

# CHAPTER 2

## Response to Comments

California Code of Regulations Title 14 (State CEQA Guidelines) Section 15088(a) states, “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the noticed comment period.” In accordance with these requirements, this chapter contains the comment letters received on the Draft PEIR and provides responses to each of the written comments received during the public review period for the Draft PEIR, which began on February 27, 2023, and ended April 12, 2023. A virtual public meeting to discuss the findings of the Draft PEIR was held on March 9, 2023.

**Table 2-1, *Comment Letters Received on the Draft PEIR***, provides a list of public agencies and the organization that submitted comments on the Draft PEIR during the public review period. No comments on the Draft PEIR were received during the virtual public meeting held on March 9, 2023.

Each comment letter has been assigned an alphabetical designation (A through M). Each comment within each letter has been assigned a numerical designation so that each comment could be cross-referenced with an individual response. As shown in **Table 2-1, *Comment Letters Received on the Draft PEIR***, thirteen written comment letters were received by the County.

**TABLE 2-1  
COMMENT LETTERS RECEIVED ON THE DRAFT PEIR**

Letter #	Commenter	Date Received
A	South Coast Air Quality Management District, Danica Nguyen, Air Quality Specialist, CEQA-IGR, Planning, Rule Development & Implementation	03/08/2023
B	Puente Hills Habitat Preservation Authority, Ivan Sulic, Chair	03/24/2023
C	California Department of Transportation (Caltrans), District 7, Miya Edmonson, LDR/CEQA Branch Chief	03/30/2023
D	Office of the Sheriff – Los Angeles County, Tracey Jue, Director of Facilities Planning Bureau	04/03/2023
E	Los Angeles County Library, Skye Patrick, Library Director	04/04/2023
F	Aera Energy LLC, Michael S. James, Senior Counsel	04/11/2023
G	Aera Energy LLC, George Basye, Vice President, Fee Lands	04/11/2023
H	California Department of Fish and Wildlife, Erinn Wilson-Olgin, Environmental Program Manager I, South Coast Region	04/11/2023
I	Los Angeles Conservancy, Adrian Scott Fine, Senior Director of Advocacy	04/12/2023
J	City of San Dimas, Luis Torrico, Planning Manager	04/12/2023
K	Mr. Lauro Santana	04/13/2023
L	Mr. Samuel Brown	04/20/2023
M	Petition submitted on behalf of 139 petitioners	06/14/2023

## 2.1 Responses to Individual Comment Letters

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**From:** Danica Nguyen <dnguyen1@aqmd.gov>  
**Sent:** Wednesday, March 8, 2023 7:15 AM  
**To:** DRP Community Studies East Area Section <commplan@planning.lacounty.gov>  
**Cc:** Sam Wang <swang1@aqmd.gov>  
**Subject:** Technical Data Request: Los Angeles County East San Gabriel Valley Area Plan

**CAUTION: External Email. Proceed Responsibly.**

Dear Ms. Kim,

South Coast AQMD staff received the Draft Environmental Impact Report (Draft EIR) for the Proposed Los Angeles County East San Gabriel Valley Area Plan (SCH Number: 2022040512) ([South Coast AQMD Control Number: LAC230221-06](#)). Staff is currently in the process of reviewing the Draft EIR. The public commenting period is from 02/27/2023 – 04/12/2023.

Upon reviewing the files provided as part of the public review period, I was able to access the Draft EIR and Appendices through the City's website.

Please provide all technical documents related to air quality, health risk, and GHG analyses, electronic versions of all emission calculation files, and air quality modeling and health risk assessment files (complete files, not summaries) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following:

- CalEEMod Input Files (.csv or.json files);
- EMFAC output files (not PDF files);
- All emission calculation spreadsheet file(s) (not PDF files) used to calculate the Project's emission sources (i.e., truck operations);
- AERMOD Input and Output files, including AERMOD View file(s) (.isc);
- Any HARP Input and Output files and/or cancer risk calculation files (excel file(s); not PDF) used to calculate cancer risk and chronic and acute hazards from the Project;

A-1

A-2

- Any files related to post-processing done outside AERMOD to calculate pollutant-specific concentrations (if applicable).

A-2  
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You may send the files mentioned above via a Dropbox link which may be accessed and downloaded by South Coast AQMD staff **by COB on Wednesday, 03/15/2023**. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.

If you have any questions regarding this request, please don't hesitate to contact me.

Regards,

Danica Nguyen  
Air Quality Specialist, CEQA-IGR  
Planning, Rule Development & Implementation  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Phone: (909) 396-3531  
E-mail: [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)  
Please note South Coast AQMD is closed on Mondays.

A-3

### **Response to Comment A-1**

This comment is introductory in nature, indicating that South Coast AQMD received notification of the Draft PEIR, were able to access the Draft PEIR and appendices, and were in the process of reviewing the document. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment A-2**

This comment requests electronic copies of all technical documents related to air quality, health risk, and GHG analyses, inclusive of all emission calculation files, and air quality modeling and health risk assessment files. These documents were provided to the South Coast AQMD on March 8, 2023 via email. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment A-3**

This comment requests the files be sent to the South Coast AQMD by close of business on Wednesday, March 15, 2023, and that without all files and supporting documentation, South Coast AQMD staff will be unable to complete a timely review. The comment also notes that any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period. Finally, the comment concludes by providing South Coast AQMD contact details.

The requested data was sent to the South Coast AQMD via email on March 8, 2023. No further response is required. The County acknowledges the contact information for South Coast AQMD for future reference during the environmental review process that is provided in this comment.



March 22, 2023

Mi Kim, Supervising Regional Planner  
County of Los Angeles  
Department of Regional Planning  
320 W Temple St, Room 1362  
Los Angeles CA 90012  
[commplan@planning.lacounty.gov](mailto:commplan@planning.lacounty.gov)

**RE: Project No PRJ2020-000612 / East San Gabriel Valley Area Plan Draft  
Environmental Impact Report and Draft Plan Documents**

Dear Ms. Kim:

The Puente Hills Habitat Preservation Authority (Habitat Authority) appreciates the opportunity to comment on the East San Gabriel Valley Area Plan (ESGVAP) Draft Environmental Impact Report and Draft Plan Documents dated February 27, 2023. We previously provided comments on the ESGVAP NOP, Initial Study, and April 2022 Draft Plan Documents and appreciate that those comments were taken into consideration for this current draft.

The Habitat Authority is a public joint powers authority established pursuant to California Government Code Section 6500 *et seq.* with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County, and the community of Hacienda Heights. According to its mission, the Habitat Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency endeavors to provide opportunities for outdoor education and low-impact recreation.

In the Puente Hills, the Habitat Authority manages the open space in its ownership as well as the open space of Board Member agencies, totaling over 3,880 acres, within the Cities of Whittier, La Habra Heights and the County unincorporated area known as Hacienda Heights. These lands are collectively referred to as the Puente Hills Preserve (Preserve) and are situated along, and within, the southern boundary of the ESGVAP.

Overall, we appreciate the tremendous effort that has gone into producing the ESGVAP document, and support the conservation-minded policies, including the plans to develop a

wildlife connectivity ordinance and habitat connectivity plan. The Habitat Authority's full comments are included in Exhibit A.

Thank you for your consideration, and feel free to contact myself or Ecologist Michelle Mariscal ([mmariscal@habitatauthority.org](mailto:mmariscal@habitatauthority.org)) at (562) 945-9003 for further discussion. Also, please maintain our agency on the contact list for this planning process.

B-1  
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Sincerely,

A handwritten signature in blue ink, appearing to read 'Ivan Sulic', written over a light blue horizontal line.

Ivan Sulic  
Chair

cc: Habitat Authority Board of Directors  
Habitat Authority Citizens Technical Advisory Committee

## Exhibit A

### ***Comments on the Draft Environmental Impact Report and Draft Planning Documents for the East San Gabriel Valley Area Plan***

#### **Brief Project Description**

The proposed ESGVAP is a community-based plan that focuses on land use and policy issues that are specific to the unique characteristics and needs of the East San Gabriel Valley Planning Area. The ESGVAP is intended to respond to local planning challenges, guide long-term development, enhance community spaces, promote a stable and livable environment that balances growth with preservation, and improve the quality of life in the East San Gabriel Valley. The ESGVAP includes area-wide goals, policies, and implementation programs within nine different elements. The ESGVAP includes changes to land use designations and zoning in order increase residential density and commercial and mixed uses in areas near transit amenities. The Project would update and consolidate the two existing community plans (Rowland Heights and Hacienda Heights) into the Area Plan. The Rowland Heights community standards district is being updated to better implement the objectives of the Area Plan. Boundaries of the Avocado Heights equestrian district (ED) and Trailside ED are being combined and updated to streamline and standardize horse keeping provisions within the two existing ED areas.

B-2

#### **Draft Environmental Impact Report (EIR)**

##### **Section 4.4 Biological Resources**

- Pg. 4.4-8: The EIR states that, based on review of the CNDDDB, mountain lions (*Puma concolor*) have not been reported in the Planning Area; however, please note that two mountain lions were documented within the Planning Area in 2022, highlighting the importance of the proposed ESGVAP policies and goals pertaining to wildlife movement. Most recently, a collared male mountain lion, M317, made a round-trip journey through the Puente-Chino Hills Wildlife Corridor during fall 2022, travelling from the Santa Ana Mountains into the Puente Hills as far northwest as the 605 freeway (W. Vickers, UC Davis Wildlife Health Center CA mountain lion project). A second uncollared mountain lion was killed on the 60 freeway in Diamond Bar in spring of 2022 (<https://www.dailybulletin.com/2022/04/16/mountain-lion-killed-on-60-freeway-in-diamond-bar-is-part-of-a-rise-in-roadside-deaths/>).

B-3

We understand that the ESGVAP is a component of the Los Angeles County General Plan. Our following comments regarding Section 4.4 Biological Resources of the Draft EIR were formulated based on consistency with the General Plan document and intended to firm up the mitigation measures required for future projects.

- Impact 4.4-1<sup>1</sup>: Although the DEIR states that future individual projects “would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts” (pg. 4.4-20), please solidify this by including Mitigation Measures that would require an assessment of biological resources on a project-specific basis, similar to what

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<sup>1</sup> Impact 4.4-1 per the Draft PEIR: “Would the Project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?”



was specified in the Draft Environmental Impact Report for the Los Angeles County General Plan 2035 (dated June 2014; pages 1-33 and 34) as follows:

- *“BIO-1: Biological resources shall be analyzed on a project-specific level by a qualified biological consultant. A general survey shall be conducted to characterize the project site, and focused surveys should be conducted as necessary to determine the presence/absence of special-status species (e.g., focused sensitive plant or wildlife surveys). A biological resources assessment report shall be prepared to characterize the biological resources on-site, analyze project-specific impacts to biological resources, and propose appropriate mitigation measures to offset those impacts. The report shall include site location, literature sources, methodology, timing of surveys, vegetation map, site photographs, and descriptions of biological resources on-site (e.g., observed and detected species as well as an analysis of those species with potential to occur onsite).”*
- *“BIO-2 If there is potential for direct impacts to special-status species with implementation of construction activities, the project-specific biological resources assessment report (as mentioned in Mitigation Measure BIO-1) shall include mitigation measures requiring preconstruction surveys for special-status species and/or construction monitoring to ensure avoidance, relocation, or safe escape of special-status species from the construction activities, as appropriate. If special-status species are found to be nesting, brooding, denning, etc. on-site during the pre-construction survey or monitoring, construction activity shall be halted until offspring are weaned, fledged, etc. and are able to escape the site or be safely relocated to appropriate offsite habitat areas. Relocations into areas of appropriate restored habitat would have the best chance of replacing/incrementing populations that are lost due to habitat converted to development. Relocation to restored habitat areas should be the preferred goal of this measure. A qualified biologist shall be on site to conduct surveys, to perform or oversee implementation of protective measures, and to determine when construction activity may resume.”*
- Additionally, please include a mitigation measure that would require compensatory mitigation for unavoidable direct or indirect temporary and permanent impacts to candidate, sensitive, or special status species and their habitats prior to disturbance, similar to what is specified in MM BIO--4.4-1 (Impact 4.4-3, pg. ES-13 of the ESGVAP DEIR).
- Impact 4.4-2<sup>2</sup>: See comment regarding Impact 4.4-1 above.
- Impact 4.4-5<sup>3</sup>: We disagree with the finding that Impact 4.4-5 would be less than significant with incorporation of only Mitigation Measure BIO-4.4-2, which specifically pertains to nesting birds. Because the ESGVAP accommodates increased residential density and commercial and mixed uses in areas near transit amenities, there is the

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<sup>2</sup> Impact 4.4-2 per the Draft PEIR: “Would the Project have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?”

<sup>3</sup> Impact 4.4-5 per the Draft PEIR: “Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?”

potential for direct and indirect impacts to wildlife movement resulting from construction, increased housing density, and increased traffic volumes. Such impacts could include behavioral changes, avoidance of suitable habitat and increased wildlife-vehicle mortality within established wildlife corridors (e.g., on Harbor Boulevard and S. Hacienda Boulevard, both of which cross the Puente Hills Preserve and thus the Puente-Chino Hills Wildlife Corridor). Please include a Mitigation Measure that, at minimum, addresses impacts to wildlife movement, similar to what was specified in the Draft Environmental Impact Report for the Los Angeles County General Plan 2035 (dated June 2014; pg. 1-34) as follows:

- *“BIO–3 No feasible mitigation measures are available that would reduce impacts to wildlife movement completely. However, corridors shall not be entirely closed by any development, and partial mitigation shall be mandatory for impact on wildlife corridors and wildlife nursery sites. This shall include provision of a minimum of half the corridor width. (The width shall be at least what is needed to remain connective for the top predators using the corridor.) Mitigation can include preservation by deed in perpetuity of other parts of the wildlife corridor connecting through the development area; it can include native landscaping to provide cover on the corridor. For nursery site impacts, mitigation shall include preservation by deed in perpetuity for another comparable nursery site of the same species.”*

B-6  
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#### Appendix C: ESGVAP Plan Area Communities: Land Use and Zoning Change Figures

- Rowland Heights Land Use map figure: Pathfinder Community Regional Park and vicinity are identified as “C-Commercial” on this figure, however we believe this was done in error. This is an important connection for the Skyline-Schabarum Trail, and south of this area is an area of open space that facilitates wildlife movement between habitat on either side of Harbor Boulevard, therefore we do not support Commercial development here.
- There are numerous inconsistencies between the figures provided in Appendix C of the DEIR compared the information provided on the ESGV Proposed Land Use Policy and Zoning website referenced in Appendix E of the draft Plan Document (<https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=48eb4076c4e74f2caa8f2a21a78dcfd6>) making it difficult for us to review and provide comments.

B-7

B-8

#### Draft ESGVAP Documents

##### Land Use Element (and associated maps)

- We encourage the ESGVAP to include zoning or land use designations for open space that are biologically important for the region but not yet legally protected.
- Please consider changing the Land Use Designation for the following areas/parcels, accompanied by a compatible zoning update, to reflect their location within the Puente-Chino Hills Wildlife Corridor and proximity to adjacent Open Space-Conservation lands:
  - Rowland Heights- It is our understanding that the Rowland Heights Community Plan, dated 1982, will be updated and incorporated into the ESGVAP, presumably providing an opportunity to also modify Land Use Designations. As interpreted from the Rowland Heights Land Use Map figure in Appendix C of the Draft EIR, the Land Use Designations used in the Rowland Heights Community

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B-10

Plan will continue to be used after the Community Plan is incorporated into the ESGVAP and the following comments are based on that interpretation. The southern portion of Rowland Heights comprises open space that is crucial for maintaining connectivity between the Puente Hills and Chino Hills for wildlife movement. This area is directly adjacent to LA County's only wildlife undercrossing structure which was specifically built to facilitate safe wildlife movement beneath Harbor Boulevard to ensure connectivity with open space on either side of the busy roadway. This area has a land use designation of Transitional Open Space, per the Rowland Heights Community Plan (and as interpreted from Appendix C of the Draft EIR), which allows for residential development. Even low-density housing introduces edge effects and fragmentation that will cause wildlife avoidance. Further, the majority of this area is mapped as a Very High Fire Hazard Severity Zone therefore residential development would be in conflict with other policies as outlined in the Plan Document.

- Please change the Transitional Open Space Land Use Designation to the Open Space designation, based on the Rowland Heights 1982 Community Plan definition of Open Space.
- If the Land Use Designations used in the Rowland Heights Community Plan will continue to be used after the Community Plan is incorporated into the ESGVAP, as interpreted from Appendix C of the Draft EIR, please provide the definitions of those Land Uses in the ESGVAP document.
- If the Land Use Designations will be updated for consistency with the other ESGVAP communities, please consider changing the Transitional Open Space Land Use Designation to the lowest density designation.
- Hacienda Heights- the International Buddhist Progress Society parcel (APN 8204-036-021). The Puente-Chino Hills Wildlife Corridor is at its narrowest width through the stretch where this undeveloped parcel is located, therefore conserving it is crucial for wildlife connectivity. It also contains intact oak woodland and other native habitats. Please consider changing the Land Use Designation on this parcel to a lower density limit. This will presumably maintain some level of permeability to wildlife, and reduce potential impacts to the intact oak woodland habitat.
- We support **Policy LU-5.1: Hazard Areas.** *“Avoid new development in designated environmental hazard areas, including frequently flooded areas, areas prone to landslides, wildland/urban interface areas, and Fire Hazard Severity Zones”* (Pg. 2-16) and **Policy LU-5.2:** *“Prohibit new development on lands surrounded by Very High Fire Hazard Severity Zones (VHFHSZs) in the Puente Hills and adjacent areas”* (Pg. 2-16).
- Please consider adding a policy that requires fuel modification zones and associated activities be strictly limited to the parcels being developed (i.e., prohibit fuel modification activities from spilling over onto adjacent parcels when those parcels are owned by unrelated parties).

B-10  
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B-11

B-12

Natural Resources, Conservation & Open Space Element

- We appreciate that this element’s focus has been more appropriately narrowed as compared to the April 2022 draft of the document which had heavily included trails, access and recreation within its scope. B-13
- Pg. 5-9 “Wildlife-Vehicle Collisions”: Please correct the name of our agency to the Puente Hills Habitat *Preservation* Authority. B-14
- Pg. 5-9 “Potential Impacts to Biological Resources of Road Widening Projects”: We appreciate that the ESGVAP document directly addresses road widening projects in this section and commend the Public Works Department for not having plans to widen the Los Angeles County portion of Brea Canyon Cutoff Road as stated. The proposed widening of this road in Orange County at a critical wildlife linkage poses significant impacts to wildlife movement within the Puente-Chino Wildlife Corridor, undermining the considerable investment in, and ecological sustainability of, open space to the west. B-15

Parks and Recreation Element:

- Pg. 6-2 “Existing Conditions”: The statement “There are also other park spaces which are owned and operated by cities, conservancies, and state and federal agencies” unintentionally excludes the Puente Hills Habitat Preservation Authority, which is a public Joint Powers Authority (a local government agency). Please consider revising this statement to be more inclusive. B-16

Additional Comments:

- We support **Policy RH-19: Brea Canyon Road.** *“Prohibit the widening of Brea Canyon Road and maintain the current width as it exists in the county for maximum protection of habitat areas”* (Pg. 8-48). B-17
- Section 8.9 Rowland Heights: Please consider adding a policy concerning Wildfire and Safety Risks for Rowland Heights. A southwestern portion of open space in this community is currently mapped as a Moderate Fire Hazard Severity Zone (FHSZ; Figure 4.18-1) despite being surrounded by land with a Very High FHSZ designation. While we acknowledge that the FHSZ mapping is not within the ESGVAP’s control, we maintain that the Moderate FHSZ designation on these parcels is unjustified and we are concerned that this designation will accommodate future residential growth, thus increasing probability of wildfires (as well as other ecologically detrimental edge effects). As described on page 8-52 for South Diamond Bar, given the severity of the wildfire threats, development in these high-risk areas should be completely avoided. B-18
- We support **Policy PR-4.7: Ranger and Law Enforcement Collaboration.** *Support ranger and law enforcement collaboration, increased nighttime presence, and enforcement to reduce the occurrence of nighttime parties and shutdown party sites in open space recreation areas. Such activity disturbs wildlife, neighborhoods, and presents wildfire threats”* (Pg. 6-10). The County-managed and Habitat Authority-managed trail networks are interconnected, and all efforts to increase ranger and law enforcement collaboration is appreciated. B-19

## Response to Comment B-1

This comment is introductory in nature, identifying that the Puente Hills Habitat Preservation Authority (PHHPA) previously commented on the Initial Study and provides information as to PHHPA's remit and mission. The comment proceeds to state that the project-specific comments are set forth in Exhibit A and concludes with providing contact details for further discussion. The County acknowledges the contact information for PHHPA for future reference during the environmental review process. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment B-2

This comment provides an overview of the Project Description and does not raise an issue with the Draft PEIR. Therefore, no further response is required.

## Response to Comment B-3

This comment asserts that the Draft PEIR incorrectly states that mountain lions (*Puma concolor*) have not been reported in the Planning Area when in fact two were documented within the Planning Area in 2022. While the sentence in the Draft PEIR is correct in stating the California Natural Diversity Database (CNDDDB) does not show mountain lions, based on the recommendation, the sentence immediately above Regulatory Setting on Page 4.4-8 has been amended as follows:

“Based on review of the CNDDDB, mountain lions (*Puma concolor*) have not been reported in the Planning Area; however, according to local news reports and tracking studies, mountain lions are present, and the SEAs could provide habitat for the species.”

While this revision clarifies the presence of mountain lions, this clarification does not change the Draft PEIR's significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## Response to Comment B-4

This comment correctly summarizes that the Draft PEIR states future individual projects would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts. As such and given that the ESGVAP is a component of the General Plan, future individual projects may require the implementation of mitigation measures similar to those identified in the General Plan EIR, or certain biological mitigation measures may not be necessary based on site-specific biological studies conducted. Therefore, the applicability of mitigation measures from the General Plan EIR cannot be determined at this time and will be determined in subsequent project-level CEQA review.

## Response to Comment B-5

This comment requests the same considerations as identified in Comment B-4, as such please see Response to Comment B-4.

## Response to Comment B-6

As discussed in the Significant Ecological Areas and Wildlife Movement Corridors sections of the Draft PEIR (Pages 4.4-4 to 4.4-8), the Puente Hills area and its linkage to Chino Hills State Park is recognized as an important area for wildlife movement. While the ESGVAP accommodates increased residential density and commercial and mixed uses in areas near transit amenities, as discussed in Impact 4.4-5, there are no proposed changes resulting in increases to intensity to the existing zoning or land use intensities within SEAs, which includes the Puente Hills SEA. Therefore, no additional mitigation measure beyond BIO-4.4-2 is required.

## Response to Comment B-7

This comment states that within the Rowland Heights Land Use map figure (Appendix C), the Pathfinder Community Regional Park and vicinity are wrongly identified as “C-Commercial”. This comment is correct in its assertion that the Pathfinder Community Regional Park is mislabelled as C-Commercial. However, the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan and associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. The Web App is dynamic and as part of ongoing outreach efforts undertaken by the County, is updated frequently whereas the Draft PEIR captures in essence a point in time. As such, the correction to the Pathfinder Community Regional Park Land Use has already been effectuated with the change to Zoning as O-S and Land Use as OS-PR. The differences between the Web Map and the Draft PEIR do not change the Draft PEIR’s significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## Response to Comment B-8

This comment declares there are numerous inconsistencies between the figures provided in Appendix C of the DEIR compared with the information provided on the ESGV Proposed Land Use Policy and Zoning website (<https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=48eb4076c4e74f2caa8f2a21a78dcfd6>) without providing specific information. As mentioned in Comment B-7, the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan and associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. As mentioned, the Web App is dynamic and as part of ongoing outreach efforts undertaken by the County, has been updated frequently since the release of the Draft PEIR. As such some of the inconsistencies identified may have been rectified after the Draft PEIR was released. However, the differences between the Web Map and the Draft PEIR do not change the Draft PEIR’s significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## Response to Comment B-9

This comment encourages the ESGVAP Land Use Element to include zoning or land use designations for open space that are biologically important for the region but not yet legally protected. As indicated in the ESGVAP Draft PEIR Goals and Policies outlined on Pages 4.4-17 and 4.4-18, Goals NR-3, NR-4, NR-5, NR-6 and NR-7 all seek to ensure habitat protection,

preserve lands with sensitive biological resources, provide wildlife corridors and linkages and protect natural and scenic resources. With these goals under consideration, biologically important areas will be afforded protection. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-10**

This comment pertains to the Land Use Element and recommends considering changes in zoning or land use designations for various parcels in Rowland Heights and Hacienda Heights.

With regard to Rowland Heights, the comment has been noted and the County agrees that high density land use would be inharmonious with the environs. The County believes biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Proposed Project, rather than continued use of the N-1, TON-1 and TOU-1 designations. In addition to the Very High Fire Hazard Severity Zone correctly identified by PHHPA, these areas are also constrained by Hillside Management Areas which further limit potential development, as well as SEA designations on much of the Puente Hills area. As recommended, the land use designation has been changed to the lowest density designation (RL40). Please refer to Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, for a summary of all the Plan changes.

Regarding Hacienda Heights, assuming the parcel being referred to is 8240-036-021, and not 8204-036-021 as specified in your comment letter. The zoning and land use for this parcel has not been changed per the updated Web App.

Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-11**

This comment identifies support of Policy LU-5.1: Hazard Areas and Policy LU-5.2. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-12**

This comment recommends the addition of a fuel modification zone policy and strictly limiting activities to the parcels being developed within the ESGVAP Land Use Element. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-13**

This comment identifies appreciation for the effort to narrow the focus of the Natural Resources, Conservation & Open Space Element. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-14**

This comment requests the name of the Puente Hills Habitat Preservation Authority to be amended within the Natural Resources, Conservation & Open Space Element. The County notes the comment and has updated the Element with the correct name, as requested. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-15**

This comment identifies appreciation for the ESGVAP directly addressing road widening projects as it relates to wildlife movement. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-16**

This comment requests that the statement on Page 6-2 of the Parks and Recreation Element to be more inclusive. The County notes the comment and has added local government agencies and joint powers authorities to the list, so that the first sentence now reads:

“There are also other park spaces that are owned and operated by cities, conservancies, local government agencies, joint powers authorities, and state and federal agencies.”

Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-17**

This comment identifies support of prohibiting the widening of Brea Canyon Road. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-18**

This comment requests that the County consider adding a policy concerning Wildfire and Safety Risks for Rowland Heights for the Moderate Fire Hazard Severity Zone within Chapter 8: East San Gabriel Valley Unincorporated Communities of the ESGVAP. The comment further notes that the FHSZ mapping is not within the ESGVAP’s control. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-19**

This comment identifies support for ranger and law enforcement collaboration. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.



**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7  
100 S. MAIN STREET, MS 16  
LOS ANGELES, CA 90012  
PHONE (213) 269-1124  
FAX (213) 897-1337  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life*

March 30, 2023

Mi Kim  
County of Los Angeles  
Department of Regional Planning  
320 West Temple Street, room 1354  
Los Angeles, CA 90012

RE: East San Gabriel Valley Area Plan  
SCH # 2022040512  
Vic. LA-210, LA-605, LA-10, LA-60, LA-57,  
LA-71 Countywide  
GTS # LA-2022-04175-DEIR

Dear Mi Kim:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced environmental document. The proposed East San Gabriel Valley Area Plan (ESGVAP or Project) is a community-based plan to enhance, guide, and support the long-term growth, development, and maintenance of 24 unincorporated communities in the East San Gabriel Valley (ESGV) planning area. The Project is an extension of the Los Angeles County General Plan that focuses on the unique characteristics and needs of local communities. The ESGVAP consists of 6 elements (Land Use Element, Economic Development Element, Community Character and Design Element, Natural Resources and Conservation Element, Mobility Element, Parks and Recreation Element) and 15 community-specific chapters. The ESGVAP has both area-wide goals, policies, and implementation actions and community-specific goals, policies, and implementation actions. The Project includes changes to land use and zoning designations to accommodate growth near major transit stops and corridors, implement the housing element, and bring zoning, land use policy, and existing use into consistency, which in turn requires changes to zoning and land use maps. The Project also includes an ordinance with new area-wide standards as well as update to existing standards.

C-1

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information:

C-2

<http://opr.ca.gov/ceqa/updates/guidelines/>

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

C-2  
(cont)

We encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). This reference is available online at:

C-3

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>

You can also refer to the 2010 *Quantifying Greenhouse Gas Mitigation Measures* report by the California Air Pollution Control Officers Association (CAPCOA), which is available online at:

C-4

<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

As stated on page 4.15-3 of the Draft PEIR, we concur that "Caltrans coordinates and consults with local jurisdictions when proposed local land use planning and development may impact state highway facilities." Caltrans has published the VMT-focused Transportation Impact Study Guide (TISG), dated May 20, 2020 and the Caltrans Interim Land Development and Intergovernmental Review (LD-IGR) Safety Review Practitioners Guidance, prepared in On December 18, 2020. You can review the SB 743 Implementation Resource at the following link:

C-5

<https://dot.ca.gov/programs/sustainability/sb-743/sb743-resources>

Caltrans encourages the Lead Agency to prepare traffic safety impact analysis for all developments in the California Environmental Quality Act (CEQA) review process using Caltrans guidelines above on the State facilities so that, through partnerships and collaboration, California can reach zero fatalities and serious injuries by 2050.

C-6

The total VMT per service population under the 2035 With Project scenario is estimated at 39.3. The significance threshold of 16.8 percent below the County baseline for 2022 is 25.5 total VMT per service population (16.8 percent below 30.7). Thus, with a 39.3 total VMT per service population, the proposed ESGVAP would result in a potentially significant VMT impact. Even with the proposed mitigation measures TR-4.15-1 (to

C-7

improve and/or expand transit service, bicycle and pedestrian facilities, and transportation projects, and VMT fees) and TR-4.15-2 (to implement TDM strategies where feasible and necessary based on project- and site-specific considerations), the impact related to VMT per service population will remain significant and unavoidable.

C-7  
(cont)

In order to reduce further VMT, we highly recommend the Lead Agency to balance future housing and employment locations in the 24 unincorporated communities in East San Gabriel Valley. This approach would reduce significant VMT and has an opportunity to meet the County VMT thresholds.

C-8

We recommend the City consider the following policies/comments for all future projects:

1. For any large project that may impact the State facilities, VMT and traffic safety consultation with Caltrans in advance should be considered by the Lead Agency.
2. For future projects, any transportation of heavy construction equipment and/or materials that requires the use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend that large-size truck trips be limited to off-peak commute periods.
3. A post-development VMT analysis to validate and justify Project VMT and future VMT threshold setting. Additional mitigation measures should be implemented when the post-development VMT analysis discloses any traffic significant impact.

C-9

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 269-1124 and refer to GTS # LA-2022-04175-DEIR.

C-10

Sincerely,



MIYA EDMONSON  
LDR/CEQA Branch Chief

email: State Clearinghouse

### **Response to Comment C-1**

This comment provides an overview of the Project and does not raise an issue with the Draft PEIR. Therefore, no further response is required.

### **Response to Comment C-2**

This comment states that under the Office of Planning and Research (OPR) Guidance, vehicle miles traveled (VMT) is the standard transportation analysis metric under CEQA for all land use projects after July 1, 2020, and should be the primary metric for identifying transportation impacts for all future development projects implemented under the Project. As shown in Section 4.15, *Transportation*, of the Draft PEIR, VMT was used as the standard transportation analysis metric for the Project. Therefore, the Draft PEIR transportation analysis is consistent with the OPR's VMT Guidance.

### **Response to Comment C-3**

This comment encourages the evaluation of Transportation Demand Management (TDM) strategies and Intelligent Transportation System applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-4**

This comment provides a reference to the 2010 Quantifying Greenhouse Gas Mitigation Measures report by the California Air Pollution Control Officers Association. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-5**

This comment concurs with Page 4.15-3 of the Draft PEIR. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-6**

This comment encourages the County to prepare traffic safety impact analysis for all developments undergoing CEQA review. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-7**

This comment reiterates the parameters of the VMT analysis included in Section 4.15, *Transportation*, of the Draft PEIR and notes that even with mitigation the impact related to VMT per service population will remain significant and unavoidable. Since this comment reiterates the analysis contained within the Draft PEIR and does not raise a significant

environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-8**

Via this comment, Caltrans highly recommends the County balance future housing and employment locations in the 24 unincorporated communities in East San Gabriel Valley to reduce significant VMT and potentially meet the County VMT thresholds. As specified in Section 3.2.1, *Project Purpose*, the ESGVAP is intended to respond to local planning challenges, guide long-term development, enhance community spaces, promote a stable and livable environment that balances growth with preservation, and improve the quality of life in the East San Gabriel Valley through the creation of vibrant, thriving, safe, healthy, and pleasant communities. Given the programmatic nature of the Project, VMT impacts would be evaluated on a project-by-project basis and mitigated as necessary. In addition, the County would require future development implemented under the Project to prepare a project-specific traffic analysis during the environmental review process. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-9**

This comment recommends VMT and traffic safety consultation with Caltrans should occur in advance on future projects; that transportation of heavy or oversized equipment would require a Caltrans transportation permit; and that a post-development VMT analysis to validate and justify Project VMT and future VMT threshold setting should occur. The County acknowledges the comments regarding future consultation with Caltrans, the need for a transportation permit if required by specific projects and undertaking a post-development VMT analysis. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-10**

This comment provides Caltrans' contact information. The County acknowledges the contact information for Caltrans for future reference during the environmental review process. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



March 28, 2023

Ms. Mi Kim, Supervising Regional Planner  
Los Angeles County Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, California 90012

Dear Ms. Kim:

**EAST SAN GABRIEL VALLEY AREA PLAN (ESGVAP)  
NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT  
REVIEW COMMENTS**

Thank you for inviting the Los Angeles County Sheriff's Department (Department) to review and comment on the February 2023 Draft Environmental Impact Report (Draft EIR) for the East San Gabriel Valley Area Plan (Project). The proposed Project would be implemented in twenty four unincorporated areas of the Los Angeles County (County) and is consisted of three primary components including General Plan Amendment, Zone Change, and Advanced Planning Case. The implementation of the proposed Project will develop additional 13,825 residential units resulting to an increase of approximately 47,380 permanent residents. These anticipated buildouts will increase resident, daytime and evening population within the Industry Sheriff's Station, San Dimas Sheriff's Station, Walnut Sheriff's Station, and Temple Sheriff's Station service areas which will generate an increased demand for law enforcement services as indicated in pages 4.12-5 to 4.12-12 of the Draft EIR.

D-1

The proposed Project is located within the service areas of the Department's Industry Sheriff's Station for the Avocado Heights, Charter Oak, Hacienda Heights, South San Jose Hills, Valinda, West Puente Valley, Pellissier Village, and Unincorporated North Whittier communities, San Dimas Sheriff's Station

D-2

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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— Since 1850 —

for the Covina Islands, East Azusa, East Irwindale, East San Dimas, Glendora Islands, North Claremont, Northeast La Verne, Northeast San Dimas, West Claremont, North Pomona, Walnut Islands (areas north of Freeway 10), and West San Dimas communities; Walnut Sheriff’s Station for Rowland Heights, South Diamond Bar, Walnut Islands (areas south of Freeway 10), South Walnut communities; and Temple Sheriff’s Station for Unincorporated South El Monte community.

D-2  
(cont)

As indicated in Section 4.13.1 Sheriff Protection on pages 4.13-13 and 4.13-14 of the Draft EIR, an officer-to-population ratio of one officer to every 1,000 residents provide the desired level of service for its service area per Los Angeles County General Plan EIR. Thus 10,000 officers would sufficiently serve 10,000,000 people. However, as previously indicated in our Department letter dated January 31, 2023, this analysis is overly broad and inaccurate since the service ratio should be based on the ratio of patrol function personnel to population. The Department’s 10,000 sworn personnel are assigned to various specialized units and not only a patrol function unit. Therefore, to meet the anticipated population increase, additional law enforcement personnel will be required. Assigning additional law enforcement personnel to the Stations to meet acceptable service ratios will require modification of the law enforcement service contracts, additional support personnel and equipment assets. These additional law enforcement personnel, their support, resources, and revenues from various developments would need to be allocated to the Department and approved by the Board of Supervisors (BOS) based upon recommendations by the Chief Executive Office (CEO).

D-3

Furthermore, Section 4.13.1 Sheriff Protection on page 4.13-14 of Draft EIR indicated that the operational funding for the Department serving the Project comes from various types of tax revenue. However, as the Department previously indicated, this funding is not guaranteed, annually evaluated, and would need to be allocated to the Department and approved by the BOS based upon recommendations by the CEO. When future developments are contemplated within the Project area and directly increasing population growth, the proposed Project will warrant a Countywide assessment where the Department, CEO, and BOS will evaluate each development and identify funding for facilities, personnel and/or associated operational equipment required to mitigate the impacts.

D-4

As noted in the cumulative impacts Section 4.13-1 for Sheriff Protection on pages 4.13-17 of the Draft EIR, the ESGVAP’s indirect contribution to

D-5

cumulative demands for public services would not be considerable and mitigation would not be required. However, as previously indicated in our Department letter dated January 31, 2023, when future development is contemplated within the Project area and directly increasing population growth, the proposed Project will warrant a Countywide assessment where the Department, CEO, and BOS will evaluate each development and identify funding for facilities, personnel and/or associated operational equipment required to mitigate the impacts. The Stations expect the future project environmental documents to describe potential impacts to our resources and operations and identify measures including payment of development fees that will mitigate these impacts to a level of insignificance.

D-5  
(cont)

For future reference, the Department provides the following updated address and contact information for all requests for reviews comments, law documents, and other related correspondence:

Tracey Jue, Director  
Facilities Planning Bureau  
Los Angeles County Sheriff's Department  
211 West Temple Street  
Los Angeles, California 90012

D-6

Attention: Planning Section

Should you have any questions regarding this matter, please contact me, at (323) 526-5657, or your staff may contact Mr. Immanuel Chiang, of my staff, at (323) 526-5637.

Sincerely,

ROBERT G. LUNA, SHERIFF



Tracey Jue, Director  
Facilities Planning Bureau



## Response to Comment D-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. This comment also describes the different components included under the Project and notes that the anticipated buildout would lead to an increase in resident, daytime- and evening-populations within the existing Sheriff Station’s service area, which would correspond to a greater demand for law enforcement. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment D-2

This comment provides additional context with regard to the Sheriff’s service areas. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment D-3

This comment raises concern that the analysis contained within the Draft PEIR is overly broad and inaccurate since the identified service ratio of 10,000 officers to serve 10,000,000 people should be based on the number of patrol function personnel to population as opposed to the personnel assigned to units other than patrol. The comment continues by stating that assigning additional staff to meet acceptable service ratios would require modification of service contracts, additional support and equipment and ultimately would need approval from the Board of Supervisors.

Section 4.13, *Public Services*, of the Draft PEIR identifies that:

“As part of processing future development applications within the ESGVAP area, the Department’s Contract Law Enforcement Bureau would be informed during the planning process. Once informed, impacts to law enforcement services, as a result of any future development project(s), will be evaluated and addressed, as necessary (Draft EIR Page 4.13-14).”

Future projects proposed under the Project will be evaluated in accordance with the requirements of CEQA on a project-by-project basis. In addition, if impacts are identified to LASD resources and/or operations with implementation of future projects facilitated under the Project, CEQA mandates that mitigation measures be incorporated on a project-by-project basis to reduce such impacts to the greatest extent feasible. Therefore, as future projects facilitated by the Project are required to undergo environmental review in accordance with CEQA, impacts to LASD resources and operations would be identified and mitigated, as needed.

## Response to Comment D-4

This comment indicates that operational funding from tax revenue is not guaranteed and subject to annual review and allocation from the Board of Supervisors. The comment continues by stating that future developments directly increasing population growth will warrant a Countywide assessment where the Department, CEO, and BOS will evaluate each development and identify funding for facilities, personnel and/or associated operational equipment required to mitigate the impacts.

As mentioned in Section 4.13, *Public Services*, Policy PS/F 1.1 of the Public Services and Facilities Element of the General Plan discourages development in areas without adequate public services and facilities. This, in combination with the fact that future projects proposed under the Project will be evaluated in accordance with the requirements of CEQA on a project-by-project basis, would assist the Department, CEO, and BOS in evaluating each development's impacts at a project level.

### **Response to Comment D-5**

This comment reiterates the point in Comment D-4 regarding population growth requiring Countywide assessment. This comment also states that future projects' environmental documents should describe potential impacts to Sheriff resources and operations and identify measures that will mitigate these impacts to a level of insignificance. As per Section 4.13, *Public Services*, future projects facilitated by the Project are required to undergo environmental review in accordance with CEQA, impacts to LASD resources and operations would be identified and mitigated, as needed.

### **Response to Comment D-6**

This comment provides the appropriate contact information for LASD to review environmental documents, obtain legal documents, and other related correspondence and provides a conclusion to the comment letter. The County acknowledges the appropriate contact person at LASD for future reference during the environmental review process. Since this comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

SKYE PATRICK  
Library Director



April 3, 2023

TO: Mi Kim  
Department of Regional Planning

FROM: Skye Patrick  
Library Director

**COMMENTS FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LOS ANGELES COUNTY EAST SAN GABRIEL VALLEY AREA PLAN, PROJECT NO. PRJ2020-000612**

The Draft Environmental Impact Report was reviewed, and the Library Facilities Mitigation Fee for Library Planning Area 4, East San Gabriel Valley, should be updated to reflect the current fee of \$1,094 per dwelling unit, as redlined in the attached file. Library has no additional comments.

E-1

If you have any questions or need additional information, please contact Elsa Muñoz at (562) 940-8450 or [EMunoz@library.lacounty.gov](mailto:EMunoz@library.lacounty.gov).

E-2

SP:YP:GR:EM

Attachment

c: Jesse Walker-Lanz, Assistant Director, Public Services, LA County Library  
Ting Fanti, Departmental Finance Manager, Budget and Fiscal Services, LA County Library

C:\Users\renez\County of Los Angeles\Staff Services - Documents\EIR\East San Gabriel Valley Area Plan\East San Gabriel Valley Area Plan response 03.16.23.docx



7400 E Imperial Hwy, Downey, CA 90242 | 562.940.8400 | LACountyLibrary.org

COUNTY OF LOS ANGELES SUPERVISORS

HILDA L. SOLIS  
1st District

HOLLY J. MITCHELL  
2nd District

LINDSEY P. HORVATH  
3rd District

JANICE HAHN  
4th District

KATHRYN BARGER  
5th District

While the ESGVAP itself would not create additional housing, rezoning would allow for new housing development with increased local population densities. The ESGVAP would not induce regional population growth beyond SCAG projections. Los Angeles County's library mitigation fee program requires residential development projects to pay a fee which acts to mitigate adverse impacts as a result of development. The fee is intended to supplement facility needs and mitigate the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$~~1,094.00~~ ~~967.00~~ per dwelling unit (County of Los Angeles FY 2022~~b~~-23). This fee will mitigate the burden of new development on existing library services and will help maintain the guidelines for facility space of 0.5 gross square feet per capita and 2.75 items per capita. Additionally, goals 8 from the Public Services and Facilities element of the General Plan will ensure that there is a comprehensive public library system. Policy PS/F 8.2 acts to support the library mitigation fee which adequately address the impacts of new development. Policy PS/F

8.1 will ensure a desired level of library services through coordinated land use and facilities planning. The goals and policies outlined in the General Plan along with the library mitigation fee will ensure that impacts to the library system resulting from increased densities in targeted areas would be less than significant. No mitigation is required.

## Cumulative Impacts

For the purposes of this analysis of cumulative impacts related to public services, the geographic area of consideration consists of Los Angeles County, inclusive of both incorporated and unincorporated areas. This geographic scope of analysis is appropriate for the analysis of public services because cumulative projects have the potential to cause significant impacts on Los Angeles County if they exceed the capacity of current and projected infrastructure accounted for in the General Plan.

**Impact 4.13-2: Would the Project, when combined with other past, present, or reasonably foreseeable projects, create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services?**

### i) Fire Protection and Emergency Services

**Less-Than-Significant Impact.** Fire protection services within the County of Los Angeles frequently provide services over multiple jurisdictional boundaries. The culmination of past, present and foreseeably future project would result in the need for additional fire protection services. Cumulative residential, industrial and commercial projects would depend on existing and expanded fire protection services within the County. As analyzed in *Impact Analysis*, the Project would require the incorporation of the County's Developers Fee Program. The County's Developers Fee Program would fund the purchase and construction of new fire stations to provide adequate services as a result of new development. Since the ESGVAP would not induce regional population growth beyond SCAG projections, the demand for public services would be consistent



## Los Angeles County Title 22 Planning and Zoning Codes - Mitigation Fees

### Library Facilities Mitigation Fee

New residential development in the unincorporated areas of Los Angeles County is subject to a library mitigation fee. The fee is intended to supplement facilities needs and mitigating the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$~~1,094.00-967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23).

### Law Enforcement Facilities Fee

According to Chapter 22.14, Definitions, of Los Angeles County's Title 22 Planning and Zoning Code, law enforcement facilities fees help to fund facility improvement that are needed as a result of new residential, office, commercial or industrial development projects. The three-law enforcement facility fee zones are as follows (County of Los Angeles 2022b):

- Zone 1: Santa Clarita Zone
- Zone 2: Newhall Zone
- Zone 3: Gorman Zone

## Existing Environmental Conditions

The San Gabriel Valley is one of the major geographic areas of Southern California. The Valley is bounded by the San Gabriel Mountains to the north, the Chino Hills and San Jose Hills to the east, the Puente Hills to the South, and the San Rafael Hills to the west. The Valley is named after the southward flowing San Gabriel River, which runs through the center of the San Gabriel Valley, and serves as one of the boundaries of the East San Gabriel Valley Planning Area. The East San Gabriel Valley is a subregion of the San Gabriel Valley. This subregion is also one of the planning areas established by the General Plan. This planning area is located south of the Angeles National Forest, west of San Bernardino County, North of Orange County, and generally east of the Interstate-605 and the San Gabriel River. There are 13 cities and 24 unincorporated communities in the East San Gabriel Valley. The ESGVAP addresses future growth in the unincorporated portion of the ESGV.

There are a total of 12 County libraries located within the ESGVAP area. Additionally, there are a total of 11 police and sheriff stations (County of Los Angeles 2015c), 32 fire stations (County of Los Angeles 2020), and 15 school districts within the East San Gabriel Valley planning area (County of Los Angeles 2015a).

## 4.13.2 Environmental Impacts

### Methodology

Evaluation of impacts related to Public Services is based on a review of existing policies, documents, and studies that address these services in the county. Information obtained from these sources was reviewed and summarized to describe existing conditions and to identify environmental effects based on the standards of significance presented in this section. In

E-1  
(cont)

## Response to Comment E-1

This comment notes that the Library Facilities Mitigation Fee for Library Planning Area 4, East San Gabriel Valley, should be updated to reflect the current fee of \$1,094.00 per dwelling unit. The County appreciates the LA County Library including a redline version of the amendment to the Draft PEIR noting the changes. The County agrees with these amends, and as such, Pages 4.13-9 and 4.13-16 of the Draft PEIR are amended as follows:

### Library Facilities Mitigation

“Fee New residential development in the unincorporated areas of Los Angeles County is subject to a library mitigation fee. The fee is intended to supplement facilities needs and mitigating the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$1,094.00 ~~967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23).” (Page 4.13-9 of the Draft EIR)

### v) Libraries

#### Less-Than-Significant Impact

“While the ESGVAP itself would not create additional housing, rezoning would allow for new housing development with increased local population densities. The ESGVAP would not induce regional population growth beyond SCAG projections. Los Angeles County’s library mitigation fee program requires residential development projects to pay a fee which acts to mitigate adverse impacts as a result of development. The fee is intended to supplement facility needs and mitigate the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$1,094.00 ~~967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23).” (Page 4.13-16 of the Draft EIR)

While these revisions update the Los Angeles County Library fee, these revisions do not change the Draft PEIR’s significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## Response to Comment E-2

This comment provides Los Angeles County Library’s contact information. The County acknowledges the contact information for future reference during the environmental review process. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.



April 11, 2023

VIA EMAIL ([commplan@planning.lacounty.gov](mailto:commplan@planning.lacounty.gov))

Mi Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES  
Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, California 90012

**Re: East San Gabriel Valley Area Plan – Comments on Draft Environmental Impact Report, Project No. PRJ2020-000612, Advance Planning Case No. RPPL2022003554**

Dear Ms. Kim:

## INTRODUCTION

Aera Energy LLC (“Aera”) appreciates the opportunity to comment on the Draft Environment Impact Report (“DEIR”) for the proposed Los Angeles County (“County”) East San Gabriel Valley Area Plan (“Area Plan”). We ask that the County include this comment letter in the record of proceedings for Advance Planning Case No.: RPPL2022003554 and respond to the environmental concerns raised herein in accordance with its obligations under the California Environmental Act (“CEQA”).

F-1

As County staff is aware, Aera owns 2,614 acres within the proposed Area Plan (“Aera Property”). By and through adoption of the Area Plan, the County proposes to **downzone** the vast majority of the Aera Property, yet the Area Plan and its corresponding Draft Environmental Impact Report (“DEIR”) utterly fail to disclose and analyze the proposed changes to the use designations and/or zoning for the Aera Property. To understand the scope and magnitude of changes the County proposes, Aera was forced to undertake its own investigation utilizing the County’s GIS planning tool.<sup>1</sup> That investigation, not the Area Plan or DEIR, disclosed that the County proposes to downzone significant portions of the Aera Property by assigning those portions of real property “degraded” use designations.

F-2

This purported downzoning is disconcerting, given that the Area Plan and DEIR make it clear that the County intends to incentivize and facilitate higher density housing and commercial activity within a one-mile radius of existing and potential future transit opportunities. However, as discussed below, such “smart growth” strategies are not mutually exclusive nor prohibitory of potential future use of the Aera Property justifying or in any way rendering necessary or correlated the proposed use changes in the Area Plan.

<sup>1</sup> <https://lacounty.maps.arcgis.com/apps/instant/lookup/index.html?appid=4aa28c9e872a4f4381c3fb9cab5d228d>



M. Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES, Department of Regional Planning  
April 11, 2023  
Page 2

As discussed further below, such downzoning violates state housing law. Furthermore, such downzoning is not disclosed or analyzed anywhere in the DEIR or any maps in the DEIR's appendices. The proposed alternative use classification for much of the Aera Property, Rural Land 40 ("RL40"), is never mentioned in the proposed Area Plan text, is never referenced in the DEIR, and is nowhere to be found on any of the legends in the maps of proposed land uses in the public review materials or the appendices to the DEIR. Thus, any such use change would be illegal under the California Government Code and would violate CEQA in many respects, as also discussed further below. Accordingly, we ask that the use designations and zoning for the entirety of the Aera Property remain unchanged.

F-3

Filed concurrently with this legal analysis is a letter from Aera real estate professionals that have carried on a collaborative and productive dialogue with County staff for over a decade regarding potential future uses for the Aera Property. These Aera representatives, or any Aera representatives for that matter, had no advance notice of any proposed change in use designation or downzoning in conjunction with the Area Plan or otherwise. As explained in that companion letter, such changes are both antithetical and inconsistent with both the substance and spirit of that collaborative dialogue to date. Consistent with the request of this letter based on the legal infirmities addressed herein, that letter requests that no change be made to either the use designations or zoning for the Aera Property.

F-4

### The Area Plan

The Area Plan collectively includes a proposed General Plan Amendment, Ordinance, and Zone Change, all of which would take effect upon adoption of the Area Plan by the County Board of Supervisors. All of these components of the Area Plan collectively make up the "Project" that is analyzed in the DEIR under CEQA. (DEIR, Chapter 3.) The Area Plan purports to provide a planning vision for 24 unincorporated communities in East San Gabriel Valley. The text of the Area Plan, the DEIR, and Notice of Availability of the DEIR each present a focused and consistent intent and purpose for the land encompassed within the Area Plan. As stated in the DEIR: "The ESGVAP includes changes in land use designations and zoning in order to *increase* residential density and commercial and mixed uses in areas near transit amenities." (DEIR, pg. ES-1, *emphasis* added.) The DEIR elaborates further on this point in its discussion of the proposed General Plan Amendment as follows:

F-5

"Propose[ ] land use changes to *increase* housing and enhance commercial and residential development within one mile of major transit stops, within a half mile of HQTAs, and near major intersections where there is accessibility to existing or proposed frequent transit and commercial services. The goal of these land use changes would be to target growth near transit and active transportation facilities and everyday commercial services, and coordinate growth with improvements and investments that

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COUNTY OF LOS ANGELES, Department of Regional Planning  
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support walkable, thriving, and connected communities.” (DEIR, pg. 3-7, *emphasis* added.)

F-5  
(cont)

There is an existing community plan for Rowland Heights, and the Area Plan would supersede that plan and govern the area, including the Aera Property and its existing use designations under the Rowland Heights Community Plan, only according to the proposed provisions of the Area Plan. (*See*, DEIR, pp. 3-1, 3-4.)

F-6

In the entirety of the text of the proposed Area Plan and the DEIR, there is no mention whatsoever of downzoning or changes to a less intense use designation for the Aera Property, or any other properties for that matter. Similarly, the Notice of Availability did not disclose the proposed downzoning or less intense use designation changes. As noted above, the RL40 General Plan use designation is never referenced in the Notice of Availability, the text of the DEIR, the maps in the appendices to the DEIR, explanatory public review materials for the Rowland Heights portion of the Area Plan,<sup>2</sup> or, based on our review, any written materials publicly available related to or analyzing the proposed Area Plan. Perhaps most conspicuous, Appendix C of the DEIR purports to include maps depicting the new allowable use designations and zoning for each community included in the Area Plan. The map purporting to depict the new allowed uses for the Rowland Heights community does not even include an RL40 designation in its legend nor the map itself.<sup>3</sup>

F-7

### **The Aera Property**

Aera owns 2,292 acres within the Rowland Heights community of the Area Plan and an additional 322 acres in the South Diamond Bar community of the Area Plan. The Aera Property borders the southern boundary of the Area Plan, the Rowland Heights portions lying west of the 57 freeway, and the South Diamond Bar acreage lying to the east.

Existing use designations under the Rowland Heights Community Plan, a component of the County’s General Plan, include Non-Urban 1 (“N1”), Urban 1 (“U1”), and others. These designations allow for residential uses. According to the interactive GIS planning tool posted by the County – though not discussed or mapped on any Area Plan or DEIR materials – the lowest density designation in the entire County General plan, RL40, is now proposed for much of the Aera Property.

F-8

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<sup>2</sup> For example, see the Rowland Heights Community Profile document at [https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2019/03/ESGV\\_RowlandHeights\\_ComProfile\\_20190304.pdf](https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2019/03/ESGV_RowlandHeights_ComProfile_20190304.pdf)

<sup>3</sup> Appendix C is available at [https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2023/02/Appx-C\\_LU-Zoning-Change-Figs.pdf](https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2023/02/Appx-C_LU-Zoning-Change-Figs.pdf)

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## **THE PROPOSED DOWNZONING TO A LESS INTENSE USE DESIGNATION VIOLATES STATE HOUSING LAW**

California is in the midst of an unprecedented housing crisis. The California Legislature has passed a myriad of laws aimed at incentivizing and streamlining housing approvals and production as well as curtailing the legal discretion of cities and counties to deny or restrict housing. One such provision prohibits a city or county from changing use designations to less intense allowance for housing where governing regulations as of 2018 permitted residential uses. Specifically, the Housing Crisis Act of 2019 provides in relevant part:

“Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B). For purposes of this subparagraph, ‘less intensive use’ includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing.” (Ca. Gov. Code § 66300, subd. (b)(1)(A).)

The use designations governing the Area Property under the existing Rowland Heights Community Plan – in place since and well before 2018 – allow for residential uses. As noted above, however, the Area Plan proposes to reduce the residential allowance to “less intense use,” the least intense use allowed under the County General Plan, in fact, RL20. Such degradation of allowed residential use is in direct violation of section 66300 of the Government Code. Accordingly, no change in the use designation or zoning of the Area Property should be undertaken with the Area Plan.

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**THE DEIR’S FAILURE TO INCLUDE OR IN ANY WAY ANALYZE THE PROPOSED CHANGE IN USE OR DOWNZONING OF THE AERA PROPERTY VIOLATES CEQA**

An EIR must be prepared with a sufficient degree of analysis to provide decision-makers with the information needed to make an intelligent decision concerning a project’s environmental consequences. (Guidelines § 15151.)<sup>4</sup> Included with that mandate is that an EIR must include a description of the existing environment in the vicinity of the project from both a local and regional perspective. (Guidelines § 15125(a).) This discussion of the “environmental setting” should include an analysis of any inconsistencies between the proposed project and applicable general, specific, or regional plans. (Guidelines § 15125(d).)

F-10

An EIR’s project description must include the entire project being proposed for approval and not just certain aspects of it. (Guidelines § 15378; *Habitat & Watershed Caretakers v. City of Santa Cruz* (2013) 213 Cal.App.4<sup>th</sup> 1277, 1297; *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4<sup>th</sup> 1209, 1220.) When an EIR is comparing a proposed project with an existing plan, the EIR must examine existing conditions at the time of notice of preparation as well as future conditions envisioned in the plan. (Guidelines § 15125(e).)

F-11

An EIR must describe a reasonable range of alternatives to the project, or to its location, that could feasibly attain the project’s basic objectives while reducing or avoiding any of its significant impacts, including the comparative merits of each alternative. (Pub. Res. Code § 21100(b)(4); Guidelines § 15126.6(a)—(e).)

F-12

The DEIR does not merely do an “inadequate” or “insufficient” review of the impacts arising from a significant downgrading of allowable residential use of the Aera Property, the DEIR ignores it completely. The complete absence of reference to the Aera Property downzoning use change, let alone any recognition or analysis of the environmental consequences therefrom, renders the DEIR a virtual nullity as an information document for decision-makers considering all consequences of adoption of the Area Plan, as mandated by CEQA.

F-13

The primary intent and purpose of the Area Plan is very clear and straightforward in the text of the Area Plan and supporting explanatory materials: the County will, over the life of the Aera Plan, intensify residential densities, commercial and retail uses, and mobility alternatives in areas within a one-mile radius of identified transit resources or future opportunities throughout the Area Plan communities. And the DEIR is clearly focused on identifying that dynamic and studying its potential environmental impacts, if adopted. This narrow and even myopic focus is underscored by the fact that the DEIR proposes only two substantive alternatives, and those alternatives study only shortening the radius of the focus areas from one mile to a half mile and a

F-14

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<sup>4</sup> References to “Guidelines” refer to the CEQA Guidelines, Ca. Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 – 15387.

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quarter mile, respectively. This does not meet the legal standard identified above. (Pub. Res. Code § 21100(b)(4); Guidelines § 15126.6(a)—(e).)

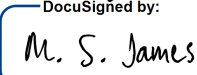
However, the DEIR’s project description makes no reference to nor does its analysis in any way evaluate the downzoning use downgrading of the Aera Property. Similarly, the two substantive alternatives have no bearing whatsoever on the proposed treatment of the Aera Property.

As noted, on preliminary review of both the text of the Area Plan as well as the DEIR, Aera had no indication whatsoever that the Area Plan purported to make such drastic changes to the allowable uses of its properties within the Area Plan boundaries. Even more striking, the Notice of Availability purporting to alert stakeholders how adoption of the Area Plan might impact their interests went to great lengths to highlight the one-mile-radius dynamics relative to transit opportunities but gave no indication whatsoever of potentially detrimental enactments to properties outside of such a planning radius. It is only once someone checks a specific parcel via a County GIS planning tool that one discovers that an entirely different uses category – a category not even noted or otherwise included on mapping exhibits or text in the DEIR – would govern the property in the future. Such failure to include information or analysis of its potential environmental impacts fails CEQA’s legal mandates as to the sufficiency of the DEIR as an informational document to provide decision-makers with the information needed to make an intelligent decision concerning a project’s environmental consequences.

### CONCLUSION

The Area Plan’s proposed lessening of the intensity of allowable residential uses on the Aera Property violates state housing law, specifically Government Code Section 66300. Further, the DEIR’s failure to recognize, analyze, propose alternatives to, or even in any way mention or map the proposed downzoning use degradation violates CEQA’s mandates relating to the project description, existing conditions and baseline, consequences relative to existing plans such as the Rowland Heights Community Plan, and sufficient consideration of alternatives.

For all of these reasons, Aera respectfully requests that any proposed change in use or other alteration of the governing standards under the existing Rowland Heights Community Plan for the Aera Property be removed from the proposed Area Plan. We appreciate your consideration and attention to these concerns.

Sincerely,  
DocuSigned by:  
  
E7B1B7158D4F420...  
Michael S. James  
Senior Counsel  
Aera Energy LLC

F-14  
(cont)

F-15

F-16

## Response to Comment F-1

This comment is introductory in nature, requesting the comment to be included in the record of proceedings. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment F-2

This comment notes that Aera Energy LLC own a considerable portion of land within the ESGVAP area and asserts that the Draft PEIR fails to disclose and analyze the proposed changes to the use designations and/or zoning for the Aera Property. The comment proceeds to declare that the County plans to downzone significant portions of the Aera Property, which would have “degraded” use designations and that the downzoning is disconcerting given that the County intends to incentivize and facilitate higher density housing. Existing zoning does not establish a base requirement for density, but instead establishes a maximum density. As such, all property owners have flexibility in determining their project’s density. Downzoning is a less intensive land use, and thus overall, is likely to have a lesser environmental impact. According to State CEQA Guidelines Section 21002.1(a):

*“The purpose of an environmental impact report is to identify the significant effects on the environment of a project...”*

The less intensive land use designation, therefore, is not required to be analyzed within the Draft PEIR as it would lead to a reduction in land use density, which would not result in a significant impact.

Additionally, the County is looking to prioritize transit-oriented development, and thus, housing in transit areas has been upzoned while downzoned elsewhere to ensure that development accords with the ESGVAP goals such as sustainable growth and diverse, walkable communities and minimizes vehicle miles traveled. Senate Bill 330 (SB 330) prohibits local jurisdictions from downzoning unless they upzone an equivalent amount elsewhere within their boundaries. The downzoning of the Aera property site has been considered in combination with upzoning elsewhere in the ESGVAP. Nonetheless, SB 330 does not apply to the Aera property site because the site is not located in an urbanized area or urban cluster, as designated by the United States Census Bureau. As shown in Table 4.12-5 of the Draft PEIR, the ESGVAP estimated build-out would increase the housing supply by approximately 13,825 units and would increase population by approximately 47,380 individuals by 2035. As specified on page 4.12-10 of the Draft PEIR:

*“The ESGVAP encourages indirect increases in population near community centers through zoning and other policies... Additional zoning changes in other areas of the communities are not expected to result in growth, thus minimizing the potential for unplanned growth to occur elsewhere. Zoning regulations limit the density of development, which will guide future development to be consistent with the ESGVAP goals.”*

The proposed Project is therefore consistent with the overall goals of SB 330.

Furthermore, regarding the Aera property site, according to the California Geologic Energy Management Division (CalGEM) Well Finder website<sup>1</sup>, there are a number of oil wells that are active, plugged/capped, inactive, or idle within the Brea-Olinda oil/gas field, which occupies much of the Aera property site. This, coupled with the moderate and very high Fire Hazard Severity Zones that is also present within the Aera property site, would mean the location of intensive housing within the periphery of sensitive land uses and very high fire hazard zones would not be consistent with the legislative intent of CEQA in Section 21001(d) to:

*“Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian.”*

The Aera property site is also encapsulated by the Puente Hills Significant Ecological Area (SEA). As mentioned in Section 4.4-7 of the Draft PEIR, the Puente Hills SEA represents the only large complex of multiple, relatively undisturbed habitats in the southeastern portion of the County and a crucial wildlife/habitat linkage to Chino Hills State Park. High density land use would be inharmonious with the environs and biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Project area, rather than continued use of the N-1, TON-1 and TOU-1 designations. Also, these areas are constrained by Hillside Management Areas which further limit potential development. Additionally, there is a key wildlife crossing, the Harbor Boulevard wildlife underpass, which supports the longevity of the Puente-Chino Hills Wildlife Corridor. This was the first wildlife underpass built in the County of Los Angeles and necessitates biological protections and buffering around the wildlife crossing for safe usage by wildlife, which is also incompatible with high-density land uses. The proposed land use designations will be able to better regulate developments in these areas so that biological resources are adequately protected, natural space is preserved, and future residential areas are safely situated outside of very high fire hazard severity zones.

### **Response to Comment F-3**

This comment asserts that downzoning violates state housing law. The comment proceeds to note that the downzoning of the Aera Property was not discussed in the Draft PEIR and that the change to Rural Land 40 (RL40) is not discussed and would be illegal under the California Government Code and would violate CEQA. The comment requests that the use designations and zoning for the entirety of the Aera Property remain unchanged. However, as mentioned in Response to Comment F-2, the downzoning of the property to a less intensive land use designation does not need to be analyzed within the Draft PEIR, as it would result in a reduction in land use density, which would not result in a significant impact. For the reasons set out in Comment F-2, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site and does not violate SB 330 because SB 330 does not apply to the Aera property site. Additionally, the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan, as well as associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. The Web App is dynamic and as part of ongoing outreach

<sup>1</sup> California Geologic Energy Management Division. 2023. Well Finder. Available at: <https://maps.conservation.ca.gov/doggr/wellfinder/#/-117.89477/33.95064/15>

efforts undertaken by the County, is updated frequently. The Web App, however, has shown the land proposed as RL40 since before the publication of the Draft PEIR.

### **Response to Comment F-4**

This comment notes that a companion letter from Aera real estate professionals is being submitted with this Comment Letter (see Comment Letter G for details). This comment also states that no advanced notice of any proposed change in use designation or downzoning was given. This letter also requests that no change be made to either the use designations or zoning for the Aera Property. However, as part of the community outreach for the Project, a number of engagement methods were undertaken, including efforts through community-based organizations, community presentations, tabling sessions, numerous online methods, and social media. Additionally, notifications were sent to property owners in the ESGVAP area for parcels with proposed updates to their zoning and/or land use categories. County records for this Project indicate that an Aera representative (Mr. Noah Adler) signed up to be on the project contact list in May 2022, and has thus been included in every outreach effort for the Project. At the very least, as an affected landowner in the ESGVAP area, Aera were sent Project notifications, as follows:

- Aera Energy LLC (2020 Saturn Street, Suite 101, Brea, CA 92821) was included on the Project's April 2022 Notice of Preparation, January 2023 Notice of Zone Change, and February 2023 Draft PEIR Notice of Completion/Notice of Availability lists to receive email and postal mail notifications about the Project;
- Noah Adler (nadler@manatt.com), representative for Aera Energy, was added to the Project's contact list on May 6, 2022 via a County Department of Regional Planning sign-up form;
- Aera Energy LLC was mailed a Notice of Zone Change in January 2023;
- Noah Adler (nadler@manatt.com), representative for Aera Energy, subscribed (and was subsequently added) to the Project's email notification list on March 30, 2023;
- Noah Adler (nadler@manatt.com), representative for Aera Energy, registered to attend the Project's March 30, 2023 stakeholder meeting; and
- Noah Adler spoke with County Department of Regional Planning staff on May 15, 2023 about the Project;

Please also see Response to Comment F-2 for information on the proposed downzoning of the Aera property site.

### **Response to Comment F-5**

This comment provides a summary of the Area Plan. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment F-6**

This comment reiterates the Area Plan would supersede the existing community plan for Rowland Heights. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.



## Response to Comment F-7

This comment reiterates the points made within Comment F-3 regarding downzoning and notes that the Notice of Availability also does not include information on the downzoning. The comment further notes that Appendix C of the Draft PEIR for the Rowland Heights community does not include a Rural Land 40 (RL40) designation in its legend nor on the map itself. Please see Response to Comment F-2 for further details on why the downzoning was not required to be analyzed as per CEQA in the Draft PEIR. As mentioned in Response to Comment B-7 (and reiterated in Response to Comment F-3), the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan, as well as associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. The Web App is dynamic and as part of ongoing outreach efforts undertaken by the County, is updated frequently whereas the Draft PEIR captures in essence a point in time. The Web App shows the proposed land use policy as RL40.

## Response to Comment F-8

This comment provides information on the location and size of the Aera Property within the Rowland Heights community, summarizes the existing land uses per the Rowland Heights Community Plan, and notes that the interactive GIS planning tool shows much of the Aera Property has been zoned as Rural Land 40 (RL40), which was not discussed or mapped on any Area Plan or Draft PEIR materials. For the reasons set out in Response to Comment F-2, as per CEQA, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment F-9

This comment asserts that downzoning to a less intense use designation violates state housing law and provides an excerpt of the Housing Crisis Act of 2019. The comment further asserts that the existing land use designations for the Aera Property allow for residential use, but through downzoning, the Project would violate section 66300 of the Government Code and thus no change in the use designation or zoning of the Aera Property should be undertaken with the ESGVAP. As explained within the ESGVAP, most of the updates are being made to bring the zoning and land use policy designation into conformance with one another and ensure compatibility of land uses. As also explained in Response to Comment F-2, it is permissible to upzone in some areas and downzone in others without any violation of state law provided the local jurisdictions upzone an equivalent amount to the downzone elsewhere within their boundaries. Finally, SB 330 does not apply to the Aera property site as discussed under Response to Comment F-2.

## Response to Comment F-10

This comment asserts that the Draft PEIR's failure to include or in any way analyze the proposed change in use or downzoning of the Aera property violates CEQA (inclusive of excerpts from the State CEQA Guidelines). For the reasons set out in Response to Comment F-2, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site and no further response is required.

## Response to Comment F-11

This comment provides information from case law and the State CEQA Guidelines, as it relates to an EIR's project description. The comment notes that an EIR's project description must include the entire project being proposed for approval and not just certain aspects of it. The comment further states that when an EIR is comparing a proposed project with an existing plan, the EIR must examine existing conditions at the time of notice of preparation as well as future conditions envisioned in the plan. Chapter 2 of the Draft PEIR provides a comprehensive project description that includes the entire project being proposed for approval, which is the ESGVAP in its entirety. The Draft PEIR is not comparing the ESGVAP to an existing plan, as it is a new plan for the Plan area. Nonetheless, as per CEQA, the entire Draft PEIR (inclusive of 20 technical topics, two of which are covered in the Initial Study) includes analysis of the existing conditions at the time of the notice of preparation (April 2022), as well as future conditions envisioned under the ESGVAP.

## Response to Comment F-12

This comment provides information from the State CEQA Guidelines, as it relates to project alternatives. The comment notes that an EIR must describe a reasonable range of alternatives to the project, or to its location, that could feasibly attain the project's basic objectives while reducing or avoiding any of its significant impacts, including the comparative merits of each alternative. As comprehensively described in Chapter 5, *Project Alternatives*, of the Draft PEIR, a total of five alternatives to the proposed Project were considered and analyzed, as follows:

- Alternative Location/Alternative Sites
- Reduced Development Project
- No Project Alternative
- 0.5-Mile Transit Planning Radius Alternative
- 0.25-Mile Transit Planning Radius Alternative

The comparative merits of each alternative are described on Pages 5-49 and 5-50 of the Draft PEIR. As per CEQA, the environmentally superior alternative was identified, which is the 0.25-Mile Transit Planning Radius Alternative.

## Response to Comment F-13

This comment notes the absence of reference to the Aera property site downzoning use change. For the reasons set out in Response to Comment F-2, the Draft PEIR is not required by CEQA to analyze the effects of downzoning the Aera property site since potential environmental impacts would be reduced or eliminated.

## Response to Comment F-14

This comment states that the Draft PEIR does not contain an appropriate alternatives analysis. However, per State CEQA Guidelines Section 15126.6(a), an EIR need not consider every conceivable alternative to a project (also note *Mount Shasta Bioregional Ecology Center v.*

*County of Siskiyou* (2012) 210 Cal.App.4th 184). Since the State CEQA Guidelines note the alternatives considered may include alternative approaches, sites, or both, and that alternatives do not need to be considered in the same level of detail as the proposed Project (Section 15126.6(d)), the Draft PEIR adheres to State CEQA Guidelines Sections 15126.6(a) through (e), as comprehensively described in Chapter 5, *Project Alternatives*. Noting the alternatives considered and eliminated during the Project planning process in Section 5.4 of the Draft PEIR and the alternatives selected for further analysis (section 5.5. of the Draft PEIR), State CEQA Guidelines Sections 15126.6(a) through (e) have been considered.

### **Response to Comment F-15**

This comment reiterates the points made in Comment F-2 and Comment F-3. Please see Response to Comment F-2 and Response to Comment F-3 for details. No further response is required.

### **Response to Comment F-16**

This comment is conclusory and reiterates the points made in Comment F-2, Comment F-3, Comment F-4, Comment F-8, and Comment F-14. Please see the responses to those comments for details. No further response is required.



April 11, 2023

**VIA EMAIL (commplan@planning.lacounty.gov)**

Mi Kim, Supervising Regional Planner  
 COUNTY OF LOS ANGELES  
 Department of Regional Planning  
 320 West Temple Street, Room 1362  
 Los Angeles, California 90012

**Re: *East San Gabriel Valley Area Plan – Comments on Draft Environmental Impact Report, Project No. PRJ2020-000612, Advance Planning Case No. RPPL2022003554***

Dear Ms. Kim:

Aera Energy, LLC (“Aera”) is the owner of 2,292 acres within the unincorporated Rowland Heights Community of Los Angeles County (“County”), and an additional 322 acres in the unincorporated area south of the City of Diamond Bar (collectively, the “Aera Property”) – see the attached Exhibit “A” for reference. Aera received a Notice of Availability (“NOA”) from the County regarding the County’s preparation of a the Draft Environmental Impact Report (“DEIR”) for its proposed East San Gabriel Valley Area Plan (“ESGVAP”). Aera is compelled to point out that the NOA it received did not inform Aera that the Aera Property would be impacted by the ESGVAP. To the Contrary, the NOA led Aera to believe that the Aera Property would be unaffected by ESGVAP implementation. However, when Aera conducted additional investigation, it located a County interactive website, which disclosed that the County is proposing to **downzone** Aera’s 2,292 acres within the unincorporated Rowland Heights Community. Specifically, the County is proposing to downzone this land from N-1 to RL-40, which is the lowest density designation in the County. Aera strenuously objects to this downzoning and urges the County to avoid taking this action for the reasons discussed below.

G-1

Aera submits this comment letter concurrently with a companion letter from Aera’s Senior Legal Counsel, Michael James. Mr. James’ letter outlines specified legal deficiencies of the ESGVAP as to the Aera Property and we concur with Mr. James’ comments, but do not repeat them here. The purpose of this companion letter is to clearly articulate our concern that the downzoning of vast portions of the Aera Property without any advance notice or discussion with Aera is inconsistent with and detrimental to over a decade of constructive and collaborative discussions between Aera and County staff regarding potential future uses of the Aera Property.

G-2

Aera has undertaken extensive research and analysis to document the opportunities and constraints associated with the Aera Property. This research and analysis includes technical studies such as wildlife biology surveys, vegetation mapping, wetlands delineations, and geology and geotechnical investigations, among other matters. These studies demonstrate that the Aera

G-3

M. Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES, Department of Regional Planning  
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Property could accommodate a variety of potential future uses that recognize the significant potential and location of this property while respecting and furthering the open space, habitat, viewshed, connectivity and other priorities expressed in the ESGVAP.

Further, Aera’s biology studies indicate that full ecological potential of the Aera Property will require intervention from a biology and habitat standpoint. Restoration, not simply preservation, is required to achieve the biological functions envisioned in the ESGVAP and related documents. A cooperative effort between Aera and the County could achieve habitat restoration and management at no cost to the public while ensuring that open space and park dedications become permanent and available for public uses compatible with biologic functions.

G-3  
(cont)

Much is made of the fact that portions of the Aera Property are subject to a Significant Ecological Area (“SEA”) overlay. As noted above, however, much of the ecological value of the Aera Property is *merely potential*, not existing. Significant restoration resources would need to be brought to bear to realize actual ecological potential. Additionally, we remind all stakeholders that the SEA designation is intended to ensure that alternative future uses of the site are compatible with ecology goals, not to preclude well-planned, thoughtful, and productive use of the land.

The 2,292 acres of the Aera Property located within the Rowland Heights Community are located in close proximity to the jobs-rich areas along the SR-57 and -60 freeway corridors and also the jobs-rich City of Brea to the south. That context cannot be ignored in considering appropriate future uses for the Aera Property. The Aera Property is quite large and it sits in the midst of both ecological and human dynamics, all of which factor into the comprehensive consideration of the evolution of future uses on the site.

G-4

In conclusion, the Aera Property is an unusually large contiguous property in private ownership encompassing four square miles. Aera is confident it can accommodate a variety of purposes with sensitive planning and a cooperative effort among stakeholders. A balanced plan for future uses could permanently establish essential habitats, designated wildlife corridors, and create other ecological opportunities while providing public access to regional trails and numerous other recreational pursuits. Downzoning will only invite long term litigation and ensure the property remains off-limits to the public. For all of these reasons, Aera respectfully requests that any proposed change in use or other alteration of the governing standards under the existing Rowland Heights Community Plan for the Aera Property be removed from the proposed ESGVAP. We appreciate your consideration and attention to these concerns.

G-5

DocuSigned by:  
Sincerely,  
*George Basye*  
ADB489C1BA51444...

George Basye  
Vice President, Fee Lands  
Aera Energy LLC

## Response to Comment G-1

This comment notes that Aera Energy LLC own a considerable portion of land within the ESGVAP area and asserts that the Draft PEIR failed to disclose the proposed downzoning to the use designations for the Aera Property. The comment notes the objection of Aera to this downzoning. As iterated in Response to Comment F-2, downzoning results in a less intensive land use, and thus, overall is likely to have a lesser environmental impact (or no environmental impact). According to State CEQA Guidelines Section 21002.1(a):

*“The purpose of an environmental impact report is to identify the significant effects on the environment of a project...”*

The less intensive land use designation, therefore, does not need to be analyzed within the Draft PEIR as it is a reduction in land use density and would not result in a significant impact.

Additionally, the County is looking to prioritize transit-oriented development, and thus, housing in transit areas has been upzoned while downzoned elsewhere to ensure that development accords with the ESGVAP goals such as sustainable growth and diverse, walkable communities and minimizes vehicle miles traveled. Senate Bill 330 (SB 330) prohibits local jurisdictions from downzoning unless they upzone an equivalent amount elsewhere within their boundaries. The downzoning of the Aera property site has been considered in combination with upzoning elsewhere and as specified in Response to Comment F-2, SB 330 does not apply to the Aera property. As shown in Table 4.12-5 of the Draft PEIR, the ESGVAP estimated build-out would increase the housing supply by approximately 13,825 units and would increase population by approximately 47,380 individuals by 2035. As specified on page 4.12-10 of the Draft PEIR:

*“The ESGVAP encourages indirect increases in population near community centers through zoning and other policies... Additional zoning changes in other areas of the communities are not expected to result in growth, thus minimizing the potential for unplanned growth to occur elsewhere. Zoning regulations limit the density of development, which will guide future development to be consistent with the ESGVAP goals.”*

Furthermore, regarding the Aera property site, according to the California Geologic Energy Management Division (CalGEM) Well Finder website,<sup>2</sup> there are a number of oil wells that are active, plugged/capped, inactive, or idle within the Brea-Olinda oil/gas field, which occupies much of the Aera property site. This, coupled with the moderate and very high Fire Hazard Severity Zones that are also present within the Aera property site, the location of intensive housing within the periphery of sensitive land uses and very high fire hazard zones would not be consistent with the legislative intent of CEQA in Section 21001(d) to:

*“Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian.”*

<sup>2</sup> California Geologic Energy Management Division. 2023. Well Finder. Available at: <https://maps.conservation.ca.gov/doggr/wellfinder/#/-117.89477/33.95064/15>

The Aera property site is also encapsulated by the Puente Hills Significant Ecological Area (SEA). As mentioned in Section 4.4-7 of the Draft PEIR, the Puente Hills SEA represents the only large complex of multiple, relatively undisturbed habitats in the southeastern portion of the County and a crucial wildlife/habitat linkage to Chino Hills State Park. High density land uses would be inharmonious with the environs and biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Proposed Project, rather than continued use of the N-1, TON-1 and TOU-1 designations. Also, these areas are constrained by Hillside Management Areas which further limit potential development. Additionally, as mentioned in Response to Comment F-2, there is a key wildlife crossing, the Harbor Boulevard wildlife underpass, in the vicinity which supports the longevity of the Puente-Chino Hills Wildlife Corridor and necessitates biological protections and buffering around the wildlife crossing for safe usage by wildlife, which is also incompatible with high-density land uses. The proposed land use designations will be able to better regulate developments in these areas so that biological resources are adequately protected, natural space is preserved, and future residential areas are safely situated outside of very high fire hazard severity zones.

For the aforementioned reasons, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site.

### **Response to Comment G-2**

This comment notes the comment letter has been submitted concurrently with Aera's legal counsel comment letter (included herein as Letter F). Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment G-3**

This comment notes the biological studies undertaken on the Aera property site to date indicate that full ecological potential of the Aera Property will require intervention from a biology and habitat standpoint, and that restoration, not simply preservation, is required to achieve the biological functions envisioned in the ESGVAP and related documents. The comment asserts that a cooperative effort between Aera and the County could achieve habitat restoration and management at no cost to the public while ensuring that open space and park dedications become permanent and available for public uses compatible with biologic functions.

As stated in Response to Comment G-1, the Aera property site is also encapsulated by the Puente Hills Significant Ecological Area (SEA). As mentioned in Section 4.4-7 of the Draft PEIR, the Puente Hills SEA represents the only large complex of multiple, relatively undisturbed habitats in the southeastern portion of the County and a crucial wildlife/habitat linkage to Chino Hills State Park. High density land uses would be inharmonious with the environs and biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Proposed Project, rather than continued use of the N-1, TON-1 and TOU-1 designations. Also, these areas are constrained by Hillside Management Areas which further limit potential development, as well as the aforementioned wildlife underpass. The proposed land use designations will be able to better regulate developments in these areas so that biological

resources are adequately protected, natural space is preserved, and future residential areas are safely situated outside of very high fire hazard severity zones.

### **Response to Comment G-4**

This comment notes that the Aera property site is proximate to jobs-rich [sic] areas along the SR-57 and -60 freeway corridors and the City of Brea. However, since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment G-5**

This comment is conclusory and reiterates the request that any proposed change in use or other alteration of the governing standards under the existing Rowland Heights Community Plan for the Aera Property be removed from the proposed ESGVAP. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.





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*GAVIN NEWSOM, Governor*  
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### SENT BY EMAIL ONLY

April 11, 2023

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**Subject: East San Gabriel Valley Area Plan, Draft Programmatic Environmental Impact Report, SCH #2022040512, Los Angeles County Department of Regional Planning, Los Angeles County**

Dear Ms. Kim:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Programmatic Environmental Impact Report (DPEIR) from the Los Angeles County Department of Regional Planning (DRP) for the East San Gabriel Valley Area Plan (Project). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

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### **CDFW's Role**

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State fish and wildlife resources.

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CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

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## Project Description and Summary

**Objective:** The proposed Project is the implementation of the East San Gabriel Valley Area Plan (ESGVAP). The ESGVAP is a long-range policy document that aims to support growth, development, and maintenance of 24 unincorporated communities in the East San Gabriel Valley. The Project is an extension of the Los Angeles County General Plan with a focus on the characteristics and needs of 24 unincorporated communities. The Project will entail six elements and 15 community specific chapters with goals, policies, and actions that will be implemented and enforced. In addition, a general plan amendment, land use changes, zoning changes, and advanced planning amendments will be implemented through adoption of the ESGVAP. Zoning changes will be targeted within a one-mile radius of major transit stops and near high-quality transit corridors. To strengthen the unincorporated communities and successfully execute the Project, the following components will need to be implemented:

- Amend the Los Angeles General Plan to update, reorganize, and incorporate the existing Rowland Heights Community Plan and Hacienda Heights Community Plan as community chapters within the Project;
- Adjust the boundary of the ESGV Planning Area to include South El Monte, Pellissier Village, and North Whittier;
- Establish the proposed Project for the unincorporated communities in the ESGV Planning Area;
- Update existing zoning and land use designations to ensure consistency between the proposed Project and the General Plan land use policy map;
- Amend Title 22 to make changes to the existing zoning map;
- Incorporate the proposed rezoning as identified in the Housing Element 2021-2029;
- Rezone agricultural zones that are developed with residential uses from light agriculture to an appropriate residential zone;
- Reassess and revise the Rowland Heights Community Standards District to bring it into conformance with the proposed Project;
- Adjust the boundaries of Avocado Heights and the Trailside Ranch Equestrian Districts to create a consolidated equestrian district; and
- Establish an area-wide overlay to regulate height, ridgelines, and public communal space in new development.

There are three alternatives to the proposed Project. Alternative 1 proposes a No Project Alternative. Under Alternative 1, the existing conditions and planned development within the unincorporated communities will remain the same. No general plan amendment, land use changes, zoning changes, and advanced planning amendment will occur. Alternative 2 proposes a 0.5-Mile Transit Planning Radius Alternative. Under Alternative 2, the proposed changes described in the proposed Project will be implemented with the exception of a decreased transit planning radius. The transit planning radius will be reduced from a one-mile radius to a 0.5-mile radius. Alternative 3 proposes a 0.25-Mile Transit Planning Radius Alternative. Similar to Alternative 2, the proposed amendments for the 24 unincorporated communities will apply with the exception of a decreased transit planning radius. The transit centers and high-quality transit areas will be reduced to a 0.25-mile planning radius for both. As a result, the ESGV Planning Area will be reduced by approximately 75 percent under Alternative 3. The proposed Project and Alternatives do not approve any specific project-level development or construction activities.

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**Location:** The ESGV Planning Area encompasses 51.29 square miles of unincorporated communities within the easternmost portions of Los Angeles County. The Project site is generally located south of the Angeles National Forest, north of the Orange County border, east of Interstate 605, and west of the San Bernardino County line. The Project area is comprised of the following 24 unincorporated communities: Avocado Heights, Charter Oak, Covina Islands, East Azusa, East Irwindale, East San Dimas, Glendora Islands, Hacienda Heights, North Claremont, North Pomona, Northeast La Verne, Northeast San Dimas, Rowland Heights, South Diamond Bar, South San Jose Hills, South Walnut, Valinda, Walnut Islands, West Claremont, West Puente Valley, West San Dimas, Pellissier Village, unincorporated South El Monte, and unincorporated North Whittier.

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### Comments and Recommendations

CDFW offers the comments and recommendations below to assist DRP in adequately avoiding and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

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### Specific Comments

#### Comment #1: Impacts to Crotch's Bumble Bee

**Issue:** Individual projects facilitated by the Project may impact suitable habitat for Crotch's bumble bee (*Bombus crotchii*), a candidate CESA-listed species. The DPEIR does not discuss or provide mitigation measures to reduce the impact to Crotch's bumble bee.

**Specific impacts:** Individual projects facilitated under the Project may result in temporal or permanent loss of suitable nesting and foraging habitat of Crotch's bumble bee. Construction and ground-disturbing activities of future projects may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

**Why impacts would occur:** According to the Appendix E California Natural Diversity Database (CNDDDB) Search Results, there are several recorded observations of Crotch's bumble bee within the ESGV Planning Area. In addition, over 100 observations of Crotch's bumble bee have been recorded on [iNaturalist](#) throughout Los Angeles County (iNaturalist 2023). Furthermore, the ESGV Planning Area has a variety of habitats that have potential to provide foraging and overwintering sites for this candidate species. Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Ground disturbance and vegetation removal from individual projects during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas within and adjacent to the Project site. In addition to potential habitat loss, human disturbance, heavy machinery, and construction activities may result in direct mortality of Crotch's bumble bee. The DPEIR does not discuss the species and the Project's impact on Crotch's bumble bee. Additionally, the DPEIR

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does not provide species-specific avoidance and minimization measures. Without sufficient avoidance, minimization, or mitigation measures, buildout of the ESGVAP may result in significant impacts to Crotch's bumble bee.

**Evidence impacts would be significant:** The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. The Project may substantially reduce and adversely modify habitat as well as reduce and potentially impair the viability of populations of Crotch's bumble bee. The Project may also reduce the number and range of the species without considering the likelihood that special-status species on adjacent and nearby natural lands may rely upon the habitat that occurs in the ESGV Planning Area. In addition, Crotch's bumble bee has a State ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often 5 or fewer populations). Lastly, Crotch's bumble bee is listed as an invertebrate of conservation priority under the [California Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#) (CDFW 2017). The Project's impact on Crotch bumble bee has yet to be mitigated. Accordingly, the Project continues to have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species by CDFW.

#### **Recommended Potentially Feasible Mitigation Measure(s) Required for Individual Projects Facilitated by the ESGVAP:**

**Recommendation #1:** The DPEIR should provide full disclosure of the presence of Crotch's bumble bee within the ESGV Planning Area. The DPEIR should analyze the Project's impact on floral resources, nesting habitat, and overwintering habitat for Crotch's bumble bee. Conclusions made in regard to habitat quality and suitability should be substantiated by scientific and factual data, which may include maps, diagrams, and similar relevant information sufficient to permit full assessment of significant impacts by reviewing agencies. Potential direct and indirect impacts on Crotch's should be discussed in the DPEIR. If individual projects facilitated by the Project would impact Crotch's bumble bee and its associated habitat, the DPEIR should provide measures to avoid and/or mitigate potential impacts to Crotch's bumble bee and habitat supporting the species.

**Mitigation Measure #1:** For individual projects that have suitable foraging or nesting habitat for Crotch's bumble bee, the project applicant should retain a qualified entomologist with the appropriate take authorization to conduct surveys to determine presence/absence. Surveys should be conducted within one year prior to vegetation removal and/or grading throughout the entire project site by a qualified entomologist familiar with the species' behavior and life history. A minimum of three surveys should also be conducted during peak flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). The qualified entomologist should utilize a non-lethal survey methodology and obtain appropriate photo vouchers for species confirmation (CBBA 2023). During the surveys, the entomologist should flag inactive small mammal burrows and other potential nest sites to reduce the risk of take. Survey results, including negative findings, should be submitted to CDFW prior to obtaining appropriate permits. At minimum, a survey report should provide the following:

- a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee. CDFW recommends the map show surveyor(s) track

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- lines to document that the entire site was covered during field surveys.
- b) Field survey conditions that should include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.
  - c) Map(s) showing the location of nests/colonies.
  - d) A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).

**Mitigation Measure #2:** If Crotch's bumble bee is detected, the qualified entomologist should identify the location of all nests within and adjacent to the project site. A 15-meter no disturbance buffer zone should be established around any identified nest(s) to reduce the risk of disturbance or accidental take. A qualified entomologist should expand the buffer zone as necessary to prevent disturbance or take.

**Mitigation Measure #3:** If Crotch's bumble bee is detected and impacts to Crotch's bumble bee cannot be feasibly avoided, project applicants should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). Appropriate authorization from CDFW under CESA may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to the project and mitigation measures may be required to obtain an ITP. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP for the Project unless the Project's CEQA document addresses all the Project's impact on CESA endangered, threatened, and/or candidate species. The Project's CEQA document should also specify a mitigation monitoring and reporting program that will meet the requirements of an ITP. It is important that the take proposed to be authorized by CDFW's ITP be described in detail in the Project's CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP. However, it is worth noting that mitigation for the Project's impact on a CESA endangered, threatened, and/or candidate species proposed in the Project's CEQA document may not necessarily satisfy mitigation required to obtain an ITP.

**Mitigation Measure #4:** Any floral resource associated with Crotch's bumble bee that will be removed or damaged by individual projects should be replaced at no less than 1:1. Floral resources should be replaced as close to their original location as is feasible. If active Crotch's bumble bee nests have been identified and floral resources cannot be replaced within 200 meters of their original location, floral resources should be planted in the most centrally available location relative to identified nests. This location should be no more than 1.5 kilometers from any identified nest. Replaced floral resources may be split into multiple patches to meet distance requirements for multiple nests. These floral resources should be maintained in perpetuity and should be replanted and managed as needed to ensure the habitat is preserved.

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## **Comment #2: Impact on Coastal California Gnatcatcher and Southwestern Willow Flycatcher**

**Issue:** Individual projects facilitated by the Project may impact designated critical habitat for coastal California gnatcatcher (*Polioptila californica californica*), an Endangered Species Act (ESA)-listed threatened species and a California Species of Special Concern (SSC). Individual projects may also impact critical habitat for southwestern willow flycatcher (*Empidonax traillii extimus*), an ESA-listed and CESA-listed species. The DPEIR does not provide mitigation measures to reduce impacts to these special-status species and their critical habitat.

**Specific impacts:** Individual projects that involve grading activities, vegetation removal, or habitat modification will result in permanent loss of critical habitat for coastal California gnatcatcher and southwestern willow flycatcher. Individual projects facilitated by the Project during breeding and nesting season may also result in nest abandonment, reproductive suppression, or incidental loss of fertile eggs or nestlings.

**Why impact would occur:** Figure 4.4-2 Designated Critical Habitats provided in the DPEIR demonstrates that critical habitat for special-status species exists within the ESGV Planning Area. Critical habitat for coastal California gnatcatcher is located within the center and southern portion of the ESGV Planning Area. For southwestern willow flycatcher, designated critical habitat is located in the upper western portion of the ESGV Planning Area. In addition to critical habitat, Appendix E lists several recorded observations of both avian species within the ESGV Planning Area. Moreover, the DPEIR states that, “Future projects could result in modification of designated critical habitat for coastal California gnatcatcher...”. Although these critical habitats occur primarily within protected Significant Ecological Areas (SEAs), construction activities from individual projects may result in impacts if they are located adjacent to these designated critical habitats. In addition, habitat supporting these species may occur outside of the designated critical habitat areas and could be adversely impacted depending on the location of individual projects. Despite the DPEIR identifying that buildout of the ESGVAP will result in impacts to critical habitat, the CEQA document does not present any mitigation measures to avoid or minimize these impacts. Furthermore, future construction activities could create elevated levels of noise, human activity, dust, and ground vibrations. These disturbances and stressors occurring near potential nests could cause coastal California gnatcatcher and southwestern willow flycatcher to abandon their nests, resulting in the loss of fertile eggs or nestlings. Removal of trees and shrubs within a project site may also result in direct loss of breeding habitat for both special-status species. Lastly, the DPEIR states that, “Due to the loss of common habitats and diminished resource availability, impacts to special-status species remain significant at the ESGVAP level”.

**Evidence impact would be significant:** The Project could result in impacts on coastal California gnatcatcher and southwestern willow flycatcher. As an ESA-listed species, both birds are considered an endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380). The coastal California gnatcatcher is also designated as an SSC species. An SSC is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
- is listed as ESA-, but not CESA-, threatened, or endangered; meets the State definition

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- of threatened or endangered but has not formally been listed;
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and/or,
- has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA threatened or endangered status (CDFW 2023b).

CEQA provides protection not only for ESA and CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take of coastal California gnatcatcher and southwestern willow flycatcher could require a mandatory finding of significance (CEQA Guidelines, § 15065). Take under the ESA is more broadly defined than CESA. Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting.

The Project's impact on coastal California gnatcatcher and southwestern willow flycatcher has yet to be mitigated. Accordingly, the Project continues to have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species by CDFW and USFWS.

#### **Recommended Potentially Feasible Mitigation Measure(s) Required for Individual Projects Facilitated by the ESGVAP:**

**Recommendation #2:** Take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CDFW recommends individual projects facilitated under this Project that may result in potential take, consult with USFWS, in order to comply with ESA, well in advance of any ground disturbing activities and/or vegetation removal that may impact coastal California gnatcatcher and southwestern willow flycatcher.

**Mitigation Measure #5:** Individual projects that are located within or adjacent to suitable or designated critical habitat for coastal California gnatcatcher should conduct surveys to determine presence/absence. The project applicant should retain a qualified biologist with an appropriate USFWS permit to survey the project site. The qualified biologist should conduct surveys according to USFWS [Coastal California Gnatcatcher \(\*Polioptila californica californica\*\) Presence/Absence Survey Guidelines](#) (USFWS 1997). The survey protocol requires a minimum of six surveys to be conducted at least one week apart from March 15 through June 30 and a minimum of nine surveys at least two weeks apart from July 1 through March 14. The protocol should be followed for all surveys unless otherwise authorized by the USFWS in writing (USFWS 1997). CDFW recommends gnatcatcher surveys be conducted and USFWS notified (per protocol guidance) prior to issuance of a grading permit.

**Mitigation Measure #6:** Individual projects that are located within or adjacent to suitable or designated critical habitat for southwestern willow flycatcher should conduct surveys to determine presence/absence. The project applicant should retain a qualified biologist with an appropriate USFWS permit to survey the project site during an appropriate time. The qualified biologist should conduct surveys according to [A Natural History Summary and Survey Protocol](#)

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[for the Southwestern Willow Flycatcher](#) (USGS 2010). CDFW recommends southwestern willow flycatcher surveys be conducted and CDFW/USFWS notified prior to issuance of a grading permit.

**Mitigation Measure #7:** If southwestern willow flycatcher is detected and impacts cannot be feasibly avoided, project applicants should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). Project applicants should provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

**Mitigation Measure #8:** For individual projects facilitated by the Project that will result in permanent loss of critical habitat for either species, the project applicant should provide replacement habitat at no less than 2:1 for the total acreage of impacted habitat. Replacement habitat should be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed by the project applicant prior to any ground-disturbing activities or vegetation removal.

### Comment #3: Impacts to Special-Status Plants and Sensitive Natural Communities

**Issue:** Individual projects facilitated by the Project may continue to have a significant impact on CESA and/or ESA-listed plants and sensitive natural communities.

**Specific Impacts:** Individual projects facilitated by the Project may result in the loss of individuals and populations of rare, threatened, and endangered plants including, but not limited to the following plant species listed in Table 1. In addition, individual projects could result in habitat modification or permanent loss of sensitive natural communities.

Table 1. Rare plants that may be impacted by individual projects.

Species Name	CESA status	ESA status	State Rare Rank	California Rare Plant Rank
White rabbit-tobacco ( <i>Pseudognaphalium leucocephalum</i> )			S2	2B.2
Thread-leaved brodiaea ( <i>Brodiaea filifolia</i> )	endangered	threatened	S2	1B.1
Southern Tarplant ( <i>Centromadia parryi</i> ssp. <i>australis</i> )			S2	1B.1
Slender mariposa-lily ( <i>Calochortus clavatus</i> var. <i>gracilis</i> )			S2/S3	1B.2
Many-stemmed dudleya ( <i>Dudleya multicaulis</i> )			S2	1B.2
Mesa horkelia ( <i>Horkelia cuneata</i> var. <i>puberula</i> )			S1	1B.1

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Intermediate mariposa-lily (*Calochortus weedii* var.  
*intermedius*)

S3 1B.2

**Why impacts would occur:** Although the ESGV Planning Area consists of a populated urban area, native habitats and rare plants may reside within the mountains, hillsides, undeveloped lands, and small pockets around development. Individual projects facilitated under the ESGVAP may result in direct removal of rare plants. In addition to direct removal of rare plants, the DPEIR states individual projects could result in "...removal of habitat for rare plants known to occur in the area such as many-stemmed dudleya...". Alongside direct removal and supporting habitat loss, edge effects may result upon buildout of the ESGVAP. Edge effects may include encroachment, human activity, and introduction of non-native plants and pests (e.g., Argentine ants). The ESGVAP proposes goals and policies to encourage individual projects to protect biological resources and habitats in the ESGV Planning Area. However, based on the goals listed in the ESGVAP, there are no specific actions or mitigation measures for individual projects to adhere to that would completely avoid impacts to rare plants.

In addition to rare plants being impacted, sensitive natural communities may also be impacted through implementation of the Project. According to the DPEIR, there will be no impacts to oak woodlands or other unique native woodlands since there is no proposed increases in zoning or land use within these woodlands. However, sensitive natural communities such as the California walnut (*Juglans californica*) woodland may still be impacted by grading or construction activities if they reside within individual project sites. Furthermore, the DPEIR states, "There is a potential for any of these sensitive natural communities or others that have not been reported or mapped (i.e., non-jurisdictional wetlands) to be affected by the construction of one or more of the projects undertaken to implement the ESGVAP." Impacts to sensitive natural communities through construction activities may also have a cascading adverse effect on wildlife that utilize these vegetation communities as forging and breeding habitat. The DPEIR concludes its impact analysis on sensitive natural communities by stating that "...impacts to sensitive natural communities would be significant and unavoidable". The DPEIR does not provide sufficient avoidance and minimization measures in an effort to reduce impacts from individual projects facilitated by the Project to a level below significance.

Lastly, the DPEIR lists the following vegetation communities as sensitive natural communities, California Walnut Woodland, Riversidian Alluvial Fan Sage Scrub, Canyon Live Oak Ravine Forest, Southern Coast Live Oak Riparian Forest, Southern Sycamore Alder Riparian Woodland, and Walnut Forest. These vegetation communities are identified using the Holland ecosystem classification system instead of using the state-wide accepted Manual of California Vegetation (MCV) description of the alliance or association. Although the names of these sensitive natural communities were derived from a CNDDDB search, the DPEIR should provide the MCV alliance or association to avoid mistaking one vegetation community with another. For example, the DPEIR lists California Walnut Woodland and Walnut Forest as two separate sensitive natural communities, however it is likely that both of these communities are the same alliance, *Juglans californica* which has a state rarity ranking of 3.2. If vegetation communities are misidentified, it may result in inaccurate disclosure of vegetation communities that may or may not be considered sensitive. Additionally, the DPEIR does not provide scientific names or the state rarity ranking for the alliance and/or association of each sensitive natural community. Without disclosing the appropriate alliance or association name, CDFW is unable to accurately determine what exact vegetation communities are sensitive and may be impacted by the Project.

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**Evidence impact would be significant:** Plants with a CRPR of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of CESA and are eligible for State listing (CNPS 2020). Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380). California Native Plant Society's (CNPS) [Rare Plant Ranks](#) page includes additional rank definitions (CNPS 2023a). Impacts to special status plants should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to special status plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW.

The State Legislature required CDFW to develop and maintain a vegetation mapping standard for the State (Fish and G. Code, § 1940). This standard complies with the national vegetation classification system, which utilizes alliance and association-based classification of unique vegetation stands. CDFW utilizes vegetation descriptions found in the MCV, found online at <http://vegetation.cnps.org/> (CNPS 2023). Since the DPEIR uses Holland ecosystem classification to identify vegetation communities, sensitive vegetation communities may be misidentified, resulting in potentially undisclosed Project impacts. CDFW considers natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 to be sensitive natural communities. These ranks can be obtained by visiting the [Vegetation Classification and Mapping Program - Natural Communities](#) webpage (CDFW 2023a). Sensitive natural communities are threatened communities that have both regional and local significance.

Impacts to a sensitive natural community should be considered significant under CEQA unless impacts are clearly mitigated below a level of significance. Without appropriate mitigation, the Project may result in significant impacts on a sensitive natural community if individual projects facilitated by the Project's measures and actions would remove, encroach into, or disturb such resources. Accordingly, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on sensitive natural communities identified by CDFW.

### **Recommended Potentially Feasible Mitigation Measure(s) Required for Individual Projects Facilitated by the ESGVAP:**

**Recommendation #3:** The DPR should revise the DPEIR to identify vegetation communities using MCV alliance or association-based classification to determine the rarity ranking of vegetation communities potentially impacted by the Project. The DPEIR should also include the scientific name and state rarity ranking for each alliance/association. Recognized alliance and association names may be identified using [CDFW's Natural Communities List](#) (CDFW 2022).

**Mitigation Measure #9:** Individual project sites that may provide potential habitat to sensitive plants should conduct focused rare plant surveys. Season-appropriate focused surveys should be conducted by a qualified biologist to sufficiently document the abundance and distribution of rare plants that may be present. CDFW recommends the surveys be conducted based on the [Protocols for Surveys and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities](#) (CDFW 2018). A qualified biologist should "conduct botanical surveys in

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the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting.”

**Mitigation Measure #10:** For individual projects that result in impacts to rare plants, project applicants should mitigate the loss of individual plants and associated habitat acres. The project applicant should offset any loss of individual plants such that there is no net loss or at a ratio acceptable to CDFW. Mitigation should be completed prior to issuance of grading permits.

**Mitigation Measure #11:** If thread-leaved brodiaea is detected within an individual project site and impacts cannot be feasibly avoided, project applicants should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Additionally, Project applicants should provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

**Mitigation Measure #12:** Where an individual project results in the loss of a sensitive natural community, the project should offset the loss by no less than 2:1 of the total acreage lost. The number of replacement trees and acres should be higher if a project impacts large oak trees; impacts a woodland supporting rare, sensitive, or special status plants and wildlife; impacts a woodland adjacent to a watercourse; or impacts a woodland with a State Rarity ranking of S1, S2, or S3, or additional ranking of 0.1 or 0.2.

**Mitigation Measure #13:** Where an individual project results in the loss of loss of native woodlands, the project should remove large trees in phases to the maximum extent feasible. A phased removal plan should be provided as a condition of obtaining a grading permit or permit under the County’s Oak Tree Ordinance and/or Oak Woodlands Conservation Management Plan. Removing trees in phases minimizes impacts on wildlife, primarily nesting birds, resulting from the temporal loss of trees and to provide structurally diverse woodlands while any on or off-site site mitigation for impacts to woodlands occurs.

#### **Comment #4: Impacts on Bats**

**Issue:** The Project could impact several bat species, including but not limited to the pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis californicus*), big free tailed bat (*Nyctinomops macrotis*), western yellow bat (*Lasiurus xanthinus*), pocketed free-tailed bat (*Nyctinomops femorosaccus*), and hoary bat (*Lasiurus cinereus*), which are designated as SSC. The DPEIR does not provide avoidance or mitigation measures to reduce impacts to bat species within the ESGV Planning Area.

**Specific impacts:** Individual projects facilitated by the Project may have direct impacts that involves removal of trees, vegetation, and/or structures. These trees, vegetation, and/or structures may provide roosting habitat and therefore has the potential for the direct loss of bats. Indirect impacts from future developments may result from increased noise disturbances, human activity, dust, ground disturbing activities (e.g., staging, access, grading, excavating, drilling), and vibrations caused by heavy equipment.

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**Why impact would occur:** According to Appendix E of the DPEIR, there are several accounts of various bat observations within the ESGV Planning Area that have been recorded. Additionally, the DPEIR has deduced that individual projects may result in the removal of bat roosting habitat for special-status bats. The DPEIR does not include any avoidance and minimization measures despite the fact that impacts from individual projects may result in roosting habitat loss, disturbance, and potential mortality. Furthermore, without requiring individual projects to conduct focused surveys for bat detection, individual developments may impact unidentified bat species and their associated roosting sites within the Planning Area. In urbanized areas, bats use trees and man-made structures for daytime and nighttime roosts (Avila-Flores and Fenton 2005; Oprea et al. 2009; Remington and Cooper 2014). Trees and crevices in buildings in and adjacent to the Project site could provide roosting habitat for bats. Bats can fit into very small seams, as small as a ¼ inch. Modifications to roost sites can have significant impacts on the bats' usability of the roost and can impact the bats' fitness and survivability (Johnston et al. 2004). Extra noise, vibration, or the reconfiguration of large objects can lead to the disturbance of roosting bats which may have a negative impact on the animals. Human disturbance can also lead to a change in humidity, temperatures, or the approach to a roost that could force the animals to change their mode of egress and/or ingress to a roost. Although temporary, such disturbance can lead to the abandonment of a maternity roost (Johnston et al. 2004).

**Evidence impact would be significant:** Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Additionally, the bat species listed above are considered Species of Special Concern and meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take of SSC could require a mandatory finding of significance by the Lead Agency (CEQA Guidelines, § 15065).

**Recommended Potentially Feasible Mitigation Measure(s) for Individual Projects Facilitated by the ESGVAP:**

**Mitigation Measure #14:** For individual projects that may occur near potential bat roosting habitat, a qualified bat specialist should conduct bat surveys within these areas (plus a 100-foot buffer as access allows). These surveys should identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. CDFW recommends using acoustic recognition technology to maximize detection of bats. A discussion of survey results, including negative findings, should be provided to DRP. Depending on the survey results, a qualified bat specialist should discuss potentially significant effects of the project on bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125). Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist should be completed and submitted to DRP prior to any project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.

**Mitigation Measure #15:** The following tree removal process should occur for individual projects that support potential roosting sites. "If bats are not detected, but the bat specialist determines that roosting bats may be present, trees should be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees should be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should

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then be pushed to the ground slowly and remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts should not be bucked or mulched immediately. A period of at least 24 hours, and preferable 48 hours, should elapse prior to such operations to allow bats to escape.”

**Mitigation Measure #16:** For individual projects that support maternity roosts, work should be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30). If tree removal occurs during maternity season, trees identified as potentially supporting an active maternity roost should be closely inspected by the bat specialist. Inspection of each tree should be no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to be maternity roosts should be left in place until the end of the maternity season. Work should not occur within 100 feet of or directly under or adjacent to an active roost and work should not occur between 30 minutes before sunset and 30 minutes after sunrise.

### Additional Recommendations

**Mitigation Measure BIO-4.4-2.** CDFW recommends DRP revise Mitigation Measure BIO-4.4-2 for nesting birds in order to mitigate the Project’s impact on nesting birds and raptors below a level of significance. CDFW recommends DRP remove the following language in strikethrough and incorporate the underlined language:

“Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the preconstruction nesting bird clearance survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of Typical buffer distances include up to 300-feet for passerines, and up to 500-feet for raptors, and 0.5 mile for special status species, if feasible but can be reduced as deemed appropriate by a monitoring biologist. On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, should be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Project activities may encroach into the buffer only at the discretion of the monitoring biologist. The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active as determined by the monitoring biologist.”

**Biological Baseline Assessment and Impact Analysis.** CDFW recommends the DPEIR require individual projects facilitated by the ESGVAP to provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area, with emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative

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biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. The DPEIR should include the following information:

- a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The DPEIR should require individual projects to include measures to fully avoid and otherwise protect sensitive natural communities from Project-related impacts. Project implementation may result in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a [State-wide ranking](#) of S1, S2, S3 and S4 should be considered sensitive and declining at the local and regional level (CDFW 2023a);
- b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities](#) (CDFW 2018);
- c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at future project areas and within the neighboring vicinity. [The Manual of California Vegetation](#), second edition, should also be used to inform this mapping and assessment (CNPS 2023b). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
- d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by individual projects facilitated under the Project;
- e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish & Game Code, §§ 3511, 4700, 5050 and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in the use of future project areas should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the USFWS; and
- f) A recent wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the individual projects may warrant periodic updated surveys for certain sensitive taxa, particularly if buildout could occur over a protracted time frame, or in phases.

**Evaluation of CDFW's Recommended Mitigation Measures.** The DRP concluded that the Project's impacts on biological resources are "significant and unavoidable" (e.g., sensitive natural communities, special status species, species of special concern). CDFW has provided DRP with recommended mitigation measures that are potentially feasible in order to reduce the Project's impact on biological resources to less than significant. If DRP determines/concludes

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that CDFW's recommendations are not feasible, CDFW would appreciate a written response why specific comments and suggestions were not accepted as part of the Project's environmental document (CEQA Guidelines, § 15088). Per CEQA Guidelines section 15091, "No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding."

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**Data.** CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., CNDDDB] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Information on special status species should be submitted to the CNDDDB by completing and submitting [CNDDDB Field Survey Forms](#) (CDFW 2023c). Information on special status native plant populations and sensitive natural communities, the [Combined Rapid Assessment and Relevé Form](#) should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2023d).

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**Mitigation and Monitoring Reporting Plan.** CDFW recommends updating the DPEIR's proposed Biological Resources Mitigation Measures to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments [(Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15126.4(a)(2))]. As such, CDFW has provided comments and recommendations to assist the DRP in developing mitigation measures that are (1) consistent with CEQA Guidelines section 15126.4; (2) specific; (3) detailed (i.e., responsible party, timing, specific actions, location), and (4) clear for a measure to be fully enforceable and implemented successfully via mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097). The DRP is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the DRP with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A).

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### Filing Fees

The Project, as proposed, could have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Los Angeles County Department of Regional Planning and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

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### Conclusion

We appreciate the opportunity to comment on the Project to assist the Los Angeles County Department of Regional Planning in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the Los Angeles County Department of Regional Planning has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines,

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§ 15073(e)]. If you have any questions or comments regarding this letter, please contact Julisa Portugal, Environmental Scientist, at [Julisa.Portugal@wildlife.ca.gov](mailto:Julisa.Portugal@wildlife.ca.gov) or (562) 330-7563.

Sincerely,

DocuSigned by:



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Victoria Tang signing for

Erinn Wilson-Olgin  
Environmental Program Manager I  
South Coast Region

ec: CDFW  
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OPR

State Clearinghouse, Sacramento – [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

#### References:

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*GAVIN NEWSOM, Governor*  
*CHARLTON H. BONHAM, Director*



**Attachment A: Draft Mitigation and Monitoring Reporting Plan**

CDFW recommends the following language to be incorporated into a future environmental document for the Project.

<b>Biological Resources (BIO)</b>			
<b>Mitigation Measure (MM) or Recommendation (REC)</b>		<b>Timing</b>	<b>Responsible Party</b>
<b>MM-BIO-1 – Crotch’s Bumble Bee Survey</b>	<p>For individual projects that have suitable foraging or nesting habitat for Crotch’s bumble bee, the project applicant shall retain a qualified entomologist with the appropriate take authorization to conduct surveys to determine presence or absence. Surveys shall be conducted within one year prior to vegetation removal and/or grading throughout the entire project site by a qualified entomologist familiar with the species’ behavior and life history. A minimum of three surveys shall also be conducted during peak flying season when the species is most likely to be detected above ground, between March 1 to September 1. The qualified entomologist shall utilize a non-lethal survey methodology and obtain appropriate photo vouchers for species confirmation. During the surveys, the entomologist shall flag inactive small mammal burrows and other potential nest sites to reduce the risk of take. Survey results, including negative findings, shall be submitted to CDFW prior to obtaining appropriate permits. At minimum, a survey report shall provide the following:</p> <p>a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch’s bumble bee. The map shall show surveyor(s) track lines to document that the entire site was covered during field</p>	One year prior to construction activities and vegetation removal	Project-level lead agency/Qualified Entomologist

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	<p>surveys.</p> <p>b) Field survey conditions that shall include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.</p> <p>c) Map(s) showing the location of nests/colonies.</p> <p>d) A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, shall include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).</p>		
<b>MM-BIO-2 – Crotch’s Bumble Bee Buffer Zone</b>	If Crotch’s bumble bee is detected, the qualified entomologist shall identify the location of all nests within and adjacent to the project site. A 15-meter no disturbance buffer zone shall be established around any identified nest(s) to reduce the risk of disturbance or accidental take. A qualified entomologist shall expand the buffer zone as necessary to prevent disturbance or take.	Prior to and during construction activities and vegetation removal	Project-level lead agency/ Qualified Entomologist
<b>MM-BIO-3 – CESA ITP for Crotch’s Bumble Bee</b>	If Crotch’s bumble bee is detected and impacts to Crotch’s bumble bee cannot be feasibly avoided, project applicants shall consult with CDFW and obtain appropriate take authorization from CDFW. Appropriate authorization from CDFW under CESA may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options.	Prior to construction activities and vegetation removal	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-4 – Floral Resource and Nesting Habitat Replacement</b>	Any floral resource associated with Crotch’s bumble bee that will be removed or damaged by individual projects shall be replaced at no less than 1:1. Floral resources shall be replaced as close to their original location as is feasible. If active Crotch’s bumble bee nests have been identified and floral resources cannot be replaced within 200 meters of their original location, floral resources shall be planted in the most centrally available	Prior to and during any construction activities.	Individual Project Applicant

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	location relative to identified nests. This location shall be no more than 1.5 kilometers from any identified nest. Replaced floral resources may be split into multiple patches to meet distance requirements for multiple nests. These floral resources shall be maintained in perpetuity and shall be replanted and managed as needed to ensure the habitat is preserved.		
<b>MM-BIO-5 – Coastal California Gnatcatcher Surveys</b>	Individual projects that are located within or adjacent to suitable or designated critical habitat for coastal California gnatcatcher shall conduct surveys to determine presence/absence. The project applicant shall retain a qualified biologist with an appropriate USFWS permit to survey the project site. The qualified biologist shall conduct surveys according to USFWS <a href="#">Coastal California Gnatcatcher (<i>Polioptila californica californica</i>) Presence/Absence Survey Guidelines</a> . The survey protocol requires a minimum of six surveys to be conducted at least one week apart from March 15 through June 30 and a minimum of nine surveys at least two weeks apart from July 1 through March 14. The protocol shall be followed for all surveys unless otherwise authorized by the USFWS in writing. CDFW recommends gnatcatcher surveys be conducted and USFWS notified (per protocol guidance) prior to the issuance of a grading permit.	Prior to issuance of a grading permit	Project-level lead agency/Qualified Biologist
<b>MM-BIO-6 – Southwestern Willow Flycatcher Survey</b>	Individual projects that are located within or adjacent to suitable or designated critical habitat for southwestern willow flycatcher shall conduct surveys to determine presence/absence. The project applicant shall retain a qualified biologist with an appropriate USFWS permit to survey the project site during an appropriate time. The qualified biologist shall conduct surveys according to <a href="#">A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher</a> . Southwestern willow flycatcher surveys shall be conducted and CDFW/USFWS notified prior to issuance of a grading permit.	Prior to issuance of a grading permit	Project-level lead agency/Qualified Biologist

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<b>MM-BIO-7 – CESA ITP for Southwestern Willow Flycatcher</b>	<p>If southwestern willow flycatcher is detected and impacts cannot be feasibly avoided, project applicants shall consult with CDFW and obtain appropriate take authorization from CDFW. Project applicants shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.</p>	<p>Prior to construction activities and vegetation removal</p>	<p>Individual Project Applicant</p>
<b>MM-BIO-8 – Critical Habitat Replacement</b>	<p>For individual projects facilitated by the Project that will result in permanent loss of critical habitat for either species, the project applicant shall provide replacement habitat at no less than 2:1 for the total acreage of impacted habitat. Replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate endowment shall be provided for the long-term management of mitigation lands. A conservation easement and endowment funds shall be fully acquired, established, transferred, or otherwise executed by the project applicant prior to any ground-disturbing activities or vegetation removal.</p>	<p>Prior to any ground-disturbing activities or vegetation removal</p>	<p>Project-level lead agency/ Individual Project Applicant</p>
<b>MM-BIO-9 – Rare Plant Surveys</b>	<p>Individual project sites that may provide potential habitat to sensitive plants shall conduct focused rare plant surveys. Season-appropriate focused surveys shall be conducted by a qualified biologist to sufficiently document the abundance and distribution of rare plants that may be present. Surveys shall be conducted based on the <a href="#">Protocols for Surveys and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</a>. A qualified biologist shall “conduct botanical surveys in the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting.”</p>	<p>Prior to any ground-disturbing activities or vegetation removal</p>	<p>Project-level lead agency/ Individual Project Applicant</p>
<b>MM-BIO-10 – Rare Plant Replacement</b>	<p>For individual projects that result in impacts to rare plants, project applicants shall mitigate the loss of individual plants and associated habitat acres. The project applicant shall offset any loss of individual plants such that there is no net loss or at a</p>	<p>Prior to issuance of grading permits</p>	<p>Project-level lead agency/ Individual Project Applicant</p>

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	ratio acceptable to CDFW. Mitigation shall be completed prior to issuance of grading permits.		
<b>MM-BIO- 11- CESA ITP for Thread-leaved brodiaea</b>	If thread-leaved brodiaea is detected within an individual project site and impacts cannot be feasibly avoided, project applicants shall consult with CDFW and obtain appropriate take authorization from CDFW. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options. Additionally, Project applicants shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.	Prior to finalizing ground disturbing activities and issuance of grading permits	Project-level agency/ Individual Project Applicant
<b>MM-BIO-12 - Sensitive Natural Communities Replacement</b>	Where an individual project results in the loss of a sensitive natural community, the project shall offset the loss by no less than 2:1 of the total acreage lost. The number of replacement trees and acres shall be higher if a project impacts large oak trees; impacts a woodland supporting rare, sensitive, or special status plants and wildlife; impacts a woodland adjacent to a watercourse; or impacts a woodland with a State Rarity ranking of S1, S2, or S3, or additional ranking of 0.1 or 0.2.	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-13- Phased Tree Removal</b>	Where an individual project results in the loss of loss of native woodlands, the project shall remove large trees in phases to the maximum extent feasible. A phased removal plan shall be provided as a condition of obtaining a grading permit or permit under the County's Oak Tree Ordinance and/or Oak Woodlands Conservation Management Plan. Removing trees in phases minimizes impacts on wildlife, primarily nesting birds, resulting from the temporal loss of trees and to provide structurally diverse woodlands while any on or off-site site mitigation for impacts to woodlands occurs.	Prior to issuance of grading permit and ground-disturbing activities	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-14- Bat Surveys</b>	For individual projects that may occur near potential bat roosting habitat, a qualified bat specialist shall conduct bat surveys within these areas (plus a 100-foot buffer as access allows). These surveys shall identify potential habitat that could provide	Prior to any ground-disturbing activities or	Qualified Bat Specialist

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	<p>daytime and/or nighttime roost sites, and any maternity roosts. CDFW recommends using acoustic recognition technology to maximize detection of bats. A discussion of survey results, including negative findings, shall be provided to DRP.</p> <p>Depending on the survey results, a qualified bat specialist shall discuss potentially significant effects of the project on bats and include species specific mitigation measures to reduce impacts to below a level of significance. Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist shall be completed and submitted to DRP prior to any project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.</p>	vegetation removal	
<b>MM-BIO- 15 - Bat Roosting Sites: Tree Removal Process</b>	<p>The following tree removal process shall occur for individual projects that support potential roosting sites. "If bats are not detected, but the bat specialist determines that roosting bats may be present, trees shall be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts shall not be bucked or mulched immediately. A period of at least 24 hours, and preferable 48 hours, shall elapse prior to such operations to allow bats to escape."</p>	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Qualified Bat Specialist
<b>MM-BIO- 16 – Bat Maternity Roosts</b>	<p>For individual projects that support maternity roosts, work shall be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30). If tree removal occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by the bat specialist. Inspection of each tree shall be no more than 7 days prior to tree disturbance to determine the</p>	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Qualified Bat Specialist

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	<p>presence or absence of roosting bats more precisely. Trees determined to be maternity roosts shall be left in place until the end of the maternity season. Work shall not occur within 100 feet of or directly under or adjacent to an active roost and work shall not occur between 30 minutes before sunset and 30 minutes after sunrise.</p>		
<p><b>MM-BIO-17 – Mitigation Measure BIO-4.4-2</b></p>	<p>Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the preconstruction nesting bird survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of 300-feet for passerines, 500-feet for raptors, and 0.5 mile for special status species, if feasible. On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, shall be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Project activities may encroach into the buffer only at the discretion of the monitoring biologist. The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active.</p>	<p>Prior to finalizing CEQA document and ground-disturbing activities</p>	<p>DPR/Qualified Biologist</p>



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<p><b>MM-BIO-18 –                  Biological                  Baseline                  Assessment and                  Impact Analysis</b></p>	<p>The DPEIR shall require individual projects facilitated by the ESGVAP to provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area, with emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. The DPEIR shall include the following information:</p> <p>a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region. The DPEIR shall require individual projects to include measures to fully avoid and otherwise protect sensitive natural communities from Project-related impacts. Project implementation may result in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a <a href="#">State-wide ranking</a> of S1, S2, S3 and S4 shall be considered sensitive and declining at the local and regional level;</p> <p>b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's <a href="#">Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</a>;</p> <p>c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at future project areas and within the neighboring vicinity. <a href="#">The Manual of California Vegetation</a>, second edition, shall also be used to inform this mapping and assessment. Adjoining habitat</p>	<p>Prior to issuance of grading permit and ground-disturbing activities</p>	<p>Project-level lead agency/                  Individual Project Applicant</p>
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	<p>areas shall be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;</p> <p>d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by individual projects facilitated under the Project;</p> <p>e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species. Species to be addressed shall include all those which meet the CEQA definition of endangered, rare, or threatened species. Seasonal variations in the use of future project areas shall also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures shall be developed in consultation with CDFW and the USFWS; and</p> <p>f) A recent wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the individual projects may warrant periodic updated surveys for certain sensitive taxa, particularly if buildout could occur over a protracted time frame, or in phases.</p>		
<p><b>REC 1 – Analysis of Project’s Impact</b></p>	<p>The DPEIR should provide full disclosure of the presence of Crotch’s bumble bee within the ESGV Planning Area. The DPEIR should analyze the Project’s impact on floral resources,</p>	<p>Prior to finalizing CEQA document</p>	<p>DPR</p>

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<b>on Crotch's Bumble Bee</b>	nesting habitat, and overwintering habitat for Crotch's bumble bee. Conclusions made in regard to habitat quality and suitability should be substantiated by scientific and factual data, which may include maps, diagrams, and similar relevant information sufficient to permit full assessment of significant impacts by reviewing agencies. Potential direct and indirect impacts on Crotch's should be discussed in the DPEIR. If individual projects facilitated by the Project would impact Crotch's bumble bee and its associated habitat, the DPEIR should provide measures to avoid and/or mitigate potential impacts to Crotch's bumble bee and habitat supporting the species.		
<b>REC 2 – USFWS Consultation</b>	Take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CDFW recommends individual projects facilitated under this Project that may result in potential take, consult with USFWS, in order to comply with ESA, well in advance of any ground disturbing activities and/or vegetation removal that may impact coastal California gnatcatcher and southwestern willow flycatcher.	Prior to finalizing Project-level CEQA document	Project-level lead agency/ Individual Project Applicant
<b>REC 3 – CESA Consultation</b>	If individual projects will impact thread-leaved brodiaea, early consultation with CDFW is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options.	Prior to finalizing Project-level CEQA document	Project-level lead agency/ Individual Project Applicant
<b>REC 4 - Evaluation of CDFW's Recommended Mitigation Measures</b>	The DRP concluded that the Project's impacts on biological resources are "significant and unavoidable" (e.g., sensitive natural communities, special status species, species of special concern). CDFW has provided DRP with recommended mitigation measures that are potentially feasible in order to reduce the Project's impact on biological resources to less than	Prior to finalizing CEQA document	DPR

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	<p>significant. If DRP determines/concludes that CDFW's recommendations are not feasible, CDFW would appreciate a written response why specific comments and suggestions were not accepted as part of the Project's environmental document. Per CEQA Guidelines section 15091, "No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding."</p>		
<b>REC 5 – Data</b>	<p>CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., CNDDDB] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Information on special status species should be submitted to the CNDDDB by completing and submitting <a href="#">CNDDDB Field Survey Forms</a> (CDFW 2023c). Information on special status native plant populations and sensitive natural communities, the <a href="#">Combined Rapid Assessment and Relevé Form</a> should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2023d).</p>	Prior to finalizing CEQA document	Project-level lead agency/ Individual Project Applicant
<b>REC 6 - MMRP</b>	<p>The DEIR's proposed Biological Resources Mitigation Measures should be updated and conditioned to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. The City is welcome to coordinate with CDFW to further review and refine the project's mitigation measures.</p>	Prior to finalizing CEQA document	DPR

## Response to Comment H-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment H-2

This comment explains CDFW's wider role as California's Trustee Agency for fish and wildlife and specific to the Project, is also submitting comments as a Responsible Agency under CEQA. The comment recommends the Project proponent obtain appropriate authorization under the Fish and Game Code for lake and streambed alteration or for actions which may result in "take" of California Endangered Species Act (CESA) or CESA-listed rare plant pursuant to the Native Plant Protection Act. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR, therefore no further response is required.

## Response to Comment H-3

This comment provides a summary of the Project Description, lists the three Project Alternatives and indicates the locations associated with the ESGVAP. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment H-4

This comment explains CDFW's rationale to assist in avoiding and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. CDFW recommends measures or revisions to be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's Mitigation Monitoring and Reporting Program (MMRP). The County notes the comment regarding the recommendations. As specified in the Draft PEIR (Page 4.4-20), future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis. This would include describing site-specific biological conditions, analyzing and mitigating potential significant impacts to candidate, sensitive, or special status species and their habitats, sensitive natural communities/habitats, and other sensitive biological resources required to be analyzed under CEQA.

## Response to Comment H-5

This comment states individual projects may impact Crotch's bumble bee individuals, as well as suitable habitat for the species, and that the Draft PEIR does not discuss or provide mitigation measures to reduce impacts to Crotch's bumble bee.

As discussed on page 4.4-2 of the Draft PEIR, at least 89 plant and vertebrate California species of special concern, including 25 State and Federally threatened and endangered species have been identified as occurring or potentially occurring in the Planning Area. Crotch's bumble bee was included in this list, and was identified in Appendix E, CNDDDB Search Results, of the Draft

PEIR. While Crotch's bumble bee was not specifically discussed in the Draft PEIR, impacts to listed species and their habitats were more generally described under Impact 4.4-1. As discussed under Impact 4.4-1, buildout of the ESGVAP could result in impacts to various habitat types, which could result in the loss of special-status species through direct mortality or via indirect effects such as habitat loss and edge effects at the urban-wildland interface. Therefore, buildout of the ESGVAP could have significant adverse impacts on special-status species and/or their habitats, and impacts would be significant and unavoidable.

See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats (including Crotch's bumble bee).

### **Response to Comment H-6**

This comment states individual projects may impact coastal California gnatcatchers and southwestern willow flycatchers, as well as designated critical habitat for these species, and that the Draft PEIR does not discuss or provide mitigation measures to reduce impacts to these species. See Response to Comment H-5 for details.

The Draft PEIR has been revised to clarify that while designated critical habitat for southwestern willow flycatcher and thread-leaved brodiaea occurs within the ESGVAP area, no impacts would occur to these designated critical habitats since there would be no changes to zoning or land use intensities in those areas. The analysis included under Impact 4.4-1 discusses the potential impacts to critical habitat for coastal California gnatcatcher and to special-status species.

See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats (including coastal California gnatcatcher and southwestern willow flycatcher).

### **Response to Comment H-7**

This comment states individual projects may impact special-status plants and sensitive natural communities, and that the Draft PEIR does not provide mitigation measures to reduce impacts to these resources. See Response to Comment H-5 for details.

Page 4.4-4 of the Draft PEIR identifies the sensitive natural communities within the Planning Area, as cited in the CNDDDB. The CNDDDB does not provide vegetation alliance or association for the sensitive natural communities identified. Impact 4.4-1 of the Draft PEIR evaluates potential impacts to special-status plants, and Impact 4.4-2 evaluates potential impacts to sensitive natural communities. See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to

analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats, as well as sensitive natural communities.

## Response to Comment H-8

This comment states individual projects may impact sensitive bat species and roosting habitat, and that the Draft PEIR does not provide mitigation measures to reduce impacts to these species. See also Response to Comment H-5.

Impact 4.4-1 discusses potential impacts to special-status bats. See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats (including special-status bats and roosting habitat).

## Response to Comment H-9

CDFW recommends revisions to Mitigation Measure BIO-4.4-2 for nesting birds and raptors. The suggested revisions and strikethrough for this mitigation measure have been incorporated into Page 4.4-25 of the Final PEIR, as follows:

**BIO-4.4-2:** Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird ~~clearance~~ survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the pre-construction nesting bird ~~clearance~~ survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of ~~Typical buffer distances include up to 300-feet for passerines, and up to 500-feet for raptors, and 0.5 mile for special-status species, if feasible but can be reduced as deemed appropriate by a monitoring biologist.~~ On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, should be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Project activities may encroach into the buffer only at the discretion of the monitoring biologist. The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active as determined by the monitoring biologist.

## Response to Comment H-10

CDFW recommends the Draft PEIR require individual projects to provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area. See Response to Comment H-4.

### **Response to Comment H-11**

This comment states that CDFW has provided the County with recommended mitigation measures that are potentially feasible in order to reduce the Project's impact on biological resources to less than significant. If the County determines/concludes that CDFW's recommendations are not feasible, CDFW would appreciate a written response as to why specific comments and suggestions were not accepted as part of the Project's environmental document. This Response to Comments document and applicable revisions to be incorporated within the Final PEIR fulfills that obligation.

### **Response to Comment H-12**

Data sources used to prepare the biological resources chapter of the Draft PEIR are listed in Section 4.4.3, *References*, and also cited throughout Chapter 4.4, *Biological Resources*. Since biological surveys were not conducted in preparation of the Draft PEIR, there is no project-specific information on special-status species or sensitive natural communities for submittal to the CNDDDB or CDFW's Vegetation Classification and Mapping Program.

### **Response to Comment H-13**

CDFW recommends updating the Draft PEIR's biological resources mitigation measures to include those provided in Attachment A, Draft Mitigation and Monitoring Reporting Plan, of the comment letter. See Response to Comment H-4.

### **Response to Comment H-14**

This comment states that filing of fees is required and payable upon filing of the Notice of Determination. The County will pay the appropriate filing fee upon filing of the Notice of Determination.

### **Response to Comment H-15**

This is a conclusory statement and list of references cited in the comment letter. CDFW also requests an opportunity to review and comment on any response that the County has to CDFW's comments, and to receive notification of any forthcoming hearing date(s) for the Project. The comment has been noted and the County will notify CDFW of the hearing date(s) for the Project when scheduled. The County acknowledges the contact information for CDFW for future reference during the environmental review process.





April 12, 2023

**Submitted Electronically**

Mi Kim

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Los Angeles, CA 90012

Email: [mkim@planning.lacounty.gov](mailto:mkim@planning.lacounty.gov)

**RE: East San Gabriel Valley Area Plan Draft Program Environmental  
Impact Report, Project No. 2022040512**

Dear Ms. Kim:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Program Environmental Impact Report (PEIR) for the Proposed East San Gabriel Valley Area Plan Project (ESGVAP). As described in the Draft PEIR, the ESGVAP will establish a comprehensive policy document for twenty-four unincorporated communities in Los Angeles County. The Project will update, reorganize, and incorporate the existing Rowland Heights Community Plan and Hacienda Heights Community Plan as community chapters into the new ESGVAP. It will also update the Planning Area boundary to include the unincorporated communities of South El Monte, Pellissier Village, and North Whittier.

I-1

The goals of the ESGVAP are to a) retain the residential character of the ESGV Planning Area in harmony with its surroundings; b) promote an active regional hub with diverse options for housing, shopping, entertainment, recreation, and services; c) develop goals, policies, and implementation programs that support smart growth, sustainable development, and thoughtful enhancement/upgrade of existing neighborhoods; d) establish more public spaces and public realm improvements; and e) encourage diversity of housing options and affordability, and economic development.

In our comment letter dated May 26, 2022, we responded to the ESGVAP Notice of Preparation (NOP) by advocating that the Plan include a full historic resources survey to evaluate potential adverse impacts and leverage existing community assets. We also requested that the Draft PEIR fully analyze and incorporate existing historic resources by including a range of preservation-based alternatives that would result in less than significant impacts to historic resources.

I-2



We appreciate the steps taken in the PEIR to identify existing cultural resources within the Plan Area and propose appropriate mitigation measures. It is important to identify potential adverse impacts to historic resources as part of the planning process in order to avoid them wherever possible. As part of the adoption of the PEIR and the ESGVAP, we strongly request that 1) mitigation measures be applied to all cultural resources identified within the PEIR and strengthened for resources with eligibility codes of 1 through 5, and 2) that the Final EIR commit to a specific timeline and identify a funding stream to implement a full historic resources survey and Context Statement for communities within the ESGVAP.

I-2  
(cont)

### Mitigation measures for identified cultural resources

The PEIR lists sixty-nine cultural resources that had previously been recorded within the Plan Area. These resources were identified in the California Office of Historic Preservation (OHP) Built Environment Resources Directory (BERD), OHP's lists of California Historical Resources and Archaeological Determinations of Eligibility (ADOE), and the Los Angeles County Historical Landmarks Registry. They include thirteen prehistoric archeological sites, three prehistoric isolates, nine historic-period archeological sites, five historic-period isolates, thirty-six architectural resources, two California Historical Landmarks, and one historic district. The PEIR also lists fifteen additional historical architectural resources that were identified by the OHP BERD as eligible for listing for national, state, or local listing, or are unevaluated.

I-3

The PEIR proposes the following mitigation measure (CR-4.5-1) if a project proposes to demolish or alter a building with potentially significant impacts on historic architectural resources: project proponent must retain a Qualified Architectural Historian to conduct a Historic Resources Assessment to determine the building's historic significance. If the property is determined an eligible historic resource, the proposed project must conform with the Secretary of the Interior's (SOI) Standards. According to the PEIR, implementing these mitigation measures would result in a "less-than-significant-impact" on historic and cultural resources.

I-4

These mitigation measures should be implemented for all sixty-nine previously recorded architectural resources, and the fifteen additional eligible or unevaluated architectural resources (a total of eighty-four resources). Furthermore, we ask that any of the eighty-four resources that received an eligibility status of 1 through 5 be automatically determined as eligible historic resources. Therefore, any proposed project that includes these resources must retain a Qualified Architectural Historian to assess impacts to the resource, propose potential alternatives to mitigate damage to the resource, and ensure the project conforms with the SOI Standards. Properties within the list of eighty-four resources that received an eligibility status of 6 or 7 should first retain a Qualified Architectural Historian to determine historic significance, and then if eligible be ensured appropriate mitigation measures and adherence to the SOI Standards.

### Conclusion

The Conservancy greatly appreciates the opportunity to participate in this process to guide both future development and stewardship of historic and cultural resources in the East San Gabriel Valley. We strongly request that mitigation measures cover all eighty-four resources listed in the PEIR, and that of these resources, those with eligibility codes of 1 through 5 be automatically determined as eligible historic

I-5



resources that would require proposed projects impacting these resources to qualify with the SOI Standards.

Based on our meeting with the Project team on June 8, 2022, we understand that a full historic resource survey or context statement is not included in the budget or timeline for the ESGVAP. However, we ask for the Final PEIR to commit to a specific timeframe and identify a funding stream for the survey and context statement to ensure a fuller understanding of the Project area's historic resources. A survey is a particularly vital method to capture sites of cultural significance, which may not be architecturally significant and otherwise overlooked through traditional windshield survey approaches.

I-5  
(cont)

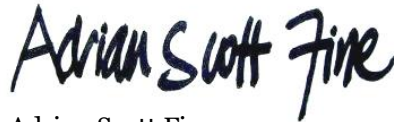
**About the Los Angeles Conservancy:**

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

I-6

Please do not hesitate to contact me at (213) 430-4203 or [afine@laconservancy.org](mailto:afine@laconservancy.org) should you have any questions or concerns.

Sincerely,



Adrian Scott Fine  
Senior Director of Advocacy

cc: Dean Edwards, County of Los Angeles



## Response to Comment I-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. The comment also provides a summary of the Project and its associated goals. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment I-2

This comment reiterates that the Los Angeles Conservancy responded to the ESGVAP Notice of Preparation and requested that the Draft PEIR fully analyze and incorporate existing historic resources. The comment continues by stating that the Los Angeles Conservancy is appreciative of the efforts undertaken to identify existing cultural resources but request mitigation measures be applied to all cultural resources identified within the Draft PEIR and that the Final PEIR commit to a specific timeline and identify a funding stream to implement a full historic resources survey and Context Statement for communities within the ESGVAP. It should be noted that the Draft PEIR is a programmatic EIR that clearly defines future projects that would be subject to project-level environmental review. Future projects implemented under the ESGVAP PEIR would need to undertake environmental review, and if potentially impacted, would be required to undertake a cultural/historic assessment and adhere to mitigation measures set forth in the Draft PEIR. Future project applicants would also be required to fund any future evaluation for historic resources surveys at the project level. A full historic resources survey and Context Statement for communities within the ESGVAP is, therefore, not part of the proposed Project.

Regarding the request for mitigation measures to be applied to all cultural resources identified within the Draft PEIR and strengthened for resources with eligibility codes of 1 through 5, the County notes the following:

- All resources with 1CL, 2S2, 3S as their eligibility codes would require a full evaluation at the project level. This is per LA Conservancy's request.
- All resources listed as 5S2 would also require a full evaluation at the project level. This is per LA Conservancy's request.
- All resources with 6Y, 7P, 7R or 7W eligibility codes would require further evaluation at the project level, in order to determine if they qualify as historical resources.
- All resources with 6Z as their eligibility codes have been found ineligible for the National Register (NR), California Register (CR), or local designation through survey evaluation. As nothing more can be evaluated with these thirteen resources, these would not be included for any further consideration.

The Draft PEIR Impact 4.5-1, on page 4.5-32 and 4.5-33 would be amended as follows:

**“Less-Than-Significant Impact with Mitigation Incorporated.** An impact would be significant if it would cause a substantial adverse change in the significance of a historical resource. Historical resources include built resources (buildings, structures, objects) and archaeological resources that meet the criteria outlined in CEQA Guidelines Section 15064.5(a).

The results of the cultural resources records search through the SCCIC indicates that a total of 69 cultural resources have been recorded within the unincorporated islands and communities of the Plan Area. It should be noted that seven resources are listed more than once in the table to include locations that span more than one municipality. These resources include prehistoric archaeological sites and isolates, historic-period archaeological sites and isolates, historic architectural resources, two California Historical Landmarks and one historic district.

Of these, five meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a). These five resources include two structures (San Antonio Dam and Azusa conduit), one building (Webb School of California), one trail/road (The Mojave Road - listed four times), and one historic district (San Dimas Experimental Forest - listed twice).

Of the results, ~~26 the remaining resources~~ do not meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a). ~~These resources include 17 buildings, 6 structures, 2 historic-period archaeological sites, and 1 railroad.~~

~~The remaining 38 resources require further evaluation to determine if they qualify as historical resources.~~

A review of the BERD indicated that an additional 15 historical resources have been recorded within the unincorporated islands and communities of the Plan Area. These resources include a single-family residence constructed in 1928 in Hacienda Heights; and 14 single-family residences constructed between the 1910s and 1930s in West Claremont.

A review of early historic aerial photographs dating from the 1930s and 1940s compared with current-day aerial photographs indicates that there are remaining agrarian single-family residential properties in several of the areas, many of which have been surrounded by vernacular mid-20th century residential development over time. A few areas also include mid-20th century industrial, educational, and government-owned properties.

The one stone residence/ranch structure (2S2) and the eleven single-family residences with an eligibility code of 5S2 within Table 4.5-2 (California OHP Built Environment Resources Directory – Eligible and Unevaluated Listings) should also be considered to meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a).

The resources with eligibility codes 6Y, 7P, 7R or 7W would require further evaluation at the project level, in order to determine if they qualify as historical resources.

The ESGVAP is a policy document that does not include proposals for or approvals of any specific projects, and as a result, would not result in impacts to historical resources. However, future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve structural improvements, demolition/alteration of existing structures, and/or ground disturbing activities (for construction of residential, commercial

and mixed-use development) that could, depending on their location, result in direct or indirect adverse changes to the significance of historical resources. Future projects would be required to comply with existing federal, state, and local regulations that protect historical resources and undergo the County’s discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Such projects nonetheless could result in significant impacts to previously recorded and as-yet-unidentified archaeological and /or historic architectural resources qualifying as historical resources under CEQA.

Any project that proposes the demolition, destruction, relocation, or alteration of a building or structure more than 45 years in age or that involves ground disturbing activities or impacts any of the resources with an eligibility code of 1CL, 2S2, 3S or 5S2 as set out in Table 4.5-1 and Table 4.5-2 of the Draft EIR could result in a significant impact to historic architectural and/or archaeological resources qualifying as historical resources under CEQA. However, implementation of mitigation measures **CR-4.5-1** through **CR-4.5-6** would reduce potential impacts to less than significant levels.”

### **Response to Comment I-3**

This comment reiterates the cultural resources identified in the Draft PEIR. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

### **Response to Comment I-4**

This comment partially repeats text from Mitigation Measure CR-4.5-1 identified in the Draft PEIR relating to Historic Resources Assessment (Page 4.5-38) and recommends the mitigation measure be implemented for all sixty-nine previously recorded architectural resources, and the fifteen additional eligible or unevaluated architectural resources. The comment proceeds to state that any of the eighty-four resources that received an eligibility code of 1 through 5 be automatically determined as eligible historic resources and that those that received an eligibility code of 6 or 7 should first retain a Qualified Architectural Historian to determine historic significance. As confirmed in Response to Comment I-2, twelve of the Built Environment Resources Directory resources listed have been elevated in status to meet the criteria for historical resources as outlined in State CEQA Guidelines Section 15064.5(a) and associated changes to the wording of Impact 4.5-1 within the Draft PEIR have been effectuated per Response to Comment I-2.

### **Response to Comment I-5**

This comment is conclusory and reiterates the points made in Comment I-4. Please see Response to Comment I-2 and Response to Comment I-4.

### **Response to Comment I-6**

This comment provides information about the Los Angeles Conservancy and also relevant contact details. The County acknowledges the contact information for future reference during the environmental review process that is provided in this comment. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

**City Council**

Emmett Badar, Mayor  
John Ebner, Mayor Pro Tem - District 3  
Ryan A. Vienna - District 4  
Eric Weber - District 1  
Eric Nakano - District 2

**City Manager**

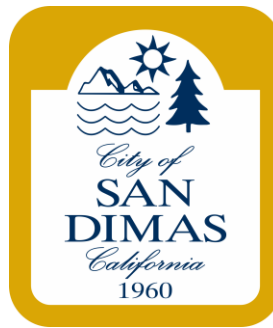
Chris Constantin

**Assistant City Manager**

Brad McKinney

**City Attorney**

Jeff Malawy



**Director of Administrative Services**

Michael O'Brien

**Director of Community Development**

Henry K. Noh

**Director of Parks and Recreation**

Scott Wasserman

**Director of Public Works**

Shari Garwick

April 12, 2023

SENT VIA EMAIL

Mi Kim  
County of Los Angeles  
Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, CA 90012

Subject: Comments on Draft Environmental Impact Report for the East San Gabriel Valley Area Plan

Project/Permit Numbers: Project No. 2020-000612  
Advance Planning Case No. RPPL2021013047  
Environmental Assessment No. RPPL2022003550  
General Plan Amendment No. RPPL2022003554  
Zone Change No. RPPL2022003557

Dear Ms. Kim:

The City of San Dimas appreciates the opportunity to review and provide comments on the above referenced environmental document that proposes land use changes for properties within the unincorporated communities of East, West & Northeast San Dimas, which are adjacent to the City of San Dimas. Previously, the City of San Dimas submitted a comment letter on the Notice of Preparation of a Draft Program Environmental Impact Report (DPEIR) and Notice of Public Scoping Meeting for the East San Gabriel Valley Area Plan (ESGVAP) dated May 31, 2022 (Previous Letter). This letter serves as a follow up to the Previous Letter, as the Draft Environmental Impact Report (DEIR) has not adequately addressed all of our concerns, as detailed below.

1. Comments in the Previous Letter requested that the DPEIR analyze the AM and PM peak periods as well as the average daily conditions for all study area locations, specifically for the proposed changes to the West San Dimas community which propose to increase density and population. As required per LA County guidelines and CEQA requirements, the DEIR used VMT to determine impacts relative to transportation. The DEIR's analysis determined that despite implementation of mitigation measures, impacts related to transportation would remain significant and unavoidable. This is mainly due to the number of housing units the ESGVAP would add, and the relatively little employment in these areas. In order to reduce these impacts to less than significant, the project should be revised to reduce the density. Specifically, in the Charter Oak area that consists of the intersection of E. Arrow Highway and S. Valley Center

J-1

J-2

- where the density will be 50 units per acre.
2. The City of Glendora recently approved land use changes for properties along Arrow Highway. The City of San Dimas previously requested that the DEIR complete a cumulative analysis, as it relates to density, traffic, noise and other associated impacts that would factor in the changes by the City of Glendora. There is no discussion in the DEIR or mention of these changes in any of the analysis completed. J-2  
(cont)  
J-3
  
  3. The City of San Dimas strongly recommends not changing the Land Use changes (H9 to CG) or Zone changes (R-A to C-1) for properties along San Dimas Canyon Road or Juanita/Damien. These properties are in the middle of established single family residential neighborhoods. The uses allowed in the C-1 zone would not be compatible with the existing single family residential uses. In addition, if the goal is to create access to commercial uses for the surrounding residential neighborhoods, there already is an existing commercial center at the northwest corner of Bonita Ave and San Dimas Canyon Road. This center is less than a ¼ mile from Juanita/San Dimas Canyon Road where one of the changes is proposed. The center includes approximately 18,000 square feet of commercial space which includes a neighborhood market, and two vacant units. Creating commercial zones in the middle of established residential neighborhoods would disrupt the character of the existing residential neighborhood, and is not warranted when there is an existing commercial center within walking distance that would meet this need. These concerns were noted in the DEIR but not action was taken to address the concerns. J-4
  
  4. Consider changing the property addressed 750 E. Foothill Boulevard, which has an existing H9 – Residential Land Use designation to Commercial to continue the existing land use and zoning designation to the east. However, we only recommend this change if the uses allowed would be compatible with the uses allowed within our CH- Commercial Highway zone, which can be found at following: [https://library.qcode.us/lib/san\\_dimas\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_92](https://library.qcode.us/lib/san_dimas_ca/pub/municipal_code/item/title_18-chapter_18_92). This will allow a consistent continuation of uses along Foothill Boulevard. These concerns were noted in the DEIR but the zoning for the subject site is still residential with no further explanation behind this decision. J-5

The City of San Dimas thanks you for the opportunity to comment on the DEIR and request that the above mentioned comments are further analyzed. Please feel free to contact me at (909) 394-6208 or via email at [ltorrico@sandimasca.gov](mailto:ltorrico@sandimasca.gov) if you have any questions or need further explanation on any of the comments in this letter. J-6

Sincerely,



Luis Torrico  
Planning Manager

Attachment:

City of San Dimas NOP Letter, May 31, 2022



**City Council**

Emmett Badar, Mayor  
Eric Weber, Mayor Pro Tem  
Denis Bertone  
John Ebner  
Ryan A. Vienna

**City Manager**

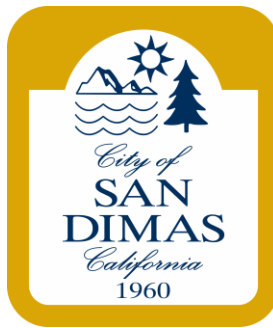
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**Director of  
Administrative Services**

Michael O'Brien

**Director of  
Community Development**

Henry K. Noh

**Director of Parks and  
Recreation**

Scott Wasserman

**Director of Public Works**

Shari Garwick

May 31, 2022

SENT VIA EMAIL

Mi Kim

County of Los Angeles  
Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, CA 90012

**Subject:** Comments on Notice of Preparation (NOP) of a Draft Program Environmental Impact Report and Notice of Public Scoping Meeting for the East San Gabriel Valley Area Plan.

**Project/Permit Numbers:** Project No. 2020-000612  
Advance Planning Case No. RPPL2021013047  
Environmental Assessment No. RPPL2022003550  
General Plan Amendment No. RPPL2022003554  
Zone Change No. RPPL2022003557

Dear Ms. Kim:

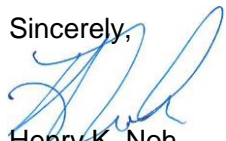
The City of San Dimas appreciates the opportunity to review and provide comments on the above referenced environmental document that proposes land use changes for properties within the unincorporated communities of East, West & Northeast San Dimas, which are adjacent to the City of San Dimas. The following comments are based on the environmental documents released for public review on April 28, 2022.

1. The DPEIR is not clear on the proposed changes for the Northeast San Dimas community. Please update the project description and maps to include changes to the properties within the Northeast San Dimas community.
2. The DPEIR shall analyze the AM and PM peak periods as well as the average daily conditions for all study area locations, specifically for the proposed changes to the West San Dimas community which propose to increase density and population.
3. The DPEIR shall provide a cumulative analysis, as it relates to density, traffic, noise and other associated impacts, that includes recently approved land use changes for Arrow Highway within the City of Glendora.

4. Proposed land use and zone changes for the Southwest corner of Arrow Highway and South Valley Center shall be consistent with properties located in the City of Glendora along the north side of Arrow Highway, which allow up to 25 dwelling units per acre and up to three stories or 35 feet in height. As proposed, the land use changes would double the density and height limit than what is allowed on the north side of Arrow Highway, which may result in significant impacts and inconsistent land use planning.
5. The City of San Dimas strongly recommends not changing the Land Use changes (H9 to CG) or Zone changes (R-A to C-1) for properties along San Dimas Canyon Road or Juanita/Damien. These properties are in the middle of established single family residential neighborhoods. The uses allowed in the C-1 zone would not be compatible with the existing single family residential uses. In addition, if the goal is to create access to commercial uses for the surrounding residential neighborhoods, there already is an existing commercial center at the northwest corner of Bonita Ave and San Dimas Canyon Road. This center is less than a ¼ mile from Juanita/San Dimas Canyon Road where one of the changes is proposed. The center includes approximately 18,000 square feet of commercial space which includes a neighborhood market, and two vacant units. Creating commercial zones in the middle of established residential neighborhoods would disrupt the character of the existing residential neighborhood, and is not warranted when there is an existing commercial center within walking distance that would meet this need.
6. Consider changing the property addressed 750 E. Foothill Boulevard, which has an existing H9 – Residential Land Use designation to Commercial to continue the existing land use and zoning designation to the east. However, we only recommend this change if the uses allowed would be compatible with the uses allowed within our CH- Commercial Highway zone, which can be found at following:  
[https://library.qcode.us/lib/san\\_dimas\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_92](https://library.qcode.us/lib/san_dimas_ca/pub/municipal_code/item/title_18-chapter_18_92). This will allow a consistent continuation of uses along Foothill Boulevard.
7. The City of San Dimas strongly recommends that all property owners within 500 feet of the affected properties be notified of all community meetings, availability of environmental documents, and public hearings to allow appropriate opportunity for community engagement and voice any concerns they may have.
8. Additional comments may be provided upon review of the DPEIR when it's made available for public review.

Thank you again for the opportunity to comment on the NOP. We look forward to reviewing the DPEIR when released for public review, at which point additional comments may be provided. Please feel free to contact Luis Torrico, Planning Manager at (909) 394-6208 or via email at [ltorrico@sandimasca.gov](mailto:ltorrico@sandimasca.gov) if you have any questions or need further explanation on any of the comments in this letter.

Sincerely,



Henry K. Noh

Director of Community Development City Council

## Response to Comment J-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. The comment also reiterates the City of San Dimas submitted a comment letter with regard to the Notice of Preparation and asserts that their initial concerns have not been addressed. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment J-2

This comment notes that the City of San Dimas previously requested that the Draft PEIR analyze the AM and PM peak periods, as well as the average daily conditions for all study area locations. The comment also requests that the project should be revised to reduce the density, specifically in the Charter Oak area that consists of the intersection of E. Arrow Highway and S. Valley Center Avenue to where the density will be 50 units per acre.

As demonstrated in Section 4.15, *Transportation*, of the Draft PEIR, a VMT impact analysis which is consistent with State and local guidance was provided to determine the VMT impacts associated with the Project. Given the programmatic nature of the Project, VMT impacts would be evaluated on a project-by-project basis and mitigated as necessary. In addition, the County would require future development implemented under the Project to prepare a project-specific traffic analysis during the environmental review process.

See Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the Charter Oak area. This entails changing the Church site and six residential parcels along the northwest corner of the intersection of E Cienega Avenue and N Valley Center Avenue from the originally proposed zoning of A-1 to MXD and land use H9 to CG to a revised zoning of A-1 to R-2 and land use H9 to H18.

## Response to Comment J-3

This comment states that the City of San Dimas previously requested that the Draft PEIR complete a cumulative analysis, as it relates to density, traffic, noise, and other associated impacts and that the City of Glendora recently approved land use changes for properties along Arrow Highway. While not specifically naming other jurisdictions, each of the Sections of the Draft PEIR (Sections 4.1 through 4.18) contain analysis of the potential environmental impacts, including those that may have a cumulative impact on the environment (as required by CEQA). Additionally, Section 6, *Other CEQA Considerations*, identifies significant and unavoidable environmental impacts, significant and irreversible environmental impacts, and growth-inducing impacts.

Furthermore, future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts, including those that are cumulative impacts.

### **Response to Comment J-4**

This comment strongly recommends not changing the Land Use changes (H9 to CG) or Zone changes (R-A to C-1) for properties along San Dimas Canyon Road or Juanita/Damien, as the C-1 zone would not be compatible with the existing single-family residential uses and would disrupt the character of the existing residential neighborhood. As part of ongoing outreach, the County has confirmed with the City of San Dimas that the recommendations to amend land uses and zoning for properties along San Dimas Canyon Road or Juanita/Damien has been accepted. See Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the East San Dimas area.

### **Response to Comment J-5**

This comment recommends changing the property addressed 750 E. Foothill Boulevard, which has an existing H9 – Residential Land Use designation to Commercial to continue the existing land use and zoning designation to the east. The County acknowledges the recommendation but is not proposing any changes to the land use policy on the parcel, which will remain as H-9 to reflect existing residential land use on the property and to be consistent with the land use for properties located adjacent on E. Baseline Road. See Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the East San Dimas area, which includes changing the zone from R-A to R-1 and retaining the existing H9 land use.

### **Response to Comment J-6**

This comment provides contact details. The County acknowledges the contact information for future reference during the environmental review process that is provided in this comment. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

**From:** [omar santana](#)  
**To:** [DRP Community Studies East Area Section](#)  
**Subject:** Re: IN RESPONSE TO: NOA FOR THE EAST SAN GABRIEL VALLEY AREA PLAN  
**Date:** Wednesday, April 12, 2023 4:00:15 PM

---

**CAUTION: External Email. Proceed Responsibly.**

Please note; If there are any questions regarding my concerns, please feel free to contact me directly at (909)274-8784.

Thank you.

Regards,  
Lauro Santana

On Wednesday, April 12, 2023 at 12:32:42 PM PDT, omar santana <omarsantana1@yahoo.com> wrote:

Dear Mi Kim, Supervising Regional Planner and or Comm Planning department,  
My name is Lauro Santana, owner of 16047 Fellowship St. La Puente, CA 91744. Said property has been my family for appx 40 years. My parents purchased the property in the 80's because the property is A1 and the benefits that are afforded to us in owning such a desirable property. Growing up we had chickens, goats' small crops not to mention all the great memories growing up on this type of property as opposed to an R1 where those things that make A1 such a treasure would be taken from our community. I have spoken with several neighbors who share the same concerns. Some older generations some newer generations who are opposed to this and others who have no idea this is even happening. I strongly oppose and hope that this project is reconsidered and overturned so that my family can enjoy our home in this A1 community as I did and continue to do the way this neighborhood was intended to be as an A1 community. My family and I and the neighbors in my community do not want to become an R1 community and or any of the changes that would come with it. We love our community the way it is which is why we have chosen to live here in the first place. Thank you in advance for your consideration.

Respectfully,  
Lauro Santana and Family

K-1

K-2

### **Response to Comment K-1**

This comment provides Mr. Santana's contact information and does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.

### **Response to Comment K-2**

This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. However, since the County proposed the zoning change, they have reassessed the zoning changes that affect Mr. Santana's property and have decided to keep the zoning as A-1. They have alerted Mr. Santana of this. Please see Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the Valinda area for details. No further response is required.

**From:** [S B](#)  
**To:** [DRP Community Studies East Area Section](#)  
**Cc:** [lanasa@aol.com](mailto:lanasa@aol.com)  
**Subject:** Re: East San Gabriel Valley Area Plan - Avocado Heights and Pellessier Village  
**Date:** Thursday, April 20, 2023 8:03:25 PM

**CAUTION: External Email. Proceed Responsibly.**

I am also asking to extend the deadline for public comment. Our community was not notified given that many of our community members are monolingual Spanish speakers and 83% of our residents are Latino/a and have traditionally been excluded from participation in project proposals by the Department of Regional Planning. I believe this is a violation of our civil rights. Please advise.

L-1

Best,  
Sam

On Thu, Apr 20, 2023 at 6:50 PM S B <[samwesbrown@gmail.com](mailto:samwesbrown@gmail.com)> wrote:

Dear Planning,

I am writing to you to express concerns that I have with the East San Gabriel Valley Area Plan.

L-2

First, I wanted to know where is this project with regards to the approval?

Second, I wanted to have you confirm the proposed zone changes in both Avocado Heights and Pellessier Village from light agriculture A-1 to R-A (Residential-Agriculture). Second I wanted to confirm if you are changing the allotted number of houses on the R-A properties within the proposal? For instance, in Avocado Heights I found a map that says H-5. Does that mean 5 housing units per acre or per 10,000 sq foot?

L-3

And lastly, I wanted to let you know that I typed my address into the app that is listed on the website and saw that no suggested changes were listed, essentially making me believe that I should be worried about the proposed changes. However, in looking at the documents on page I saw what's really happening here and I am absolutely opposed to any zoning change.

L-4

Please confirm an answer to my questions.

Also, under [Government Code 7920 et seq.](#) I am requesting any and all records, emails, text messages, phone logs, ceqa documents relating to the East San Gabriel Valley Area Plan, including but not limited to Phase 1 and Phase 2, and all records pertaining to any consultants/contractors, independent contractor, outside consultant that participated in any way shape or form in the production of the East San Gabriel Valley Area Plan.

L-5

Best,  
Samuel B. V.

## Response to Comment L-1

This comment requests an extension of the public comment deadline and asserts that the community of Avocado Heights and Pellessier Village, and its predominately monolingual Hispanic populous, was not notified. However, as part of the community outreach for the Project, a number of engagement methods were undertaken through Community-based Organizations, community presentations, tabling sessions, numerous online methods, and social media. Additionally, multi-language notifications were sent to property owners in the ESGVAP area for parcels with proposed updates to their zoning and/or land use categories. Finally, Spanish language versions of key documents such as the Notice of Availability (NOA) of the Draft PEIR, plan summaries and plan element summaries have been provided on the ESGVAP website and at the various community outreach events, along with the presence of Spanish language speakers. The request to officially extend the public comment deadline has, therefore, been declined but the County welcomes the opportunity to continue dialogue on any elements of the ESGVAP or the Draft PEIR and has continued to accept late public comments on the Draft PEIR since the comment period closed on April 12, 2023. As the comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment L-2

This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. However, in response to where the project is with regard to its approval, a public hearing is expected in August 2023. No further response is required.

## Response to Comment L-3

This comment requests confirmation of zone changes in the Avocado Heights and Pellessier Village areas. Since the release of the draft East San Gabriel Valley Area Plan and associated Draft PEIR, revisions to proposed zoning and land use updates have been made to the project maps. Please also see Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends. These revisions are listed on the project map page, see the following link for details:

<https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=48eb4076c4e74f2caa8f2a21a78dcfd6>. Additionally, the ESGVAP Noticing Web App can be used to view proposed changes, which provides the same information but is focused on individual properties:

<https://lacounty.maps.arcgis.com/apps/instant/lookup/index.html?appid=4aa28c9e872a4f4381c3fb9cab5d228d>.

For Land Use Policy H-5, this means 0-5 dwelling units per net acre.

## Response to Comment L-4

This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.



## **Response to Comment L-5**

This comment requests all information subject to the California Public Records Act (PRA), which will be undertaken by the County according to the requirements of the PRA, but does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.

### Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

M-1


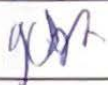


Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
José Acosta	2215 Mardel Ave	Whittier Acosta	going in property without permission
Agustin Luna	2233 Kella	Whittier Agustin Luna	going in to property without permission
Erik Ramirez	2220 Mardel Ave	Whittier Erik Ramirez	going in property without permission
Pedro Islas Sr	2266 Kella Ave	[Signature]	Entering Premises without Permission
José Ortega	734 V Lapusta	[Signature]	
Laura Zamora	5th street	Laura [Signature]	
Hector Soto	3485 3rd de puente	[Signature]	
Ricardo Diaz	5th st	[Signature]	
Sergio Maldonado	600 S. 3rd Avenue	Sergio Maldonado	
Renato Montano	600 S 3rd puente	Renato [Signature]	
Francisco Sanchez	5th. Ave. 366-Y-356	Francisco [Signature]	
Juan Barragan	Don Julian R	Juan Barragan	
Kevin Gil	Turnbull Campen	[Signature]	NO WARRANT NO ENTRY
ERICK J CHAVEZ	410 S 4th Ave	[Signature]	NO WARRANT NO ENTRY
Mayra Chavez	410 S 4th Ave	Mayra [Signature]	NO entering premises without warrant
Diana Chavez	410 S. 4th Ave	Diana [Signature]	NO WARRANT NO ENTRY!

### Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

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Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Andresino Ossio	9132 Emeryleaf	andresino ossio	keep horse along
			
Salvador Lopez	12501 Pellissier Rd.	Salvador Lopez	Keep Horses
Alfredo Puente	9421 Olympic Blvd	Alfredo Puente	Keep Horses
Clemente Lopez	3752 Kaydel Rd	Whittier	Caballos no Casas
Enriquez	2219 Kaydel		Keep horses
Ernesto Dom	2021 Parkview		Keep Horses
Rafael Padilla	2219 Kaydel	Rafael Padilla	
Jennifer Garcia	2219 Kaydel	Jennifer Garcia	
Beto Perez	3713 Hill St	Hill St	Caballos No Casas
Julio Espinoza	12251 Chaisseve rd Garden Grove	Julio Espinoza	Caballos
Victor Mijangue			
Adrian Campos		Adrian Campos	Caballos
Maria Almaraz		Maria Almaraz	Caballos
Maria Cruz	12249 Pellissier	Maria Cruz	Caballos.
Alejandro Ortiz	2742 Parkway		Horses

**Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."**

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Printed Name/Nombre	Street Address/Dirección	Signature/Firma	Comments/Comentarios
Carlos Vega	12484 Francis	[Signature]	Ag vs RS
Enbrok Eum	2234 Marceline	[Signature]	
Patricia Finch	2243 Marcel	[Signature]	
Omaj	72621 Marv	[Signature]	
Gerardo L. Port	555 Fairview	[Signature]	No, Agriculture vs RS
Nina Port	77	[Signature]	no, agricul vs RS
Edoardo RS.	11225 Finew	[Signature]	vs. RS.
Jose Ivan		555 FVAN	
Clito Cuchra		[Signature]	
Abdo Aula	81325 Street St. El Monte	[Signature]	
Juan Pego		[Signature]	No Agric-horse
Rafael Contreras		[Signature]	
Bethel Gomez		[Signature]	
Jose M. Gutierrez		11625 NAN ST WILSON	
Luis A. Duenas	8312 Behman Ave	[Signature]	Stop keep horses
Albert Nartuz	4096 Comunal	[Signature]	stop keep horses

**Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."**

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Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Artemio Mejias	5725 Le ST	<del>Artemio Mejias</del>	Keep the horses
Abel	ROCHA	RIZO	
Rodr Romo	inglow wa.	ROMO	Rom + R.
Terese	Yves	Yves	
VICTOR Lujan	11700 EL DORADO	VICTOR Lujan	
Luis Calderon	7316 Kayde Rd		
Mario P			Keep Horses
Alejandra P.	South el Monte		Keep Horses
Miguel V. Hill	1615 Bush st		Keep horses
Z Frain A	8414 orange	EEA A	Alles
Cesme Arroyo	8146/96248		Cesme
	Bianca road		Keep horses
Genaro V	Wabash Ave	Genaro Vazquez	Keep horses
Brenda Zapata	12501 Pellissier Rd.		Keep horses
Joel Osorio	9137 Greenleaf		keep horse

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Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Joe Uribe	566 Peckam Pr	Josef Uribe	
Armando Lopez	14005 Lomitas Ave	<del>Armando Lopez</del>	La Puente Ca 91746
<del>Armando Lopez</del>	14005 Lomitas Ave	<del>Armando Lopez</del>	
Mana Ramirez	14005 Lomitas Ave	Mana R	
Alexis Chavez	14005 Lomitas Ave	Alexis C	
Fala Restrepo	5355th Anolano	Fala Restrepo	La Puente
Clara Cebra	5355th Anolano	Clara Cebra	La Puente
Erika Oyavida	14604 Proctor Ave	<del>Erika Oyavida</del>	La Puente
Mauro Bertr	5355th	Mauro Bertr	La Puente
Agustin Valdez	2081 PARKWAY DR EL MONTE CA 91733	Agustin Valdez	PROPIEDAD DE CABALLOS EL MONTE CA
Jennifer Lopez	315 San Angelo A La Puente, CA 91714	Jennifer Lopez	
Miguel Covarrubias	349 ST. T. 3 TS. T.	<del>Miguel Covarrubias</del>	
Sergio Maldonado	6005 3rd St Jena	Sergio Maldonado	
JUAN ESTRADA	349s 3rd AVE	Juan Estrada	
RUBEN ARMIENTADOS	356 4TH AV	Ruben Armientados	
José Alvarez	343 5th AV	José Alvarez	

ESLY FLORES      343 5th AV      Esly Flores      La Puente

### Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

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Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
LUIS E PEÑEZ	353th 5 AVE		
Joe Hernandez	3th street		
Miguel Cuarrubia	399th Street		
Juan ESTRADA	349 s 3rd Ave		
Anthony Orozo	853 Feather Ave		
JESUS PEREZ	4020 Trailside		
Rosalba Gurrola	224 S. 3rd Ave		
Victoria Gurrola	224 S. 3rd Ave		
Angelica Arthur	626-465-2676		
MIKE ARTHUR	626-232-6389		
Elicamarie Cabrera	631 3rd Ave.		
Jose Chavez	410, 4th AV		
Martha Gudino			
David De León	2259 madal		
Axer Pop	240 S. 2nd. Ave.		
Pedro Garcia			

### Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

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Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
ROBERT PREST	90601 821 CARAWAY DR.		
BEVERLY OKI	90601 905 CARAWAY DR	Beverly oki	
Nancy Kamimura	650 Pencin Dr. Whittier, CA 90601	Neghu	
<del>Richard Kamimura</del>	650 Pencin DR Whittier, CA 91111	<del>Richard Kamimura</del>	
PATRICK MENJAMA	723 CARAWAY DR 90601	Patrick Menjam	
Nancy Miranda	805 DAYMAN DR. Whittier, CA 90601	Nancy Miranda	
JANE IBARRA	848 CARAWAY DR. WHITTIER, CA 90601	Jane Ibarra	
Sanoyi Khatad	860 CARAWAY DR Whittier CA 90601		
Olythurg-Rodriguez	1101 Biscadel Ave Whittier 90601		
PERRY IWA I	912 CARAWAY DR Whittier		
Aracely Leos	705 WORKMAN AVE Whittier CA 90601		
George Ibarra	848 Caraway Dr. Whittier, CA 90601		
Josquin TORRES	828 CARAWAY DR. WHITTIER, CA 90601		
Nora Serrano	811 Caraway Dr Whittier CA 90601		
Alma Zamora	854 Caraway Dr Whittier CA 90601	Alma	
Dan Wang	932 Caraway Dr Whittier, CA 90601	Dan Wang	



# Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Marilyn Kamimura	Whittier 90601 843 CARAWAY	Marilyn Kamimura	
Richard Kamimura	SAME "	Richard Kamimura	
PRISCILLA CANO	Whittier 90601 819 CARAWAY	Priscilla Cano	
CONRADO CRAVEZ	819 CARAWAY DR WHITTIER CA 90601	Conrado Cravez	
Crystal Magaña-Tuttle	803 Caraway Dr. Whittier, CA 90601	Crystal Tuttle	
Zack Tuttle	803 CARAWAY WHITTIER CA 90601	Zack Tuttle	
CRISTO CRU	739 90601 CARAWAY DR	Cristo Cru	
Nicole Rankin	738 S CARAWAY DR 90601	Nicole Rankin	
Jeffery Rankin	738 CARAWAY DR 90601	Jeffery Rankin	
Jose Karam	702 Caraway Dr WHITTIER 90601	Jose Karam	
Fanny Alarcón	703 Caraway Dr. Whittier CA 90601	Fanny Alarcón	
Marylou Dehatorre	711 S. Caraway - Whittier CA 90601	Marylou Dehatorre	
FREDERICK KENDRICK	718 CARAWAY DR. WHITTIER CA 90601	Frederick Kendrick	
ADELA BRISQOS	718 CARAWAY DR. WHITTIER CA 90601	Adela Brisqos	
Lupe Kendrick	718 CARAWAY DR Whittier CA 90601	Lupe Kendrick	
Ashley	820 Caraway Dr Whittier 90601	Ashley	





## **Response to Comment M-1**

This comment states in English (inclusive of Spanish translation) that the undersigned 139 petitioners are opposed to any zoning modification of Light Agricultural Zoning (A-1) within the East San Gabriel Valley. The comment continues by stating that the communities to which the petitioners belong face cumulative environmental impacts and a high pollution burden which warrants a more robust effort to preserve and expand light agriculture zoning. The comment also requests that modifications from A-1 to R-A should be stopped and that all equestrian communities should be zoned A-1. This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.