380089123.jpg; 12754380076991.jpg; 12659004742934.jpg; 12586627949320.jpg; 12559060392926.jpg; 12522940390180.jpg

From: Dona Pet
 Sent: Thursday, November 04, 2010 3:23 PM
 To: Larry Stevens
 Subject: Brasada Residentia Project

K-1. Dear Mr.. Stevens, the new housing project is of interest to all wildlife rehabilitators. Please think of how many bears, raccoons, bobcats, coyotees, rabbits, field mice, fruit rats, gophers, insects, snakes, lizards, and the list can go on. This will impact the people down below as these creatures are forced out by your building higher into the foothills.

K-2. How much time have you really spent on your Environmental Impact Studies/ Statement.

K-3. I'm very familiar with the city of Laverne's Study re: Mr.. Bobby Lui project of Laverne Hill just across the valley from your project. They spent very little time examining the Environmental Impact, as little as 2 hrs a day for a week. That does not support the real value of all the unseen insects, mammals, reptiles etc.

K-4. Your environmental studies should be shown over a month to month time for one year. Some of these creatures travel as far as 35 miles and back again to their birthing origin.

K-5. Does your study show anything on the endangered Kangaroo Rats? You are forcing the next generations to go up higher or lower to find water source's and food sources.

K-6. Please I beg you to really do the Environmental Impact throughly to help us the Wildlife Rehabilitators whom have to take care of these wildlife matters as the after math of such a big construction project,

K-7. not to mention how many people will not be able to have fire coverage for their homes. How is L.A. County Fire feel about this, with the water shortage we presently have with Golden State Water.

K-8. I'm really interested in the why and how's of this residential project? SAVE OUR FOREST/WILDLIFE AREAS. What an encroachment on the San Dimas Canyon Nature Center.

Mrs. Petrokowitz

Mrs. Petrokowitz (11/4/10)

K-1 Section 4.3, Biological Resources, of the Draft EIR evaluates the adverse impacts to sensitive wildlife species and other biological resources that would potentially occur from implementation of the proposed project. As discussed in this section of the Draft EIR, the project would have the potential to significantly impact sensitive plant, wildlife, riparian habitat and sensitive natural communities, wetlands, and local policies or ordinances and habitat conservation plans. Mitigation measures are identified in the Draft EIR which would reduce all project-related significant impacts to biological resources to a less than significant level. Refer to response to comment B-11 for a detailed summary of the project's impacts to biological resources.

With regard to the species listed in the comment (generic bears, raccoons, bobcats, coyotes, rabbits, field mice, fruit rats, gophers, insects, snakes, and lizards) these common species are not afforded any special status under federal, state or local endangered species laws. While the proposed project would permanently disturb approximately 80 acres of the 273-acre project site with development, and temporarily disturb another 10 acres in the short-term, it would leave approximately 183 acres of habitat undisturbed. This includes an 83-acre parcel of land proposed for open space. These areas of the project site would continue to provide habitat areas where wildlife may live and forage. In addition, the project site is surrounded by existing open space areas on three sides, which provide additional habitat areas for wildlife.

K-2 Preparation of the Draft EIR for the proposed project has taken a minimum of five months, and finalization of the environmental documentation is ongoing. The Notice of Preparation of a Draft Environmental Impact Report and Initial Study was mailed on May 5, 2010 to a distribution list consisting of the State Clearinghouse, responsible, trustee, and other relevant local, state, and federal agencies, and interested individuals. The Draft EIR was 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. Therefore, preparation of the Draft EIR took approximately five months.

The Biological Assessment (2010) prepared for the proposed project site by L&L Environmental utilized and incorporated research and data contained in the following documents dating back to 1998: 1) San Dimas Northern

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Foothills Development and Infrastructure Study (LSA 1998); 2) Northern Foothills Implementation Program, Program Environmental Impact Report (NF-PEIR) (RBF 1999); 3) Glendora Ranch Biological Report (Chambers Group 2001); 4) Special Status Plant Species Survey, Coastal California Gnatcatcher Survey Update, Tree Constraints/Mature Significant Tree Survey, and review of Jurisdictional Areas, TTM 70583, City of San Dimas, California (L&L 2009) and 5) Vegetation Mapping, Delineation Map and Initial Study application (Bonterra 2008). These documents are included in Appendix C of the Draft EIR. Additionally, current biological resource surveys were conducted by L&L Environmental in April 2010 and the Biological Assessment report was completed on September 1, 2010. Therefore, preparation of the current Biological Assessment for the project took a minimum of six months, although documents used to support the analysis and conclusions provided in the report date back to 1998.

- K-3 This comment does not address the adequacy or accuracy of information provided in the Draft EIR, nor does it address an environmental issue relevant under CEQA. Therefore, no further response is required. Refer to response to comment K-2 for an estimate of time spent preparing the Draft EIR and Biological Assessment.
- K-4 Refer to response to comment K-2 for an estimate of time spent preparing the Draft EIR and Biological Assessment. The author offers no substantial evidence as to why environmental studies should be conducted over a month to month time for one year. Biological resource studies are generally conducted at regular intervals during specific periods of the year and times of the day depending upon the species or habitat being studied, as defined by the protocols established by the U.S. Fish and Wildlife Service and California Department of Fish and Game. For instance, during the coastal California gnatcatcher breeding season, which extends from March 15 to June 30, a minimum of six surveys must be conducted no less than one week apart. Surveys outside the breeding season for this species require a minimum of nine surveys not less than two weeks apart.
- K-5 There are two endangered species of kangaroo rat known to occur in the project vicinity, the Stephen's and San Bernardino kangaroo rats. Neither of these species was determined to have a potential to occur on the project site. Appendix C to the Draft EIR provides the Biological Assessment (2010) that was performed for the project site by L&L Environmental. In total, 13 special status mammal species were determined to have the potential to occur on the proposed project site, based on either the observation of the mammal species during biological surveys or the presence of suitable habitat for the species on the project site. Neither of the endangered kangaroo rat species' were observed during the biological

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resource surveys conducted on the project site, nor was suitable habitat for this species identified on the project site.

- K-6 The commenter is encouraged to review the Biological Assessment provided as Appendix C to the Draft EIR. This assessment thoroughly describes the biological resources that have the potential to occur on the project site and impacts that may occur to these resources based upon implementation of the proposed project. The Biological Assessment is approximately 140 pages in length and incorporates biological resources information from various studies conducted over the past 12 years, as well as current studies conducted in 2010.
- K-7 The availability of fire insurance for residences constructed as part of the proposed project would be up to the individual homeowners and their insurance companies. This comment does not address the adequacy or accuracy of information provided in the Draft EIR, nor does it address an environmental issue relevant under CEQA.

With regard to the ability of the Los Angeles County Fire Department's (LACoFD) to serve the proposed project with fire protection services, the LACoFD reviewed the proposed development on July 9, 2010 and determined that implementation of the proposed project would not have a significant impact on existing fire protection services or response times. Additionally, the LACoFD determined that implementation of the proposed project would not result in the need for new or physically altered fire facilities or the need for additional staffing. Therefore, the proposed project would be served with adequate fire protection services, within acceptable response times, and would not require the construction of new or altered fire protection facilities.

With regard to water supply availability, the issue of availability of sufficient water supplies to serve the proposed project is addressed in Section 4.12, Utilities, Service Systems and Energy. Section 4.12.3.4, Issue 4 – Water Supply Availability, states that as part of proposed project approvals, a tariff line extension from Golden State Water Company (GSWC) would be required to allow GSWC to serve the project site with potable water. GSWC's 2005 UWMP accounts for future growth in the Los Angeles area, and the proposed 61-unit residential project would result in a negligible contribution to total water demand. Therefore, it is anticipated that the GSWC would have adequate water supplies to serve the proposed project. This includes water for fire protection.

COMMENTS**RESPONSES**

- K-8 Chapter 3, Project Description, of the Draft EIR provides a detailed description of the proposed project, including information on how the project would be constructed. Chapter 1, Introduction, of the Draft EIR provides detailed information on why the project is being proposed (see Section 1.2, Project Background). The proposed project's eastern site boundary is approximately one-third of a mile (1,800 feet) west of the San Dimas Canyon Nature Center with intervening topography and other areas of San Dimas Canyon County Park in between. Therefore, the proposed development would not encroach on the boundaries of the San Dimas Canyon Nature Center.

COMMENTS



COMMENTS



COMMENTS



Sara Michele Photography



COMMENTS

RESPONSES

From: Diana Sandgren
 Sent: Thursday, November 04, 2010 6:12 PM
 To: Larry Stevens

Subject: Brasada Development

L-1.

This is a travesty, how can the City of San Dimas allow this to take place. I have lived here since 2003 and love that the foothills have been left in their natural state. Unlike our neighboring cities, who have built up on the foothills. This project is ENORMOUS and would destroy not only the wildlife but the beauty that is San Dimas. Please do not destroy our beautiful foothills with large homes and roads.

Diana Sandgren

Diana Sandgren (11/4/10)

L-1 The City of San Dimas City Council will evaluate the information contained in the Draft and Final EIRs to determine if the proposed project should be approved or rejected. The project consists of 61 residential lots, roads, drainage basins, trails connecting to regional trail systems and open space. Of the 273-acre project site, an 83-acre parcel would be reserved for natural habitat. The Draft EIR addresses the two environmental issues mentioned in the comment, which are the proposed project's impacts to wildlife and the visual character and quality of the Northern Foothills. Section 4.3, Biological Resources, of the Draft EIR evaluates the adverse impacts to sensitive wildlife species and other biological resources that would potentially occur from implementation of the proposed project. As discussed in this section of the Draft EIR, the project would have the potential to significantly impact sensitive plant, wildlife, riparian habitat and sensitive natural communities, wetlands, and local policies or ordinances and habitat conservation plans. However, mitigation measures are identified in the Draft EIR which would reduce all project-related significant impacts to biological resources to a less than significant level.

Section 4.1, Aesthetics, provides an evaluation of the potential for the proposed project to impact the visual character of the Northern Foothills. As stated in Section 4.1.3.1, Issue 1 – Visual Character and Quality, the proposed project would involve grading and landform alteration that would substantially degrade the existing visual character of the site and/or its surroundings. Although mitigation measure Aes-1A would be implemented to reduce this visual character and quality impact, it would not lessen the impact of the project to below a level of significance and impacts would remain significant and unavoidable.

The final determination of significance of impacts and of the feasibility of mitigation measures will be made by the San Dimas City Council as part of their certification action for the Draft EIR. Pursuant to Section 15093 of the CEQA Guidelines, a public agency may approve a project with significant, unmitigable impacts if the agency finds that the project will provide overriding economic, social, or other benefits. When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency is required to state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. This is called a Statement of Overriding Considerations, and is required to be included in the record of the

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project approval and the notice of determination. A Statement of Overriding Considerations has been prepared for the proposed project and will be reviewed by the City Council prior to making a decision to certify the EIR and approve or deny the project.

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COUNTY OF LOS ANGELES
 DEPARTMENT OF PARKS AND RECREATION
 "Creating Community Through People, Parks and Programs"
 Russ Guiney, Director

November 9, 2010

Sent via email: lstevens@ci.san-dimas.ca.us

Mr. Larry Stevens, Assistant City Manager
 City of San Dimas Community Development
 245 East Bonita Avenue
 San Dimas, CA 91773

Dear Mr. Stevens:

**NOTICE OF AVAILABILITY (NOA)
 OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
 FOR THE BRASADA RESIDENTIAL PROJECT**

- M-1. The Department has reviewed the NOA of a Draft EIR for the subject project. The proposed project will provide 61 single-family lots, one 83-acre parcel for open space/habitat conservation, one on-site equestrian trail and other amenities on a 273-acre site.
- M-2. The proposed project site currently provides open space, foothill habitat and a rural view shed as seen from the San Dimas Canyon Community Regional Park and Nature Center. With the project being implemented, the habitat inside the project would virtually all be modified. From the aesthetics perspective, this will reduce the rural feel of San Dimas Canyon Park.
- M-3. Mitigation Measure Pub-4A: As noted in the comment letter for the Notice of Preparation, there are no County trails in the vicinity.
- M-4. Thank you for including this Department in the environmental review process. If we may be of further assistance, please contact me at (213) 351-5129 or jchien@parks.lacounty.gov.

Sincerely,


 Jui Ing Chien
 Park Planner

JC:tl:response to TTM70583

c: Parks and Recreation (N. E. Garcia, L. Hensley, J. Rupert)

County of Los Angeles Department of Parks and Recreation (11/9/10)

M-1 This comment provides a description of the proposed project, as discussed in Chapter 3, Project Description, of the Draft EIR. It does not raise a significant environmental issue for which a response is required.

M-2 The Draft EIR evaluates the proposed project's impacts to natural communities (open space and habitat areas) and the changes to the visual character and quality of the project site. Section 4.3, Biological Resources, of the Draft EIR evaluates the adverse impacts to sensitive wildlife species and other biological resources that would potentially occur from implementation of the proposed project. As discussed in this section of the Draft EIR, the project would have the potential to significantly impact sensitive plant, wildlife, riparian habitat and sensitive natural communities, wetlands, and local policies or ordinances and habitat conservation plans. Mitigation measures are identified in the Draft EIR which would reduce all project-related significant impacts to biological resources to a less than significant level. Refer to response to comment B-11 for a detailed summary of the project's impacts to biological resources.

Section 4.1, Aesthetics, provides an evaluation of the potential for the proposed project to impact the visual character of the Northern Foothills. As stated in Section 4.1.3.1, Issue 1 – Visual Character and Quality, the proposed project would involve grading and landform alteration that would substantially degrade the existing visual character of the site and/or its surroundings. The Draft EIR disclosed that views from San Dimas County Regional Park could be affected (see Section 4.1.1.2). Visual simulation KVP 4 depicts simulated view impacts from the regional park. Although mitigation measure Aes-1A would be implemented to reduce this visual character and quality impact, it would not lessen the impact of the project to below a level of significance and impacts would remain significant and unavoidable. Section 4.1.3.2, Issue 2 - Scenic Vistas, determined that implementation of the proposed project would have a very limited effect on existing scenic vistas although some development would

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be visible from off-site locations, including the regional park (this was one main reason a visual simulation from the park was selected). The exact number of homes that would be visible from off-site locations has not been determined. The proposed project is relatively unobtrusive and is limited in its extent, and specific site characteristics and project design features would limit the visual impact of the project. Although the proposed project would have less than significant impacts to scenic vistas, the potential exists for residential development to be visible from off-site areas, including San Dimas Canyon Park.

The comment incorrectly states that project implementation would virtually modify all habitat areas inside the project site. This statement is untrue. While the proposed project would permanently disturb approximately 80 acres of the 273-acre project site with development, and temporarily disturb another 10 acres in the short-term, it would leave approximately 183 acres of onsite habitat undisturbed. This includes an 83-acre parcel of land proposed for open space, which is located in the northern and upland portion of the project site. These areas of the project site would continue to provide habitat areas where wildlife may live and forage. In addition, the project site is surrounded by existing open space areas on three sides, which provide additional habitat areas for wildlife.

- M-3 The proposed project would provide an equestrian trail and equestrian trail linkage between Horsethief Canyon Park and the Sycamore Canyon trail system, which proceeds into the Angeles National Forest. Horsethief Canyon Park is maintained by the City of San Dimas while the Angeles National Forest is maintained by the U.S. Forest Service. Mitigation measure Pub-4A in the Final EIR has been revised to identify that the applicant must coordinate with the City of San Dimas and the U.S. Forest Service regarding the operation of trails provided by the proposed project. The reference to the Los Angeles County Department of Parks and Recreation in mitigation measure Pub-4A has been deleted.
- M-4 This comment provides contact information for the County of Los Angeles Department of Parks and Recreation. It does not raise a significant environmental issue for which a response is required.

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DENIS BERTONE
 COUNCILMAN ~ CITY OF SAN DIMAS

To: Larry Stevens
 Assistant City Manager
 City of San Dimas
 245 East Bonita Avenue
 San Dimas, CA 91773

From: Denis Bertone
 1615 Calle de Armonia
 San Dimas, CA 91773

Date: 11-1-10

What follows are my comments on the Brasada Residential Environmental Report, dated September 20, 2010. I am submitting these comments on behalf of myself and the Coalition to Preserve Bonelli Park.

- N-1.** I have also included comments/questions from the Environmental Information Form: Part 1 - Initial Study; The Environmental Checklist Form Part 2 - Initial Study; The Northern Foothills Implementation Program - Program Environmental Impact Report (Volume II June 1999); and Appendix C Biological Resources Technical Report (L & L Environmental, Inc.) September 1, 2010.

Denis Bertone (11/1/10)

- N-1** This comment provides an introduction to comments N-2 through N-26. It does not raise a significant environmental issue for which a response is required. However, please note that the responses to comments regarding biological issues raised in the Denis Bertone comment letter are based on a response letter prepared by L&L Environmental, Inc. dated November 16, 2010. L&L Environmental prepared this letter in response to Denis Bertone's comment letter on the public review Draft EIR dated November 1, 2010. The L&L Environmental response letter is provided as Attachment C to the Response to Comments section of the Final EIR.

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EIR Comments ~ Denis Bertone

I. Brasada Residential Project, Environmental Impact Report: Volume I

- N-2. Page ES-5 - Table ES1:
- Question:** Page ES-8, Section 4.3 Biological Resources. Why is the *thread-leaved brodiaea* the only plant discussed?
- N-3. Page ES-8: In discussing the thread-leaved brodiaea it states that an “informal consultation with the USFWS, the CDFG, and a biologist” will take place prior to grading.
- Question:** What is the difference between a formal and an informal consultation? Why not a “formal consultation?”
- N-4. Page 4.3-11: Special Status Wildlife Species
It is stated that “sixty-five special status wildlife species” had the potential to occur in the vicinity of the project. According to pages 4.3-11 and 4.3-12, 28 special status species have a moderate to high potential to occur. Table 4.3-3 (pages 4.3-13 to 4.3-20) list three species with high probability to occur and four that *do* occur.
- Question:** Besides the gnatcatcher, were any focused studies done?
- N-5. In my opinion a focused study is necessary for all species that have a high potential to occur, as well as those that *do* occur.
- N-6. Page 4.3-15 states that the closest occurrence of the Bald Eagle is in Big Bear. The Bald Eagle occurs yearly in Bonelli Park.
- N-7. 3.3.5 Project Construction:
It states that the project would be in three to four phases, with most grading and utilities as part of the first phase. The project construction is anticipated to occur over a 5+ year period.
- Question:** What occurs if the project is stopped for some reason after the grading takes place in phase one? Who will be responsible for putting the environment back in place?
- N-8. One can look at the recent abandoned project at the end of Valley Center.

- N-2 Table ES-1 in the Executive Summary of the Draft EIR summarizes the impacts associated with the proposed project and the mitigation measures required to reduce these impacts to below a level of significance. Section 4.3, Biological Resources, of the Draft EIR provides a full analysis of the proposed project’s impacts to biological resources and evaluates all plant species with the potential to be impacted by the project. The thread-leaved brodiaea is the only plant species discussed on page ES-8 of Table ES-1 because this is the only candidate, sensitive, or special status plant species that would be directly impacted by the proposed project. Therefore, it is the only sensitive plant species included in the summary of impacts.
- N-3 Informal consultation with the U.S. Fish and Wildlife Service (USFWS) is the first step in the consultation process regarding impacts to protected resources. The USFWS evaluates the project’s potential impacts during an informal consultation period and then provides a written response as to the project’s potential to impact protected resources. If USFWS determines that a project “may affect” protected resources, they issue a “may affect” letter. If a “may affect” letter is issued for the project, then a formal consultation would follow. If the USFWS determines that the project would not affect protected resources, then a “not likely to affect” letter is issued and the informal consultation process ends. Formal consultation for the project, if it occurs, will be at the discretion of the USFWS.
- Similarly, the California Department of Fish and Game (CDFG) has a process where projects undergo a preliminary or pre-application consultation in stages. One onsite meeting with CDFG has already occurred for the proposed project and is reflected in Appendix C, Biological Assessment, of the Draft EIR. Additional on-site meeting(s) for the proposed project will occur as the regulatory permit process for the project proceeds, at the discretion of CDFG.
- N-4 Section 4.3, Biological Resources, of the Draft EIR summarizes the information contained in Appendix C, Biological Assessment (L&L Environmental 2010), of the Draft EIR. The Biological Assessment prepared for the project addresses species that are present or potentially present on the project site. A determination of whether a species was present or potentially present was made based on a records search and habitat assessment. The results of the records search and habitat assessment determined which species would require a focused survey. Focused surveys could only be performed for

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species with a specified focused survey protocol. Refer to response to comment N-5 for additional information on focused survey protocol.

Based upon the records search and habitat assessment, focused surveys were performed for the coastal California gnatcatcher and all botanical species. The gnatcatcher focused survey followed USFWS 1997 protocol while the botanical species survey followed the 2009 CDFG protocol for surveying and evaluating impacts to special status native plant populations and natural communities.

The Biological Assessment also conducted a focused tree survey using the City of San Dimas Guidelines and a specific habitat assessment for the presence or absence of habitat to support the red-legged frog using USFWS 2005 Protocol. During the red-legged frog assessment the potential for the project site to support a newt species was also evaluated. The Biological Assessment also conducted a raptor nest survey which found two nests associated with a nesting pair of red-tailed hawks.

N-5 Not every species that may be present on the project site is required to have a focused study. The decision to conduct a focused survey is based on whether the species is protected and whether there is an accepted method (protocol) to conduct a focused survey. While some species of local concern or habitat types of local concern can be addressed by conducting a local survey within city or county guidelines, focused surveys are conducted according to a particular written and /or accepted protocol developed by the resource agencies (USFWS or CDFG). Focused survey protocols for a specific species can also be developed by other recognized authorities including consortiums, councils and/or societies such as the Burrowing Owl Consortium, the Desert Tortoise Council and the Native Plant Society.

When surveying for a specific species where an individual protocol does not exist, general survey guidelines are used. For example, the Biological Assessment surveyed listed botanical species by using the 2009 CDFG botanical protocol.

Periodically, new species are "listed" and critical habitat is designated by CDFG and/or USFWS. Following this listing, and if an accepted protocol has not been developed, professionals working together with the resource agencies or biological societies develop new or updated survey protocol/guidelines. Generally speaking, protocol for a focused survey is developed on an as-needed basis for newly protected individual species. Many species which have achieved "watch" status or a preliminary listing do not yet have individual survey protocol. As a species becomes more and more impacted by habitat loss and/or reproductive failures,

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for example egg loss due to the pesticide DDT, the agencies start requiring surveys for data collection purposes and/or performing census surveys. However, the largest number of species occurring or potentially occurring within any property within California is addressed through the preparation of a habitat assessment, a general biological survey and/or a more intensive biological assessment such as the one prepared for the proposed project.

- N-6 The Biological Assessment prepared for the proposed project (L&L Environmental 2010) conducted a record search for listed species on the CDFG California Natural Diversity Database (CNDDDB). On the CNDDDB, no record of occurrence of the Bald Eagle was recorded closer to the project site than Big Bear. However, based upon the comment received, L&L conducted an additional species search on the E-bird public website and found records of the Bald Eagle at Puddingstone Reservoir, which is considerably closer to the project site.

Although the Bald Eagle is closer to the project site than previously identified, this conclusion does not change any findings of the Biological Assessment or require additional mitigation measures to be implemented. During the preparation of the Biological Assessment, L&L surveyed for the Bald Eagle on the project site repeatedly over multiple months. While foraging habitat for the Bald Eagle exists on the proposed project site, and was reported in the Biological Assessment, the Bald Eagle was not observed nor were Bald Eagle nests or other signs observed during field surveys. Although Bald Eagles may occur closer to the project site than previously estimated, this species is not expected to occur on the project site.

Based upon this comment, an addendum letter to Appendix C, Biological Assessment, of the Draft EIR has been prepared which describes the information contained in the public records search conducted on the E-bird website. The Biological Assessment addendum letter is provided as Attachment D to the Response to Comments section of the Final EIR. Table 4.3-3, Special Status Wildlife Species, of the Draft EIR has been revised to properly reflect the closest record of the Bald Eagle. These revisions do not constitute significant new information pursuant to § 15088.5 of the CEQA Guidelines that would require recirculation of the Draft EIR. As stated in § 15088.5(a) of the CEQA Guidelines, significant new information includes: a new significant environmental impact that would result from the proposed project or a new mitigation measure; a substantial increase in the severity of an environmental impact, unless mitigated to a less than significant level; a feasible project alternative or mitigation measure considerably different from others previously identified that would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it; or the draft

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EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. The above mentioned revision does not meet any of these criteria.

- N-7 There is no evidence to suggest that the proposed project would not be completed, nor is that part of the project description. Therefore, non-completion of the project is speculative and is not addressed in the Draft EIR. The Draft EIR evaluates the most conservative, worst-case scenario of the proposed project, which accounts for the completed construction and operation of 61 residential homes. If the project applicant was to stop project construction prior to project completion, the applicable mitigation measures identified in the Draft EIR would still be enforced to reduce the environmental impacts of the disturbed portions of the site. Implementation of the mitigation measures identified throughout the various sections of the Draft EIR would reduce the majority of environmental impacts associated with construction and operation of the proposed project to a level below significant. However, even with mitigation, impacts related to Aesthetics (Visual Character and Quality), Air Quality (Construction-related Air Quality Emissions and Impacts to Local Sensitive Receptors), Hazardous Materials (Emergency Response and Evacuation Plans), and Transportation and Traffic (Emergency Access) would be potentially significant and unavoidable. The City will consider provisions to minimize impacts to the environment and surrounding properties if there is a stoppage of the project mid-construction that can be implemented as a condition of approval for the Tentative Tract Map.
- N-8 This comment does not pertain to the proposed project and does not raise a significant environmental issue for which a response is required.

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EIR Comments ~ Denis Bertone

- N-9.** Page 4.3-21 Trees:
Question: Of the 4,000 trees located on site, how many will be removed, and what number of each species will be removed?
- N-10.** Page 4.3-21 Wildlife Corridors:
 The importance of wildlife corridors is acknowledged. On page ES-16, Table ES-1, it states that the impact on the “Wildlife Corridor” will be “less than significant.”
Question: I have been told by biologists that the type of wildlife found in the San Gabriel foothills is considerably different than that found in the National Forest. Is this true?
- N-11.** **Question:** I have also been told that wildlife that use the foothills as a corridor may not necessarily use the National Forest. Is this true?
- N-12.** Page 4.3-25 (4.3.3.1) Issue I: Candidate, Sensitive, or Special Status Plant Species
Question: Were focused studies done for the Plummer’s Mariposa Lily and the California black walnut trees?
- N-13.** **Question:** If studies were not done, why?
- N-14.** Figure 4.3-4: Direct Impacts to Sensitive Biological Resources: (After Page 4.3-48)
 There needs to be a focused study on all plants and wildlife species listed on this map. Development should be avoided in areas where these species exist.
- N-15.** **II. Environmental Information Form: Part 1 - Initial Study**
 In answer to question number 31, it states that “Surveys were performed for several threatened and/or Endangered Wildlife species that occur in the region.”
Question: What specific species were surveyed and what type of survey was performed?
- N-16.** **III. Environmental Checklist Form: Part 2 - Initial Study**
Page 17: “Special status biological resources/plants impacts were deemed potentially significant.”

- N-9** EIR Section 4.3.3.6, Issue 6 – Local Policies or Ordinances and Habitat Conservation Plans, evaluates the proposed project’s direct and indirect impacts to mature trees. As described in this section, the proposed project site contains a total of approximately 4,000 trees, which include varieties of coast live oak, eucalyptus, scrub oak, sycamore, walnut and willow. The trees located on site that meet the City of San Dimas’ definition of a mature significant tree and would be impacted by construction of the proposed project include: 220 coast live oak, 138 walnut, five sycamore, and 67 eucalyptus trees. In total, implementation of the proposed project would result in the direct loss of 430 mature significant trees, or approximately 11 percent of the total trees present on site.
- In addition to the 430 mature significant trees that would be directly impacted by the proposed project, additional mature trees may be impacted from implementation of the project’s Fire Protection Plan, which requires the development of fuel modification zones that are cleared of vegetation. Mature trees located within the proposed fuel modification zones are not planned for removal, but may require pruning under the conditions of the Fire Protection Plan. Tree pruning would result in a significant impact if it affects the long-term health of the tree. The number of trees that may be indirectly impacted from pruning due to compliance with the project’s Fire Protection Plan has not been calculated.
- N-10** Habitat types found in the San Gabriel foothills and the National Forest land differ by community type and elevation. These, among other factors, control the wildlife species that occupy the area. Some wildlife found in the San Gabriel foothills and the National Forest would be expected to overlap in the margins and/or ecotones and intergrades of habitats. For example, coastal sage overlaps with chaparral species on the proposed project site. Some variation of both botanical and wildlife species will result within the San Gabriel foothills and the National Forest lands and in the immediate surrounding areas.
- N-11** It is possible that wildlife species that use the foothills as a wildlife corridor may not necessarily use the National Forest as a wildlife corridor and vice-versa. Wildlife corridors are often discussed by the resource agencies as habitat or land features that allow wildlife movement between larger open spaces or resources areas. For example, certain larger mammal species may move into an area to take advantage of a grassland food source or fruits or nuts available during certain times of the year. They may disperse young into

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adjacent but consistent habitat or they may move into an area because of changed environmental conditions like an increased volume of available food or stressors like fire and drought. Though the proposed project site offers topographic features like drainages and ridgelines trending north/south, which are suitable for wildlife foraging movement, dispersal or sheltering these wildlife species is constrained by the existing development to the south, east and west of the project site. Further, the dramatic elevation changes to the north also constrain wildlife dispersal and sheltering. The wildlife species within the proposed project site have limited access to outside genetic material through interaction with their larger regional community.

- N-12 The Plummer's Mariposa Lily does not have individual focused survey protocol; therefore, a focused survey was not conducted. The Biological Assessment for the proposed project evaluated the potential for Plummer's Mariposa Lily to occur during the focused botanical survey, which included 13 site visits over approximately 56 hours. The Plummer's Mariposa Lily occurs on the project site. Text documenting this determination and photographs of this species are included in Appendix C, Biological Assessment, of the Draft EIR. Refer to responses to comments N-4 and N-5 above regarding the need to conduct focused surveys for every species with the potential to occur in the vicinity of the project site.

The California black walnut was assessed during a focused tree survey of the project site. This focused survey assessed and identified 138 California black walnut trees within the proposed project's development footprint. Refer to Appendix C, Biological Assessment, for additional information on the focused tree survey.

- N-13 See response to comment N-12 for a response to this comment.
- N-14 EIR Figure 4.3-4 identifies direct impacts to sensitive biological resources. The map reflects the species that were observed on the project site and their actual locations identified during focused or general studies. As discussed in responses to comments N-4 and N-5 above, if no specific species protocol exists, the potential for the individual species to occur is evaluated in the appropriate general protocol. Where the proposed project's development cannot avoid impacting species, mitigation measures Bio-1A, Bio-1B, Bio-1C, Bio-1D, Bio-1E, Bio-1F, Bio-2A, Bio-2B, Bio-2C, Bio-3A, Bio-3B, Bio-4A, Bio-4B, Bio-4C, Bio-4D, Bio-4E, and Bio-6A have been identified to reduce impacts to the species listed in Figure 4.3-4. Refer to Section 4.3, Biological Resources, of the Draft EIR for a complete analysis of biological resource impacts from the proposed project and required mitigation to reduce these impacts to a level below significant.

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- N-16. cont. **Question:** Were the requirements and/or suggestions put forth in this paragraph followed? Please explain.
- N-17. Page 18: "Specific status biological resources/wildlife impacts were deemed potentially significant."
Question: Were the requirements/and or suggestions put forth in this paragraph followed? Please explain.
- N-18. Page 19 - Number 7:
"To fully document the potential impacts to sensitive wildlife species, focused surveys for the following state or federally listed threatened or endangered wildlife species shall be conducted during the optimal survey period to any development approvals from the City for any project within the potential development area."
Nine species (Page 19) are then listed.
The above paragraph states that focused studies "shall be done," not that they may be done.
Question: Why weren't these directives carried out?
- N-19. It then lists approximately 30 additional species in which focused surveys "may be warranted."
Question: Were any of these species surveyed or studied? Which ones, and how were the surveys conducted?
- N-20. **IV. Northern Foothills Implementation Program:**
Program Environmental Report (Final - Volume II, June 1999)
Letter from:
United States Department of Interior: Fish and Wildlife Service
January 21, 1999
Question: On pages 2, 3, 4 and 5 of this letter, ten recommendations are given. Were they followed, and where are the responses?
- N-21. Letter from:
Department of Fish and Game: State of California
January 25, 1999

- N-15 See response to comment N-4 above for a response to this comment.
- N-16 The requirements and suggestions regarding biological resources identified in the Initial Study prepared for the proposed project were followed, where applicable. Each species listed in the Initial Study was researched during a records search and assigned a probability factor of occurring on the proposed project site. Species on the Initial Study list are reported in the probably assessment tables (Tables 5 through 10) of Appendix C of the Draft EIR, Biological Assessment (L&L 2010). If these species also have a listing status, even locally, they are reported in the text of the Biological Assessment and Draft EIR. Following the records search and probability assessment, an intensive field search based on habitat was conducted by L&L to evaluate the potential for species to occur on the proposed project site.
- Some species specifically listed in the Initial Study did not have habitat present on the proposed project site. For some other species listed in the Initial Study, such as the Quino Checkerspot Butterfly, the project site was not found to be located within the known range of the species. Other species, like the coastal California gnatcatcher, was reported in the record search as observed in the area and habitat was determined present on the project site, even though the project site is above the normal elevation range of the bird. Because the bird might be found using the project site during times of environmental stress, L&L surveyed the project site over a two year period for six weeks each year. Findings for this bird were negative for occurrence and negative for sign.
- Similarly, L&L also searched for habitat for the red-legged frog and the least Bell's vireo and found no suitable habitat present. Both of these species require a specific kind of riparian habitat which is not present on the property. However, habitat for this species was reported in previous documents as occurring nearby, which is consistent with the findings of the Biological Assessment. The cactus wren, a state species of special concern, is present on the project site. Although this species lacks federal protection status, it was addressed in the Biological Assessment and Draft EIR and is covered in the recommended mitigation measures which include habitat replacement of the coastal sage community (Bio-3A).
- With regard to mitigation proposed in the Initial Study, mitigation for the project has not occurred because the proposed project has not yet been approved. Upon approval of the proposed project, its implementation will

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be subject to the project's conditions of approval and the mitigation measures identified in the Mitigation Monitoring Reporting Program.

Specific mitigation locations will be developed as a part of the landscape plan which is dependent on the precise grading plan for the project site. A mitigation plan is not finalized until the resource agencies have commented on issues such as riparian mitigation zones, which are generally based on the availability of water and maintenance access. Typically, plan finalization occurs just prior to grading and is consequently subject to the conditions of approval developed during the EIR and Tentative Tract Map stage. As a result of the EIR mitigation measures and Tract Map conditions, the project will be conditioned on complying with these requirements.

As the project evolves, the actual mitigation ratios for the proposed project cannot be less than disclosed in the Biological Assessment and Draft EIR, but may be more. CDFG reviews the final project plans to determine consistency with the EIR before it issues a Streambed Alteration Agreement. This agreement addressed all mitigation on the property because the CDFG is considered the caretaker of the State's habitat and wildlife resources. For this reason, the final location of all mitigation is developed in the mitigation plan which then addresses all of the proposed mitigation including that required by the regulatory agencies.

- N-17 See response to comment N-16 above for a response to this comment.
- N-18 Refer to responses to comments N-4 and N-5 regarding the need to conduct focused surveys for each species potentially present on the project site. The Biological Assessment for the proposed project conducted studies for sensitive wildlife species, and focused surveys for state or federally listed threatened or endangered wildlife where habitat was present on the project site, during the optimal survey period. The nine species listed in the Initial Study and referred to by the commenter are addressed below. Refer to Appendix C, Biological Assessment, of the Draft EIR for additional information on focused surveys.

Quino checkerspot butterfly. Although the Environmental Impact Report for the Northern Foothills Implementation Program (NFPEIR) indicates that habitat on-site should be assessed for host plants, the USFWS Recovery Plan (2002) and the CNDDDB records indicate that the proposed project site is located well outside of the current known range of the species. Records from Los Angeles, San Bernardino and Orange Counties are historic and are listed on the Quino Checkerspot Butterfly Recovery Plan as occurring before 1986 and consist of very few records. The

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closest recorded Quino checkerspot butterfly location is an historic record in Orange County, approximately 4.5 miles to the southwest of the project site.

L&L biologist Guy Bruyey holds a survey permit for the federally listed Quino checkerspot butterfly and was on the proposed project site for extensive surveys during the Quino flight season in 2010. No Quino checkerspot butterfly was observed and a butterfly inventory is included in Appendix C of the Draft EIR. The project site does support host plants for the Quino checkerspot butterfly. However, based on the survey data, the dates that the surveys were conducted and the publication of the Recovery Plan (2002), L&L does not recommend and did not conduct focused surveys. Refer to page 50 of Appendix C of the Draft EIR for additional information on the Quino checkerspot butterfly.

Santa Ana sucker. The Biological Assessment determined that the project site lacks fresh surface water to support the Santa Ana sucker and no suitable habitat is present. Based upon this information, no focused survey was recommended or conducted. Refer to page 35 of Appendix C of the Draft EIR for additional information on the Santa Ana sucker.

Arroyo southwestern toad. Due to the lack of aquatic habitat on the project site, L&L determined that no suitable habitat for the federally endangered arroyo southwestern toad occurs in the project site and the project site is not located within a critical habitat area for the arroyo southwestern toad. Refer to page 39 of Appendix C of the Draft EIR for additional information on the arroyo southwestern toad.

California red-legged frog. A focused habitat assessment for this species was conducted by an L&L biologist as part of the Biological Assessment and no suitable habitat was found. Therefore, a full protocol survey for the California red-legged frog was not recommended or conducted.

Southwestern willow flycatcher. No suitable habitat was determined to be present on the project site for this species and a focused survey was not recommended or performed.

Least Bell's vireo. No suitable habitat was determined to be present on the project site for this species and a focused survey was not recommended or performed.

Bank Swallow (nesting). No suitable habitat was determined to be present on the project site for this species and a focused survey was not recommended or performed.

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Coastal California gnatcatcher. Marginally suitable habitat was determined to be present on the project site for this species and focused surveys were performed in 2009 and 2010. From these surveys, the species was not found to be occupying the site. However, habitat replacement is required for this species, as stated in mitigation measure Bio-3A.

Raptor (nesting). Habitat was determined to be present on the project site for raptors and a search for nests was conducted. Two nests were reported to occur in the project area and neither was occupied in 2009. However, one pair of nesting red-tailed hawks was observed in 2010 utilizing one of the two nests identified during the 2009 surveys. Mitigation measure Bio-2A would be implemented to reduce impacts to nesting raptors from project implementation.

N-19 If suitable habitat for any of the 30 species referenced by the commenter and listed in the Initial Study was found to be present within the project site during the Biological Assessment, and where focused survey protocol exists, a focused habitat assessment was conducted followed by a protocol survey.

One of the 30 species, the red-legged frog, has protocol but no habitat is present on the project site. Field studies for this species stopped after the habitat assessment was conducted with negative findings. Another species, the coastal California gnatcatcher, had marginal habitat present on site and had one known occurrence in the project area. A full set of protocol surveys for this species occurred twice over a two year period (2009-2010). These surveys consisted of 6-week nesting season protocol surveys. The gnatcatcher was not observed in either year.

The Quino checkerspot butterfly was found to have potential habitat present on the property and a butterfly survey was performed during the Quino flight season by an L&L biologist that holds a federal permit for the species. The project site is located outside the known range of the Quino checkerspot butterfly and this species was not observed on site. Therefore, a full focused survey was not conducted for the Quino checkerspot butterfly.

A raptor nesting survey is typically conducted as part of any biological field study. For the proposed project, the nesting survey was performed twice on the project site over a two year period and suitability for raptor foraging was addressed. Findings of this species were positive because two nests and several raptor species were observed. Mitigation measure Bio-2A is required to reduce impacts to nesting raptors.

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Refer to responses to comments N-4 and N-5 above regarding the need to conduct focused surveys for every species with the potential to occur in the vicinity of the project site.

- N-20 The USFWS January 21, 1999 letter is included as Attachment E to the Response to Comments in Volume III of the Final EIR. This letter was received during the Notice of Preparation period for the NFPEIR, which was a programmatic EIR for approximately 972 acres. Although this letter does not directly pertain to the proposed project (nor did USFWS comment on the proposed project), the project site is located within the Northern Foothills area. Therefore, responses to this comment are provided below.

In response to the commenter's question, the Draft EIR prepared for the proposed project does fully address the 10 recommendations made in the January 21, 1999 USFWS letter for the NFPEIR. The numbered responses below identify the applicable sections of the Draft EIR in which these recommendations are addressed, in the order of recommendations listed in the USFWS letter. Refer to Attachment E of the Response to Comments for a complete list of the 10 USFWS recommendations for the NFPEIR.

EIR Chapter 2, Environmental Setting, describes the 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. Additionally, each subsection of Chapter 4 contains a section called "Environmental Setting" which provides a description of the local and regional environmental setting for the proposed project, as applicable the specific environmental issue.

A complete discussion of the purpose and need for the proposed project is included in Chapter 3, Project Description. Chapter 6, Alternatives, describes alternatives to the proposed project that could avoid or substantially lessen significant effects of the proposed project and evaluates each alternative's environmental effects in comparison to the proposed project.

EIR Chapter 3, Project Description, provides a complete description of the proposed project. Chapter 4.9, Land Use, provides a full discussion of the project site's land use designation, including a comparison of the project's consistency with the Northern Foothills Implementation Program land use designations. Chapter 6, Alternatives, evaluates alternatives to the proposed project and examines the potential increase or decrease in environmental impacts associated with each alternative, including biological resources.

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Appendix C, Biological Assessment (L&L 2010), of the Draft EIR provides a quantitative and qualitative assessment of the biological resources and habitat types that occur on and around the project site and that would be impacted by project implementation. This report includes a list and discussion of federal candidate, proposed or listed species, state-listed species and locally sensitive species. EIR Section 4.3, Biological Resources, summarizes the information contained within the Biological Assessment. Section 4.3.3.1, Issue 1 – Candidate, Sensitive, or Special Status Plant Species, identifies potential impacts to sensitive plant species and identifies mitigation measures to reduce these impacts. Section 4.3.3.2, Issue 2 – Candidate, Sensitive, or Special Status Wildlife Species, identifies potential impacts to sensitive wildlife species and identifies mitigation measures to reduce these impacts. Section 4.3.3.3, Issue 3 – Riparian Habitat and Other Sensitive Natural Communities, identifies potential impacts to riparian communities and identifies mitigation measures to reduce these impacts. Chapter 6, Alternatives, evaluates the potential for project alternatives to reduce impacts to biological resources as compared to the proposed project.

Appendix C of the Draft EIR, Biological Assessment, and EIR Section 4.3, Biological Resources, provide specific acreages and locations of all habitat types that would be impacted by the proposed project, including maps and tables. Chapter 6, Alternatives, evaluates the potential for project alternatives to reduce impacts to biological resources.

Chapter 5, Other CEQA Considerations, of the Draft EIR evaluates the associated growth-inducing effects of the proposed project. Each subsection of Chapter 4 contains project and cumulative analyses of various issues under each environmental topic addressed in the Draft EIR. Chapter 4.0, Environmental Analysis, provides additional information on cumulative impacts and mitigation, including Table 4-1, Geographic Scope of Cumulative Impact Analyses, and Table 4-2, Past, Present and Probable Future Cumulative Projects.

EIR Section 4.9, Land Use, provides a detailed consistency analysis of the proposed project's General Plan and Specific Plan amendments. Section 4.3.3.5, Issue 5 – Wildlife Movement Corridors, analyzes the proposed project's impacts on the movement of wildlife, which was determined to be less than significant and would not require mitigation.

EIR Section 4.3.3.2, Issue 2 – Candidate, Sensitive, or Special Status Wildlife Species, provides an analysis of the proposed project's indirect impacts to wildlife species, including impacts from noise and lighting. Indirect impacts to wildlife

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from noise were determined to be less than significant, while indirect impacts to wildlife from lighting were determined to be potentially significant. Mitigation measure Bio-2A would be implemented to reduce indirect impacts from lighting to a less than significant level.

EIR Section 4.3.3.4, Issue 4 – Wetlands, describes the proposed project’s potential impacts to jurisdictional waters and wetlands and requires mitigation measures Bio-1B, Bio-1C, Bio-1D, Bio-1E, Bio-1F, Bio-4A, Bio-4B, Bio-4C, Bio-4D and Bio-4E to reduce these impacts to a less than significant level.

EIR Chapter 1, Introduction, provides a list of the agency approvals required to implement the proposed project.

EIR Section 4.3.3.6, Issue 6 – Local Policies or Ordinances and Habitat Conservation Plans, addresses the proposed project’s potential impacts to applicable biological resource policies or ordinances. As stated in this section, the proposed project is not located within a conservation overlay area.

N-21 The CDFG January 25, 1999 letter is included as Attachment F to the Response to Comments (Volume III) of the Final EIR. The CDFG letter was received during the Notice of Preparation period for the NFPEIR. Although this letter does not directly pertain to the proposed project and although CDFG did not comment on the proposed project, the project site is located within the Northern Foothills area. Therefore, responses to this comment are provided below.

In response to the commenter’s question, the Draft EIR prepared for the proposed project does fully address the five recommendations made in the January 25, 1999 CDFG letter for the NFPEIR. The numbered responses below identify the applicable sections of the Draft EIR in which these recommendations are addressed, in the order of recommendations listed in the CDFG letter. Refer to Attachment F of the Response to Comments for a complete list of the five CDFG recommendations for the NFPEIR.

Appendix C, Biological Assessment, of the Draft EIR provides a complete assessment of the flora and fauna within and adjacent to the proposed project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats. Refer to responses to comments N-4 and N-5 above for information regarding the record searches, survey protocol and focused species-specific surveys conducted for the project.

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EIR Comments ~ Denis Bertone

N-21.
cont. **Question:** On pages 1,2,3, and 4 of this letter, it states: “We recommend the following information be include in the Draft Environmental Report.” Five recommendations are given. Were these recommendations followed? Where is the information asked for given? Is this information given in the 2010 EIR?

V. APPENDIX - C

Biological Resources Technical Report
(L & L Environmental, Inc. - September 1, 2010)

N-22.
Page V:
Question:
May I see a copy of the focus study done on the thread-leaved brodiaea?

N-23.
Page 118 - Field Survey Form: Cactus Wren
Question:
The form says that the species were found. Why was there no focused study?

N-24.
Page 120 - Field Survey Form: Black tailed Jack Rabbit
Question:
The form indicates that this species was found. Why was there no focused study?

N-25.
Page 121 - Field Survey Form: Northern Harrier
Question:
The form says that this species was found. Why was there no focused study completed?

N-26.
Pages 122 and 123: Field Survey Form: Plummer’s Mariposa Lily
Question:
The study indicates this flower was found. Why was there no focused study?

Respectfully submitted:

Denis Bertone
Denis Bertone

EIR Section 4.3, Biological Resources, includes a thorough discussion of the proposed project’s direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific mitigation measures identified to offset impacts. This section also includes a discussion of the regional setting and analyzes impacts to wildlife movement corridors, surrounding areas, conservation programs, and human intrusion.

Chapter 6, Alternatives, of the Draft EIR describes alternatives to the proposed project that could avoid or substantially lessen significant environmental effects, including impacts to biological resources, and evaluates their environmental effects in comparison to the proposed project. Alternatives addressed in Chapter 6 of the Draft EIR would be subject to the same mitigation measures that are listed in Section 4.3 for the proposed project. Refer to response to comment N-16 for information related to biological resources mitigation measures and CDFG approval.

EIR Section 4.3.3.1, Issue 1 – Candidate, Sensitive, or Special Status Plant Species, and Section 4.3.3.2, Issue 2 – Candidate, Sensitive, or Special Status Wildlife Species, address the potential for the proposed project to result in a “take” of plants or animals listed under the California Endangered Species Act. Mitigation measure Bio-1A requires consultation with the USFWS and CDFG regarding the project’s potential to impact the federally protected thread-leaved brodiaea. Mitigation measure Bio-2A requires regulatory agency consultation in the event a fully protected raptor is found nesting on the project site.

Section 4.3.3.4, Issue 4 – Wetlands, identifies potential impacts to jurisdictional waters and wetlands from the proposed project and proposes measures to mitigate these impacts. Mitigation measure Bio-4A requires impacts to wetlands and/or riparian habitats be mitigated as required by CDFG Section 1600 Streambed Alteration Agreement.

N-22 A focused study was not conducted for the thread-leaved brodiaea and is therefore not available for viewing. The presence or absence of this plant species was determined during the general biological and focused botanical study for the proposed project. Appendix A of the Biological Assessment includes a complete list of plant and wildlife species identified on the site and additional information on the general biological and focused botanical study. Refer to responses to comments N-4 and N-5 regarding the need to conduct focused surveys for every species with the potential to occur in the vicinity of the project site.

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- N-23 The presence of the coastal cactus wren was determined during the general biological and focused botanical study conducted for the proposed project. Appendix A of the Biological Assessment includes a complete list of plant and wildlife species identified on the site and additional information on the general biological and focused botanical study. Refer to responses to comments N-4 and N-5 regarding the need to conduct focused surveys for every species with the potential to occur in the vicinity of the project site.
- N-24 The presence of the black-tailed jack rabbit was determined during the general biological and focused botanical study for the proposed project. Appendix A of the Biological Assessment includes a complete list of plant and wildlife species identified on the site and additional information on the general biological and focused botanical study. Refer to responses to comments N-4 and N-5 regarding the need to conduct focused surveys for every species with the potential to occur in the vicinity of the project site.
- N-25 The presence of the Northern Harrier was determined during the general biological and focused botanical study for the proposed project. Appendix A of the Biological Assessment includes a complete list of plant and wildlife species identified on the site and additional information on the general biological and focused botanical study. Refer to responses to comments N-4 and N-5 regarding the need to conduct focused surveys for every species with the potential to occur in the vicinity of the project site.
- N-26 The presence of the Plummer's Mariposa Lily was determined during the general biological and focused botanical study for the proposed project. Appendix A of the Biological Assessment includes a complete list of plant and wildlife species identified on the site and additional information on the general biological and focused botanical study. Refer to responses to comments N-4, N-5 and N-12 regarding the need to conduct focused surveys for Plummer's Mariposa Lily.

