

TOPICAL RESPONSE NO. 1: SCOPE OF THE RECIRCULATED PORTIONS OF THE EIR

1. SCOPE OF THE ADDITIONAL ENVIRONMENTAL ANALYSIS

Comments have requested that the scope of the County of Los Angeles' (County) Recirculated Portions of the EIR (Recirculated Analysis, SCH No. 2005051143) be expanded to include an array of other CEQA impact categories not evaluated in the Recirculated Analysis (e.g., water supply, air quality, traffic, water quality). This topical response provides the underlying basis supporting the scope of the Recirculated Analysis, and demonstrates that the scope is consistent with CEQA and (i) the California Supreme Court's decision in *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204, (ii) the Second District Court of Appeal, Division Five's opinion on remand (*Center for Biological Diversity v. California Department of Fish and Wildlife*, July 11, 2016, No. B245131, slip opn.), and (iii) *California Native Plant Society v. County of Los Angeles* (No. B258090, filed Dec. 1, 2016; Mission Village litigation).

2. THE SCOPE OF THE RECIRCULATED ANALYSIS IS CONSISTENT WITH THE COURT DECISIONS, WHICH LIMIT THE REQUIRED REANALYSIS

As background, the County is the lead agency for the Mission Village project (Project), which is located within the approved Newhall Ranch Specific Plan, and encompassed within the geographic boundary of the Project Applicant's Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) project, which covers certain aspects of resource management and development for the Project and nearby developments. The California Department of Fish and Wildlife (CDFW) is the lead agency for the RMDP/SCP project.

As explained below, the Court decisions issued in connection with the Mission Village and RMDP/SCP projects provide the basis for the environmental issues addressed in the Recirculated Analysis. These Court decisions do not require reanalysis of all environmental impacts evaluated in the County's previously certified 2011 Final EIR; and, instead, limit the reanalysis. First, as required by the California Supreme Court and the Court of Appeal in the Mission Village litigation, the Recirculated Analysis evaluates the significance of the Project's GHG emissions. Second, although not challenged in the Mission Village litigation, the Recirculated Analysis also analyzes the necessity for two mitigation measures related to construction-related river diversion and fish stranding, including possible stranding and relocation of the unarmored threespine stickleback, a freshwater fish designated as endangered by federal and state law and fully protected under Fish and Game Code Section 5515. No other aspect of the County's 2011 EIR was re-opened and CEQA affords a strong presumption against requiring additional environmental analysis once an EIR has been prepared for a project.

In addition, the County has determined after careful consideration, that other environmental impacts resulting from approval and implementation of the Project have been adequately addressed in the 2011 Final EIR.¹

Further the County's notice of availability of the Draft Recirculated Analysis limited requests for comments to the issues addressed in the Recirculated Analysis, and this limitation was appropriate because the mechanism under CEQA for correcting the analysis in response to a court decision is to revise and recirculate the portions of the EIR that contain the identified deficiencies in accordance with CEQA's "recirculation" provisions under CEQA Guidelines Section 15088.5 (*Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1112.)²

Accordingly, any comments regarding the adequacy of the 2011 Final EIR are beyond the scope of the Court decisions, as well as the applicable CEQA statute of limitations, which required any such claims to be brought within 30 days after the County filed its notice of determination with regard to the certified 2011 EIR.

2.1 The Mission Village Project

Mission Village is one of five villages within the approved Newhall Ranch Specific Plan, a large-scale mixed-use community located in unincorporated Santa Clarita Valley in northwestern Los Angeles County. The County's Board of Supervisors (Board) approved the Newhall Ranch Specific Plan in 1999 and, again, in 2003. The cultural resources analysis in the Mission Village EIR "tiers" from the cultural impacts analysis and mitigation conducted for the Specific Plan Program EIR. After the County certified the Program EIR and approved the Specific Plan, petitioners filed suit, alleging that certain aspects of the EIR were deficient, but that litigation did not challenge the Program EIR's cultural impacts analysis or the mitigation measures adopted by the County. In 2004, the Specific Plan litigation was resolved by a court-approved settlement. At that point, the Specific Plan EIR, as modified by additional analysis, was beyond legal challenge, and conclusively adequate under CEQA. (Public Resources Code Sections 21167, subd. (c), 21167.2.)

¹ For information regarding the Project's previously analyzed environmental impacts, please refer to the 2011 Final EIR and related documents, which are incorporated by reference and available for public review and inspection upon request to the County's Department of Regional Planning.

² CEQA Guidelines Section 15088.5(c) states in part that when necessary revisions are "limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified."

Also in 2004, the County began preparing the EIR for the Mission Village Project. The Mission Village prior draft EIR was initially circulated for public comment for a period of 45 days from October 8, 2010 to November 21, 2010, which was extended to January 4, 2011, for a total of an 89-day public comment period. The County's Regional Planning Commission (Commission) conducted two duly-noticed public hearings on the Project and EIR on November 10, 2010, March 16, 2011 (a continued hearing), and May 18, 2011. The Mission Village Final EIR was completed in May 2011, which included the Draft EIR, all comments received on the Draft EIR and responses to those comments, technical appendices, errata, revised Draft EIR pages, and a mitigation monitoring plan. On May 18, 2011, the Commission closed its public hearing, certified the Final EIR, adopted the required CEQA Findings and overriding considerations, and approved the related entitlements.

On May 26, 2011, following the Commission's project approvals, two environmental organizations appealed the Commission's decision to the Board. On October 25, 2011, following further responses to public comments, the Board conducted its duly-noticed public hearing. At the completion of the hearing, the Board certified the Mission Village Final EIR and provisionally approved the Project's findings in May 2012.

2.2 The Mission Village Litigation

In June 2012, five environmental organizations (collectively, petitioners) filed a lawsuit challenging the County's Mission Village Final EIR and Project approvals under CEQA. (*California Native Plant Society v. County of Los Angeles* (No. B258090, Dec. 1, 2016 [Mission Village Litigation].) In May 2014, the trial court denied petitioners' request to set aside the EIR and the County's Project approvals. Judgment was entered on June 9, 2014 denying petitioners' first amended verified mandate petition and complaint. Petitioners filed an appeal from the trial court's judgment in favor of the County and the Project Applicant. On September 29, 2015, the Second District Court of Appeal, Division Five, affirmed the trial court's judgment in full.

In November 2015, petitioners filed a petition for review with the Supreme Court as to one issue, greenhouse gas emissions (GHG), and requested that the Supreme Court grant review and suspend briefing until it resolved the same GHG issue pending in the related litigation challenging the RMDP/SCP project, which is discussed below. On December 9, 2015, the Supreme Court granted the petition for review and ordered that the Mission Village case be deferred pending disposition of the GHG issue in the related RMDP/SCP litigation.

In March 2016, the Supreme Court transferred the Mission Village matter to the Court of Appeal, with directions to vacate its decision and reconsider the case in light of the Supreme Court's GHG ruling in the RMDP/SCP litigation. On December 1, 2016, the Court of Appeal issued its opinion on remand and concluded that the judgment must be affirmed except as to the discussion concerning GHG emissions. Pursuant to the Court of Appeal opinion, "[t]he only remaining challenges" to the EIR are the GHG emission questions and "there is no need to decertify any other portion" of the EIR. (Court of Appeal slip opn., filed December 1, 2016, p. 10.)

2.3 The RMDP/SCP Project

As stated above, the Mission Village Project is located within the geographic boundary of the Newhall Ranch RMDP/SCP project. In December 2010, CDFW certified the 2010 Final EIR portion of the EIS/EIR and approved the project (SCH No. 2000011025). In approving the RMDP/SCP project, CDFW considered alternatives, and adopted the CEQA-required findings for the Project's significant environmental impacts and associated mitigation measures evaluated in CDFW's 2010 Final EIR. CDFW also adopted a statement of overriding considerations for certain unavoidable significant impacts, and findings required by the California Endangered Species Act (CESA) for two incidental take permits, issued the two permits, and executed a master lake and streambed alteration agreement.

2.4 The RMDP/SCP Litigation

In January 2011, a lawsuit was filed challenging CDFW's certification of the 2010 Final EIR and project approvals for the Newhall Ranch RMDP/SCP project. After a hearing in September 2012, the trial court ruled in favor of petitioners. CDFW and the Project Applicant appealed from the trial court's judgment. On March 20, 2014, the Second District Court of Appeal reversed the 2012 judgment in its entirety. (*Center for Biological Diversity v. California Department of Fish and Wildlife* (2014) 224 Cal.App.4th 1105, hrg., granted.)

Following the Court of Appeal decision, the California Supreme Court granted review. In addition to an "exhaustion of administrative remedies" issue (which was resolved on the merits in favor of the CDFW), the Supreme Court granted review of the following two specific issues covered by the Court of Appeal's decision:

1. "Does the [EIR] validly determine the development would not significantly impact the environment by its discharge of greenhouse gases?" (*Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 62 Cal.4th 204, 213.)

2. “Are mitigation measures adopted for protection of a freshwater fish, the unarmored threespine stickleback, improper because they involve taking of the fish prohibited by the Fish and Game Code?” (*Ibid.*)

In response to these questions, the Supreme Court ultimately held:

1. For purposes of CEQA, CDFW’s 2010 EIR significance determination regarding project GHG emissions was not supported by substantial evidence.
2. CDFW’s approval of the Project’s two biological resource mitigation measures (BIO-44 and BIO-46) calling for collection and relocation of unarmored threespine stickleback in conjunction with construction-related stream diversion activities violated the take and possession prohibitions applicable to fully-protected to fully-protected fish under Fish and Game Code Section 5515.

As a result of the Supreme Court’s decision in *Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 62 Cal.4th 204, the case was remanded to the Court of Appeal for further proceedings. After remand, on July 11, 2016, the Court of Appeal reversed the 2012 trial court judgment in favor of petitioners, except as to the GHG significance finding and the two unarmored threespine stickleback mitigation measures (BIO-44 and BIO-46). (*Center for Biological Diversity v. California Department of Fish and Wildlife*, July 11, 2016, No. B245131, slip opn. Pp. 4-9, 44.) As to these issues, the Court of Appeal: (i) *affirmed* the finding that there is no substantial evidence supporting the Project’s GHG significance findings; and (ii) *affirmed* the finding that Mitigation Measures BIO-44 and BIO-46 violated Fish and Game Code Section 5515. (*Id.* at p.45.)

Following the July 2016 Court of Appeal opinion, the matter was remanded to the trial court; and on December 16, 2016, consistent with the Supreme Court’s decision and the Court of Appeal’s opinion, the trial court entered a judgment and issued a writ of mandate. Petitioners have appealed from the trial court’s judgment.

3. THE SCOPE OF THE ADDITIONAL ENVIRONMENTAL ANALYSIS IS TAILORED TO THE COURT DECISIONS AND DIRECTIVES

The Recirculated Analysis has been prepared in response to the Court decisions and directives in the Mission Village litigation and related Newhall Ranch RMDP/SCP litigation. Accordingly, the Recirculated Analysis has a limited scope that addresses two issues: (i) GHG emissions, and (ii) unarmored threespine stickleback.

As to GHG emissions, the County’s Recirculated Analysis reevaluates the Project’s GHG emissions for consistency with CEQA and the Supreme Court’s decision in the Newhall Ranch RMDP/SCP litigation. As shown in the Recirculated Analysis, Section 2, Global Climate Change and Greenhouse Gas Emissions, the

recommended mitigation measures will reduce, mitigate, and offset 100 percent of the Project's GHG emissions, allowing the Project to achieve net zero GHG emissions.

As to the unarmored threespine stickleback, the petitioners in the Mission Village litigation did not challenge any of the Mission Village stickleback mitigation measures. Nonetheless, in light of the Supreme Court's RMDP/SCP decision, Mission Village mitigation measures MV 4.3-8 and MV 4.3-9 must be replaced or eliminated. To this end, as shown in the Recirculated Analysis, Section 3, Unarmored Threespine Stickleback, the County has independently reviewed and considered a take avoidance assessment that would avoid stream diversion and other bridge and bank stabilization construction work in the wetted channel of the Santa Clara River. The County finds that the proposed modified construction methods, in combination with implementation of other protective mitigation measures (and the remaining mitigation from the 2011 Final EIR), would result in avoiding contact with the waters of the Santa Clara River and, therefore, eliminate the need for the stream diversion, fish collection, and fish relocation mitigation measures (MV 4.3-8 and MV 4.3-9).

4. THE SCOPE OF THE ADDITIONAL ANALYSIS IS CONSISTENT WITH CEQA

The scope of the County's Recirculated Analysis is consistent with – and required by – CEQA. After comprehensive Court challenges, the County's 2011 EIR has been upheld, except with respect to the GHG emissions significant impact finding. In addition, in light of the Supreme Court's RMDP/SCP decision, the Mission Village mitigation measures MV 4.3-8 and 4.3-9 must be replaced or eliminated. Pursuant to CEQA, only the noncomplying parts of the 2011 Final EIR are subject to further review. Issues that were raised, or that could have been raised, in the above-referenced litigation are now beyond the scope, and any further consideration would undermine the finality of the prior court decisions. (*Town of Atherton v. California High-Speed Rail Auth.* (2014) 228 Cal.App.4th 314, 354; *Citizens for Open Gov't v. City of Lodi* (2012) 205 Cal.App.4th 296, 325; *Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal.App.4th 455, 480.)

Moreover, while certain comments on the Recirculated Analysis reassert issues that were raised or could have been raised in the prior litigation, no one challenged the adequacy of the 2011 Final EIR's analysis of such issues in the litigation, and thus, the comments have been waived and are beyond the scope of the Recirculated Analysis. Additionally, because the applicable CEQA statute of limitations has run on challenges to that prior analysis, comments that raise those issues for the first time during these post-judgment proceedings are time-barred. (Pub. Resources Code Section 21167, subd. (c).)

In addition, the County is not “required to start the EIR process anew” following litigation. (*Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1112.) Instead, the scope of the corrective action is determined “in light of the legal standards governing recirculation of the EIR prior to certification.” (*Ibid.*; citing Pub. Resources Code Section 21092.1; CEQA Guidelines, Section 15088.5.)

When recirculation of portions of the EIR is required, the lead agency must give notice and the opportunity for public comment pursuant to CEQA Guidelines Section 15087 and must consult with responsible agencies pursuant to Guidelines Section 15086, just as for the draft EIR. (CEQA Guidelines, Section 15088.5(d).) Following the expiration of the public comment period, the lead agency must respond to comments as required by Guidelines Section 150088, just as for the draft EIR. (*Id.* Section 15088.5(f).) When only portions of the EIR are recirculated, the lead agency may request that commenters limit their comments to the revised chapters or portions of the recirculated EIR. (*Id.* Section 15088.5(f)(2).) The lead agency need only respond to comments received during the recirculation period that relate to the revised chapters or portions of the EIR. Here, because the County recirculated only the revised portions of the EIR for the Project, County’s notice of availability sought comments only as to those revised portions. The County need not respond to comments that go beyond the scope of the Recirculated Analysis.

Further, to the extent comments go beyond the scope of the Recirculated Analysis, CEQA includes a strong presumption against any further environmental review. (Pub. Resources Code, Section 21166; Guidelines Section 15162; *San Diego Navy Broadway Complex Coalition v. City of San Diego* (2010) 185 Cal. App.4th 924, 928, 934.) Specifically, when an EIR has been prepared, the County is prohibited from requiring further environmental review unless stated conditions are met. (*Melom v. City of Madera* (2010) 183 Cal.App.4th 41, 48-49.) Here, following the court decisions in the Mission Village litigation and RMDP/SCP litigation, only two distinct portions of the 2011 Final EIR are considered to not satisfy CEQA: (i) the determination that the Project’s GHG emissions would be less than significant was not supported by substantial evidence, and (ii) Mitigation Measures MV 4.3-8 and MV 4.3-9 are not consistent with Fish and Game Code Section 5515 prohibition against authorizing the take or possession of fully protected species. No other portion of the EIR has been found to be deficient.

Nonetheless, comments state that a subsequent EIR is required by CEQA and not the Recirculated Analysis. However, the County has determined that none of the conditions in Public Resources Code Section 21166, which require preparation of a subsequent EIR, are present here.

First, no “[s]ubstantial changes” have been proposed to the Project, which require major revisions of the EIR. (Pub. Resources Code, Section 21166(a).) The Project continues to cover the same Project area and

proposes to include the same mix of land uses, including residential, mixed-use/commercial, public facilities, and open space. The only changes made between the 2011 Final EIR and the Recirculated Analysis relate to the mitigation measures imposed to reduce GHG emissions and the design and construction methods and timing for installation of Project bridges and bank stabilization. Importantly, such modifications in design are located within the same impact footprint previously analyzed in the 2011 Final EIR. These changes do not relate to the nature or scope of the Project, but rather to the details of its construction and its mitigation. These are not “substantial” changes.

Second, no substantial changes have occurred with respect to the circumstances under which the Project is being undertaken. (Pub. Resources Code, Section 21166(b).) The Project is still proposed for the same property and is under the jurisdiction of the same regulatory structure as it was when the 2011 Final EIR was approved.

Third, no “new information, which was not known and could not have been known at the time the environmental impact report was certified as complete,” has become available which shows:

- (A) The Project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(CEQA Guidelines Section 15126.4(a)(3).) First, the County has determined that the Project will not have any additional significant effects not discussed in the prior 2011 Final EIR; the Recirculated Analysis concludes that impacts related to both GHG emissions and take of unarmored threespine stickleback would be less than significant with the implementation of mitigation. Second, no significant effects previously examined in the 2011 Final EIR will be substantially more severe than shown in the Recirculated Analysis. Indeed, the Project’s net GHG emissions of zero are lower than the prior EIR analysis. Third, the Project Applicant has not declined to adopt any mitigation measures or alternative, which are now determined to be feasible and would reduce one or more significant effects of the Project. And finally, the Project Applicant has not declined to adopt any mitigation measures or alternatives considerably different from those analyzed in the previous EIR that would substantially reduce one or more significant effects

on the environment. Instead, the Project Applicant has agreed to adopt all of the mitigation measures relating to GHG emissions and unarmored threespine stickleback analyzed in the Recirculated Analysis, which ensure that the respective impacts will be reduced to less-than-significant levels.

Thus, after careful consideration, the County has determined it has complied with CEQA in preparing the Recirculated Analysis, and a subsequent EIR is not required.

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TOPICAL RESPONSE NO. 2: THE 30-YEAR PROJECT LIFE AND CORRESPONDING DURATION OF MITIGATION MEASURE MV 4.23-13/2-13'S GHG EMISSIONS MITIGATION PERIOD

1. INTRODUCTION

Additional information has been requested regarding the evidentiary underpinnings for the greenhouse gas (GHG) emissions analysis' selection of a 30-year project life and the corresponding duration of Mitigation Measure MV 4.23-13/2-13's mitigation period.

California Environmental Quality Act (CEQA) Guidelines Section 15064.4(a) requires the County of Los Angeles (County) to make a "good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." Section 15064.4(a)(1) further provides that a lead agency, when deciding whether to assess the significance of the project's emissions using a quantitative or qualitative approach, has the "discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence."

The County has determined that a 30-year project life is the appropriate methodology for determining the Mission Village Project's (Project) GHG emissions inventory for purposes of Mitigation Measure MV 4.23-13/2-13's applicable mitigation period. The 30-year project life, as documented below, presents the reasonable limits of scientific and evidentiary data for the Project, given current modeling tools, the changing regulatory structure, the level of unknowns beyond 2050 with respect to regulatory programs mandating further reductions in GHG emissions, and other available information.

This topical response demonstrates that the use of 30-year project life is a methodological determination that is strongly supported on at least five grounds, each of which provides an independent basis for utilizing the subject analytic framework:

1. The California Air Resources Board (CARB), the State agency charged with the responsibility for and expertise to administer the State's GHG emissions policies (Health & Saf. Code, Section 38510), has approved of the use of a 30-year project life for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP project). Specifically, CARB has reviewed the emissions inventory for that project and has determined that its environmental analysis "provides an adequate technical basis to determine that the project would not result in any net additional GHG emissions after the mitigation measures are fully implemented." (A copy of CARB's November 3, 2016 letter memorializing its technical evaluation of the RMDP/SCP project's emissions inventory data is located in Appendix 2.6 of the Final Recirculated Analysis.) CARB also has

identified the RMDP/SCP project as a recent example of a sustainable land use development project that has “demonstrated that it is feasible to design projects that achieve zero net additional GHG emissions” (see page 135 of the Draft 2017 Climate Change Scoping Plan Update).

As explained in the Draft Recirculated Analysis for the Mission Village Project (see, e.g., page 2.1-3), the Mission Village Project is located within the geographic boundary of the RMDP/SCP project and is part of the master-planned community that would be facilitated by the approval of that project. Additionally, in the event that the lead agency (i.e., the California Department of Fish and Wildlife (CDFW)) for the RMDP/SCP project certifies the environmental analysis for and approves that project, the Mission Village Project would be subject to the same mitigation measures and other applicable conditions of approval.¹

Relatedly, CARB has approved the use of a 30-year project life when certifying Assembly Bill (AB) 900 “leadership projects” (Public Resources Code Sections 21178 through 21189.3). AB 900 requires leadership projects to mitigate all project-related GHG emissions to net zero.

2. Guidance from the South Coast Air Quality Management District (SCAQMD) supports using a 30-year project life to analyze a project’s GHG emissions under CEQA.
3. A 30-year project life also is widely used in CEQA documents by expert consultants and lead agencies—including the County—for analyzing a project’s GHG emissions under CEQA.
4. Executive Order (EO) S-3-05 established 2050 as the target year for an 80 percent reduction in statewide GHG emissions below 1990 levels. The regulatory framework for achieving this target would require transforming the State’s transportation, energy, and industrial sectors. As such, the future GHG emission profiles for these sectors are not generally known. And, modeling emissions significantly beyond 2050 requires speculation about GHG emissions that are not knowable or known.

In an effort to stretch the Project’s modeling window, the Project’s mitigation period extends to 30 years beyond the build-out year of 2028, effectively extending the modeling window and mitigation period 8 years beyond the 2050 horizon set forth in the State’s climate policy. Given known and

¹ As explained on page 2.1-39 of the Draft Recirculated Analysis, the 13 mitigation measures recommended for adoption to reduce the Mission Village Project’s GHG emissions to net zero “are identical to those recommended for system-wide implementation across the applicant’s land holdings where development would be facilitated by” the RMDP/SCP project.

knowable information beyond 2050, a 30-year project life (that extends 8 years beyond the target year established by the referenced EO) has been established as the period of time for which GHG emissions can be reasonably estimated without undue speculation.

5. The modeling analysis likely overestimates the Project's GHG emissions because the modeling does not take into account reasonably foreseeable regulatory programs and other governmental strategies and technological factors that likely would result in further reductions in GHG emissions levels throughout California that are needed to achieve the 2030 and 2050 targets.²

In using the 30-year project life, the County recognizes that the residential and non-residential development facilitated by the Project could continue to exist for more than 30 years. During and after the 30-year project life period, the Project would be subject to a range of existing and future regulatory standards and policies applicable to the built environment. As discussed in Section 6, below, and in **Response to Comment No. O9-66 within Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), California is expected to implement numerous additional policies, regulations and programs to reduce statewide emissions to achieve the GHG reduction goals of Senate Bill (SB) 32 and EO S-3-05. The County has exercised its discretion to determine that a 30-year project life is reasonable and supported by the substantial evidence discussed below.

In summary, and in accordance with the authority established by CEQA Guidelines Section 15064.4(a)(1), the choice of a 30-year project life is consistent with established modeling frameworks used in CEQA analysis and the available scientific and evidentiary information. Each of the five, independent grounds, all of which support use by the Recirculated Analysis of the 30-year project life for estimating the Project's GHG emissions and for determining the mitigation period set forth in Mitigation Measure MV 4.23-13/2-13, are discussed in more detail below.

² For informational purposes, Ramboll Environ quantified the level of "overestimation" in the projected GHG emissions by estimating the Project's emissions profile over a 50-year project life, assuming California were to achieve the 2030 and 2050 GHG reduction targets. Such an analysis is necessarily speculative, because the regulations, programs and technological changes have not been developed. Ramboll Environ concluded that the Project's mitigation obligation in Mitigation Measure 2-13 likely exceeds the mitigation obligation that would apply under a hypothetical 50-year period, assuming the 2030 and 2050 GHG reduction targets are achieved. Accordingly, the Project would still achieve net zero GHG emissions, assuming a 50-year project life coupled with the incorporation of changes that may be used to achieve California's 2030 and 2050 reduction targets. Although this analysis involves speculating about various input assumptions, it is provided here for informational purposes to reinforce that the information presented in the Recirculated Analysis is reasonable and conservative.

2. SUMMARY OF RELEVANT MITIGATION MEASURE MV 4.23-13/2-13 REQUIREMENT

As set forth in the Recirculated Analysis, “the recommended mitigation measures (MV 4.23-1/2-1 through MV 4.23-13/2-13) will reduce, mitigate, and offset 100 percent of the Project’s GHG emissions [,] enabling the Project to achieve net zero GHG emissions” and thereby eliminate the Project’s contribution of GHG emissions to the cumulative impact of climate change. (See Draft Recirculated Analysis, p. 1.0-6.) The reduction to zero net GHG emissions would be achieved through implementation of mitigation measures that include both on-site and off-site emission reduction actions and offset projects. (*Id.* at pp. 2.1-38 to 2.1-39.)

The focus of this topical response is on Mitigation Measure MV 4.23-13/2-13. However, many other elements of the Project’s mitigation commitment are a part of the on-site, built environment (Mitigation Measures MV 4.23-1/2-1 through MV 4.23-1/2-9) or result in GHG emissions-reducing improvements to the off-site, built environment (Mitigation Measures MV 4.23-11/2-11 and MV 4.23-12/2-12), all of which are reasonably anticipated to continue in effectiveness for the foreseeable future as they are maintained and applied in accordance with standard practice. For example, Mitigation Measures MV 4.23-1/2-1 and MV 4.23-2/2-2 would support achievement by the on-site residences and non-residential development areas of the California Energy Commission’s (CEC’s) Zero Net Energy (ZNE) standard; the emissions reduction benefit of this increased building energy efficiency would be inherent to the developed areas located on the Project site. Additionally, Mitigation Measure MV 4.23-6/2-6 requires the continuous implementation of the Newhall Ranch Transportation Demand Management (TDM) Plan, which would serve to enhance the transportation options available to and reduce the number of vehicle trips made by Project residents, employees and visitors. Mitigation Measure MV 4.23-10/2-10 reduces to zero the one-time emissions associated with construction and vegetation change activities.

Mitigation Measure MV 4.23-13/2-13 (as revised in the Final Recirculated Analysis) calls for implementation of the Newhall Ranch GHG Reduction Plan (GHG Reduction Plan), which requires the Project applicant to “offset GHG emissions to zero by funding or undertaking Direct Reduction Activities or, if necessary, obtaining Carbon Offsets in accordance with the Newhall Ranch GHG Reduction Plan.” The requirements of Mitigation Measure MV 4.23-13/2-13 are in addition to the Mitigation Measures MV 4.23-1/2-1 through MV 4.23-9/2-9 and Mitigation Measures MV 4.23-11/2-11 and MV 4.23-12/2-12.

The GHG Reduction Plan outlined in Mitigation Measure MV 4.23-13/2-13 achieves GHG reductions or sequestration through direct investment in specific programs or projects that achieve rigorous environmental integrity standards and/or the purchase of carbon offsets from accredited carbon registries. The GHG Reduction Plan contains performance standards, protocols, defined compliance

options, and other requirements designed to achieve overall emissions reductions secured from its implementation, together with the implementation of the other mitigation measures, effectively reduce GHG emissions to zero for the analyzed 30-year project life.

Mitigation Measure MV 4.23-13/2-13 (as revised in the Final Recirculated Analysis) requires that the GHG emission reductions secured under the Newhall Ranch GHG Reduction Plan occur in advance of the actual operation of Project-related development, effectively years in advance of occupation.³

Prior to issuing building permits for development within the RMDP/SCP project site, Los Angeles County shall confirm that the project applicant or its designee shall fully offset the project's remaining (i.e., post implementation of Mitigation Measures 2-1 through 2-12) operational GHG emissions over the 30-year project life associated with each such building permit ("the Incremental Operational GHG Emissions").

As provided for by Mitigation Measure MV 4.23-13/2-13, each phase of residential and/or commercial building permits issued for Project-related development triggers Mitigation Measure MV 4.23-13/2-13's 30-year period. And, the reduction or sequestration of the building's 30 years of projected emissions must occur in advance of the operational emissions actually being generated. For example, a residential building permit issued in 2025 would require the Project applicant to offset operational GHG emissions from that residence until approximately 2054, and a residential building permit issued in 2027 would require the Project applicant to offset operational GHG emissions from that residence until approximately 2056. As such, no single start-and-end date exists for the Project's mitigation period under Mitigation Measure MV 4.23-13/2-13; rather, the mitigation period is based on the issuance of a building permit, which may be a year or two (or even longer) before the operational emissions even begin to be generated.

The continuing and progressive mitigation construct is most plainly illustrated in Table K-5 (Residential Emissions by Year after First Occupancy) and Table K-6 (Non-Residential Emissions by Year After First Occupancy) of Appendix K (Offsets Analysis) within Appendix 2.1-A of the Draft Recirculated Analysis. These tables illustrate the emissions profile of the proposed development as it is phased in accordance with the Project's development schedule. While Appendix K does not illustrate the continuing effectiveness of many of the Project's mitigation elements that would continue beyond the 30-year

³ Mitigation Measure MV 4.23-10/2-10 similarly requires that all one-time emissions associated with construction (including horizontal (e.g., grading) and vertical (e.g., building construction) activities) and vegetation change be mitigated to zero in advance of receipt of a grading permit and actual construction activities.

mitigation period, it demonstrates the residential and non-residential emissions metrics used to implement the Newhall Ranch GHG Reduction Plan.

3. CARB CONCURS IN THE USE OF A 30-YEAR PROJECT LIFE

At CDFW's request, CARB completed an independent review of the emissions inventory data and emissions reduction calculations for the RMDP/SCP project prior to publication of the Draft Additional Environmental Analysis (AEA) for that project (SCH No. 2000011025). At the conclusion of its review, CARB determined that the AEA "provides an adequate technical basis to determine that the project would not result in any net additional GHG emissions after the mitigation measures are fully implemented." (A copy of CARB's November 3, 2016 letter confirming its technical evaluation of the RMDP/SCP project's emissions inventory data is located in Appendix 2.6 of the Final Recirculated Analysis.) In January 2017, CARB subsequently identified the RMDP/SCP project as a recent example of a sustainable land use development project that has "demonstrated that it is feasible to design projects that achieve zero net additional GHG emissions" (see page 135 of the Draft 2017 Climate Change Scoping Plan Update). As described above, the Mission Village Project is located within the geographic boundary of the RMDP/SCP project; approval of that project would facilitate development of the Mission Village Project and the Mission Village Project would be required to comply with adopted mitigation measures and applicable conditions of approval for that project.

Further, a 30-year project life has been used and approved by CARB to calculate offset requirements for qualified "leadership projects" under AB 900 (Public Resources Code Sections 21178 through 21189.3). Such leadership projects are reviewed by CARB and certified by the Governor that they would not result in net additional GHG emissions, as required by AB 900. CARB is the state agency charged with the responsibility for and expertise to administer the State's GHG emissions policies (Health & Saf. Code, Section 38510), and CARB accepts the use a 30-year project life in the AB 900 context.

To obtain certification as a "leadership project," a project must, among other requirements, "not result in any net additional emission of greenhouse gases, including greenhouse gas emissions from employee transportation, as determined by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code." (Pub. Resources Code, Section 21183(c).) Currently, seven applications have been submitted to CARB and the Governor for the certification of proposed

leadership projects. All seven projects use a project life of 30 or fewer years when calculating GHG emissions reductions.⁴

In summary, CARB accepts the use of a 30-year project life as a methodology to evaluate emissions inventory data and corresponding mitigation obligations.

4. RELEVANT SCAQMD GUIDANCE SUPPORTS THE USE OF A 30-YEAR PROJECT LIFE

Generally, the SCAQMD authorizes the use of a 30-year project life to calculate GHG emission offsets in the CEQA mitigation context for land use development. SCAQMD is principally responsible for comprehensive air pollution control in the South Coast Air Basin, which includes the County of Los Angeles and the Project site. SCAQMD's guidance for use in calculating GHG emissions, as discussed below, is consistent with the methodology selected by the County for Mitigation Measure MV 4.23-13/2-13's 30-year project life.

In conjunction with its development of GHG emissions significance thresholds for application in the CEQA context, SCAQMD has identified a 30-year project life offset criterion after multiple stakeholder working group meetings. SCAQMD recommended this specific project life because:

... the 30-year life of credits is based on a standard 30-year economic life of a project (equipment, etc.) and the SCAQMD is looking at that time period as a default time period. Other shorter options, such as equipment permitted for a shorter time period, would be considered and evaluated on a project-by-project basis.

(SCAQMD, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group Meeting #6 (October 22, 2008), p. 4; see also ICF International Technical Memorandum, Appendix B, Summaries of Working Group Meetings, Figure B-3, Proposed Tiered Decision Tree Approach, at p. B-10 (Jul. 30, 2008) ["Offsets provided for 30-year project life, unless project life limited by permit, lease, or other legally binding conditions."].)

SCAQMD folded this 30-year project life into its recommendation for arriving at GHG emissions reduction measures, stating:

⁴ The cited documentation for the referenced AB 900 projects is located at https://www.opr.ca.gov/s_californiajobs.php.

... the lead agency would quantify GHG emissions from the project and the project proponent would implement offsite mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level. In addition, the project proponent would be required to provide offsets for the life of the project, which is defined as 30 years.

(SCAQMD, Draft Guidance Document – Interim CEQA GHG Significance Threshold, Attachment E, pp. 3-16 (Oct. 2008);⁵ see also id., Figure 3-1, p. 3-11 and Table 3-4, pp. 3-18.) Indeed, SCAQMD recognized that a shorter project life (i.e., less than 30 years) can be appropriate for use in modeling under certain circumstances. (See id., Figure B-3, pp. B-10.)

In December 2008, SCAQMD's Board adopted the staff-recommended interim GHG significance threshold for stationary source/industrial projects where the air district is the CEQA lead agency; that threshold uses a 30-year project life for modeling purposes and for determining required mitigation. SCAQMD's Board was not asked to take final action on the significance evaluation framework developed by staff for residential and commercial projects, due to the need for further work efforts related to ARB's then-pending interim GHG proposal. However, SCAQMD's documentation does not discriminate between project type (industrial vs. residential/commercial) for purposes of delineating the project life criterion. Instead, like in the industrial/stationary source context, the mitigation offsets criterion for residential/commercial projects also applies to a 30-year project life.

Based on the information from SCAQMD, the 30-year project life is a supported methodological parameter for analyzing GHG emissions and calculating offsets under CEQA.

5. NUMEROUS LEAD AGENCIES AND EXPERT CONSULTANTS USE A 30-YEAR PROJECT LIFE WHEN AMORTIZING CONSTRUCTION EMISSIONS

Additional support for use of the 30-year project life is illustrated in the CEQA analysis completed by CEQA consultants and accepted by lead agencies when evaluating a project's construction and operation

⁵ Attachment E of the Draft Guidance Document, which is available at [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2), is hereby incorporated by reference pursuant to CEQA Guidelines Section 15150 and available for public review and inspection upon reasonable request at the County's Department of Regional Planning office (320 West Temple Street, 13th Floor, Room 1362, Los Angeles, CA).

GHG emissions. It is industry practice to amortize construction emissions for residential and commercial projects over a 30-year period, which corresponds to the assumed operational life of such projects.

The County of Los Angeles is the local land use agency with jurisdiction over the Mission Village Project site. The County – when operating in its capacity as a lead agency under CEQA – routinely considers GHG emissions inventory estimates that are presented on an annual basis and quantified after applying a 30-year amortization period to construction emissions.⁶

This standard practice is not limited to the County, but rather is used by lead agencies and expert consultants across California. Examples include:

1. Certified Final EIR for the Otay Ranch University Villages Project (SCH No. 2013071077; November 2014), Lead Agency: City of Chula Vista, GHG Consultant: Dudek, Global Climate Change Section at pages 5.14-21 and 5.14-24 (available at: <http://www.chulavistaca.gov/home/showdocument?id=8453>);
2. Draft EIR for the Qualcomm Stadium Reconstruction Project (SCH No. 2015061061; August 2015), Lead Agency: City of San Diego, GHG Consultant: AECOM, Greenhouse Gas Emissions Section at pages 4.5-14, 4.5-16 and 4.5-19 (available at: <https://www.sandiego.gov/sites/default/files/legacy/cip/pdf/stadiumeir/chap4.pdf>);
3. Certified Final EIR for the 333 La Cienega Boulevard Project (SCH No. 2016011061; September 2016), Lead Agency: City of Los Angeles, GHG Consultant: ESA, Initial Study at pages B-42 to B-43 (available at: <http://planning.lacity.org/eir/333LaCienega/files/Appendix%20A-1%20-%20Part%201%20Initial%20Study.pdf>);

⁶ See, e.g., Certified Final EIR for the Earvin “Magic” Johnson Recreation Area Master Plan (SCH No. 2014101035; November 2015), GHG Consultant: Michael Baker International, Greenhouse Gas Emissions Section at pages 4.6-21, 4.6-22, 4.6-24, and 4.6-25 (available at: http://file.lacounty.gov/SDSInter/dpr/233248__04.6GreenhouseGasEmissions.pdf); Certified Final EIR for the Enhanced Watershed Management Programs (SCH No. 2014081106; April 2015), GHG Consultant: ESA, Greenhouse Gas Emissions Section at pages 3.6-13 and 3.6-14 (available at: <https://dpw.lacounty.gov/lacfd/ewmppeir/docs/3.6%20GHG.pdf>); Certified Final EIR for the Ford Theatres Project (SCH No. 2014021013; September 2014), GHG Consultant: Matrix Environmental, Greenhouse Gas Emissions Section at pages IV.C-29, IV.C-32 and IV.C-33 (available at: http://file.lacounty.gov/SDSInter/dpr/215037_IV.C.GreenhouseGasEmissions.pdf); and, Certified Final EIR for the Santa Clarita Valley Area Plan, One Valley One Vision (SCH No. 2008071119; January 2012), GHG Consultant: Impact Sciences, Inc., Global Warming and Climate Change Section at pages 3.4-31, 3.4-37 and 3.4-45 (available at: http://planning.lacounty.gov/assets/upl/project/ovov_2010-deir-3-4-global-climate-change.pdf).

4. Initial Study/Mitigated Negative Declaration for the Oakland Airport Perimeter Dike FEMA and Seismic Improvements Project (SCH No. 2015092045; September 2015), Lead Agency: Port of Oakland, GHG Consultant: URS, page 3-40 (available at: http://www.portofoakland.com/files/PDF/environment/Airport_Public_Draft_IS_MND.pdf); and,
5. Certified Final EIR for The Landing at Walnut Creek Apartments Project (SCH No. 2013092048; May 2014), Lead Agency: City of Walnut Creek, GHG Consultant: The Planning Center | DC&E (PlaceWorks), Greenhouse Gas Emissions Section at pages 4.7-14 and 4.7-15 (available at: <http://www.walnut-creek.org/home/showdocument?id=2870>).

This common practice in the County and other jurisdictions demonstrates that the approach used in the Draft Recirculated Analysis is a widely recognized and widely applied approach to evaluating the significance of a project's GHG emissions for purposes of CEQA.

6. A 30-YEAR PROJECT LIFE PERIOD IS CONSISTENT WITH EXECUTIVE ORDER S-3-05

The 30-year project life generally aligns with the 2050 horizon year established in EO S-3-05. Based on CARB's planning framework, by 2050, California would reasonably be expected to enact additional policies, regulations and programs to reduce statewide emissions to 80 percent below 1990 levels.⁷ Those future policies, regulations and programs are not yet adopted and their precise parameters are unknown at this time.⁸ Because of these uncertainties, predicting, with quantified precision, key

⁷ See also South Coast Air Quality Management District, Final 2016 AQMP, p. 10-30 (adopted March 2017; available at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp>); Bay Area Air Quality Management District, 2017 Clean Air Plan: Spare the Air, Cool the Climate, p. 1-5 (adopted April 2017; available at: http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en).

⁸ In The 2017 Climate Change Scoping Plan Update: The Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target (January 2017 draft), CARB identified its "Proposed Scoping Plan Scenario" for achievement of SB 32's 2030 mandate. As part of that scenario, CARB identified the following emissions-reducing strategies: amendment of the Low Carbon Fuel Standard to secure an 18 percent reduction in the carbon intensity of transportation fuels (the existing standard requires a 10 percent reduction); implementation of the Cleaner Technology and Fuels Scenario in its Mobile Source Strategy to increase the penetration of near-zero and zero emissions technology and to reduce vehicle miles traveled; implementation of its Short-Lived Climate Plan in order to reduce methane and other GHGs; adoption of regulations to attain a 20 percent reduction in GHG emissions from refineries; and, continuation of the cap-and-trade program, with a post-2020 decline in the emissions cap. (2017 Scoping Plan Update, Table II-1, pages 34-37.)

variables and inputs affecting long-range GHG emissions forecasts beyond the 30-year period requires speculation, contrary to CEQA Guidelines Section 15145. The inherent uncertainties are reflected in available GHG emissions modeling tools, which are limited to the integration of existing regulatory and technological standards.

Nonetheless, in an effort to extend the modeling timeframe, the GHG emission reductions required by Mitigation Measure MV 4.23-13/2-13 continue for 30 years beyond Project's 2028 build-out year, effectively lengthening the modeling timeframe 8 years beyond the 2050 horizon established by Governor's EO S-3-05.

7. THE RECIRCULATED ANALYSIS LIKELY OVER-ESTIMATES PROJECT EMISSIONS

As discussed in the Draft Recirculated Analysis, the Project's estimate of offsets is "conservative as it is anticipated that further regulatory programs and technology will develop in the future to further reduce GHG emissions" from the Project. (See Draft Recirculated Analysis, Appendix 2.1-A, p. 74.) These additional programs and technology would serve to reduce the actual GHG emissions associated with the Project and the amount of emission reductions that would need to be secured from the GHG Reduction Plan.

Appendix K of the Draft Recirculated Analysis Appendix 2.1-A presents the methodology used to calculate the numeric parameters of the Project's offsets requirement for purposes of Mitigation Measure MV 4.23-13/2-13. The calculations presented in Appendix K are conservatively limited to accounting for the phased achievement of the 50 percent Renewable Portfolio Standard by 2030, and accounting for existing regulations and fleet turnover rates reflected in CARB's Emission FACTor (EMFAC2014) model for mobile sources. As discussed therein, the methodology does not account for other anticipated improvements in the emissions intensity factors for natural gas and electricity, or the emissions factors associated with vehicle fuel and engine efficiencies. Such improvements are expected

Relatedly, the "Cleaner Technologies and Fuels Scenario" of CARB's Mobile Source Strategy (May 2016) is based on the assumption that the combined car and light trucks sales of zero emission vehicles and plug-in hybrid electric vehicles will reach 100 percent by 2050. (Mobile Source Strategy, page 36.) On page 65 of the Mobile Source Strategy, CARB similarly observes that: "The updated Vision analysis shows the vast majority of the on-road fleet must be ZEVs and PHEVs by 2050 in order to meet GHG targets, requiring sales to achieve nearly 100 percent ZEVs (BEVs, FVCs, and PHEVs combined) by that point." Therefore, CARB, with the contemplated amendment of its Advanced Clean Cars regulation described in the Mobile Source Strategy, is striving to ensure that 5.3 million combined ZEVs and PHEVs statewide are on California's roadways in 2050. (Mobile Source Strategy, page 65.)

The referenced "Vision analysis" is based on a multi-pollutant scenario planning tool that quantifies changes in criteria air pollutants (and their pre-cursors), GHG emissions, toxic air contaminants and petroleum usage as various technologies become widespread in vehicle and equipment fleets. (Mobile Source Strategy, page 6.)

to be made in order for the State to realize full attainment of its 2030 and 2050 statewide emission reduction targets. The omission of these reasonably anticipated improvements serves to result in the calculation of a conservative emissions forecast – one that serves to over-estimate the Project’s emissions.

For informational purposes, Ramboll Environ conducted further analysis of the Project’s potential emissions, assuming California achieves its statewide GHG emissions reduction targets for 2030 and 2050. Based on Ramboll Environ’s evaluation of potential pathways to achievement of the statewide targets, the three following additional GHG emissions-reducing strategies for 2050 were incorporated into the emissions estimates: (1) achievement of an 80 percent Renewable Portfolio Standard (RPS);⁹ (2) achievement of net zero GHG emissions from solid waste;¹⁰ and, (3) achievement of increased zero emissions vehicles penetration.¹¹ The emissions reduction benefits of these three strategies were incorporated into the GHG emissions modeling, assuming a 50-year (not 30-year) project life.¹² The Project’s mitigated emissions in 2050, pre-application of Mitigation Measure MV 4.23-13/2-13 but with the incorporation of the three identified strategies, would total 7,319 MT CO₂e per year, as shown in Table Topical 2 - 1 below, as compared to the 32,122 MT CO₂e per year identified in Table 2.1-3 of the Draft Recirculated Analysis for 2028.

⁹ To develop this input assumption, Ramboll Environ relied on Appendix D of CARB’s The 2017 Climate Change Scoping Plan Update, page 12 therein, which states that the “Proposed Scoping Plan Scenario” includes increasing the Renewable Portfolio Standard to 80 percent by 2050. (Available at: https://www.arb.ca.gov/cc/scopingplan/app_d_pathways.pdf.)

¹⁰ To develop this input assumption, Ramboll Environ relied on CalRecycle’s draft Overview of the Waste Management Sector Plan, page 4 therein, which identifies the achievement of net zero GHG emissions from the entire solid waste sector by 2035. (Available at: <http://www.calrecycle.ca.gov/Actions/Documents%5C77%5C20132013%5C900%5CRevised%20Overview%20of%20the%20Waste%20Management%20Sector.pdf>; see also <http://www.calrecycle.ca.gov/Actions/Documents%5c77%5c20132013%5c900%5cWaste%20Management%20Sector%20Presentation.pdf>.)

¹¹ To develop this input assumption, Ramboll Environ relied on CARB’s Mobile Source Strategy, page 65 therein, which states that the vast majority of the on-road vehicle fleet must be zero emission vehicles and plug-in hybrid electric vehicles by 2050, requiring new car sales to achieve nearly 100 percent zero emission vehicles (battery electric vehicles, fuel cell vehicles, and plug-in hybrid electric vehicles) by that time. (Available at: <https://www.arb.ca.gov/planning/sip/2016sip/2016mobsrc.pdf>.) Similar statements are made by CARB in The 2017 Climate Change Scoping Plan Update.

¹² To incorporate these strategies into the modeling, adjustments were made to the utility intensity factor and vehicle emissions factor, with the latter assuming an 80 percent reduction from the 2020 factor. The Project’s 2028 mitigated emissions, pre-application of Mitigation Measure MV 4.23-13/2-13, were then scaled – utilizing the revised intensity and emissions factors – to estimate the Project’s 2050 emissions. The solid waste emissions were assumed to equal zero.)

Table Topical 2 - 1 Estimate of 2050 Project Emissions, with Incorporation of Potential GHG Emissions-Reducing Strategies

Category	2050 Mitigated (MT CO ₂ e/yr.)
Area	70
Energy Use	247
Water Use	493
Waste Disposed	0
Traffic	6,509
Total	7,319

Using the Project's 2050 emissions estimate (as shown in Table Topical 2 - 1 above) and the same general methodology set forth in Appendix K of the Draft Recirculated Analysis Appendix 2.1-A, the total mitigation obligation under Mitigation Measure MV 4.23-13/2-13 required over a 50-year project life would be approximately 756,145 MT CO₂e. This is less than the 929,455 MT CO₂e required of the Project by the Draft Recirculated Analysis when utilizing the CARB-approved existing emissions inventory data and applying the 30-year project life. As such, this analysis completed by Ramboll Environ further substantiates the Draft Recirculated Analysis' over-estimation of Project emissions, and corresponding conservatism built into the level of mitigation reductions assigned to Mitigation Measure MV 4.23-13/2-13.

8. CONCLUSION

Substantial evidence supports the Draft Recirculated Analysis' use of a 30-year project life as a methodological basis to determine the emissions inventory and corresponding mitigation requirements of Mitigation Measure MV 4.23-13/2-13. First, CARB, the State agency charged with the responsibility for and expertise to administer the State's GHG emissions policies, has concurred with a 30-year project life for purposes of the RMDP/SCP project analysis, a determination that is consistent with the methodology it applies to AB 900 environmental leadership projects. Second, SCAQMD identified the use of a 30-year project life, for purposes of delineating the GHG emission offset obligations of residential/commercial projects, nearly a decade ago. Third, the 30-year project life has become accepted industry standard by multiple lead agencies and expert consultants for analyzing GHG emissions in CEQA documents. Fourth,

it would be speculative to impose a mitigation burden that extends beyond a 30-year project life in light of the evolving policies, regulations, and standards that would be needed to achieve the 2050 horizon-year goal of EO S-3-05. Fifth, the mitigation reduction assigned to Mitigation Measure MV 4.23-13/2-13 likely has been over-estimated and this conservatism warrants against extending the 30-year period.

Each of these five grounds independently substantiates the analysis presented in the Draft Recirculated Analysis, including the 30-year period set forth in Mitigation Measure MV 4.23-13/2-13. They provide the substantial evidence needed for the County to develop project-specific methods in accordance with CEQA Guidelines Section 15064.4(a)(1). Given the use and endorsement of a 30-year project life method by multiple experts in the field (i.e., CARB, SCAQMD, and other lead agencies and GHG consultants), as well as the speculation required to estimate post-2050 GHG emissions and the embedded conservatism of the Project's GHG emissions inventory data, the 30-year mitigation period is appropriate, reasonable, and supported by substantial evidence.

TOPICAL RESPONSE 3: TRAFFIC IMPACT ANALYSIS

Comments have generally asked that the County's 2011 Final EIR's traffic analysis be revised or updated due to "changed circumstances" or "new information" or similar claims. This topical response responds to such comments.

As explained in the County's Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis), pages 1.0-1 through 1.0-14, the scope of the court decisions issued in connection with the Newhall Ranch Mission Village (Project) and related litigation provides the basis for the environmental issues addressed in the Recirculated Analysis. These court decisions do not require reanalysis of all environmental impacts evaluated in the County's 2011 Final EIR; and, instead, limit the reanalysis to two distinct issues – the portion of the County's environmental analysis that addresses the significance of the Project's GHG emissions and the validity of two mitigation measures for the unarmored threespine stickleback (UTS), a freshwater fish designated as endangered by federal and state law and fully protected under Fish and Game Code Section 5515. No other aspect of the County's prior 2011 Final EIR was re-opened and CEQA affords a strong presumption against requiring additional environmental analysis once an EIR has been certified for a project.

Moreover, no additional traffic would be generated by any aspect of the proposed Project's modifications evaluated in the Draft Recirculated Analysis. Said differently, the Project's modified design and construction approach to the bridges and bank stabilization, which is in response to the corrective action required by the Supreme Court's decision with regard to the UTS, does not add any traffic or change the distribution of traffic. In addition, no new traffic from the Project would be generated by the Project's GHG analysis, nor the new mitigation measures reducing the Project's GHG impacts to net zero in response to the Supreme Court's decision.

As discussed in **Response to Comment No. 09-66** within Letter No. E13, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), the Project is consistent with SB 375 and regional plans to reduce vehicle trips and vehicle miles travelled, including the 2016-2040 Regional Transportation Plan / Sustainable Communities Strategy adopted by the Southern California Association of Governments. Further, certain GHG mitigation measures provide the added benefit of reducing VMT and, relatedly, traffic volumes and congestion. For example, Mitigation Measure MV 4.23-6/2-6 calls for implementation of the Newhall Ranch Transportation Demand Management Plan (TDM Plan), which serves to reduce the vehicle miles traveled by Project residents, employees and visitors by approximately 15 percent and, therefore, potentially reduces congestion. Also, Mitigation Measure MV 4.23-8/2-8 requires funding for the purchase, operation, and maintenance of a zero emission school bus program, which is to be implemented pursuant to Mitigation Measure MV 4.23-6/2-6 and which will further reduce vehicle miles traveled.

In short, the Project's modified approaches evaluated in the Recirculated Analysis with regard to the bridges, bank stabilization, and greenhouse gas analysis do not generate any new significant traffic impacts, or more severe impacts, than previously analyzed in the 2011 Final EIR. Relatedly, the land uses for the underlying Mission Village area have not been changed or altered since the County completed the Final EIR in 2011. These same planned land uses will serve as the source of GHG emissions projections for the Recirculated Analysis, just as they did for the 2011 Final EIR. Similarly, the Project's proposed modifications in bridge construction do not change the location, size, or use of the bridges as part of the existing or planned traffic network; the operational impacts of the bridges will be the same as those analyzed in the 2011 Final EIR.

Thus, comments concerning the 2011 Final EIR's traffic analysis are beyond the scope of the Recirculated Analysis and related court decisions. For further responsive information, please refer to **Topical Response No. 1: Scope of the Recirculated Portions of the EIR**. Nonetheless, for information purposes, the following additional responses are provided.

The traffic-related comments are general in nature and do not provide any evidentiary support for the claim that the 2011 Final EIR's traffic analysis must be revised due to significant changed circumstances or similar claims. Given that the comments have been general, a general response is all that is required. (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47.)

In any instance, based on the information below, the County has determined that the 2011 Final EIR's traffic analysis accounts for projected future increases in traffic volumes on study area roadways; and that since completion of the Final EIR in 2011, there have been no substantial changes requiring major revisions in the previously completed traffic analysis; and, thus, no update is required with regard to the 2011 Final EIR's traffic analysis or mitigation.

First, the 2011 EIR's traffic analysis included an Existing plus Ambient plus Project scenario, a Project Buildout plus Related Projects scenario, and a long-term, 2035 cumulative scenario, each of which accounted for future increases in background traffic volumes on the study area roadways (2011 Final EIR, p. 4.5-9 to 11; 50, and 971); and, thus, the "date" of the EIR or its traffic analysis is not germane. The traffic analysis for the County's unincorporated area utilized the Santa Clarita Valley Consolidated Traffic Model (SCVCTM), which is a long-range traffic planning model that includes the cumulative land uses that make up the long-range Los Angeles County Santa Clarita Valley Areawide Plan and General Plan. (*Id.*) That is,

¹ The 2011 Final EIR is available for review at the following County of Los Angeles Department of Regional Planning website: <http://planning.lacounty.gov/mission-village/>.

background traffic volumes included within the analysis were based on the cumulative land uses included within these long-range plans.

Nonetheless, comments have questioned the traffic modeling used in the 2011 Final EIR traffic analysis, suggesting that the modeling data is inaccurate or outdated. The comments are not correct and no data is offered to support the comments. Based on the 2011 EIR, the traffic analysis utilized two traffic models — the Santa Clarita Valley traffic model (i.e., SCVCTM) and Ventura County models (i.e., the VCTM and a subarea model known as the Ventura Traffic Analysis Model or VTAM). The traffic modeling data used in the 2011 Final EIR accounts for changes in planned growth, as did the 2011 EIR's traffic analysis. As a result, the traffic modeling data remains valid and consistent with the Project's prior traffic analysis.

Additionally, in consultation with the 2011 EIR's traffic consultant, traffic volumes within the study area were evaluated with regard to: (i) SR-126 in Los Angeles County, (ii) I-5 from Lake Hughes Road to SR-14, and (iii) arterial roadways in the City of Santa Clarita and unincorporated county areas. Since preparation of the Project's traffic analysis, traffic volumes on these highways and roadways were found to be comparable to or below the growth already accounted for in the 2011 Final EIR traffic analysis.

Accordingly, there have been no substantial changes relating to the 2011 EIR's traffic impact analysis with regard to the circumstances under which the Project would be undertaken that require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Under the CEQA Guidelines, new or additional environmental analysis is required only when “[s]ubstantial changes occur with respect to the circumstances under which the project is undertaken which will require *major* revisions of the previous EIR ... due to the involvement of (1) *new* significant environmental effects or (2) a *substantial increase* in the severity of previously identified significant effects (*emphasis added*).” (CEQA Guidelines, Section 15162, subsection (a)(2).)

In this instance, substantial evidence supports the determination that no such substantial changes requiring major revisions of the 2011 Final EIR have occurred. Traffic growth since completion of the 2011 Final EIR has been both limited and accounted for in the 2011 Final EIR analysis. Additionally, there have been no significant developments in the traffic model used to conduct the 2011 Final EIR analysis that would alter the results of the prior traffic analysis.

For additional supporting information, please refer to Stantec's technical memorandum, which is Appendix 3.1 to the Final Recirculated Analysis. Stantec's memorandum substantiates the above traffic-related analysis and findings.

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COMMENT LETTER NO. A1

Scott Morgan, Director
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Governor's Office of Planning and Research
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Comment No. A1-1:

Pursuant to the attached letter, the Lead Agency has extended the review period for the above referenced project to **February 13, 2017** to accommodate the review process. All other project information remains the same.

Response No. A1-1:

This comment references the letter submitted by the County to the State Clearinghouse that extended the review period for the Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis) to February 13, 2017. The comment further states that all other project information included within the Recirculated Analysis remained the same. The letter referenced in this comment is provided below as Comment No. A1-2. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. A1-2:

NOTICE OF LOCAL PUBLIC MEETING
NOTICE OF A TIME EXTENSION FOR PUBLIC COMMENT ON THE DRAFT RECIRCULATED PORTIONS OF THE EIR FOR MISSION VILLAGE PROJECT
COUNTY PROJECT NO. 04-181 VESTING TENTATIVE TRACT MAP NO. 61105
SEA CONDITIONAL USE PERMIT NO. RCUP200500080 OAK TREE PERMIT NO. ROAK200500032
OAK TREE PERMIT NO. 200500043
CONDITIONAL USE PERMIT NO. (OFF-SITE IMPROVEMENTS) 200500081
(ON-SITE AND OFF-SITE GRADING AND IMPROVEMENTS)
PARKING PERMIT NO. 200500011
SUBSTANTIAL CONFORMANCE REVIEW NO. 201000001
STATE CLEARINGHOUSE NO. 2005051143

The Los Angeles County Department of Regional Planning, acting in the capacity of "Lead Agency" under the County Environmental Guidelines, Chapter III, Section 304, has filed this "Notice of Completion and Availability" of the Draft Recirculated Portions of the EIR (County-EIR) for the Mission Village project (Project). Mission Village is one of five villages within the Newhall Ranch Specific Plan approved by the Board of Supervisors (Board) for the County of Los Angeles (County) in 2003. The County-EIR provides the response to court directives issued in the related California Supreme Court decision in Center for Biological

Diversity v. California Department of Fish and Wildlife (2015) 62 Cal.4th 204 (CBD). The CBD decision provides the substantive direction needed in the related Mission Village litigation (California Native Plant Society v. County of Los Angeles, Appellate No. 8258090; Los Angeles County No. B5138001) for the County to revisit two legal issues in connection with the Board's May 2012 decision to approve the Mission Village Project, namely, the previously-certified Mission Village Environmental Impact Report's (EIR) analysis of the Project's greenhouse gas (GHG) emissions and the two mitigation measures for the unarmored threespine stickleback (stickleback). Accordingly, County-EIR reevaluates the Project's GHG emissions and stickleback mitigation, consistent with the California Environmental Quality Act (CEQA) and the two referenced court decisions.

The County-EIR has been prepared in accordance with, and pursuant to, CEQA, Public Resources Code sections 21000 et seq.; and the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines), California Code of Regulations, Title 14, Chapter 15000 et seq. (including section 15160).

PUBLIC REVIEW/COMMENT PERIOD

The public review/comment period for the County-EIR was originally scheduled from November 17, 2016 through January 17, 2017 (62 days). The County-EIR has been available for public review at the Valencia, Castaic, Stevenson Ranch, Old Town Newhall, and Canyon Country Jo Anne Darcy Libraries, as well as at the Department of Regional Planning's offices, since November 17th; however, **the public review period will now extend to February 13, 2017**. All comments received by the close of the public review/comment period will be considered in the Project's Final Recirculated Portions of the EIR (FRP-EIR).

Because the County is recirculating only the revised portions of the EIR for the Mission Village Project, the County is only seeking comments to the revised portions of the recirculated EIR. (See CEQA Guidelines section 15088.5(f).)

PROJECT SITE LOCATION

The Project site is located in unincorporated Los Angeles County and the Santa Clarita Valley Planning Area (Valley Planning Area). Specifically, the Project site is located within the northeastern corner of Newhall Ranch in western unincorporated Los Angeles County, south of the Santa Clara River and State Route 126 (SR-126), and west of Interstate 5 (I-5). The project applicant proposes to develop the Mission Village project, which would be constructed on 1,261.8 acres of property located primarily within the boundary of the Newhall Ranch Specific Plan (of the 1,261.8-acre tract map, approximately 39.1 acres are located outside the Specific Plan boundaries).

PROJECT DESCRIPTION

Mission Village is one of five villages within the Newhall Ranch Specific Plan, a large-scale mixed-used community located in unincorporated Santa Clarita Valley in northwestern Los Angeles County. The Los Angeles County Board of Supervisors approved the Newhall Ranch Specific Plan in 2003. The Specific

Plan guides the long-term development and conservation of the 11,999-acre Newhall Ranch community, which includes a broad range of residential, mixed-use, commercial/retail uses within five villages.

The Mission Village Project includes development of the 1,261.8-acre Mission Village tract map (Vesting Tentative Tract Map (VTIM 61105)). As approved by the County Board of Supervisors on May 15, 2012, Mission Village would provide 4,055 homes (specifically, 351 single-family and 3,704 multi-family homes) and 1,555,100 square feet of commercial (retail/office) uses. The Project also would include a 9.5-acre elementary school, 3.3-acre library, 1.5-acre fire station, 1.2-acre bus transfer station, and approximately 693 acres of open space (including parks, recreation areas, Santa Clara River area, and three spineflower preserves located on 85.8 acres). Mission Village also would include supporting facilities and infrastructure, including roads, the Commerce Center Drive Bridge, trails, drainage improvements, flood protection, potable and recycled water systems, a sanitary sewer system, and dry utilities systems.

To facilitate development of the Mission Village tract map site, Project-related improvements are proposed for construction on an additional 592.8 acres of land outside the tract map boundary. These off-site improvements include a utility corridor, the extension of Magic Mountain Parkway roadway and related improvements, a water quality basin, three water tanks, a Southern California Edison electrical substation, and two debris basins. Additional off-site development would include work associated with the Lion Canyon drainage, grading associated with construction of the northerly extension of Westridge Parkway and the southerly extension of Commerce Center Drive, and miscellaneous grading to tie proposed grades into natural grades; the total amount of grading (for the tract map and off-site improvements) is estimated at 28.9 million cubic yards.

PROJECT APPROVALS

The Project would require approval of the County entitlements listed below to the extent directed by the court pursuant to the above-referenced Mission Village litigation. However, with the exception of modified construction methods for bridges, the County has not made any changes to Mission Village's prior Project approvals, nor any changes to the Mission Village land use plan, development footprint, or Project boundary. The Mission Village project approvals are listed and summarized below:

- (a) **Vesting Tentative Tract Map No. 61105.** Vesting Tentative Tract Map to subdivide the Mission Village site into 351 single-family lots, 43 condominium lots for 3,704 multifamily units, 11 mixed-use lots, and lots for, among other uses, the Spineflower Preserves, recreation, fire station, bus transfer station, library, parks, school site, and open space. The proposed map would subdivide the site into a total of 621 lots.
- (b) **SEA Conditional Use Permit No. RCUP200500080.** On May 27, 2003, the County's Board of Supervisors approved a program-level SEA Conditional Use Permit, SEA CUP No. 94-087-(5), as part of the Board's project approvals for the Newhall Ranch Specific Plan. SEA CUP No. 94-087-(5) approved: (a) adjustments to the existing boundaries of SEA 23, consistent with County of Los Angeles General Plan policies requiring protection of natural resources within SEAs; and (b) Specific Plan development within the SEA boundaries, including bridge crossings (i.e., Commerce Center Drive Bridge), trails, bank stabilization and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundaries. Although

the adjusted SEA 23 boundaries were designated as the River Corridor SMA in the adopted Specific Plan, the County's underlying SEA 23 designation remains in effect.

As part of the Mission Village Project Approvals, a project-level SEA Conditional Use Permit would provide the County with a regulatory framework for determining if the Mission Village development within the approved River Corridor SMA/SEA 23 boundaries is consistent with both the adopted Specific Plan and previously approved program-level SEA CUP No. 94-087-(5). Specifically, the proposed project-level improvements within the River Corridor SMA/SEA 23 include the Commerce Center Drive Bridge, neighborhood park, access roads, and easements, grading, trails, water quality basins, bank stabilization, water and sewer utility crossings, utility corridor, storm drain outlets, and potential riparian mitigation sites.

The County of Los Angeles General Plan requires that any development proposal within an SEA be reviewed for compliance with certain "design compatibility criteria." The Los Angeles County Zoning Code implements this General Plan requirement. In addition, the General Plan requires that an application for an SEA CUP must undergo an "SEA Performance Review." This process involves review of the application by the appointed Significant Ecological Area Technical Advisory Committee (SEATAC). SEATAC reviews the application and accompanying biological resources report for adequacy, and makes recommendations for final project design. Such recommendations are then considered by the Los Angeles County Regional Planning Commission.

- (c) **Oak Tree Permit No. ROAK200500032.** The County Zoning Code contains provisions protecting trees of the oak genus. As a result, the removal or damage of certain "protected" oak trees is unlawful without a permit (Los Angeles County Zoning Code, Section 22.56.2050). An Oak Tree Permit would authorize the removal of 143 of the 501 oak trees and encroachment of 50 oak trees located on the Project site. Of the 143 removals, 6 trees are also covered by ROAK00-196 for Landmark Village. Project conditions will require replacement trees to be provided at a ratio of 2 to 1 for each oak tree removed and at a 10 to 1 ratio for each Heritage Oak tree removed.

- (d) **Oak Tree Permit No. 200500043.** The County Zoning Code contains provisions protecting trees of the oak genus. As a result, the removal or damage of certain "protected" oak trees is unlawful without a permit (Los Angeles County Zoning Code, Section 22.56.2050). This Oak Tree Permit would authorize the removal of 11 of the 63 oak trees and encroachment of 2 oak trees located within the easterly extension of Magic Mountain Parkway east of the Project site. Project conditions will require replacement trees to be provided at a ratio of 2 to 1 for each oak tree removed and at a 10 to 1 ratio for each Heritage Oak tree removed.

- (e) **Conditional Use Permit No. RCUP200500081.** This CUP authorizes development of 73 second dwelling units, care facilities associated with the proposed continued care retirement community, onsite grading and development of project related infrastructure (including water tanks and utilities; necessary off-site grading associated with the extension of Westridge Parkway and Commerce Center Drive; the construction and grading for off-site improvements, including the extension of Magic Mountain Parkway; and the development of a utility corridor, a water quality basin, an electrical substation, and watertanks [sic]).

- (f) **Parking Permit RPK200500011.** The parking permit allows for off-site and reciprocal parking across lot lines.
- (g) **Substantial Conformance Review Determinations.** The adopted Newhall Ranch Specific Plan contains "substantial conformance" provisions. The purpose of the substantial conformance provisions is to determine whether proposed developments or uses substantially comply with the standards, regulations, and guidelines of the Specific Plan and other applicable Los Angeles County ordinances that do not conflict with the Specific Plan. Substantial conformance determinations are sought as to the following: (a) that grading conforms with the Grading and Hillside Management Guidelines in the Specific Plan; and (b) that modifications to certain setback requirements in the Village Center substantially conform with the Specific Plan's site development standards.

The County also will require additional ministerial actions, such as building plan review, grading permits, and building permits prior to actual grading and construction of the proposed improvements. Numerous federal, state, and regional public agencies previously have considered permits and authorizations needed to implement the County-approved Newhall Ranch Specific Plan, which includes the Project site.

SUMMARY OF SIGNIFICANT ENVIRONMENTAL IMPACTS

The following is a summary of the impacts associated with the Project with regard to (i) global climate change/greenhouse gas (GHG) emissions, and (ii) "take" avoidance of the unarmored threespine stickleback. Based on the analysis provided in the County-EIR, Project impacts with regard to these two issues would be mitigated to a less than significant level. Specifically, the recommended mitigation measures will reduce, mitigate, and offset 100 percent of the Project's GHG emissions, allowing the Project to achieve net zero GHG emissions. In addition, while the Mission Village litigation did not contain any briefing or court rulings with regard to "take" of stickleback, in light of the Supreme Court's CBD decision, Mission Village mitigation measures, specifically MV 4.3-8 and MV 4.3-9¹, have been eliminated based on the Project's modified construction methods and new mitigation measures applicable to the Mission Village project.

LOCAL PUBLIC MEETING

A local public meeting to receive comments concerning environmental issues addressed in the County-EIR has been scheduled in the Santa Clarita Valley for January 12, 2017, starting at 6:00 p.m. and ending after the last testifier or 9:00 p.m., whichever comes first, at Rancho Pico Junior High School, 26250 W. Valencia Boulevard, Westridge, California 91381. Oral comments made at the public meeting will be transcribed so written responses can be provided as part of the FRP-EIR.

REVIEWING LOCATIONS

To ensure public access to the County-EIR, copies are available for review at the following County and City of Santa Clarita libraries:

Valencia library, 23743 W. Valencia Boulevard, Santa Clarita
Castaic Library, 27971 Sloan Canyon Road, Castaic
Stevenson Ranch Library, 25950 The Old Road, Stevenson Ranch

Old Town Newhall library, 24500 Main Street, Santa Clarita

Canyon Country Jo Anne Darcy library, 18601 Soledad Canyon Road, Santa Clarita

A copy of the County-EIR also will be available for public review Monday through Thursday, 7:30 a.m. to 5:30 p.m. at:

County of Los Angeles

Department of Regional Planning

Special Projects Section, 13th floor, Room 1362

320 West Temple Street

Los Angeles, CA 90012

An electronic version of the County-EIR also is available on the Department's website at <http://planning.lacounty.gov/case/view/mvdaa>.

Please submit written comments on the County-EIR to Mr. Samuel Dea of the Department of Regional Planning at the above address. You may also fax your written comments to (213) 626-0434, or email to specialprojects@planning.lacounty.gov; or daranda@planning.lacounty.gov. Should you have any questions, please call (213) 974-6443.

¹ *Because Mission Village EIR mitigation measures MV 43-2, 4.3-10, 4.3-11, and 4.3-12 also contemplated Santa Clara River stream diversion and/or other river-related activities that could relocate and thereby affect unarmored threes pine stickleback, those measures have been eliminated from the Mission Village EIR as well, as no longer necessary due to modified bridge design and construction methods.*

Response No. A1-2:

This comment is the letter released by the County of Los Angeles which notified all public agencies and interested parties that the comment period for the Recirculated Analysis was extended to February 13, 2017. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. A1-3:

Print Form
Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2005051143

Project Title: Mission Village
 Lead Agency: County of Los Angeles, Department of Regional Planning Contact Person: Samuel Dea
 Mailing Address: 320 W. Temple St., Room 1362 Phone: (213) 974-4808
 City: Los Angeles Zip: 90012 County: Los Angeles

Project Location: County: Los Angeles City/Nearest Community: Santa Clarita
 Cross Streets: The Old Road, Commerce Center Drive Zip Code: 91381
 Longitude/Latitude (degrees, minutes and seconds): 34° 25' 34.12" N / 118° 36' 37.48" W Total Acres: 1,854.6
 Assessor's Parcel No.: 2826-0030 (021-24 & 26-30) Section: Twp.: Range: Base:
 Within 2 Miles: State Hwy #: I-5, SR-126 Waterways: Santa Clara River; Castaic Creek
 Airports: Railways: Schools: Rancho Pico JHS, West

Document Type: Governor's Office of Planning & Research
 CEQA: NOP Draft EIR Supplement/Subsequent EIR NOI Other: Joint Document
 Early Cons Neg Dec Mit Neg Dec Other: Draft Recirculated **NOV 16 2016** Draft EIS Final Document
 Other:

Local Action Type:
 General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: Oak Tree Permit

Development Type:
 Residential: Units 4,055 Acres _____
 Office: Sq. ft. _____ Acres _____ Employees _____
 Commercial: Sq. ft. 1,555,100 Acres _____ Employees _____
 Industrial: Sq. ft. _____ Acres _____ Employees _____
 Educational: Elementary (0.5 acres)
 Recreational: Public and Private Parks/Recreation Areas (41p)
 Water Facilities: Type _____ MGD _____
 Other: Library (3.3 acres); Fire Station; On-Site Grading and

Project Issues Discussed in Document:
 Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: Greenhouse Gases

Vacant Land Use/Zoning/General Plan Designation:
 Vacant and agricultural/Newhall Ranch Specific Plan; Newhall Ranch Specific Plan, Non-urban, SEA/Heavy Agriculture A-2-5
 Project Description: (Please use a separate page if necessary)
 Mission Village is one of 5 villages within the Newhall Ranch Specific Plan, a large-scale mixed-used community located in unincorporated Los Angeles County. The Newhall Ranch Specific Plan was approved by the Los Angeles County Board of Supervisors in 2003. Mission Village would accommodate 4,055 homes and 1,555,100 square feet of commercial uses. The Project also would include an elementary school, library, fire station, bus transfer station, and open space. Mission Village would further include supporting facilities and infrastructure, including roads, the Commerce Center Drive Bridge, trails, drainage improvements, flood protection, potable and recycled water systems, sanitary sewer system, and dry utilities systems.

State Clearinghouse Contact: (916) 445-0613 **Project Sent to the following State Agencies**

State Review Began: 11-16-2016 SCH COMPLIANCE 1-17-2017	<input checked="" type="checkbox"/> Resources <input type="checkbox"/> Boating & Waterways <input type="checkbox"/> Coastal Comm <input type="checkbox"/> Colorado Rvr Bd <input checked="" type="checkbox"/> Conservation <input checked="" type="checkbox"/> CDFW # 5 <input type="checkbox"/> Delta Protection Comm <input type="checkbox"/> Cal Fire <input checked="" type="checkbox"/> Historic Preservation <input checked="" type="checkbox"/> Parks & Rec <input type="checkbox"/> Central Valley Flood Prot. <input type="checkbox"/> Bay Cons & Dev Comm. <input type="checkbox"/> DWR <input checked="" type="checkbox"/> OES <input type="checkbox"/> Resources, Recycl. & Recovery <input type="checkbox"/> CalSTA <input type="checkbox"/> Aeronautics <input checked="" type="checkbox"/> CHP <input checked="" type="checkbox"/> Caltrans # 7 <input type="checkbox"/> Trans Planning Other <input checked="" type="checkbox"/> HCD <input type="checkbox"/> Food & Agriculture	State/Consumer Svcs General Services Cal EPA ARB: Airport & Freight ARB: Transportation Projects ARB: Major Industrial/Energy SWRCB: Div. of Drinking Water SWRCB: Div. Drinking Wtr # SWRCB: Div. Financial Assist. SWRCB: Wtr Quality SWRCB: Wtr Rights Reg. WQCB # 4 Toxic Sub Ctrl-CTC Yth/Adlt Corrections Corrections Independent Comm Energy Commission <input checked="" type="checkbox"/> NAHC Public Utilities Comm State Lands Comm Tahoe Rgl Plan Agency Conservancy Other:
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NOTE: EXTENDED PER LEAD

Please note State Clearinghouse Number (SCH#) on all Comments
 SCH#: 2005051143
 Please forward late comments directly to the Lead Agency

AQMD/APCD 33
 (Resources: 11 / PL)

Response No. A1-3:

This comment is the Notice of Completion & Environmental Document Transmittal that was provided to the State Clearinghouse notifying them of the extension of the public review period deadline for the Recirculated Analysis to February 13, 2017. The comment also identifies the State Agencies that the State Clearinghouse notified of the extension of the public comment period. All comments received from public agencies regarding the Recirculated Analysis are included in this final Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. A2

State of California
The Natural Resources Agency
Santa Monica Mountains Conservancy
Ramirez Canyon Park
5750 Ramirez Canyon Road
Malibu, California 90265

Comment No. A2-1:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Draft Recirculated Environmental Impact Report (DRP-EIR) for the Mission Village project within the Newhall Ranch Specific Plan.

Response No. A2-1:

This comment introduces the comments that follow. No further response is required.

Comment No. A2-2:

The Conservancy as the principal State planning agency for the subject area finds that the DRP-EIR remains deficient for multiple reasons.

Response No. A2-2:

This comment states that the Draft Recirculated Portions of the EIR (Recirculated Analysis) for the Mission Village Project is deficient but does not raise a particular critique of the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. However, no further response is required or can be provided given the general nature of the comment.

Comment No. A2-3:

Because of the statewide importance of the subject Santa Clara River property and the interrelated tract maps and separate EIRs comprising the five villages of the Newhall Ranch Specific Plan, and because of the complexity and magnitude of new environmental analysis, the Conservancy requests a 45 day extension of the comment period for additional review and potential comments.

Response No. A2-3:

This comment, which was submitted on December 12, 2016, requests a 45 day extension of the public comment period on the Recirculated Analysis due to the “complexity and magnitude” of the analysis. The Recirculated Analysis was originally released for public comment on November 17, 2016 through January 17, 2017, a public comment period of 62 days. Subsequently, the County announced an extension of the public comment period to February 13, 2017, an extension of 27 days, for a total public comment period

of 89 days. This public comment period exceeds the requirements of CEQA Guidelines Section 15105(a), which prescribes a 45-day comment period for EIRs submitted to the State Clearinghouse for review by state agencies. It also is noted that many EIRs prepared throughout the State of California have become more complex and voluminous over time; and, the Recirculated Analysis, which was limited to two discrete environmental issues, is less voluminous than a typical EIR for which a 45-day comment period is granted. In summary, exercising the discretion afforded to it by CEQA, the County extended the public comment period on the Recirculated Analysis and no further response is required.

Comment No. A2-4:

Greenhouse Gas Emission from 28.9 Million Cubic Yards of Grading

At a minimum the project would require 28.9 million cubic yards of grading (not factoring in any allowance for remedial grading) to provide 4055 residences, a school, library, bus transfer station, one million square feet of commercial space, multiple roads, a bridge through the Santa Clara River, water systems, and sewer systems.

Response No. A2-4:

The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA or a specific critique of the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. A2-5:

The greenhouse gas emissions from moving 28.9 million cubic yards of earth and constructing all of the above listed facilities are an unavoidable significant adverse impact. Those proposed emissions cannot come close to being adequately offset (no net increase) by the 13 GHG emissions mitigation measures contained in the DRP-EIR. Of those 13 mitigation measures installing electric car charging stations and purchasing unspecified carbon credits will not offset the diesel emissions from cutting, moving, shaping, and compacting 28.9 million cubic yards of earth.

Response No. A2-5:

This comment suggests that the Project's construction-related greenhouse gas (GHG) emissions are not fully mitigated, but this is not the case. Mitigation Measure MV 4.23-10/2-10 specifically addresses the GHG emissions from construction and states: "Prior to issuing grading permits for village-level development within the RMDP/SCP project site, Los Angeles County shall confirm that the project applicant or its designee shall fully mitigate the related construction and vegetation change GHG emissions." Thus, prior to any construction-related activities commencing, all construction-related GHG emissions must be mitigated in accordance with Mitigation Measure MV 4.23-10/2-10. These emissions

include grading, trenching and vertical construction, as well as GHG emissions associated with vegetation change, which means that all related emissions from the start of grading until building occupancy are fully mitigated before the associated grading permit is pulled. The estimated GHG emissions from construction accounts for the GHG emissions from diesel combustion equipment. Thus, the Project's Recirculated Analysis has addressed the issue raised. See **Response No. A2-6** for further discussion about the GHG reductions.

Comment No. A2-6:

A statement of overriding considerations must be adopted unless there is a significant reduction in GHG emissions from project construction alone.

Response No. A2-6:

This comment states that a statement of overriding considerations must be adopted by the County of Los Angeles unless there is a significant reduction in GHG emissions from construction of the Mission Village Project. However, as explained in **Response to Comment No. A2-5** above, Mitigation Measure MV 4.23-10/2-10 requires that *all* emissions from construction and vegetation change associated with a grading permit be fully mitigated before the grading permit is issued.

The comment refers to "purchasing unspecified carbon credits." **Response No. O9-32** within Letter No. E13, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), provide a broad overview of the mitigation measures and the performance standards underpinning the GHG Reduction Plan which ensure that all GHG reductions used for compliance with Mitigation Measures 2-10 and 2-13 are consistent with CEQA Guidelines Section 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by "[o]ff-site measures, including offsets that are not otherwise required" and "[m]easures that sequester greenhouse gases"). The GHG Reduction Plan, through the implementation of Direct Reduction Activities and the purchase of Carbon Offsets meets the requirements of California Environmental Quality Act (CEQA).

As required by Mitigation Measure 2-13, the Project Applicant will primarily achieve GHG reductions through the implementation or funding of Direct Reduction Activities or, if necessary, by purchasing Carbon Offsets. Section VI of the GHG Reduction Plan identifies the three compliance options permitted by Mitigation Measure 2-13 (GHG emissions associated with a 30-year Project life). Former Compliance Option No. 2 has been eliminated, which removes the option for the Applicant to provide a guarantee of compliance (see Sections 2.1, 2.2, and 2.4 of the Final Recirculated Analysis for revised Mitigation Measure 2-13, with this option deleted).

Section VII of the GHG Reduction Plan identifies the two compliance options permitted by Mitigation Measure 4.23-10/2-10 (GHG emissions associated with Project construction). Section VIII establishes the compliance confirmation process by the Approved Registry, with the Approved Registry providing retirement documentation in a form that can be provided by the Applicant to the County of Los Angeles to demonstrate compliance. The Project Applicant must also provide a written attestation from an Approved Registry to Los Angeles County where the attestation confirms that the retired GHG Mitigation Credits or Carbon Offsets satisfy the performance criteria established in Section IX of the GHG Reduction Plan. Mitigation Measures 4.23-10/2-10 and 4.23-13/2-13 are incorporated into the Mitigation Monitoring and Reporting Program (MMRP) and enforced by Los Angeles County.

Further, Mitigation Measures 4.23-10/2-10 and 4.23-13/2-13 expressly require the retirement of GHG Mitigation Credits and/or Carbon Offsets *prior to* issuance of a grading permit (for construction GHG emissions) or building permit (for 30-year Project life GHG emissions), respectively. Retiring a GHG Mitigation Credit or Carbon Offset eliminates it from further use and avoids any double counting. A GHG Mitigation Credit or Carbon Offset cannot be retired until it is first issued by an Approved Registry in accordance with the Approved Registry's protocols for the activity in question, with the Approved Registry attestation noted above. Specifically, under Mitigation Measure 4.23-10/2-10, prior to obtaining a grading permit, the Project Applicant must satisfy its mitigation obligation for all construction-related GHG emissions associated with the grading permit – which includes all construction-related and vegetation change GHG emissions from the start of grading through vertical construction – *before any grading begins*. Similarly, under Mitigation Measure 4.23-13/2-13, the Project Applicant must satisfy its mitigation obligation associated with the building permit – which includes all GHG emissions for the 30-year Project life for the portion of the Project covered by the building permit – *before building occupancy occurs*. Thus, mitigation compliance is completed before the activity in question begins and is enforced by Los Angeles County.

As stated above, all GHG Mitigation Credits and Carbon Offsets must meet the performance standards in Section IX of the GHG Reduction Plan, as revised (see Appendix 2.7.1 of the Final Recirculated Analysis). Among other standards, this requires a Direct Reduction Activity to meet additional requirements and to be fully implemented and confirmed by an accredited, independent third party in accordance with approved methodologies from an Approved Registry. Further, the Recirculated Analysis provides a detailed discussion of the Project's consistency with applicable laws and regulations related to GHG emissions.

Because construction emissions are fully mitigated, a statement of overriding considerations is unnecessary as there is no significant impact as it pertains to construction-related GHG emissions. Thus, the Project's Recirculated Analysis has addressed the issue raised.

For informational purposes, the County did adopt a statement of overriding considerations for the Mission Village Project when the prior Environmental Impact Report (EIR) was certified. The significant and unavoidable impacts of the Mission Village Project for which a statement of overriding considerations was adopted included impacts related to visual quality, air quality, solid waste services, and agricultural resources. No significant and unavoidable impacts related to GHG emissions were identified. The Recirculated Analysis does not alter this conclusion. With implementation of Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13, "the Project would cause *no net increase* in GHG emissions" and therefore "would not have a significant impact on global climate change." (Recirculated Analysis, p. 2.1-47.) Therefore, no statement of overriding considerations for purposes of construction-related GHG emissions is required.

Comment No. A2-7:

The DRP-EIR is deficient for not addressing why the GHG construction emissions from the four other Newhall Ranch Specific Plan villages and their connecting infrastructure is not addressed as a cumulative GHG emission impact.

Response No. A2-7:

This comment raises a concern regarding construction-related GHG emissions from other components of the Newhall Ranch Specific Plan and whether they should be analyzed in the Recirculated Analysis. As an initial matter, construction-related GHG emissions for all components of the Newhall Ranch Specific Plan are analyzed in the EIR prepared by the California Department of Fish and Wildlife (CDFW) for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP). Please see the CDFW webpage devoted to this EIR, at: <https://www.wildlife.ca.gov/regions/5/newhall>.

As discussed in Section 2.1(1)(b) of the Recirculated Analysis, the Mission Village Project site is located within the geographic boundary of the RMDP/SCP Project, which covers resource management and development within the Project and other nearby developments. As noted above, the designated CEQA lead agency for the RMDP/SCP Project is CDFW. As discussed in Section 1.0 of the Recirculated Analysis, CDFW is preparing the RMPD/SCP AEA to address the Supreme Court's decision in the *Center for Biological Diversity* litigation. In the event that CDFW certifies the RMPD/SCP Project's Additional Environmental Analysis (AEA), any mitigation measures in the RMDP/SCP Project's AEA would be applied by the County to the Mission Village Project, and the mitigation framework in the Recirculated Analysis reflects the

mitigation framework established by the RMDP/SCP Project's AEA (see Recirculated Analysis, pages 2.1-3, 2.1-39, 2.2-33).

Accordingly, this comment is addressed by the mitigation measures that will be implemented for each of the related Newhall Ranch projects within the RMDP/SCP area as required by the AEA (i.e., requiring development authorized by the RMDP/SCP to achieve net zero GHG emissions at buildout), and the comprehensiveness and conservative approach taken in the calculations for the construction emissions. First, each village-level project within the Newhall Ranch Specific Plan area will require a specific approval from the County of Los Angeles. Thus, the construction-related GHG emissions from future Specific Plan villages will also be addressed and covered by a mitigation measure such as Mitigation Measure MV 4.23-10/2-10. Second, the construction-related GHG emissions estimates are based on assumptions that accounts for the construction of shared infrastructure that will be built to connect the different villages. For example, the shared roadways that require paving are accounted for in the construction assumptions of multiple village-level projects. Third, the Project's Recirculated Analysis addresses the cumulative significance of the Project's GHG emissions (see, e.g., Recirculated Analysis, pp. 2.1-28, 2.1-39). Since the Project would not cause a net increase in GHG emissions, it would not have a cumulatively considerable impact on global climate change.

Comment No. A2-8:

Did the baseline level of GHG emissions reflect the exact agricultural conditions that currently exist on the site at the end of 2016?

Response No. A2-8:

This comment seeks clarification of the baseline GHG emissions included in the analysis. In response, the baseline GHG emissions presented in Table 2.1-2, Summary of Existing On-Site GHG Emissions, of the Recirculated Analysis are based on the conditions at the time of the notice of preparation for the Project's EIR, which was issued in May 2005. The baseline GHG emissions took into account existing GHG emissions-generating activities at the site. Notably, the GHG analysis does not take any "credit" for the existing/baseline GHG emissions. In other words, the GHG analysis does not remove the emissions from existing operations that would no longer continue with the buildout of the Project. If the EIR had done so, it would have *reduced* the Project's GHG emissions and, thereby, have decreased the mitigation obligation. Thus, the current GHG analysis conservatively represents the Project's GHG emissions and corresponding mitigation obligation.

Comment No. A2-9:

Santa Clara River Impacts and Unarmored Threespine Stickleback Endangered Fish

The DRP-EIR further remains deficient because its analysis of potential impacts both to Santa Clara River riparian habitat and potential adverse impacts to the unarmored threespine stickleback assume a static river flood plain over multiple years if not decades. The analysis is based on the proposed project river bank stabilization freezing the site's active channels without exploring the effect of doing so on the river's hydrology, geomorphology, and ecology.

Response No. A2-9:

The comment states that the Recirculated Analysis is deficient because it assumes “a static river flood plain over multiple years if not decades.” The comment contends that analysis assumes the proposed bank stabilization will “freeze[] the site’s active channels” but does not explore “the effect of doing so on the river’s hydrology, geomorphology, and ecology.”

The Recirculated Analysis does not assume a static river flood plain. On the contrary, the Recirculated Analysis takes into account that, due to the river’s dynamic hydrology, the wetted channel would be variable as to width and alignment. The Recirculated Analysis incorporates mitigation measures that require avoidance of the wetted channel (“No Water Contact” construction approach) regardless of how the wetted channel may change over time. Although the technical studies calculated a worst-case inundation zone by inputting historical high flow record data into the hydrology model, this was done to demonstrate the overall feasibility of the “No Water Contact” construction approach. In short, the Recirculated Analysis takes into account that the wetted channel, at the time of construction, is not likely to be in the same position or take the same shape or have the exact same dimensions as the wetted channel in 2016.

Moreover, the post-construction effects of bank stabilization were fully addressed in the 2011 Final EIR, were not legally challenged, and are beyond the scope of the Recirculated Analysis. The No Water Contact approach to constructing bridges and bank stabilization does not alter or increase the environmental impacts of bank stabilization or other infrastructural components; those impacts remain unchanged from when they were analyzed in the 2011 Final EIR. For additional information on such impacts, please refer to the following sections of the 2011 EIR: Section 4.2, Hydrology; Section 4.1, Geotechnical and Soil Resources; and Section 4.3, Biota.

Comment No. A2-10:

The flooding potential of the river is too great to make tidy assumptions-such as that the proposed Commerce Center Bridge location will not go through or adjacent to future areas that contain unarmored

threespine stickleback fish.” What happens in that case-would the bridge not be built? The DRP-EIR does not address that potential condition.

Response No. A2-10:

The comment states that the flooding potential of the Santa Clara River is too great to assume “that the proposed Commerce Center Bridge location will not go through or adjacent to future areas that contain unarmored threespine stickleback fish. The comment asks whether, in such case, the applicant would forego building the bridge. The comment then states that the Recirculated Analysis does not address this issue.

The Recirculated Analysis explains that construction of the bridge will take place during the dry summer months when flooding is not an issue based on the analysis presented in the Recirculated Analysis. Moreover, the Recirculated Analysis used historical rainfall and flow data to ascertain the highest flow rates ever recorded at the bridge location during the summer construction period. The hydrology analysis indicates that, based on historical flow data, the amount of variation during the dry season will fall within bounds that can be accommodated by bridge spans of 165 feet. And in the event the wetted channel during the dry season *cannot* be so accommodated, the County has imposed conditions on the Project that would prohibit bridge construction until such time as river flows recede and allow the wetted channel to be spanned per the “No Water Contact” construction approach. Simply put, if the wetted channel’s width cannot be comfortably accommodated by bridge spans of 165 feet at the time of construction (i.e., during the dry season), the applicant must wait for more favorable conditions before building the bridge.

The Recirculated Analysis focused on construction-related impacts of the bridges and bank stabilization because the mitigation measures invalidated by the California Supreme Court in *Center for Biological Diversity v. CDFW* addressed potential effects on unarmored threespine stickleback during construction activities. The 2011 Final EIR did not identify any significant impact on unarmored threespine stickleback associated with the long-term operation of the bridges or bank stabilization features; thus, no mitigation measures were adopted to address such impacts. No party challenged this aspect of the 2011 Final EIR. The County, in preparing the Recirculated Analysis, did acknowledge that after the bridge piers are installed during the dry season, some of those piers will eventually be in the wetted channel following winter rains. (Recirculated Analysis, pp. 2.2-25 through 2.2-33.) The bridges were never designed to span the entire wetted channel on a year-round basis. To the contrary, the bridge piers are designed to withstand flood level flows. This aspect of the bridge design has not changed since the 2011 Final EIR was prepared and certified. The only difference is there will be fewer bridge piers under the new design than under the old one.

Comment No. A2-11:

The only solution is to build 300 feet of flexibility into the potential Commerce Center Drive bridge location to create adequate odds that bridge construction will not have either significant direct or indirect adverse impacts to occupied unarmored threespine stickleback habitat if they exist in the proposed alignment during any part of the construction period.

Response No. A2-11:

The comment states that, in terms of protecting unarmored threespine stickleback from bridge-related impacts, the “solution is to build 300 feet of flexibility into the potential Commerce Center Drive bridge location . . .” According to the comment, this is the only way to “create adequate odds that bridge construction will not have either significant direct or indirect adverse impacts to occupied unarmored threespine stickleback habitat if they exist in the proposed alignment during any part of the construction period.”

As discussed in **Response to Comment No. A2-10** above, the Recirculated Analysis demonstrates (through technical assessments) that the proposed bridge at Commerce Center Drive bridge can be constructed during the summer dry season without contacting or adversely affecting the wetted channel of the Santa Clara River. For this reason, the bridge as currently proposed will not adversely affect unarmored threespine stickleback habitat. The comment does not present any evidence supporting the basis for a “300 feet of flexibility” in the bridges design nor provide specific critiques of the Recirculated Analysis. As summarized above, the Recirculated Analysis demonstrates that the mitigation measures applied by the No Water Contact strategy ensure that there will be no significant impact to unarmored threespine stickleback. For example, Mitigation Measure MV 4.3-95/BIO-3-1c requires the following:

“Prior to the commencement of construction activities, a qualified biologist shall survey the proposed work locations to confirm that the construction zone is outside the wetted channel of the river and that no work takes place where fish may be affected.”

Comment No. A2-12:

The EPA review of the documentation to date found that basic assumptions about erosiveness and sedimentation rates in the project area were erroneous. Flawed assumptions are not a good foundation on which to base a complex analysis and impact assessment. Such potential flaws may not have "direct bearing on the potential take of unarmored threespine stickleback from bridge construction, however they would on the function of a river that has been substantially narrowed and boxed in by the proposed bank stabilization.

Response No. A2-12:

The comment states that the “EPA review of the documentation to date found that basic assumptions about erosiveness [sic] and sedimentation rates in the project area were erroneous.” The comment also states that flawed assumptions do not provide a good foundation on which to base complex impact assessments. The comment then contends that flaws in the County’s assumptions, while perhaps having no bearing on whether bridge construction would cause take of unarmored threespine stickleback, would affect impacts “on the function of a river that has been substantially narrowed and boxed in by the proposed bank stabilization.”

The comment does not provide any support for the contention that the EPA found the “documentation to date” included erroneous assumptions regarding erosion and sedimentation rates in the Project area. Nor does the comment identify what “documentation” it is referring to. Further, issues pertaining to erosion and sedimentation are beyond the scope of the Recirculated Analysis, which is confined to GHG emissions and mitigation measures for ensuring no take of unarmored threespine stickleback (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point). The 2011 Final EIR thoroughly examined the Project’s impacts on erosion rates and sedimentation as they relate to the Santa Clara River. (See 2011 Final EIR, Section 4.2, Hydrology.) To the extent those portions of the 2011 Final EIR were challenged in court, they were upheld as compliant with CEQA. They cannot be challenged again now. There is also no evidence to support the comment’s claim that the Project’s proposed bank stabilization will substantially narrow or box in the river. As summarized above, the Recirculated Analysis demonstrates that the mitigation measures applied by the No Water Contact strategy ensure that there will be no significant impact to unarmored threespine stickleback.

Comment No. A2-13:

In a high water condition, the artificially narrowed river may reset the hydrology such that prime habitat for endangered fish is created directly in the pathway of one of the proposed Specific Plan bridges over the Santa Clara River.

Response No. A2-13:

The comment states that, in a high water condition, “the artificially narrowed river may reset the hydrology such that prime habitat for endangered fish is created directly in the pathway of one of the proposed Specific Plan bridges over the Santa Clara River.”

As an initial matter, within the Mission Village Project, no bank protection is located upstream of the Commerce Center Drive Bridge, and therefore no “artificially narrowed river” condition would be caused by the Project. Furthermore, the 2011 Final EIR analyzed the Project’s hydrological and geomorphological

impacts on the Santa Clara River and determined that, with mitigation, they would be less than significant. This conclusion was upheld by the courts and is no longer subject to challenge. There is also no evidence to support the comment's claim that the Project will cause the river to "reset" and thereby create "prime habitat for endangered fish . . . directly in the pathway" of one of the proposed bridges. More importantly, regardless of the location of the wetted channel of the Santa Clara River at the time of construction of the bridge, the proposed No Water Contact approach to bridge construction ensure that no work will take place in the wetted channel and no bridge construction equipment or materiel would enter the wetted channel. Consequently, even if the river, at the location of the proposed bridge, provides "prime habitat" for the unarmored threespine stickleback or other special-status fish, the Mission Village Project will not affect that habitat or those fish. In fact, the Recirculated Analysis, in its assessment of the No Water Contact approach to bridge construction, *assumed* that the wetted channel of the river, at the bridge location, would contain unarmored threespine stickleback. (Recirculated Analysis, pp. 2.2-25 through 2.2-33.) As described in the Recirculated Analysis, "physical locations of bridge piers would be adjusted to match the wetted channel conditions as they are expected to exist at the time of bridge construction (i.e., June-September dry-year period), so that the piers can be placed outside the wetted channel" (Recirculated Analysis, pp. 2.2-16). This approach is memorialized in Project Design Feature (MV-PDF-2.2-2) and mitigation measure MV 4.3-95/BIO-3-1c which ensure the complete avoidance of contact with the wetted channel. As summarized above, the Recirculated Analysis demonstrates that the mitigation measures applied by the No Water Contact strategy ensure that there will be no significant impact to unarmored threespine stickleback.

Comment No. A2-14:

The DRP-EIR is not clear if every bridge span needs to be a minimum of 165 feet over the river or just those span wetted surface areas. All spans should be a minimum of 165 feet to maximize natural hydrological and ecological conditions in the river.

Response No. A2-14:

The comment seeks clarification as to whether each bridge span needs to be a minimum of 165-feet "or just those [that] span wetted surface areas."

During construction of the permanent bridges (which will take place during the summer dry season), bridge piers will be placed at least 165 apart at those locations where the bridges span the wetted channel. At those locations where the wetted channel does not extend – such as the ends of the bridge near the abutments – the bridge piers may be installed at intervals of less than 165 feet. This is because contact with the wetted channel of the river is not an issue at these locations. The comment does not provide any basis for the assertion that all spans be a minimum of 165 feet "to maximize natural hydrological and

ecological conditions of the river.” As summarized above, the Recirculated Analysis demonstrates that the mitigation measures applied by the No Water Contact strategy ensure that there will be no significant impact to unarmored threespine stickleback.

Comment No. A2-15:

It is important for the DRP-EIR to address the level of street lighting spillage into the riparian ecosystem.

Response No. A2-15:

The comment requests that the Recirculated Analysis “address the level of street lighting spillage into the riparian ecosystem.”

The comment does not raise any issue within the scope of the Recirculated Analysis, which is limited to GHG emissions and mitigation measures to prevent take of unarmored threespine stickleback (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The 2011 Final EIR addressed the Project’s lighting impacts in Section 4.3, Biota. For informational purposes, that section concluded that significant impacts to buffers and edge effects associated with increased light and glare would be mitigated to a less-than-significant level with implementation of Mitigation Measure SP 4.6-56, which requires downcast lighting design along the boundaries of natural areas, and Mitigation Measure MV 4.3-51, which, to protect riparian resources, requires bridges crossing the Santa Clara River to be fitted with indirect and downcast lighting that meets specified criteria. The lighting impacts analysis presented in Section 4.3 was not challenged and cannot be challenged now. Consequently, no further response is required.

Comment No. A2-16:

The DRP-EIR makes numerous references to the San Jose Flats area bank stabilization construction but is deficient for not including any figures that show and label the area.

Response No. A2-16:

The comment states that the Recirculated Analysis is deficient for not including figures that show and label the San Jose Flats bank stabilization area. While CEQA does not require such figures, the County hereby incorporates the following graphic depicting the San Jose Flats area and the location of the proposed bank stabilization: See Figure Response No. A2-16 on the following page.

Unarmored Threespine Stickleback



Source: Hunsaker 2010/PACE 2010/Newhall 2016

Figure 3.2-4 Santa Clara River Floodplain Bank Stabilization Alignment

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Comment No. A2-17:

The project involves the construction of temporary haul route bridge across the river that can remain in place for three years. The DRP-EIR and its appendices conclude that the temporary bridges would not result in the take of unarmored threespine stickleback fish. However, the DRP-EIR is deficient if the unrecirculated portion of the DEIR does not address how such temporary bridges could affect wildlife movement, nesting birds, reptiles, and amphibians over the course of three years.

Response No. A2-17:

The comment addresses the proposed temporary haul route bridges that will cross the Santa Clara River. According to the comment, the Recirculated Analysis is deficient because it fails to analyze “how such temporary bridges could affect wildlife movement, nesting birds, reptiles, and amphibians over the course of three years.”

As an initial matter, neither of the proposed temporary haul route bridges is located in the Mission Village project area; nor is either bridge part of the Mission Village project. The Recirculated Analysis includes an assessment of the temporary haul route bridges for informational purposes only. Note, however, that the temporary haul route bridges were always part of the overall Newhall Ranch RMDP, the impacts of which were addressed in the Department of Fish and Wildlife’s 2010 Final EIR. That analysis was not challenged is now considered final.

Comment No. A2-18:

Please contact Paul Edelman, Deputy Director of Natural Resources and Planning, at 310- 589-3200, ext. 128 with any questions and mail all future project correspondence to his attention at the above letterhead address.

Response No. A2-18:

This comment concludes the letter and provides contact information for the commenter. No further response is required.

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COMMENT LETTER NO. A3

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA 94607-4052

Comment No. A3-1:

This is in response to your request for comments regarding Notice of Public Meeting/Notice of Completion and Availability of Draft Recirculated Portions of Environmental Impact Report for Mission Village Project, County Project No. 04-181.

Response No. A3-1:

The comment indicates that the comments that follow are in response to the County of Los Angeles' (County) request for comments regarding the Draft Recirculated Portions of the Environmental Impact Report for the Mission Village Project (Recirculated Analysis). Please refer to the specific comments and their corresponding responses below. No further response is required.

Comment No. A3-2:

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County of Los Angeles (Community Number 065043), Maps revised January 6, 2016. Please note that the County of Los Angeles, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulation s (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and AI through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.
- All buildings constructed within a coastal high hazard area, (any of the " V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood

elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Los Angeles County floodplain manager can be reached by calling George De La O, Senior Civil Engineer at (626) 458-7155.

Response No. A3-2:

The comment provides information regarding the Flood Insurance Rate Maps (FIRMs) for the County of Los Angeles as well as general information related to the National Flood Insurance Program (NFIP). The issues raised by the comment relate to the analysis of the NFIP floodplain management building requirements, which are issues outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required. For informational purposes, the Project Applicant is aware of the current effective county-wide FIRMs, and FEMA's NFIP floodplain management building requirements, and already has begun to coordinate with both the Los Angeles County Department of Public Works and FEMA in this regard. Moreover, development associated with the proposed Project would be reviewed by the County of Los Angeles Department of Public Works to assure compliance with all applicable requirements set forth by the NFIP as well as all County requirements related to floodplain management building requirements.

Comment No. A3-3:

If you have any questions or concerns, please do not hesitate to call Michael Hornick of the Mitigation staff at (510) 627-7260.

Response No. A3-3:

This comment provides a contact for questions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. B1

Paul Novak, AICP
Executive Officer
Local Agency Formation Commission
for the County of Los Angeles
80 South Lake Avenue
Suite 870
Pasadena, CA 91101

Comment No. B1-1:

I am in receipt of your Notices of Availability for the DEIR's for Mission Village and Landmark. I offer the following remarks:

Response No. B1-1:

This comment acknowledges receipt of the Notices of Availability for the Draft Recirculated Portions of the EIRs for Mission Village and Landmark Village and introduces the comments submitted to the County. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B1-2:

Responsible Agencies: Please verify that LAFCO is listed as a responsible agency.

Response No. B1-2:

All Project implementing actions involving annexations or other actions pertaining to LAFCO jurisdiction will be coordinated with LAFCO as required by existing rules and regulations. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B1-3:

Project Approvals: Please verify that potential approvals from other public agencies includes any proposed changes of organization(s)/reorganization(s) that would be required from LAFCO. This could, potentially, include annexations into water districts, sanitation districts, vector control districts.

Response No. B1-3:

This comment requests verification that potential approvals from other public agencies include any proposed changes of organization(s)/reorganization(s) that would be required from LAFCO. The issue raised by the comment is outside the scope of the Recirculated Portions of the EIR (Recirculated Analysis) (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no

further response is required. Please also refer to Section 2.1 of this Final Recirculated Analysis, Executive Summary/Introduction, for a discussion of the scope of the Recirculated Analysis.

The comment offers no “significant new information” with respect to identifying potential approvals from other public agencies with any proposed changes of organization(s)/reorganization(s) that would be required by LAFCO within the meaning of Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5. A discussion of potential Mission Village Project approvals is presented in Section 4.0, Revised Draft EIR Pages, of the Final EIR (May 2011). As stated therein, the Project’s additional approvals have been identified (see Final EIR pages ES-3 and 1.0-2 (May 2011)).

Comment No. B1-4:

FYI, your CD-ROM version, by virtue of being broken into several different files, makes searching for something extremely time-consuming. Further, the link to the EIR for Mission Village (contained in the notice) leads to a page on DRP’s website which says “page not found.”

Response No. B1-4:

This comment states that files on the CD-ROM version make it time-consuming to search for something with regard to the Recirculated Analysis. This comment further indicates that the link to the Recirculated Analysis leads to a page on the County’s Department of Regional Planning website which says “page not found.” This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. B2

Peter Chang
Acting Manager
Compliance and Performance Monitoring
Southern California Association of Governments
818 West 7th Street
12th Floor
Los Angeles, CA 90017

Comment No. B2-1:

Please find attached SCAG Comments on the Partially Recirculated DEIR for the Mission Village Project [SCAG NO. IGR7278] and the Landmark Village Project [SCAG NO. 7331].

Response No. B2-1:

The comment is an introduction to comments that follow. No further response is required.

Comment No. B2-2:

Please contact me at (213) 236-1874 or au@scag.ca.gov if you have any questions or difficulties [sic] with the attached file.

Response No. B2-2:

The comment provides the commenter's contact information. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-3:

Thank you for submitting the Notice of Availability of the Partially Recirculated Draft Environmental Impact Report (DEIR) for the Mission Village Project and the Landmark Village Project ("proposed projects") to the Southern California Association of Governments (SCAG) for review and comment. The proposed Mission Village Project is a 1,261.8-acre master planned community comprised of 4,412 dwelling units, 1,555,100 square feet(sf) of nonresidential development, a 9.5 acre elementary school, a 3.3 acre library, a 1.5 acre fire station, a 1.2 acre bus transfer station, and approximately 693 acres of open space. The proposed Landmark Village Project is a 292.6 acre master planned community that includes of 1,444 homes (270 single family, 1,174 multi-family), 1,033,000 sf of commercial uses, a 9.7 acre elementary school, a 9.9 acre community park, a 1.3 acre fire station, a park and ride facility and approximately 76.7 acres of open space. The Partially Recirculated Draft EIR also notes that both projects are committed to achieve no net increase in greenhouse gas (GHG) emissions.

Response No. B2-3:

The comment acknowledges SCAG's receipt of the Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis), which is referred to as the "Partially Recirculated Draft Environmental Impact Report (DEIR)" for the Mission Village Project in the comment. The comment also acknowledges SCAG's receipt of the Draft Recirculated Portions of the Landmark Village EIR. The comment also provides a description of the Landmark Village and Mission Village Projects. As a point of clarification, while the description of the Landmark Village Project is correct, the Mission Village Project includes 4,055 housing units. The comment also recognizes that the Project is "committed to achieve no net increase in greenhouse gas (GHG) emissions." The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis. No further response is required.

Comment No. B2-4:

Based on SCAG staffs review, the proposed project supports overall the goals of the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). SCAG staff comments are detailed in the attachment to this letter.

Response No. B2-4:

The comment states that based on SCAG staff review, the Project supports the overall goals of the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The comment also serves as an introduction to the SCAG staff comments that follow. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-5:

When available, please send a copy of the Final Environmental Impact Report to the attention of the Inter-Governmental Review (IGR) Program at SCAG's office in Los Angeles. If you have any questions regarding the attached comments, please contact Anita Au, Assistant Regional Planner, at (213) 236-1874 or au@scag.ca.gov. Thank you.

Response No. B2-5:

The comment indicates where and to whose attention a copy of the Final Recirculated Analysis should be sent. The comment also provides contact information. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-6:

COMMENTS ON THE NOTICE OF AVAILABILITY OF A
PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MISSION VILLAGE PROJECT
[SCAG NO. IGR7278] AND
THE LANDMARK VILLAGE PROJECT [SCAG NO. IGR7331]

SUMMARY

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.¹ Guidance provided by these reviews is intended to assist local agencies such as local jurisdictions and project proponents to take actions that help contribute to the attainment of the regional goals and policies in the RTP/SCS.

¹ *Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2016 RTP/SCS for the purpose of determining consistency for CEQA. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a determination of consistency with the 2016 RTP/SCS for CEQA.*

Response No. B2-6:

The comment indicates SCAG's role with regard to regional planning per state law and their responsibility to prepare the RTP including the SCS pursuant to Senate Bill (SB) 375. The comment also provides information regarding SCAG's role as a clearinghouse for regionally significant projects as well as their role with regard to their review of regionally significant projects. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-7:

Based on SCAG staff review, the proposed projects generally support the applicable goals of the 2016 RTP/SCS, and the mitigation measures proposed in the Partially Recirculated Draft EIR align with the 2016 RTP/SCS policies and objectives.

Response No. B2-7:

The comment states that based on SCAG staff review, the Project generally supports the "applicable goals of the 2016 RTP/SCS, and the mitigation measures proposed in the Partially Recirculated Draft EIR align with the 2016 RTP/SCS policies and objectives." No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-8:

2016 RTP/SCS GOALS

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <http://scagrtpscsc.net/Pages/FINAL2016RTPSCS.aspx>).

Response No. B2-8:

The comment states that the 2016 RTP/SCS was adopted by the SCAG Regional Council in April 2016, and describes the general goals of the 2016 RTP/SCS. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-9:

The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

SCAG 2016 RTP/SCS GOALS	
RTP/SCSG1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCSG2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCSG3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCSG4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCSG5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCSG6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)</i>
RTP/SCSG7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCSGB:	<i>Encourage land use and growth patterns that facilitate transit and active transportation</i>
RTP/SCSG9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*</i>
	<i>*SCAG does not yet have an agreed-upon security performance measure.</i>

Response No. B2-9:

The comment identifies the 2016 RTP/SCS goals that may be pertinent to the proposed Project and indicates that the goals are meant to provide guidance for considering the proposed Project within the context of regional goals and policies. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-10:

SCAG Staff Comments

The Partially Recirculated Draft EIR includes a project specific analysis of each village's consistency with the policies, actions and strategies set forth in SCAG's 2016 RTP/SCS in Appendix 2.1-C, Mission Village Consistency with SCAG's 2012-2035 RTP/SCS and 2016-2040 RTP/SCS, October 2016 and Appendix 2.1-C, Landmark Village Consistency with SCAG's 2012-2035 RTP/SCS and 2016-2040 RTP/SCS, October 2016. SCAG staff also acknowledges the Projects' commitment to achieve no net increase in GHG emissions through proposed GHG reduction strategies. The consistency analysis and the projects' commitment to achieve net zero GHG emissions for both villages indicate development of the proposed projects complement the policies, objectives, and goals of SCAG's 2012 RTP/SCS and 2016 RTP/SCS.

Response No. B2-10:

The comment accurately cites the analysis within the Recirculated Analysis regarding the Project's consistency with SCAG's 2012-2035 RTP/SCS and 2016-2040 RTP/SCS. The comment also acknowledges

the Project's "commitment to achieve no net increase in GHG emissions through proposed GHG reduction strategies." The comment concludes by indicating that the Project's consistency analysis and "commitment to achieve net zero GHG emissions" complements "the policies, objectives, and goals of SCAG's 2012 RTP/SCS and 2016 RTP/SCS." No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-11:

MITIGATION

SCAG Staff Comments

SCAG staff has reviewed the suite of mitigation measures (MM) recommended in the recirculated analysis and believe they will complement the policies and objectives set forth in SCAG's 2016 RTP/SCS and ensure that the villages will be consistent with achieving the region's greenhouse gas emissions reduction targets for 2020 and 2035, as adopted by the California Air Resources Board pursuant to Senate Bill 375, the Sustainability Communities and Climate Protection Act.

Response No. B2-11:

The comment indicates that SCAG staff has determined that the mitigation measures included in the Recirculated Analysis will "complement the policies and objectives set forth in SCAG's 2016 RTP/SCS" and the Project would therefore "be consistent with achieving the region's greenhouse gas emissions reduction targets for 2020 and 2035, as adopted by the California Air Resources Board pursuant to Senate Bill 375, the Sustainability Communities and Climate Protection Act." No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-12:

SCAG staff also acknowledges that the Partially Recirculated Draft EIR is aimed to achieve net zero GHG emissions from the proposed development, which is aligned with SCAG's 2016 RTP/SCS goals.

Response No. B2-12:

The comment states that the Project's proposal "to achieve net zero GHG emissions from the proposed development ... is aligned with SCAG's 2016 RTP/SCS goals." No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. B2-13:

Mitigation measures of specific note include:

- **MM 2-4:** *Prior to the issuance of residential building permits, the project applicant or its designee shall submit building design plans, to the Los Angeles County for review and approval, which demonstrate that each residence within the Newhall Ranch Resource Management and Development Plan/Spineflower Conservation Plan (RMDP/SCP) project site subject to application of Title 24, Part 6, of the California Code of Regulations shall be equipped with a minimum of one single-port electric vehicle (EV) charging station... [and] establish and fund a dedicated account for the provision of subsidies for the purchase of Zero Emission Vehicles (ZEVs), as defined by ARB;*
- **MM 2-5:** *Prior to the issuance of commercial building permits, the project applicant or its designee shall submit building design plans, to Los Angeles County, which demonstrate that the parking areas for commercial buildings on the RMDP/SCP project site shall be equipped with EV charging stations that provide charging opportunities to 7.5 percent of total number of required parking spaces;*
- **MM 2-6:** *The project applicant-submitted Newhall Ranch Transportation Demand Management Plan (TDM Plan) ... shall be implemented to reduce VMT resulting from project build out with oversight from Los Angeles County;*
- **MM 2-7:** *Prior to the issuance of traffic signal permits, the project applicant or its designee shall work with Los Angeles County and the California Department of Transportation (Caltrans), as applicable, to facilitate [three] traffic signal coordination... To effectuate the signal synchronization... the project applicant or its designee shall submit traffic signal plans for review and approval, and/or pay needed fees as determined by Los Angeles County or Ca/trans, as applicable;*
- **MM 2-8:** *Consistent with the parameters of the Newhall Ranch TDM Plan, the project applicant or its designee shall provide Los Angeles County with proof that funding has been provided for the purchase, operation and maintenance of electric school buses in furtherance of the school bus program identified in the project's TDM Plan;*
- **MM 2-9:** *Prior to the issuance of the first 2,000th residential building permit within the RMDP/SCP project site and every 2,000th residential building permit thereafter, the project applicant or its designee shall provide Los Angeles County with proof that it has provided a subsidy of \$100,000 per bus for the replacement of up to 10 diesel or compressed natural gas transit buses with electric buses to the identified transit provider(s);*
- **MM 2-12:** *Prior to the issuance of the first building permit for the RMDP/SCP project site, the project applicant or its designee shall provide Los Angeles County with proof of installation of EV charging stations capable of serving 20 off-site parking spaces. Thereafter, the project applicant or its designee shall provide Los Angeles County proof of installation of EV charging stations prior*

to the issuance of residential and commercial building permits per the following ratios: one (1) off-site parking space shall be served by an electric vehicle charging station for every 30 dwelling units, and one (1) off-site parking space shall be served by an electric vehicle charging station for every 7,000 square feet of commercial development.

Response No. B2-13:

The comment identifies specific Project mitigation measures that are of note with regard to complementing the policies and objectives set forth in SCAG's 2016-2040 RTP/SCS. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. C1

Frank Vidales, Chief, Forestry Division
Prevention Services Bureau
County of Los Angeles
Fire Department
1320 North Eastern Avenue
Los Angeles, California 90063-3294

Comment No. C1-1:

NOTICE OF LOCAL PUBLIC MEETING, NOTICE OF COMPLETION AND AVAILABILITY, DRAFT RECIRCULATED PORTIONS OF THE EIR FOR "LANDMARK VILLAGE PROJECT," INCLUDES DEVELOPMENT OF THE 292.6-ACRE LANDMARK VILLAGE TRACT MAP, IT WOULD PROVIDE 1,444 HOMES, 9.7- ACRE ELEMENTARY SCHOOL, 1.3-ACRE FIRE STATION, AND A PARK AND RIDE FACILITY, LOCATED WITHIN THE NORTH-CENTRAL AREA OF NEWHALL, SANTA CLARITA, FFER 201600186

The Notice of Local Public Meeting has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

Response No. C1-1:

This comment briefly identifies the documents reviewed, summarizes the Project's primary elements and introduces the comments submitted to the County. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C1-2:

PLANNING DIVISION:

We have no comments.

Response No. C1-2:

This comment states the Planning Division has no comments with regard to the Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C1-3:

LAND DEVELOPMENT UNIT:

The Fire Prevention Division, Land Development Unit, has no comments to the draft changes to the Environmental Impact Report (EIR) for this project. The proposed changes will not impact the Fire Department comments and requirements as specified in the approved EIR.

Response No. C1-3:

This comment states the Fire Prevention Division, Land Development Unit, has no comments with regard to the Recirculated Analysis. The comment further states the proposed changes included within the Recirculated Analysis will not impact the Fire Department comments and requirements as specified in the Mission Village EIR certified by the Los Angeles County Board of Supervisors on May 15, 2012. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C1-4:

The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.

Response No. C1-4:

This comment states the Project must comply with applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants. The issue raised in this comment is outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required. Please also refer to Section 1.3 of this Recirculated Analysis, Executive Summary/Introduction, for a discussion of the scope of the Recirculated Analysis, the County's obligation to respond to comments outside the scope of the Recirculated Analysis, and the standards for recirculation of a draft EIR due to "significant new information."

The comment offers no "significant new information" with respect to impacts attributable to the Project's compliance with applicable Los Angeles County Fire Department codes and ordinances within the meaning of Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5. A detailed analysis of Project compliance with Los Angeles County Fire Department codes and ordinances is presented in Section 4.12, Fire Protection Services, of the Revised Draft EIR (October 2011). As stated therein, the Project's design would comply with applicable County Code fire safety requirements for such items as types of roofing materials, building construction, brush clearance, water mains, fire hydrant flows, hydrant spacing, access and design, and other hazard reduction programs, as well as other

applicable Fire Code requirements. In addition, compliance with the requirements of the County Code and relevant ordinances would be ensured via implementation of regulatory compliance measures (see Revised Draft EIR pages 4.12-18 and 4.12-20 (October 2011)).

Comment No. C1-5:

This property is located within the area described as Very High Fire Hazard Severity Zone. All applicable fire code and ordinance requirements for brush clearance and fuel modification plans must be met.

Response No. C1-5:

The comment refers generally to the Project site's location within a County designated Very High Fire Hazard Severity Zone and the requirements for the Project to meet applicable fire code and ordinance requirements. These issues are outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required. Please also refer to Section 1.3 of this Recirculated Analysis, Executive Summary/Introduction, for a discussion of the scope of the Recirculated Analysis, the County's obligation to respond to comments outside the scope of the Recirculated Analysis, and the standards for recirculation of a draft EIR due to "significant new information."

The comment offers no "significant new information" with respect to impacts attributable to the Project site's location within a County designated Very High Fire Hazard Severity Zone and the need for Project to meet applicable fire code and ordinance requirements within the meaning of Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5. A detailed analysis of these issues is presented in Section 4.12, Fire Protection Services, of the 2011 Final EIR. As stated therein, the Project site is located in an area that has been designated as a Very High Fire Hazard Severity Zone (formerly called Fire Zone 4) by the County's Fire Department, which denotes the County Forester's highest fire hazard potential; in addition, any land use constructed on the Project site would be required to meet all County codes and requirements relative to providing adequate fire protection services to the Project site during both the construction and operational stages of the Project. These requirements are also incorporated into Mitigation Measure MV 4.12-5, as set forth in Section 3.13.2.2. of the Mission Village CEQA Findings and Statement of Overriding Considerations dated October 2011 (Findings), which specifically requires that all applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, must be met.

Comment No. C1-6:

Should any questions arise regarding the above comments, please contact Juan Padilla at Fire Prevention Division, Land Development Unit (323) 890-4243 or at Juan.Padilla@fire.lacounty.gov.

Response No. C1-6:

This comment provides a Fire Prevention Division contact for questions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C1-7:

FORESTRY DIVISION-OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

Response No. C1-7:

This comment states the statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C1-8:

The County of Los Angeles Fire Department, Forestry Division has no further comments regarding this project.

Response No. C1-8:

This comment states the Forestry Division has no further comments regarding the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C1-9:

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department advises that some areas of the project site proposed to be developed may require environmental assessment and/or mitigation under environmental oversight by the appropriate authorized government agencies that include, but are not limited to, the California Division of Oil Gas & Geothermal Resources, the Los Angeles Regional Water Quality Control Board, the California Department of Toxic Substances Control, and/or the HHMD Site Mitigation Unit. HHMD has no additional comments specifically regarding the draft recirculated portions of the project EIR at this time.

Response No. C1-9:

This comment states that some areas of the Project site proposed to be developed may require environmental assessment and/or mitigation under regulatory oversight. The comment also states that the Health Hazardous Materials Division has no additional comments specifically regarding the Recirculated Analysis.. This issue is outside the scope of the Recirculated Portions of the EIR (Recirculated Analysis) (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required. Please refer to Section 1.3 of this Recirculated Analysis, Executive Summary/Introduction, for a discussion of the scope of the Recirculated Analysis, the County's obligation to respond to comments outside the scope of the Recirculated Analysis, and the standards for recirculation of a draft EIR due to "significant new information."

The comment offers no "significant new information" with respect to impacts attributable to the Project's potential assessment and mitigation efforts, and/or agency involvement within the meaning of Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5. As the comment is limited to identifying the additional agencies that may be involved in the assessment and potential remediation of soil impacts at the Project site, no further response is required.

Comment No. C1-10:

If you have any additional questions, please contact this office at (323) 890-4330.

Response No. C1-10:

This comment provides a contact for questions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. C2

Jim McDonnell, Sheriff
Office of the Sheriff
County of Los Angeles
Hall of Justice
211 West Temple Street
Los Angeles, CA 90012

Comment No. C2-1:

The Los Angeles County Sheriff's Department (Department) is in receipt of the Draft Recirculated Portions (DRP) of the Environmental Impact Report (EIR), dated November 2016, for the Mission Village Project (Project).

Response No. C2-1:

This comment briefly identifies the documents in receipt. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C2-2:

The EIR for the proposed Project was certified by the Los Angeles County Board of Supervisors (Board) in 2012. However, subsequent court decisions compelled the Board to re-evaluate certain analyses contained therein. Specifically, the DRP-EIR contains follow-up analyses and revisions pertaining to greenhouse gas (GHG) emissions and the unarmored threespine stickleback (Stickleback).

Response No. C2-2:

The comment briefly identifies the procedural background and scope of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided.. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C2-3:

Environmental information pertaining to GHG and the Stickleback are not germane to the Department's statutory responsibilities to the proposed Project. Accordingly, the Department has no comment on the DRP-EIR.

Response No. C2-3:

This comment states the Sheriff's Department has no comments with regard to the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C2-4:

However, be advised the Notice of Completion and availability of the DRP-EIR contains obsolete contact information for the Department. Please delete Mr. Gary T.K. Tse and Mr. Tom Bellizia, and associated mailing address (1000 South Fremont Avenue, Alhambra, California 91803) from your distribution list. The Department provides the following updated contact information for requests for project review and comment:

Tracey Jue, Director
Los Angeles County Sheriff's Department Sherman Block Building
Facilities Planning Bureau
4700 Ramona Boulevard, Fourth Floor Monterey Park, California 91754
Attention: Lester Miyoshi, LHMiyosh@lasd.org.

Response No. C2-4:

This comment identifies the proper Department contact for future notifications. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. C2-5:

Should you have any questions regarding this matter, please contact me at (323) 526-5657, or you may contact Mr. Miyoshi, of my staff, at (323) 526-5664.

Response No. C2-5:

This comment provides a Sheriff's Department contact for questions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. C3

Los Angeles County Clerk

Comment No. C3-1:



**Los Angeles County
Department of Regional Planning**

Planning for the Challenges Ahead



Richard J. Bruckner
Director

REGISTRAR – RECORDER/COUNTY CLERK

UNTIL December 16 2016

ON November 16 2016

THIS NOTICE WAS POSTED

**NOTICE OF LOCAL PUBLIC MEETING
NOTICE OF COMPLETION AND AVAILABILITY
OF DRAFT RECIRCULATED PORTIONS OF THE EIR
FOR MISSION VILLAGE PROJECT
COUNTY PROJECT NO. 04-181
VESTING TENTATIVE TRACT MAP NO. 61105
SEA CONDITIONAL USE PERMIT NO. RCUP200500080
OAK TREE PERMIT NO. ROAK200500032
OAK TREE PERMIT NO. 200500043
CONDITIONAL USE PERMIT NO. (OFF-SITE IMPROVEMENTS)
200500081 (ON-SITE AND OFF-SITE GRADING AND
IMPROVEMENTS)
PARKING PERMIT NO. 200500011
SUBSTANTIAL CONFORMANCE REVIEW NO.
201000001 STATE CLEARINGHOUSE NO.
2005051143**

Dean D. Logan, Registrar – Recorder/County Clerk
Electronically signed by IANERISIA RECORDER



The Los Angeles County Department of Regional Planning, acting in the capacity of "Lead Agency" under the County Environmental Guidelines, Chapter III, Section 304, has filed this "Notice of Completion and Availability" of the Draft Recirculated Portions of the EIR (County-EIR) for the Mission Village project (Project). Mission Village is one of five villages within the Newhall Ranch Specific Plan approved by the Board of Supervisors (Board) for the County of Los Angeles (County) in 2003. The County-EIR provides the response to court directives issued in the related California Supreme Court decision in Centerfor Biological Diversity v. California Department of Fish and Wildlife (2015) 62 Cal.4th 204 (CBD). The CBD decision provides the substantive direction needed in the related Mission Village litigation (California Native Plant Society v. County of Los Angeles, Appellate No. B258090; Los Angeles County No. BS138001) for the County to revisit two legal issues in connection with the Board's May 2012 decision to approve

the Mission Village Project, namely, the previously-certified Mission Village Environmental Impact Report's (EIR) analysis of the Project's greenhouse gas (GHG) emissions and the two mitigation measures for the unarmored threespine stickleback (stickleback). Accordingly, County-EIR reevaluates the Project's GHG emissions and stickleback mitigation, consistent with the California Environmental Quality Act (CEQA) and the two referenced court decisions.

The County-EIR has been prepared in accordance with, and pursuant to, CEQA, Public Resources Code sections 21000 et seq.; and the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines), California Code of Regulations, Title 14, Chapter 15000 et seq. (including section 15160).

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 TDD: 213-617-2292 PUBLIC REVIEW/COMMENT PERIOD

The public review/comment period for the County-EIR will be from November 17, 2016 through January 17, 2017 (62 days). All comments received by the close of the public review/comment period will be considered in the Project's Final Recirculated Portions of the EIR (FRP-EIR).

Because the County is recirculating only the revised portions of the EIR for the Mission Village Project, the County is only seeking comments to the revised portions of the recirculated EIR. (See CEQA Guidelines section 15088.56.)

PROJECT SITE LOCATION

The Project site is located in unincorporated Los Angeles County and the Santa Clarita Valley Planning Area (Valley Planning Area). Specifically, the Project site is located within the northeastern corner of Newhall Ranch in western unincorporated Los Angeles County, south of the Santa Clara River and State Route 126 (SR-126), and west of Interstate 5 (I-5). The project applicant proposes to develop the Mission Village project, which would be constructed on 1,261.8 acres of property located primarily within the boundary of the Newhall Ranch Specific Plan (of the 1,261.8-acre tract map, approximately 39.1 acres are located outside the Specific Plan boundaries).

PROJECT DESCRIPTION

Mission Village is one of five villages within the Newhall Ranch Specific Plan, a large-scale mixed-used community located in unincorporated Santa Clarita Valley in northwestern Los Angeles County. The Los Angeles County Board of Supervisors approved the Newhall Ranch Specific Plan in 2003. The Specific Plan guides the long-term development and conservation of the 11,999-acre Newhall Ranch community, which includes a broad range of residential, mixed-use, commercial/retail uses within five villages.

The Mission Village Project includes development of the 1,261.8-acre Mission Village tract map (Vesting Tentative Tract Map (VTTM 61105)). As approved by the County Board of Supervisors on May 15, 2012, Mission Village would provide 4,055 homes (specifically,

351 single-family and 3,704 multi-family homes) and 1,555,100 square feet of commercial (retail/office) uses. The Project also would include a 9.5-acre elementary school, 3.3-acre library, 1.5-acre fire station, 1.2-acre bus transfer station, and approximately 693 acres of open space (including parks, recreation areas, Santa Clara River area, and three spineflower preserves located on 85.8 acres). Mission Village also would include supporting facilities and infrastructure, including roads, the Commerce Center Drive Bridge, trails, drainage improvements, flood protection, potable and recycled water systems, a sanitary sewer system, and dry utilities systems.

To facilitate development of the Mission Village tract map site, Project-related improvements are proposed for construction on an additional 592.8 acres of land outside the tract map boundary. These off-site improvements include a utility corridor, the extension of Magic Mountain Parkway roadway and related improvements, a water quality basin, three water tanks, a Southern California Edison electrical substation, and two debris basins. Additional off-site development would include work associated with the Lion Canyon drainage, grading associated with construction of the northerly extension of Westridge Parkway and the southerly extension of Commerce Center Drive, and miscellaneous grading to tie proposed grades into natural grades; the total amount of grading (for the tract map and off-site improvements) is estimated at 28.9 million cubic yards.

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Dean C. Logan, Registrar-Recorder/County Clerk

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Page 2

PROJECT APPROVALS

The Project would require approval of the County entitlements listed below to the extent directed by the court pursuant to the above-referenced Mission Village litigation. However, with the exception of modified construction methods for bridges, the County has not made any changes to Mission Village's prior Project approvals, nor any changes to the Mission Village land use plan, development footprint, or Project boundary. The Mission Village project approvals are listed and summarized below:

- (a) Vesting Tentative Tract Map No. 61105. Vesting Tentative Tract Map to subdivide the Mission Village site into 351 single-family lots, 43 condominium lots for 3,704 multifamily units, 11 mixed-use lots, and lots for, among other uses, the Spineflower Preserves, recreation, fire station, bus transfer station, library, parks, school site, and open space. The proposed map would subdivide the site into a total of 621 lots.
- (b) SEA Conditional Use Permit No. RCUP200500080. On May 27, 2003, the County's Board of Supervisors approved a program-level SEA Conditional Use Permit, SEA CUP No. 94-087-(5), as part of the Board's project approvals for the Newhall Ranch Specific Plan. SEA CUP No. 94-087-(5)

approved: (a) adjustments to the existing boundaries of SEA 23, consistent with County of Los Angeles General Plan policies requiring protection of natural resources within SEAs; and (b) Specific Plan development within the SEA boundaries, including bridge crossings (i.e., Commerce Center Drive Bridge), trails, bank stabilization and other improvements. The approved SEA boundary adjustments were found to be consistent with the adopted Specific Plan, which established a Specific Plan "Special Management Area" (SMA) designation over the adjusted SEA 23 boundaries. Although the adjusted SEA 23 boundaries were designated as the River Corridor SMA in the adopted Specific Plan, the County's underlying SEA 23 designation remains in effect.

As part of the Mission Village Project Approvals, a project-level SEA Conditional Use Permit would provide the County with a regulatory framework for determining if the Mission Village development within the approved River Corridor SMA/SEA 23 boundaries is consistent with both the adopted Specific Plan and previously approved program-level SEA CUP No. 94-087-(5). Specifically, the proposed project-level improvements within the River Corridor SMA/SEA 23 include the Commerce Center Drive Bridge, neighborhood park, access roads, and easements, grading, trails, water quality basins, bank stabilization, water and sewer utility crossings, utility corridor, storm drain outlets, and potential riparian mitigation sites.

The County of Los Angeles General Plan requires that any development proposal within an SEA be reviewed for compliance with certain "design compatibility criteria." The Los Angeles County Zoning Code implements this General Plan requirement. In addition, the General Plan requires that an application for an SEA CUP must undergo an "SEA Performance Review." This process involves review of the application by the appointed Significant Ecological Area Technical Advisory Committee (SEATAC). SEATAC reviews the application and accompanying biological resources report for adequacy, and makes recommendations for final project design. Such recommendations are then considered by the Los Angeles County Regional Planning Commission.

- (c) Oak Tree Permit No. ROAK200500032. The County Zoning Code contains provisions protecting trees of the oak genus. As a result, the removal or damage of certain "protected" oak trees is unlawful without a permit (Los Angeles County Zoning Code, Section 22.562050). An Oak Tree Permit would authorize the removal of 143 of the 501 oak trees and encroachment of 50 oak trees located on the Project site. Of the 143 removals, 6 trees are also covered by ROAK00-196 for

Page 3

Landmark Village. Project conditions will require replacement trees to be provided at a ratio of 2 to 1 for each oak tree removed and at a 10 to 1 ratio for each Heritage Oak tree removed.

- (d) Oak Tree Permit No. 200500043. The County Zoning Code contains provisions protecting trees of the oak genus. As a result, the removal or damage of certain "protected" oak trees is unlawful without a permit (Los Angeles County Zoning Code, Section 22.56.2050). This Oak Tree Permit would authorize the removal of 11 of the 63 oak trees and encroachment of 2 oak trees located within the easterly extension of Magic Mountain Parkway east of the Project site. Project conditions will require replacement trees to be provided at a ratio of 2 to 1 for each oak tree removed and at a 10 to 1 ratio for each Heritage Oak tree removed.



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Demi C. Legan, Registrar-Recorder/County Clerk
Electronically signed by LAKESHIA PROCTOR

- (e) Conditional Use Permit No. RCUP200500081. This CUP authorizes development of 73 second dwelling units, care facilities associated with the proposed continued care retirement community, onsite grading and development of project related infrastructure (including water tanks and utilities; necessary off-site grading associated with the extension of Westridge Parkway and Commerce Center Drive; the construction and grading for off-site improvements, including the extension of Magic Mountain Parkway; and the development of a utility corridor, a water quality basin, an electrical substation, and water tanks).
- (f) Parking Permit RPK200500011. The parking permit allows for off-site and reciprocal parking across lot lines.
- (g) Substantial Conformance Review Determinations. The adopted Newhall Ranch Specific Plan contains "substantial conformance" provisions. The purpose of the substantial conformance provisions is to determine whether proposed developments or uses substantially comply with the standards, regulations, and guidelines of the Specific Plan and other applicable Los Angeles County ordinances that do not conflict with the Specific Plan. Substantial conformance determinations are sought as to the following: (a) that grading conforms with the Grading and Hillside Management Guidelines in the Specific Plan; and (b) that modifications to certain setback requirements in the Village Center substantially conform with the Specific Plan's site development standards.

The County also will require additional ministerial actions, such as building plan review, grading permits, and building permits prior to actual grading and construction of the proposed improvements. Numerous federal, state, and regional public agencies previously have considered permits and authorizations needed to implement the County-approved Newhall Ranch Specific Plan, which includes the Project site.

SUMMARY OF SIGNIFICANT ENVIRONMENTAL IMPACTS

The following is a summary of the impacts associated with the Project with regard to (i) global climate change/greenhouse gas (GHG) emissions, and (ii) "take" avoidance of the unarmored threespine stickleback. Based on the analysis provided in the County-EIR, Project impacts with regard to these two issues would be mitigated to a less than significant level. Specifically, the recommended mitigation measures will reduce, mitigate, and offset 100 percent of the Project's GHG emissions, allowing the Project to achieve net zero GHG emissions. In addition, while the Mission Village litigation did not contain any briefing or court rulings with regard to "take" of stickleback, in light of the Supreme Court's CBD

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Dean C. Legen, Registrar - Recorder/County Clerk

Electronically signed by LAKEISHA MCCOY

decision, Mission Village mitigation measures, specifically MV 4.3-8 and MV 4.3-9 ¹, have been eliminated based on the Project's modified construction methods and new mitigation measures applicable to the Mission Village project.

LOCAL PUBLIC MEETING

A local public meeting to receive comments concerning environmental issues addressed in the CountyEIR has been scheduled in the Santa Clarita Valley for January 12, 2017, starting at 6:00 p.m. and ending after the last testifier or 9:00 p.m., whichever comes first, at Rancho Pico Junior High School, 26250 W. Valencia Boulevard, Westridge, California 91381. Oral comments made at the public meeting will be transcribed so written responses can be provided as part of the FRP-EIR.


REVIEWING LOCATIONS To ensure public access to the County-EIR, copies are available for review at the following County and City of Santa Clarita libraries:

- Valencia Library, 23743 W. Valencia Boulevard, Santa Clarita
- Castaic Library, 27971 Sloan Canyon Road, Castaic
- Stevenson Ranch Library, 25950 The Old Road, Stevenson Ranch
- Old Town Newhall Library, 24500 Main Street, Santa Clarita
- Canyon Country Jo Anne Darcy Library, 18601 Soledad Canyon Road, Santa Clarita

A copy of the County-EIR also will be available for public review Monday through Thursday, 7:30 a.m. to 5:30 p.m. at:

County of Los Angeles
Department of Regional Planning
Special Projects Section, 13th floor, Room 1362

320 West Temple Street
Los Angeles, CA 90012

2016 278911

FILED
Nov 16 2016

Dean C. Logan, Registrar —Recorder/County Clerk
Electronically signed by LAKEISHA MCCOY

An electronic version of the County-EIR also is available on the Department's website at <http://planning.lacounty.gov/case/view/mvdaa>.

¹ Because Mission Village EIR mitigation measures MV 4.3-2, 4.3-10, 4.3-11, and 4.3-12 also contemplated Santa Clara River stream diversion and/or other river-related activities that could relocate and thereby affect unarmored threespine stickleback, those measures have been eliminated from the Mission Village EIR as well, as no longer necessary due to modified bridge design and construction methods.

Please submit written comments on the County-EIR to Mr. Samuel Dea of the Department of Regional Planning at the above address. You may also fax your written comments to (213) 626-0434, or email to specialprojects@planning.lacounty.gov. Should you have any questions, please call (213) 974-4808. Should you have any call (213) 974-4808.

Signature of Lead Agency Representative  Date 11/11/16

Response No. C3-1:

This comment is the letter released by the County of Los Angeles which notified all public agencies and interested parties that the comment period for the Draft Recirculated Portions of the EIR (Recirculated Analysis) was extended to February 13, 2017. The stamps shown on the first page of the comment indicate that the Project's Notice of Local Public Meeting and Notice of Completion and Availability extending the public comment period to February 13, 2017 were posted and filed with the County Clerk on November 16, 2016. No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. D1

Clay Downing
Tricia Maier
Alicia Stratton
Ventura County Resource Management Agency
800 S. Victoria Ave., L# 1740
Ventura, CA 93009-1740

Comment No. D1-1:

Please find the attached cover letter and comments from County of Ventura staff regarding the subject document. Thank you for allowing us to be part of the review process.

Response No. D1-1:

This comment references the letter submitted by the Ventura County Resource Management Agency to the County of Los Angeles regarding the Recirculated Portions of the EIR (Recirculated Analysis) for the Mission Village Project. The letter referenced in this comment is provided below as Comment No. D1-2. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D1-2:

Subject: Comments on the Draft Recirculated Portions of the EIR for the Mission Village Project in Newhall Ranch

Dear Mr. Dea:

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Response No. D1-2:

The comment is an introduction to comments that follow; no further response is required.

Comment No. D1-3:

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Clay Downing, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

Response No. D1-3:

This comment states that responses to comments should be sent directly to the Ventura County Resource Management Agency. The comment is noted. The County's responses to these comments will be sent to the parties identified in this comment. No further response is required

Comment No. D1-4:

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Clay Downing at (805) 650-4047.

Response No. D1-4:

The comment provides contact information for the commenter. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D1-5:

SUBJECT: Request for Review of Draft Recirculated Portions of the EIR for Mission Village Project, Newhall Ranch, County of Los Angeles (Reference No 16-023)

Air Pollution Control District staff has reviewed the subject draft recirculated DIER, which is a proposal for development of one of five villages within the Newhall Ranch Specific Plan, a large-scale mixed-use community located in unincorporated Santa Clarita Valley in Los Angeles County. This DEIR addresses only the revised portions of this document. Specifically, impacts associated with the project are with global climate change/greenhouse gas emissions and "take" avoidance of the unarmored threespine stickle back. Based on the analysis of the recirculated DEIR, project impacts with regard to these two issues would be mitigated to a less than significant level. Specifically, the mitigation measures will reduce, mitigate, and offset 100 percent of the project's GHG emissions, allowing the project to achieve net zero GHG emissions.

Response No. D1-5:

The comment briefly identifies the document reviewed, the subject of the document, and accurately states that the Draft Recirculated Analysis contains follow-up analyses and revisions pertaining to GHG emissions and unarmored threespine stickleback mitigation measures, as well as a less than significant impact conclusion. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D1-6:

Although the project is not under jurisdiction of Ventura County Air Pollution Control District, we have interest in its development because of its proximity to Ventura County.

Response No. D1-6:

The comment states that Ventura County Air Pollution Control District does not have jurisdiction of the Mission Village Project, but opines that the district is interested in the project development because of its proximity to Ventura County. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D1-7:

We concur with the findings of the global climate change/greenhouse gas emissions discussion and mitigation measures and thank you for the opportunity to review this project.

Response No. D1-7:

This comment states that the Ventura County Air Pollution Control District concurs with the global climate change/greenhouse gas emissions discussion and mitigation measures with regard to the Draft Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D1-8:

We have no further comments to submit on the project.

If you have any questions, please call me at (805) 645-1426.

Response No. D1-8:

This comment states the Ventura County Air Pollution Control District has no further comments with regard to the Draft Recirculated Analysis. The comment also provides contact information. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. D2

E. Zia Hosseinipour
Manager of Advanced Planning
Ventura County Watershed Protection District
Planning and Regulatory Division
800 South Victoria Avenue
Ventura, CA 93009

Comment No. D2-1:

I apologize for both the confusion and delay in responding. Thank you for noticing my mix up in my email's subject line and bringing it to my attention. The sent email and attached memos were intended for comments on Draft Recirculated Portions of the EIR for the Mission Village Project, Newhall Ranch.

Response No. D2-1:

The comment provides information which clarifies the subject line in the commenter's e-mail which transmitted the document to the Los Angeles County Department of Regional Planning (County DRP). No further response is required.

Comment No. D2-2:

We will be submitting our comments on the Landmark Village Project (Newhall Ranch) project separately and prior to the 2/13/17 lead agency submission deadline.

Response No. D2-2:

The comment indicates that the commenter will be submitting their comments on the Landmark Village Project prior to the February 13, 2017 deadline. No further response is required.

Comment No. D2-3:

Please find the attached cover letter and comments from County of Ventura staff regarding the subject document. Thank you for allowing us to be part of the review process.

Response No. D2-3:

This comment references the letter submitted by the Ventura County Resource Management Agency to the County of Los Angeles regarding the Recirculated Portions of the EIR (Recirculated Analysis) for the Mission Village Project. The cover letter and comments referenced in this comment are provided below as Comment Nos. D2-4 through D2-7. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D2-4:

Please see attached Memo from Zia Hosseinipour date[sic] 01-31-2017.

Let me know if you need anything else.

Response No. D2-4:

This comment references the letter submitted by the Ventura County Watershed Protection District (WPD) to the County of Los Angeles regarding the Recirculated Analysis. The letter referenced in this comment is provided below as Comment No. D2-5. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D2-5:

Pursuant to your request dated November 16, 2016, this office has reviewed the Mission Village Recirculated Portions of EIR, prepared by Meridian Consultants, dated November 2016.

Response No. D2-5:

This comment states that the Ventura County WPD has reviewed the Draft Recirculated Analysis; no further response is required. In any event, responses are provided below with regard to the comments provided in the balance of this letter (Letter No. D2). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D2-6:

PROJECT DESCRIPTION

Mission Village is one of five villages within the Newhall Ranch Specific Plan, a large-scale mixed-use community located on approximately 1,860 acres in unincorporated Santa Clarita Valley in northwestern Los Angeles County. It will include 4,055 homes, 1,555,100 square feet of commercial uses, a 9.5-acre elementary school, 3.3-acre library, 1.5-acre fire station, 1.2-acre bus transfer station, and approximately 693 acres of open space. Mission Village would include supporting facilities and infrastructure, including roads, the Commerce Center Drive Bridge, trails, drainage improvements, flood protection, potable and recycled water systems, a sanitary sewer system, and dry utilities systems.

Response No. D2-6:

This comment summarizes the Mission Village Project's primary elements as set forth in Section 1.0, Executive Summary/Introduction of the Recirculated Analysis (November 2016). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D2-7:

WATERSHED PROTECTION DISTRICT PROJECT COMMENTS:

The Mission Village Recirculated Portions of the EIR analysis is limited to correcting the greenhouse gas emissions analysis (Section 2.1, Global Climate Change and Greenhouse Gas Emissions), demonstrating take avoidance of unarmored threespine stickleback (Section 2.2, Take Avoidance of the Fully Protected Unarmored Threespine Stickleback), and revising the mitigation monitoring plan (Section 2.3, Errata to Mitigation Monitoring and Reporting Plan). Since the County is only seeking comments to the revised portions of the recirculated EIR, and the issues of hydrology and hydraulics are not addressed in the Recirculated Portions of the EIR, the Watershed Protection District does not have any comments.

END OF TEXT.

Response No. D2-7:

This comment correctly states that the Recirculated Analysis corrects the greenhouse gas analysis, demonstrates take avoidance of the unarmored threespine stickleback, and revises the mitigation monitoring plan with regard to the Draft Recirculated Analysis. The comment further states that the Ventura County WPD has no comments with regard to the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. D3

David W. Rowlands
City Manager
City of Fillmore
Central Park Plaza
250 Central Avenue
Fillmore, CA 93014-1907

Comment No. D3-1:

Please see the attached letters from City Manager of Fillmore David W. Rowlands regarding the following:

- Draft Recirculated Portions of EIR for Landmark Village Project, County Project No. 00-196(5), State Clearinghouse No. 2004021102
- Draft Recirculated Portions of EIR for Mission Village Project, County Project No. 04-181, State Clearinghouse No. 2005051143

The originals will be delivered on Monday, February 13, 2017.

Response No. D3-1:

The comment introduces the two letters submitted by the City of Fillmore with regard to the Mission Village and Landmark Village Projects. The comment also indicates that the originals of the letters will be delivered to the County on February 13, 2017. The comments set forth in the attached letter with regard to the Mission Village Project are addressed below (see Comment Nos. D3-2 through D3-13 and their corresponding responses). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D3-2:

The City of Fillmore submits the following comments on the Draft Recirculated Portions of the EIR ("RDEIR") for the Mission Village project.

Response No. D3-2:

This comment is an introduction to comments that follow; no further response is required.

Comment No. D3-3:

Mission Village is one of five villages within the Newhall Ranch Specific Plan ("Specific Plan").

The Los Angeles County Board of Supervisors certified an EIR for the Specific Plan ("Specific Plan EIR") and approved the Specific Plan in the late 1990s.

Response No. D3-3:

This comment states factual information about the Newhall Ranch Specific Plan. It does not raise an environmental issue regarding the Recirculated Portions of the EIR (Recirculated Analysis). Therefore, no further response is required.

Comment No. D3-4:

During that approval process, the City of Fillmore raised concerns that the Specific Plan would have significant negative traffic impacts in Fillmore, requiring mitigation including improvements to certain city street intersections with State Route 126 within Fillmore.

Response No. D3-4:

This comment states factual information about the commenter's participation in the public review process for the Newhall Ranch Specific Plan. It does not raise an environmental issue regarding the Recirculated Analysis. Therefore, no further response is required.

Comment No. D3-5:

Ultimately, the City of Fillmore and Newhall Land and Farming Company, the owner of the Specific Plan site ("Newhall Land"), entered into a settlement in March 2000 ("Settlement Agreement", attached hereto as Exhibit "A"). The Settlement Agreement provides that Newhall Land, or its successors or assigns, will pay the sum of \$300,000 to the City of Fillmore at or before issuance of the first building permit in the Specific Plan, as compensation to Fillmore for the traffic impacts caused by the Specific Plan.

Response No. D3-5:

This comment describes the existing Settlement Agreement between the City of Fillmore and The Newhall Land and Farming Company, dated March 2000, under which the Applicant agreed to pay the City the sum of \$300,000 as compensation for traffic impacts caused by the Newhall Ranch Specific Plan. The County acknowledges the existence of this Settlement Agreement. The comment does not raise any specific concern with the Recirculated Analysis. Therefore, no further response is required.

However, for informational purposes, the following information is provided. Newhall Ranch Specific Plan Mitigation Measure SP 4.8-9 provides that prior to recordation of the first subdivision map that permits construction, the applicant for that map shall prepare a transportation evaluation including all of the Specific Plan land uses for the purpose of determining the specific improvements needed to certain identified intersections with SR-126 in the City of Fillmore and community of Piru in Ventura County. As the first project-specific EIR prepared to implement the Specific Plan, the Landmark Village Recirculated Draft EIR (January 2010) triggered Specific Plan Mitigation Measure SP 4.8-9, and the Applicant prepared the necessary analysis of SR-126 in Ventura County.

The Landmark Village EIR references the March 2000 Settlement Agreement entered into between the Applicant and the City (p. 4.7-100 of the Landmark Village EIR), and Landmark Village EIR Mitigation Measure LV-4.7-21 implements the Settlement Agreement in that it requires the Applicant to pay the City a “one-time payment of \$300,000...to fund transportation-related improvements...consistent with the March 2000 agreement...”

Thus, it is the Landmark Village project that provides the context for the City’s comments, not the Mission Village project. On this point, the County acknowledges that the City has submitted substantially similar comments on the Recirculated Portions of the Draft EIR for the Landmark Village Project as the City did for the Recirculated Analysis. The County further notes that the responses provided here are substantially similar to those responses provided in response to the Landmark Village comments.

Comment No. D3-6:

As far as Fillmore is aware, no building permit has yet been issued within the Specific Plan, and thus no payment from Newhall Land to Fillmore has been made. The first building permit issued in Mission Village, however, will trigger the payment obligation if it is the first building permit issued within the Specific Plan.

Response No. D3-6:

This comment states factual information regarding the status of building permits for the projects within the Specific Plan area. It does not raise an environmental issue regarding the Recirculated Analysis. Therefore, no further response is required. However, for informational purposes, the following information is provided. The comment is correct. No applicable building permit has yet been issued within the Specific Plan area.

Comment No. D3-7:

The purpose of this comment letter is to remind the County and Newhall Land, or its successors or assigns, of the continuing requirement to compensate Fillmore, at or before issuance of the first building permit, for the traffic impacts in Fillmore caused by the Specific Plan and to demand that the Settlement Agreement amount be updated to reflect current construction costs.

Response No. D3-7:

This comment states factual information regarding the obligations contained within the March 2000 Settlement Agreement between the City and the Applicant, and makes certain requests regarding the Settlement Agreement. It does not raise an environmental issue regarding the Recirculated Analysis. Therefore, no further response is required. However, for informational purposes, the County acknowledges the existence of the March 2000 Settlement Agreement.

Comment No. D3-8:

The Settlement Agreement was executed 17 years ago. Since that time, the cost of the Fillmore traffic-related improvements made necessary by the Specific Plan have increased substantially. In our experience, the cost of adding a signal to a single intersection today, including permits, right-of-way purchase, engineering, and design costs is nearly \$600,000.

Response No. D3-8:

This comment raises concerns regarding the costs of constructing traffic mitigation improvements in the City of Fillmore. This comment is beyond the scope of the Recirculated Analysis, as explained in **Topical Response 1: Scope of the Recirculated Portions of the EIR**. The comment does not provide any basis to suggest that the proposed modifications addressed by the Recirculated Analysis (GHG mitigation measures and modified bridge design measures) would relate to this issue. The comment does not identify a source of the information provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. Additionally, the County understands that the City of Fillmore and the Applicant are involved in discussions regarding the Settlement Agreement.

Comment No. D3-9:

This is due not only to increasing costs and inflation in general, but also because traffic has worsened in Fillmore over the past 17 years, meaning more traffic improvements are needed to mitigate the impacts, including cumulative impacts, of the Specific Plan and Mission Village. Per recent traffic studies, average daily trips through Fillmore on State Route 126 are around 30,000, and the City experiences a Level of Service E or F at the Highway 23 and Highway 126 intersection, for instance, with a significant increase in traffic on weekends. This intersection causes backup the length of the City of Fillmore on State Route 126. Level of service E is the identified threshold for this intersection in the Fillmore General Plan. Addition of the Specific Plan's tens of thousands of additional units will cause the Level of Service

threshold to be exceeded more frequently and more severely than was analyzed in the Mission Village EIR.

Response No. D3-9:

This comment states that traffic in the City of Fillmore has worsened in the past 17 years and states that new housing units constructed as part of the Specific Plan will contribute to this condition. The comment does not provide reference to any source for the information included in the comment. This comment is beyond the scope of the Recirculated Analysis, as explained in **Topical Response 1: Scope of the Recirculated Portions of the EIR**. While traffic concerns were raised in the underlying proceedings, such analysis was not found deficient by the courts. The comment does not provide any basis to suggest that the proposed modifications addressed by the Recirculated Analysis (GHG mitigation measures and modified bridge design measures) would relate to this issue. Although no response is required for comments beyond the scope of the Recirculated Analysis, the following discussion is provided for informational purposes.

As background, the 2011 Revised Draft EIR for the Mission Village Project (Project) evaluated the Mission Village Project's traffic volumes and the impact of those volumes on roadway capacity. Based on that analysis and the corresponding mitigation measures, the Project will mitigate all of its traffic impacts to less-than-significant levels. No additional analysis of traffic is needed. See **Topical Response 3: Traffic Impact Analysis**.

As to the comment that traffic has worsened in Fillmore over the past 17 years and, therefore, more traffic improvements are needed to mitigate the impacts, the City provides as support a reference to recent traffic studies that show average daily trips (ADT) through Fillmore on State Route 126 at around 30,000 ADT. As discussed in **Topical Response 3: Traffic Impact Analysis**, the Mission Village EIR's traffic analysis included several scenarios that accounted for future increases in background traffic volumes. Furthermore, as noted in **Topical Response 3: Traffic Impact Analysis**, since preparation of the Project's EIR traffic analysis, traffic volumes on the study area roadways were found to be comparable to or below the growth already accounted for in the 2011 Final EIR traffic analysis. Therefore, no additional traffic analysis is required.

Comment No. D3-10:

Hence, the City of Fillmore requests an inflation adjustment be applied to the payment required by the Settlement Agreement, to compensate for the added traffic mitigation needed due to the aforementioned substantially changed circumstances since the Settlement Agreement was executed in 2000 and since the Mission Village approval.

Response No. D3-10:

This comment requests an increase to the amount the Applicant is obligated to pay to the City of Fillmore under the March 2000 Settlement Agreement because of increased costs of traffic mitigation. As discussed in **Responses to Comments Nos. D3-7 and D3-8**, this comment does not raise an environmental issue regarding the Recirculated Analysis and is beyond the scope of the Recirculated Analysis. The County understands that the City of Fillmore and the Applicant are involved in discussions regarding the Settlement Agreement. No further response is required.

Comment No. D3-11:

These changes in circumstances require major revisions of the Mission Village EIR due to the involvement of new significant traffic impacts and a substantial increase in the severity of previously identified significant traffic impacts, and requires a Subsequent EIR be prepared for Mission Village. A Subsequent EIR or further CEQA analysis should be undertaken to determine the updated payment amount necessary to mitigate the traffic impacts in Fillmore which will be caused by Mission Village at the intersection of Highway 23 and Highway 126 and elsewhere.

Response No. D3-11:

This comment states that changes in traffic conditions in the City of Fillmore represent changed circumstances requiring major revisions to the Mission Village EIR or a Subsequent EIR. As discussed above in **Response to Comment No. D3-9**, this comment is beyond the scope of the Recirculated Analysis, as explained in **Topical Response 1: Scope of the Recirculated Portions of the EIR**. While traffic concerns were raised in the underlying proceedings, such analysis was not found deficient by the courts. Although no response is required for comments beyond the scope of the Recirculated Analysis, the following discussion is provided for informational purposes.

As background, the Project's 2011 Revised Draft EIR evaluated the Project's traffic volumes and the impact of those volumes on roadway capacity. Based on that analysis and the corresponding mitigation measures, the Project will mitigate all of its traffic impacts to less-than-significant levels. The comment does not provide any evidence that traffic congestion would be different than what was analyzed in the Recirculated Analysis (and in the underlying proceedings). No additional analysis of traffic is needed. See **Topical Response 3: Traffic Impact Analysis**.

Comment No. D3-12:

Thank you for the opportunity to comment on the RDEIR and the progress of the Specific Plan. If you have any questions regarding this matter, please contact me at 805-524-3701 or drowlands@ci.fillmore.ca.us, or you may contact Tiffany Israel, the Fillmore City Attorney, at 949-223-1170 or tisrael@awattorneys.com.

Response No. D3-12:

This comment concludes the letter. It does not raise an environmental issue regarding the Recirculated Analysis. Therefore, no further response is required.

Comment No. D3-13:

SETTLEMENT AND MUTUAL RELEASE

This Settlement and Mutual Release ("the Agreement") is entered into by and among petitioner/plaintiff, the City of Fillmore, and real party in interest, The Newhall Land and Farming Company. The Agreement is made with reference to the following recitals, and in consideration of the following promises, conditions and covenants.

1.0 RECITALS

1.1 The City of Fillmore ("the City") is a general law city and municipal corporation located in the County of Ventura.

1.2 The Newhall Land and Farming Company ("Newhall") is a California limited partnership and the owner of the Newhall Ranch property site located in Los Angeles County, California.

1.3 The Newhall Ranch property site is the subject of an approved Newhall Ranch Specific Plan and certified Final Environmental Impact Report ("Final EIR"). The Final EIR (State Clearinghouse No. 95011015) addresses the environmental effects associated with the Newhall Ranch Specific Plan and Water Reclamation Plant. The Final EIR also addresses the Specific Plan's direct, indirect and cumulative transportation and access conditions, impacts and mitigation. The Final EIR includes an assessment of the Specific Plan's transportation-related impacts and mitigation to the City of Fillmore (*see, e.g.*, Final EIR, Section 4.8, pgs. 4.8-108-4.8-109, 4.8-114-4.8-115). Specifically, the Final EIR includes transportation-related improvements to certain specified street intersections with SR-126 in the City of Fillmore.

1.4 After approval of the Newhall Ranch Specific Plan and Water Reclamation Plant and certification of the Newhall Ranch Final EIR, on April 21, 1999, the County of Ventura and other entities filed a "Petition for Writ of Mandate" in Ventura County Superior Court entitled, *County of Ventura, et al. v. County of Los Angeles, et al.*, No. CIV 188403 ("the Action"). On April 28, 1999, an "Amendment to Petition for Writ of Mandate" was filed in the Action. This amendment added the City of Fillmore as a petitioner/plaintiff to the petition filed in the Action. The Action was then transferred to Kern County Superior Court and consolidated with three other actions. Newhall has responded by filing answers in the Action denying all material allegations and asserting all relevant affirmative defenses.

1.5 Both the City and Newhall have met and conferred in an effort to settle their differences arising from the Action. The purpose of this Agreement is to memorialize the efforts made by the City and Newhall to resolve and settle the Action as between them. This Agreement is a compromise of disputed claims, and this settlement shall not be construed as any type of admission on the part of Newhall or the City.

1.6 This Agreement is also intended to be protected by the provisions of Cal.Evid. Code §§1119 and 1152. In addition, this Agreement may not be used in the Action to attempt to establish any type of admission or concession by Newhall or the City.

2.0 DEFINITIONS

The following definitions shall apply to this Agreement:

2.1 "Agreement" means this Settlement and Mutual Release.

2.2 "The City" means the City of Fillmore and all related persons or entities acting on behalf of the City of Fillmore or under its direction or control.

2.3 "Newhall" means The Newhall Land and Farming Company and all related persons or entities acting on behalf of Newhall or under its direction or control.

2.4 "The Action" means the pending action entitled, *County of Ventura, et al. v. County of Los Angeles, et al.*, Case No. CIV 188403, including the amendment adding the City as a petitioner/plaintiff to the Action. "The Action" shall also mean all transportation-related claims, and any other claims, of the City of Fillmore with respect to approval of the Newhall Ranch Specific Plan and Water Reclamation Plant, and certification of the Newhall Ranch Final EIR.

3.0 NEWHALL PAYMENT OBLIGATIONS

3.1 In consideration of the promises, conditions and covenants made by the City of Fillmore in this Agreement, Newhall agrees to comply with its EIR mitigation obligations for transportation impacts within the City of Fillmore, as identified in the Newhall Ranch Final EIR, by making payment to the City of Fillmore in the total amount of \$300,000.00. This payment accelerates Newhall's obligation to fund transportation-related improvements for traffic impacts within the City of Fillmore as part of the mitigation required in the Final EIR (*see EIR Mitigation Measure 4.8-9*). Newhall will submit payment to the City of Fillmore at or before issuance of the first building permit on the Newhall Ranch Specific Plan.

4.0 CITY OBLIGATIONS

4.1 In consideration of the promises, conditions and covenants made by Newhall in this Agreement, the City agrees that funds paid by Newhall represent the costs of constructing transportation improvements needed as a result of the Newhall Ranch Specific Plan, as identified in either the Newhall Ranch Final EIR, or a subsequent traffic report required by that EIR. The City further agrees that Newhall's payment under the terms of this Agreement (Section 3.1) fully satisfies the future mitigation required by the Newhall Ranch Final EIR for all transportation improvements within the City of Fillmore.

4.2 In further consideration, the City agrees to file a "Request for Dismissal" with the Kern County Superior Court in the Action on or before February 28, 2000. The dismissal will be, *with prejudice*, as to all claims by the City of Fillmore in the Action.

4.3 In further consideration, the City agrees that it will not oppose implementation of the Newhall Ranch Specific Plan and Water Reclamation Plant, provided that the land use entitlements approved in the Specific Plan are not increased. However, nothing in this Agreement shall be

construed as a waiver by the City of its police powers. The City's police powers are reserved under the terms of this Agreement.

4.4 In further consideration, both the City and Newhall agree that if the County of Ventura, or any other party to this Action successfully challenges this settlement for any reason in Kern County Superior Court, this settlement shall be null and void without any further notice, and without any other action required to be taken by the parties to this Agreement.

5.0 GENERAL RELEASE OF CLAIMS

5.1 The City fully releases and forever discharges Newhall, including its principals, directors, officers, partners, agents, employees, representatives, predecessors, successors, beneficiaries and assigns, and each of them, from any and all claims (legal, administrative or otherwise), demands, actions, causes of action, obligations, liability, damages and costs (including attorneys' fees, expert fees and any other costs or expenses) of any nature whatsoever, whether known or unknown, suspected, anticipated, or claimed, which the City ever had, now has, or claims to have against Newhall and its principals, directors, officers, partners, agents, employees, representatives, predecessors, successors, beneficiaries and assigns, and each of them, which are based on, arise out of, or are in any way connected with the subject matter of the Action, the facts as stated in the Recitals to this Agreement, or any claims or mitigation addressed in the Final EIR for the Newhall Ranch Specific Plan and Water Reclamation Plant.

5.2 Newhall fully releases and forever discharges the City and its respective principals, council, council members, partners, agents, employees, representatives, predecessors, successors, beneficiaries and assigns, and each of them, from any and all claims (legal, administrative or otherwise), demands, actions, causes of action, obligations, liability, damages and costs (including attorneys' fees, expert fees and any other costs or expenses) of any nature whatsoever, whether known or unknown, suspected, anticipated, or claimed, which Newhall ever had, now has, or claims to have against the City and its principals, council, council members, partners, agents, employees, representatives, predecessors, successors, beneficiaries and assigns, and each of them, which are based on or arise out of the subject matter of the Action or the facts as stated in the Recitals to this Agreement.

6.0 AGREEMENT NOT TO PROSECUTE

6.1 Provided the land use entitlements approved in the Newhall Ranch Specific Plan are not increased, the City and Newhall shall never commence or prosecute any action or proceeding against each other which arises from the facts contained in the Action or the facts as stated in the Recitals to this Agreement. This covenant extends to a prohibition against any attempts to prosecute the Action against Newhall, or any attempt to amend the petition in the Action, or to allege any other or different facts or claims arising from or in any way connected to the facts set forth in the Recitals to this Agreement.

7.0 REPRESENTATION OF AUTHORITY/NO ASSIGNMENT

7.1 All parties to this Agreement represent and warrant that they are the owner of the claims which are the subject of this Agreement, and that such claims have not been assigned or transferred to any person or entity, whether voluntarily or involuntarily, by operation of law or otherwise. This representation and warranty shall survive execution and performance of this Agreement. All parties further warrant and represent that the individual executing this Agreement on behalf of each party has full authority to bind the party to the terms and conditions of the Agreement. The boards of directors, officers, shareholders, and any other governing body of every party has approved entry into the Agreement, to the extent such approval is required by the rules, regulations, articles of incorporation, by-laws and any other governing documents of any party to the Agreement.

8.0 WAIVER OF UNKNOWN CLAIMS

8.1 All parties to this Agreement specifically acknowledge that they have been informed by their legal counsel of the provisions of Section 1542 of the California Civil Code, and they expressly waive and relinquish any rights or benefits available to them under this statute. Section 1542 provides that:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which, if known by him must have materially affected his settlement with the debtor."

8.2 Notwithstanding Section 1542 of the California Civil Code, or any other statute or rule of law of similar effect, this Agreement shall be given full force and effect according to each and all of its express terms and provisions, including those related to any unknown or unsuspected claims, liabilities, demands, or causes of action. All parties to this Agreement have been advised specifically by their legal counsel of the effect of this waiver, and they expressly acknowledge that they understand the significance and consequence of this express waiver of Section 1542. This waiver is not a mere recital and forms a material part of the negotiated settlement. The parties acknowledge that valuable consideration was given as part of the settlement of this action in exchange for the waiver set forth in this section.

8.3 Notwithstanding the waiver of Civil Code Section 1542, the City does not waive its rights to participate in all future reviews, hearings, meetings, and related activities concerning the land use entitlements approved in the Specific Plan, provided the City does not attack or question the prior approval or validity as constituted as of the date of this Agreement.

9.0 NO ADMISSION OF LIABILITY

9.1 The execution of this Agreement shall not be construed as an admission of liability or an admission as to the truth or falsity of any claim, allegation or defense arising from the Action.

10.0 GOVERNING LAW

10.1 This Agreement shall be construed and enforced in accordance with the laws of the State of California. The Kern County Superior Court shall be the appropriate venue for the resolution of any disputes arising from this Agreement.

11.0 NO CONSTRUCTION AGAINST AUTHOR

11.1 This Agreement shall be construed without regard to the person or entity who drafted it and as if all parties had participated equally in its drafting.

12.0 SEVERABILITY

12.1 If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable for whatever reason, the remaining provisions not so declared shall, nevertheless, continue in full force and effect, without being impaired in any manner whatsoever, provided the material intent of the Agreement is not compromised.

13.0 INTEGRATION

13.1 This Agreement constitutes the entire agreement between the parties relating to the settlement of all claims arising out of the Action and the facts as set forth in the Recitals to this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, whether oral or written, are integrated into the Agreement. No modification, waiver, amendment, discharge or change of this Agreement shall be valid unless it is in writing and signed by the party against whom enforcement of such modification, waiver, amendment, discharge or change is, or may be, sought.

14.0 EXECUTION OF AGREEMENT

14.1 This Agreement may be executed in multiple counterparts, each of which shall be deemed to constitute an original, and all of which taken together shall constitute one in the same document.

Dated: 3/9/00

The Newhall Land and Farming Company
(a California limited liability company)

By: Newhall Management Limited Partnership,
a California limited partnership, its General Partner

By: Newhall Management Corporation,
a California corporation, its Managing
General Partner

By: [Signature]
Its: [Signature]

Dated: 2-24-00

The City of Fillmore

By: [Signature]
Title: City Manager

Response No. D3-13:

This comment is a copy of the 2000 *Settlement and Mutual Release* entered into between the Applicant and the City of Fillmore. No further response is required.

COMMENT LETTER NO. D4

Mike Marshall
Associate Planner
City of Santa Clarita
23920 Valencia Boulevard, Suite 300
Santa Clarita, CA 91355-2196

Comment No. D4-1:

In response to the request for comments on the Draft Recirculated Portions of the EIR for Mission Village, please find the attached comments from the City of Santa Clarita. The City appreciates the opportunity to provide comments. A hardcopy of the attached letter is forthcoming via US Mail. Please let me know if you should have any questions.

Response No. D4-1:

This comment is an introduction to comments that follow and expresses appreciation for the opportunity to provide comments. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D4-2:

Mission Village, one of the five future villages within the approved Newhall Ranch Specific Plan area, consists of 1261.8 acres to be developed as 351 single family units, 3,704 multi-family units, and 1,555,100 square feet of commercial, retail, and office space within the mixed-use village core. The proposed project also includes a 9.5-acre elementary school, a 3.3-acre library, a

1.5-acre fire station, a 1.2-acre bus transfer station, and approximately 693 acres of open space, including parks, recreation areas, Santa Clara River area, and three spineflower preserves located on 85.8 acres.

Response No. D4-2:

This comment accurately summarizes the proposed development that would be facilitated upon approval of the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D4-3:

The City of Santa Clarita (City) appreciates the opportunity to comment on the above-referenced Recirculated Portions of the Environmental Impact Report (EIR). In addition to comments provided to the Department of Regional Planning on November 19, 2010, the City submits the following additional comments addressing greenhouse gas emissions and biology in response to the Draft Environmental Impact Report (DEIR).

Response No. D4-3:

This comment expresses appreciation for the opportunity to provide comments on the Project's Draft Recirculated Portions of the EIR (Recirculated Analysis) and serves as an introduction to comments that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D4-4:

Greenhouse Gas Emissions

The project is located outside of the jurisdiction of the City and is therefore not subject to the City's Climate Action Plan. However, the City is interested in ensuring that the project commitment to reduce, mitigate, or offset 100% of the greenhouse emissions from the project and its construction effectively meets or exceeds the requirements of the Community Climate Action Plan, as adopted by the County of Los Angeles (County), requiring reduction of greenhouse emissions by at least 11% below 2010 levels by the year 2020. Please confirm that the project's net-zero program will meet the goal established by the Community Climate Action Plan.

Response No. D4-4:

This comment correctly notes that the Mission Village Project is located outside the boundaries of the City of Santa Clarita and, therefore, is not subject to the City's Climate Action Plan. The comment seeks confirmation that the Mission Village Project is consistent with the County of Los Angeles Community Climate Action Plan.

As background, as part of the County General Plan's Air Quality Element, the County adopted a Community Climate Action Plan to reduce greenhouse gas (GHG) emissions associated with community (not municipal) activities in unincorporated Los Angeles County by at least 11 percent below 2010 levels by 2020. The County plans to adopt a substantial update to the Community Climate Action Plan that will take effect in 2022, and may provide a reduction target for years beyond 2020.

The Project's Recirculated Analysis discusses the consistency of the Project with the County's Community Climate Action Plan on page 2.1-32. As discussed therein, with implementation of Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13, the Mission Village Project would result in net zero GHG emissions, thereby ensuring that it makes no incremental contribution to the existing emissions level in the County (see also Recirculated Analysis Table 2.1-3, Summary of Mission Village Project GHG Emissions). In addition, Appendix 2.1-B of the Recirculated Analysis contains a detailed tabular assessment of the Mission Village Project's consistency with the County's GHG emissions reduction

policies embodied in the Community Climate Action Plan. Appendix 2.1-B demonstrates that the Project would not conflict with the County's planning framework for the reduction of GHG emissions.

Please also see **Response to Comment No. 09-66** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the Mission Village Project's consistency with applicable GHG plans, policies, laws and regulations, including California's long-term GHG reduction goals.

Comment No. D4-5:

The City urges the County to take appropriate steps to ensure that the project meets its stated goal of reducing, mitigating, or offsetting 100% of the net greenhouse gas emissions from the project and its construction. The project applicant has stated that this goal shall be achieved through upholding green building and design standards, encouraging sustainable commuting, preserving natural resources, promoting electric vehicle use, expanding access to environmentally sustainable transit alternatives, and investing in offsite greenhouse gas reduction programs. The City encourages the County to ensure that specific measures are taken so that each of these initiatives are implemented in order to achieve stated project goals.

Response No. D4-5:

This comment summarizes the elements of Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13, including the Newhall Ranch GHG Reduction Plan, through which the Mission Village Project will achieve net zero GHG emissions. The comment urges the County of Los Angeles to ensure that all elements of Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13 are implemented so that the Mission Village Project achieves its stated GHG reduction goals.

In response, the Mission Village Project's GHG mitigation measures will be incorporated into a Mitigation Monitoring and Reporting Plan (MMRP) as required by CEQA. Indeed, the draft Errata to the County's MMRP for the Mission Village Project is located in Section 2.3 of the Recirculated Analysis. The Errata contained in Section 2.3 illustrates how the County of Los Angeles will monitor and oversee the implementation and enforcement of each GHG mitigation measure.

Additionally, it is noted that the mitigation framework set forth in the Mission Village Project's Recirculated Analysis reflects the mitigation framework established by the California Department of Fish and Wildlife, in consultation with the California Air Resources Board, for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan Project. Please see **Response to Comment No. F13-4** for additional information regarding the California Air Resources Board's evaluation

of the methodological parameters and mitigation commitments set forth in that State-level analysis, which also were utilized in the Mission Village Project's Recirculated Analysis.

Comment No. D4-6:

The City supports the adopted "no water contact" construction methods for the Commerce Center Drive bridge and bank stabilization within the wetted channel of the Santa Clara River. The City recognizes that these revised construction methods will eliminate the need for stream diversion and other activities that may have led to significant impacts upon unarmored threespine stickleback populations.

Response No. D4-6:

This comment expresses support for the "no water contact" construction methods adopted in the Recirculated Analysis for the construction of the Commerce Center Drive bridge and bank stabilization. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. D4-7:

The City strongly encourages the County to ensure that the project applicant adheres to applicable regulations of all affected agencies including, but not limited to, Fish & Game Code Sections §§ 5515(a), prohibiting the take of fully protected species.

Response No. D4-7:

This comment encourages the County to ensure that the Applicant adheres to regulations of all affected agencies, including Fish & Game Code Section 5515(a). As discussed in Section 2.2 of the Recirculated Analysis, with implementation of Project Design Features MV PDF-2.2-1 through MV PDF-2.2-11 and Mitigation Measures MV 4.3-93/BIO-3-1a through MV 4.3-109/BIO-3-3f, the Mission Village Project will be fully compliant with Fish & Game Code Section 5515(a) and all other laws and regulations governing biological resources, including endangered and threatened species.

Comment No. D4-8:

Thank you for the opportunity to submit these comments. If you have any questions, please contact Mike Marshall, Associate Planner, at (661) 255-4045.

Response No. D4-8:

This comment concludes the letter and provides contact information if any questions arise. The County has reviewed the letter and based on its content does not have any questions regarding the information provided in the letter. No further response is required.

COMMENT LETTER NO. E1

Roger E. Seaver, FACHE
President and CEO
Henry Mayo Newhall Hospital
23845 McBean Parkway
Valencia, CA 91355

Comment No. E1-1:

Henry Mayo Newhall Hospital is a non-profit community hospital and trauma center that has served the Santa Clarita Valley for more than four decades. The health of our institution and the people we serve is closely tied to the health of our community, so we are deeply invested in the long-term prosperity and well-being of the Santa Clarita Valley.

Response No. E1-1:

The comment provides information regarding the organization that authored Letter No. E1. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E1-2:

For this reason, we give our strong support to Five Point's plans for Newhall Ranch and the Net Zero Newhall initiative.

Newhall Ranch is a far-sighted, master-planned community that will add tremendous vitality to the Santa Clarita Valley by creating 11.5 million square feet of new office, retail and other commercial space, adding tens of thousands of jobs to our region. A strong economy and steady employment growth supports high quality and comprehensive health care in our region.

Additionally, our community's need for a wide range of housing, including affordable, will be eased by the development of up to 21,500 homes. And, the substantial tax revenue to come from this project, totaling more than \$800 million a year at build out, will greatly aid the public services that our hospital depends on, such as paramedic and emergency services.

As a promoter of public health, we appreciate Newhall Ranch's numerous contributions to healthy lifestyles. This includes creating a walkable community, much like Valencia, with an active bike share program. We also applaud the preservation of two-thirds of the community's total area as open space - some 10,000 acres - as well as 50 miles of public trails and a nature preserve totaling nine square miles, funded in perpetuity by a \$13 million endowment.

Finally, the Net Zero Newhall initiative sets an encouraging new standard of environmental responsibility by committing to eliminate all net greenhouse gas emissions, a leading cause of global climate change. This is an impressive commitment that will help spur the adoption of numerous green technologies in

the Santa Clarita area, including zero-emission electric vehicles, which will help reduce air pollution and improve respiratory health in the area.

We have long-standing relationships with many of the Newhall Ranch project leaders at Five Point stemming from their successful work on Valencia. This is a talented professional team, and thanks to their efforts we have full confidence that Newhall Ranch will prove to be an enduring contribution to a healthier Santa Clarita Valley.

Response No. E1-2:

The comment expresses support for the proposed Project. The comment also expresses specific support for the employment generation, housing development, and the new tax revenues associated with the Project, as well as the Project's contributions to healthy lifestyles, the preservation of open space, and the Net Zero Newhall proposal and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E2

Jonathan Herrera
Legislative Affairs Manager
Valley Industry & Commerce Association
16600 Sherman Way
Suite 170
Van Nuys, CA 91406

Comment No. E2-1:

Please find the attached letter from the Valley Industry and Commerce Association (VICA) regarding our support of Landmark Village and Mission Village.

Response No. E2-1:

The comment introduces the attached comment letter, which is addressed in Comment No. E2-2 and its corresponding response. The comment also expresses support for the development of the Project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E2-2:

The Valley Industry and Commerce Association (VICA) supports Landmark Village, Mission Village and the entire plan for Newhall Ranch, which would represent a precedent-setting project in California and the nation. The Net Zero Newhall initiative would make Newhall Ranch a carbon neutral community, reducing or mitigating its net climate change-causing greenhouse gas emissions to zero and preserving 10,000 acres of open space while also breeding business and creating a coveted lifestyle for residents.

Net Zero Newhall's project incentives include offering subsidies for homeowners to purchase electric cars, installing electric car charging stations in every garage and using solar power to generate energy in homes and businesses. In addition to these on-site programs, FivePoint is making investments in programs to reduce greenhouse gas emissions elsewhere in LA County, in California and the world. Investments such as these will help position the Santa Clarita Valley for future investment in high-growth green technology industries and put the area on the map as an innovator in sustainability and modern-day development.

As forward-thinking business and civic leaders, our mission is clear: we must constantly innovate to find ways to pursue smart growth in environmentally sustainable ways and protect quality local jobs that will best position us to compete in the 21st century economy. Newhall Ranch proves that economic development and progressive climate change policies can coexist and VICA is proud to support such sustainability, ingenuity and innovation.

Response No. E2-2:

The comment expresses support for the development proposed for the Project. This comment expresses specific support for the Net Zero Newhall plan, the preservation of open space, and the economic development resulting from the development associated with the proposed Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E3

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Boulevard
Suite A-592
Los Angeles, CA 90069

Comment No. E3-1:

Endangered Habitats League (EHL) appreciates the opportunity to submit comments on the most recent environmental documents for this proposed project. For your reference, EHL is Southern California's only regional conservation group.

Response No. E3-1:

This comment states that the commenter appreciates the opportunity to review and comment on the Project's environmental documents. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E3-2:

EHL is opposed to this automobile-dependent development which is located far to [sic] close to the Santa Clara river and its sensitive habitats and species.

Response No. E3-2:

This comment expresses general opposition to the Project, describing it as automobile dependent and located too close to the Santa Clara River. The comment does not address any particular aspect of the Recirculated Portions of the Mission Village EIR (Recirculated Analysis). The issue raised by the comment is also outside the scope of the Recirculated Analysis. Therefore, no further response is required or can be provided (please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

As for the comment's "automobile dependent" characterization, it is noted that Mitigation Measure MV 4.23-6/2-6 calls for implementation of the Newhall Ranch Transportation Demand Management Plan (TDM Plan). For purposes of the Mission Village Project, implementation of the TDM Plan is estimated to achieve a 15.5 percent reduction in vehicle miles traveled. Additionally, implementation of Mitigation Measures MV 4.23-4/2-4, MV 4.23-5/2-5 and MV 4.23-12/2-12 require the extensive installation of on-site and off-site electric vehicle charging infrastructure, and zero emission vehicle purchase subsidies, the combined effect of which ensures that the Project facilitates the utilization of near-zero and zero emissions vehicle technologies in its vehicle fleet.

As for the comment's observations regarding the proximity of the Project site to the Santa Clara River and related habitats and species, this general issue is beyond the scope of the Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**. Further, the Project's impacts to the Santa Clara River and biological resources located in proximity to the River previously were studied and evaluated in the Mission Village Project's 2011 Final Environmental Impact Report (EIR) (see, e.g., Section 4.2, Hydrology; Section 4.3, Biota; Section 4.21, Floodplain Modifications), and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. To the contrary, the "no water contact" construction methods described in Section 2.2, Take Avoidance of the Fully-Protected Unarmored Threespine Stickleback, of the Recirculated Analysis serve to reduce River-related impacts by precluding construction work in the wetted channel and the need for stream diversion. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E3-3:

We are deeply skeptical over claims of net zero GHG emissions and do not find the proposed conditions enforceable or effective in ensuring that emissions are reduced as claimed.

Thank you for considering these comments.

Response No. E3-3:

This comment indicates general skepticism regarding the Mission Village Project's ability to attain net zero GHG emissions, stating that the commenter does not find the conditions enforceable or effective. However, the comment does not offer any specific critique of the greenhouse gas (GHG)-related mitigation measures and, as a result, no further response is required or can be provided. Nonetheless, reference is made to Section 2.3, Errata to Mitigation Monitoring and Reporting Plan, of the Recirculated Analysis, which contains information regarding the monitoring actions that will be utilized by various County departments to oversee and enforce the subject mitigation measures. Additionally, it is noted that the mitigation framework set forth in the Recirculated Analysis reflects the mitigation framework established by the California Department of Fish and Wildlife, in consultation with the California Air Resources Board, for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) project. Please see **Response to Comment No. F13-4** for additional information regarding the California Air Resources Board's evaluation of the methodological parameters and mitigation commitments set forth in that State-level analysis, which also were utilized in the Mission

Village Project's Recirculated Analysis. As discussed therein, the California Air Resources Board concluded that adequate technical documentation supported a determination that the RMDP/SCP Project's GHG emissions would be net zero with implementation of the same thirteen mitigation measures set forth in this Recirculated Analysis for the Mission Village Project.

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COMMENT LETTER NO. E4

Cheri Fleming
Principal/Owner
Valencia Acura
23955 Creekside Road
Valencia, CA 91355

Comment No. E4-1:

Valencia Acura is sending this letter in support of the Net Zero Newhall initiative, which would make Landmark Village, Mission Village and the overall Newhall Ranch community, a precedent-setting project in California and the nation. We applaud Newhall Ranch for committing to provide an electric vehicle charging station within every home, and thousands more throughout the region. What a great option for those who have and will purchase our new Acura RLX Sport Hybrid to be able to look to the future of a community with that type of innovative thinking.

As a local business with employees that not only work, but live in this area, we welcome a plan of this quality and sustainable environmental innovation. Combined with the preservation of 10,000 acres of open space, the complete Newhall Ranch community will result in a coveted lifestyle for residents. In addition, Newhall Ranch will provide much needed job growth to our region as well as critically needed new housing.

As forward-thinking business and civic leaders, our mission is clear: we must constantly innovate to find ways to pursue smart growth in environmentally sustainable ways and protect quality local jobs that will best position us to compete in the 21st century economy.

We fully support Newhall Ranch and its first two communities, Landmark Village and Mission Village.

Response No. E4-1:

The comment expresses support of the Project. The comment also expresses specific support for the Net Zero Newhall proposal, the preservation of open space, as well as the job growth and new housing resulting from the development associated with the proposed Project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. E5

Don Fleming
President
Valencia Auto Dealers Association
23955 Creekside Road
Valencia, CA 91355

Comment No. E5-1:

The Santa Clarita Valley Auto Dealers Association fully supports Newhall Ranch and its first two communities, Landmark Village and Mission Village. Our Association is comprised of 18 dealerships, and represents one of the largest combined collections of auto dealers in Los Angeles County, and a significant source of sales tax revenue and employment for the local economy.

On behalf of the Association, we are sending letter in support of the Net Zero Newhall initiative, which would make Landmark Village, Mission Village and the overall Newhall Ranch community, a precedent-setting project in California and the nation. Electric vehicles and hybrids have become quite popular, and will no doubt be selected by an even greater percentage of the population, as electric vehicle charging stations, such as those provided at Newhall Ranch, become available throughout the region, and with every home.

Speaking for our 18 dealerships, representing 24 outstanding brands of automobiles with employees that not only work, but live in this area, we welcome a plan of this quality and sustainable environmental innovation. Combined with the preservation of 10,000 acres of open space, the complete Newhall Ranch community will result in a coveted lifestyle for residents. In addition, Newhall Ranch will provide much needed job growth to our region as well as critically needed new housing.

As forward-thinking businesses owned by some of the Santa Clarita Valley's most involved civic leaders, our mission is clear: we must constantly innovate to find ways to pursue smart growth in environmentally sustainable ways and protect quality local jobs that will best position us to compete in the 21st century economy.

Once again, we fully support Newhall Ranch and its first two communities, Land mark Village and Mission Village.

Response No. E5-1:

The comment expresses support of the Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero GHG emissions, the preservation of open space, as well as the job growth and new housing resulting from the development associated with the proposed Project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. E6

Snowdy Dodson, President
Betsey Landis, Vice President
Los Angeles / Santa Monica Mountains Chapter
California Native Plant Society
3908 Mandeville Canyon Road
Los Angeles, CA 90049

Comment No. E6-A:

Attached is a letter from the Los Angeles / Santa Monica Chapter of California Native Plant Society commenting on the California Department of Fish and Wildlife Newhall Ranch draft Additional Environmental Analysis as it affects Mission Village and Landmark Village projects.

Response No. E6-A:

The comment requests that the County refer to the commenter's attached comment letter on a related, but different project (i.e., the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan Project (RMDP/SCP Project)) that is not under the County's jurisdiction and for which the County does not act as the California Environmental Quality Act (CEQA) lead agency. The Additional Environmental Analysis (AEA) for the RMDP/SCP Project referenced by the comment was prepared and will be evaluated for certification under CEQA by the California Department of Fish and Wildlife (CDFW).

The comment states that it specifically addresses CDFW's AEA for the RMDP/SCP Project "as it affects Mission Village." The commenter does not provide any specific critiques or comments related to the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). Although the substantive comment letter applies to a different project with a different lead agency, the County has considered each comment raised by the commenter and considered its applicability to the Recirculated Analysis. Accordingly, the County incorporates by reference and includes as Appendix 2.3 of the Final Recirculated Analysis the responses to the commenter's letter on the RMDP/SCP Project's AEA that were prepared, considered and certified by CDFW.

As discussed in Section 2.1(1)(b) of the Recirculated Analysis, the Mission Village Project site is located within the geographic boundary of the RMDP/SCP Project, which covers resource management and development within the Project and other nearby developments. As noted above, the designated CEQA lead agency for the RMDP/SCP Project is CDFW. As discussed in Section 1.0 of the Recirculated Analysis, CDFW is preparing the RMPD/SCP AEA to address the Supreme Court's decision in the *Center for*

Biological Diversity litigation. In the event that CDFW certifies the RMPD/SCP Project's AEA, any mitigation measures in the RMDP/SCP Project's AEA would be applied by the County to the Mission Village Project, and the mitigation framework in the Recirculated Analysis reflects the mitigation framework established by the RMDP/SCP Project's AEA (see, e.g., Recirculated Analysis, p. 2.1-3). Because of the similar scope of analysis presented in the RMDP/SCP Project's AEA and the Recirculated Analysis, and the related mitigation framework, it is reasonable to expect that many of CDFW's responses to this comment letter will apply equally to the Recirculated Analysis.

Based on the County's independent review of the comments that follow on the RMDP/SCP Project's AEA, CDFW's responses to such comments, and the record of proceedings for the Mission Village Project and this Recirculated Analysis, the County concludes that CDFW's responses fully address the comments provided by the commenter on the RMDP/SCP Project's AEA. The County also finds that, except where specified in the responses that follow, no supplemental response is required for application to the Recirculated Analysis. Please see individual responses to each of the comments that follow for additional related information.

07. Letter from Snowy Dodson, California Native Plant Society, dated February 6, 2017

Comment No. 07-1:

Attached is a letter from the Los Angeles/ Santa Monica Mountains Chapter of California Native Plant Society commenting on the Newhall Ranch Draft AEA.

Response No. 07-1:

The comment is an introduction to comments that follow. No further response is required.

Comment No. 07-2:

Thank you for giving us more time to study and respond to this draft AEA.

Response No. 07-2:

The comment expresses gratitude for the extension of the public comment period on the RMDP/SCP Project's AEA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. 07-3:

RE: Comments on Newhall Ranch Draft Additional Environmental Analysis (AEA)

California Native Plant Society has commented on previous documents pertaining to this development and instituted legal action based on insufficient protection for an endangered plant, *Chorizanthe parryi* var. *fernandina* and other concerns about loss of native plants that are locally rare or are protected oak species.

Response No. 07-3:

The comment provides background information regarding the California Native Plant Society's involvement in the review of environmental documentation previously prepared for the RMDP/SCP Project. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. 07-4:

We are concerned about the amount and effect of twelve years of grading and construction on both sides of the Santa Clara River, an SEA, the only free-flowing river in Los Angeles County. Native plant habitats, indeed the native ecosystems of the watershed, floodplain and the river itself may be irreparably harmed by this project. Air pollution will be a major problem for all.

Response No. O7-4:

The comment expresses concern about grading and construction impacts. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-5:

The Additional Environmental Analysis (AEA) through its omissions and inaccuracies, tends to support this conclusion.

Comments on specific sections of the AEA.

Response No. O7-5:

The comment states that the RMDP/SCP Project's AEA contains omissions and inaccuracies. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-6:

GHG Emissions Inventory (RMDP / SCP, Los Angeles County):

1) Table 2-10a: Number of Net New Trees is given as "Entrada Center (EC) 2,500 trees, Newhall Ranch Specific Plan (NRSP) 35,000 trees, and Valencia Commerce Center (VC) 5,000 trees. No tree species given, only "Miscellaneous tree types". Since tree species vary considerably in their emissions of gases and in their ability to sequester Green House Gases (GHG) and since all these trees will be young and have no GHGs already sequestered, this table is totally useless in calculating total emissions or sequestering in the final vegetating of Mission Village.

Response No. O7-6:

The comment refers to information contained in the RMDP/SCP Project's AEA regarding the number of new trees. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on

the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment and response refer to Table 2-10a of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10a contained therein corresponds to the table to which the comment and response refer.

Comment No. O7-7:

2) Table 2-10b: Vegetation Change Evaluation: This table lists Area, Type of Vegetation Change, Initial Acres, Final Acres and CO2 Emissions.

a. Area: The total acreage covered is 5,495 acres (ES+ NRSP+VCC). Except for 130 acres described as "Agricultural, Developed or Disturbed", the other 5,365 acres are completely denuded of vegetation during development of this project according to this table.

Response No. O7-7:

The comment refers to information in the RMDP/SCP Project's AEA regarding the disturbed acreage totals. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment and response refer to Table 2-10b of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10b contained therein corresponds to the table to which the comment and response refer.

Comment No. O7-8:

What happened to the three San Fernando Valley Spineflower Preserves?

Response No. O7-8:

The comment requests additional information regarding the RMDP/SCP Project's San Fernando Valley spineflower preserves. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated

Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-9:

What happened to the mature native oaks and other native tree species protected by the Los Angeles County Tree Ordinance? Fifty-three protected/Heritage oaks were to be removed. What happened to the other native oaks and protected native trees?

Response No. O7-9:

The comment requests information regarding oak trees and other native tree species in the RMDP/SCP Project area. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter). In addition, it is noted that any Project-related activities that remove or encroach upon oak trees located on the Project site necessarily will occur in accordance with the County of Los Angeles' oak tree ordinance. (See Los Angeles County Code, Title 22 (Planning and Zoning), Division 1, Chapter 22.56, Part 16 (Oak Tree Permits).)

Comment No. O7-10:

What happened to the wetland habitats protecting locally rare or rare species of animals?

Response No. O7-10:

The comment requests information regarding wetland habitats in the RMDP/SCP Project area. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-11:

2) Table 2-10b: Vegetation Change Evaluation (continued):

b. Type of Vegetation Change: This section of the table lists types of vegetation so general as to be absolutely useless in determining what the sequestering histories of the plants in these “Types of Vegetation were or what the actual GHG emissions (in metric tons) were for the lifetimes of those plants? or per year?. This section does not specify whether the metric tonnages of emissions were for one year or for the lifetimes of each species of plant in each of the “types” which are described as: Cropland, Grassland, Trees, Agriculture, Developed or Disturbed, Bog and Marsh, Broad Leaf and Upland Trees, Grass and Herbs, Riparian and Bottomland, Scrub and Chaparral.

Response No. O7-11:

The comment refers to the vegetation change evaluation in the RMDP/SCP Project’s AEA. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment and response refer to Table 2-10b of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10b contained therein corresponds to the table to which the comment and response refer.

Comment No. O7-12:

At this point, it must be pointed out that CDFW has a major reference source available to all its staff entitled Manual of California Vegetation written by one of the top staffers in CDFW, a famous professor at Humboldt State University, and a vegetation expert on the state staff of CNPS. The book is in its second edition and covers site-evaluated vegetation alliances from all over California. It took years to gather the field information, analyze it and write the Manual of California Vegetation. To see a footnote to Table 2-10b stating that “Two sets of tree land use change were modeled, based on the land designations of ‘Broad Leaf Upland’ and ‘Riparian and Bottomland’ for the CDFW Draft Joint EIS/EIR is inexcusable. What sets of tree land use were used? New England maple trees? Florida cypress?.

Response No. O7-12:

The comment refers to the availability of a reference source for CDFW to utilize in the RMDP/SCP Project’s AEA, relative to the GHG analysis’ vegetation change evaluation. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment and response refer to Table 2-10b of the GHG Technical Report, Appendix 1, of the

AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10b contained therein corresponds to the table to which the comment and response refer.

Comment No. O7-13:

The Manual of California Vegetation lists hundreds of vegetation alliances with lists of species. The Manual covers the species and describes their alliances for the areas of this proposed development.

Why wasn't this valuable reference used?

Response No. O7-13:

The comment inquires why the mentioned reference source was not utilized in the RMDP/SCP Project's AEA. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-14:

The main assumptions of this table appears to be that none of the native or non-native vegetation sequestered or was sequestering any carbon and that all the hundreds of plant species on this acreage emitted GHG. This is totally false.

Response No. O7-14:

The comment refers to the vegetation change evaluation in the RMDP/SCP Project's AEA. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment and response refer to Table 2-10b of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10b contained therein corresponds to the table to which the comment and response refer.

Comment No. O7-15:

The last lines of this table are that "Net New Trees will sequester 30,000 metric tons (MT) in their 20-year growth period (not a scientifically supported number), while the vegetation that had been removed

had emitted 70,149 MT (not a scientifically supported number), so, guess what? That leaves 40,000 MT, which amortized over 30 years comes to a net emission of 1,335 MT/year, apparently a safe number of GHG emissions. What are the species of trees? What is the rate of sequestration of carbon of each species? What is the expected life span of each tree species? Some of the trees are supposed to be replacements for the oaks being bulldozed. Oaks live long lives and do sequester carbon quite well, though at different rates depending on weather changes. What is the effect of drought on the ability of any tree species to sequester carbon?

Response No. 07-15:

The comment refers to the vegetation change evaluation in the RMDP/SCP Project's AEA. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment and response refer to Table 2-10b of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10b contained therein corresponds to the table to which the comment and response refer.

Comment No. 07-16:

The Vegetation Change Evaluation table is full of erroneous assumptions, inaccurate information and is generally useless.

Response No. 07-16:

The comment refers to the vegetation change evaluation in the RMDP/SCP Project's AEA. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment and response refer to Table 2-10b of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10b contained therein corresponds to the table to which the comment and response refer.

Comment No. 07-17:

One factor missing in this discussion of vegetation is:

What happens to all the green waste and woody waste bulldozed on all this acreage? This represents many tons of organic material that must be taken somewhere for processing. CalRecycle does not permit organic waste to be landfilled, so the material must go to locations where it can be mulched, chipped and ground, and/or composted. Chiquita Canyon Landfill, located on the north side of the Santa Clara River not far from this development, is seeking an extension and modification of its land use permit so it can continue in operation for years. Part of its application is to establish an area for organic processing. So, if Chiquita Canyon Landfill gets a new CUP, all the many tons of green waste and woody waste from this 12-year project can be trucked across the Santa Clara River to Chiquita Canyon.

Response No. O7-17:

The comment requests information regarding the disposal of green waste from the RMDP/SCP Project. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-18:

That means that all that organic waste will be nearby, emitting methane, carbon oxides, NO_xs and SO_xs as it awaits processing and some final destination, if different than Chiquita Canyon. Processed organic wastes have to meet health standards before they can be sold commercially. Those metric tonnages per year were not considered at all in this vegetation evaluation.

Response No. O7-18:

The comment provides information on emissions attributable to organic wastes from the RMDP/SCP Project. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-19:

A suggestion to improve the project design, cut back on GHGs and save water is to cut back on grading and installation of storm drains on the project slopes.

Response No. O7-19:

The comment provides project design recommendations for the RMDP/SCP Project. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-20:

It is a waste of rainwater and a loss of groundwater to bulldoze deep ditches in the current natural drainages and install large storm drains to channel water into the Santa Clara River, where it eventually goes to the ocean. A storm drain system will cause major erosion to the floodplain and natural habitats along the Santa Clara River.

Response No. O7-20:

The comment states that the RMDP/SCP Project's provision of storm drain systems causes erosion and wastes rainwater. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-21:

Usually natural drainages follow bedrock formations, so, in times of chaotic and frequent rainstorms, the slopes become saturated down to bedrock, the bedrock gets slippery and heavy wet soils turn into dangerous mudslides. The force and speed of these mudslides can choke storm drains and even rip them out of the ground. The Council for Watershed Health and the Metropolitan Water District have developed projects in some areas that use the streets and adjoining landscaping as a system to slow down rapidly moving water and to capture it in swales and basins.

If this were done in the Mission Village project, GHGs from construction of large storm drain systems would be cut drastically.

Response No. 07-21:

The comment identifies design recommendations to minimize the use of storm drain systems and the GHG emissions associated with their construction. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 07-22:

The water captured would be used to irrigate landscaping, recharge groundwater and protect the Santa Clara River ecosystems from serious erosion.

Response No. 07-22:

The comment identifies beneficial uses of captured rainwater. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 07-23:

Conclusion:

None of the tables in this AEA present realistic scenarios, unless one looks carefully at what is not said.

Response No. 07-23:

The comment states that tables in the RMDP/SCP Project's AEA are not based on realistic scenarios. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-24:

The air pollution including particulate matter will be bad for twelve years. There is grading every year, which means particulate matter will be coating everything, including vegetation, making it difficult for plants to grow and plant eaters to survive. Twelve years is a long enough time to cause irreversible losses to both plant and animal species.

Response No. O7-24:

The comment refers to the air pollution caused by the RMDP/SCP Project's construction-related activities. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-25:

As noted above, the model used for computing GHG emissions is inadequate.

Response No. O7-25:

The comment states that the model used to estimate the RMDP/SCP Project's GHG emissions in inadequate. As described in **Response to Comment No. E6-A**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.3 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O7-26:

We cannot support approval of this draft AEA. It needs serious reworking.

Response No. O7-26:

These concluding remarks do not raise new issues or provide additional evidence, and express general opposition to approval of the RMDP/SCP Project's AEA. No further response is required or necessary.

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COMMENT LETTER NO. E7

Kenneth Newcombe
CEO
CQuestCapital
1015 18th Street NW
Suite 730
Washington, DC 20036

Comment No. E7-1:

Please find attached two letters to the County of Los Angeles on behalf of C-Quest Capital. Please let me know if you have any questions.

Response No. E7-1:

The comment introduces the attached comment letter and indicates that two letters were attached. One letter pertains to the Mission Village Project, whereas the other letter pertains to the Landmark Village. The comment letter with regard to the Mission Village Project is addressed in the following comment and response. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E7-2:

On behalf of C-Quest Capital, I am writing in support of the Net Zero Greenhouse Gas program for the Mission Village Project. This net zero initiative will reduce all of the project's construction and operational greenhouse gas emissions to zero.

We are excited to partner with Newhall to implement clean cookstove GHG reduction programs. More than three billion people globally rely on burning woody fuels over smoky three-stone fires, often cooking in poorly ventilated spaces like enclosed windowless kitchens. In addition to driving climate change and deforestation, inhaling toxic particulate matter in smoke from open fires causes more deaths of women and children than tuberculosis, malaria and HIV Aids combined. A new efficient cookstove emits an average of two tonnes less carbon dioxide per year than using a three-stone fire, while simultaneously reducing household air pollution by 50 percent and reducing the time spent gathering resources by 75 percent.

This type of partnership is central to our mission. We depend on financial commitments from entities such as Newhall to achieve our goals of transforming the lives of the poorest communities in developing countries by providing access to clean efficient energy technologies and sustainable fuels. We have developed clean cookstove programs throughout the developing world, including in Haiti, Guatemala, Mexico, Cambodia, Laos, Zambia, Nigeria and Malawi. As you review this project, we hope you will consider the many positive effects it will have on global warming and communities in need.

Response No. E7-2:

This comment expresses support for the development proposed for the Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas (GHG) emissions, including the implementation of clean cookstove GHG reduction programs throughout the world. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E8

Sean Carney
President
FiniteCarbon
435 Devon Park Drive
700 Building
Wayne, PA 19087

Comment No. E8-1:

Please find Finite Carbon's attached public comment letter.

Response No. E8-1:

This comment introduces the attached comment letter, which is addressed in the following comment and response. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E8-2:

I am the President of Finite Carbon and I am writing in support of the Net Zero Greenhouse Gas initiative to be implemented by Newhall Ranch.

We are working with Newhall to evaluate options for implementing forest conservation GHG reduction projects in California and the United States through reforestation, avoided conversion and improved management techniques.

At Finite Carbon, we work with landowners and our partners in every step that leads to carbon reduction through forest conservation, including feasibility studies, carbon inventories, management plans and verification of afforestation. Finite Carbon has six professional foresters on staff, and received the nation's first California ARB forest carbon offsets. To date, we have developed 30 Improved Forest Management projects approved by the ARB on 1.7 million acres of US forests. We are also an active member of the Society of American Foresters, Association of Consulting Foresters, Land Trust Alliance, Forest Guild and Forest Landowners Association. We enthusiastically support the Newhall Ranch Net Zero Greenhouse Gas Program, which will set a new standard for environmental responsibility in California.

Response No. E8-2:

This comment expresses support for the development proposed for the Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas (GHG) emissions, including the implementation of forest conservation GHG reduction projects within California and the United States. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. E9

Donna Deutchman, CEO
Habitat for Humanity SF/SCV
21031 Ventura Boulevard
Suite 610
Woodland Hills, CA 91364

Comment No. E9-1:

Please find attached a letter from Habitat for Humanity San Fernando/Santa Clarita Valleys regarding the Landmark Village and Mission Village projects.

Response No. E9-1:

The comment introduces the attached comment letter and indicates that the letter pertains to both the Mission Village and Landmark Village Projects. The comment letter with regard to the Mission Village Project is addressed below (See Comment Nos. E9-2 through E9-4 and their corresponding responses). The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E9-2:

Habitat for Humanity San Fernando/Santa Clarita Valleys' (SF/SCV) mission is to build affordable homes for low-income civilian and veteran families, and provide services that empower them to build brighter futures as homeowners. We are currently building 78 homes in Santa Clarita for low-income veterans and their families. As an affordable housing builder dedicated to providing homeownership to low-income families, we recognize the critical need for self-sufficiency, first-time homebuyer education, and sustainability. We are also committed to well-building and environmentally appropriate design with ample open space.

Response No. E9-2:

This comment provides information regarding the organization that authored Letter No. E9, and also serves as an introduction to the comments that follow, which are addressed in the responses below. No further response is required.

Comment No. E9-3:

It is our understanding that Net Zero Newhall, to be delivered by FivePoint in Newhall Ranch, will create more than 20,000 homes in Santa Clarita using innovative green building practices, protecting 10,000 acres of open space, and reducing or mitigating all net greenhouse gas emissions from the project and its construction to zero. "This much-needed housing will include a wide variety of prices and sizes, including affordable housing."

Response No. E9-3:

The comment correctly indicates that the Net Zero Newhall program proposes to reduce, mitigate, and offset 100 percent of the Project's greenhouse gas (GHG) emissions, allowing the Project to achieve net zero GHG emissions. The comment also describes the housing that would be provided as part of the development associated with the proposed Project, including affordable housing, and expresses support for the preservation of open space. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E9-4:

Habitat for Humanity SF/SCV stands as an affordable housing advocate and recognizes the need for more affordable housing in the Santa Clarita Valley that produces jobs, preserves open space, and is sustainable. We applaud your efforts.

Response No. E9-4:

The comment provides information regarding the organization that authored Letter No. E9. The comment also expresses support for the proposed Project and its efforts to produce jobs, preserve open space, and to develop a sustainable project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E10

Carla Bollinger
Public Land Alliance Network
1348 Alessandro Drive
Newbury Park, CA 01320

Comment No. E10-1:

Public Land Alliance Network (PLAN) is protesting the developments, Mission Village and Landmark Village, for numerous reasons:

Response No. E10-1:

The comment indicates general opposition to the Mission Village Project. The comment does not address any particular aspect of the Project's Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E10-2:

- Mission Village will be built over a closed oil field. This is a dangerous situation with the airborne VOCs that will leak into the homes as historically been the case throughout former closed oil field sites. The Porter Ranch massive gas leak, the worst in USA history, is an example of the deleterious results of building on former oil fields.

Response No. E10-2:

This comment, which is substantively the same as Comment No. F1-3, is outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for information on this point). The proposed modifications analyzed by the Recirculated Analysis do not change the location of the Mission Village project or the potential impacts associated with a "closed oil field." For these reasons, no further response is required. Nonetheless, for informational purposes, please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks. As discussed in the referenced response, based on the Project's 2011 Final EIR, the types of hazards described in the comment would be mitigated to less-than-significant levels.

Comment No. E10-3:

- Santa Clarita's explosive population growth in the last two decades has made it the third largest city in LA County.

Loss of open space, unchecked developments, has created a Hwy 5 – Hwy 14 commuter traffic clog with unbearable extended travel times. To ignore this traffic congestion choke-hold in supporting the Mission Village and Landmark Village with 21,000 planned units, is irresponsible planning. These traffic

conditions are not just statistics; for those subjected to this daily work commute, it compounds an already intolerable situation. The exclusion of addressing the traffic analysis is unacceptable.

Response No. E10-3:

The comment expresses general opposition to the Mission Village Project because of concerns regarding traffic congestion, and relatedly objects to the exclusion of a traffic analysis from the Recirculated Analysis. The issue raised by the comment is outside the scope of the Recirculated Analysis; as such, no further response is required (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for information on this point).

Nonetheless, and for informational purposes, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. (Section 4.5 concluded that the Project's impacts would be reduced to less-than-significant levels with implementation of the identified mitigation measures.) The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

As a point of clarification, the Mission Village Project proposes 4,055 residential units and the Landmark Village Project proposes 1,444 residential units, for a combined total of 5,499 (not 21,000) residential units.

Comment No. E10-4:

- Santa Clarita is a high-desert eco-system with spiked summer heat-winds, certain increased GHG caused by excessive growth, coupled with the loss of open space in a river flood-plain, and cluster-housing contamination issues alongside the Santa Clara River is not smart growth.

Response No. E10-4:

The comment describes the weather patterns in the Project area, and suggests the Project is not smart growth. While this comment expresses general opposition to the Mission Village Project, it does not raise any particular issue concerning the adequacy of the Recirculated Analysis. Therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E10-5:

- This development, as proposed, will have negative impact on the Santa Clara River as it flows through the Ventura County to the Pacific Ocean, wildlife, plant-habitat in the regional wildlife movement between the Santa Susana Mountains and the Los Padres National Forest in the Rim of the Valley wildlife corridor. The two developments need to be reconfigured: Moved back away from the river floodplain, to not have the filling of 200 million cubic yards of dirt, scaled back in size, so as not to be a detriment to the health of humans.

Response No. E10-5:

The comment states the Project will have a negative impact on the Santa Clara River, plant habitats and wildlife corridors. The comment also recommends that the Project be pulled back from the floodplain, thereby reducing the amount of grading activity and reducing the size of the development area.

The issues raised in the comment are beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. The proposed modifications (new greenhouse gas (GHG) mitigation measures and bridge design changes) do not increase the development footprint or intensity relative to what was analyzed in the prior EIR. No additional response is needed.

Nonetheless, for informational purposes, the Project's impacts to the Santa Clara River, plant habitat and wildlife corridors previously were studied and evaluated in the Project's 2011 Final EIR (see, e.g., Section 4.2, Hydrology; Section 4.3, Biota; Section 4.21, Floodplain Modifications). With limited exceptions pertaining to the unarmored threespine stickleback mitigation framework and GHG emissions assessment discussed in the Recirculated Analysis, the 2011 Final EIR's analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to the Santa Clara River, plant habitat or wildlife corridors would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. E10-6:

- Endangered Status: Spineflower, threespine stickleback fish, steelhead trout, least Bell's vireo, western yellow-billed cuckoo and the southwestern willow flycatcher are all California State and/or Federal Endangered status. The diminished riparian habitat for the southwestern willow flycatcher is significant because of their role in controlling insect populations. The Santa Clara River is one of five breeding grounds for the western yellow-billed cuckoo. Mitigation cannot save these Endangered species, this is a choke-point were one more loss of habitat can end this species' existence.

Response No. E10-6:

The comment states that there is no mitigation available to compensate for the loss of riparian habitat for identified species. As for the unarmored threespine stickleback, Section 2.2 of the Recirculated Analysis presents a comprehensive assessment of impacts to that fish species. Section 2.2 concludes that potential impacts to the unarmored threespine stickleback from bridge and bank stabilization activities will be avoided due to the utilization of “no water contact” construction methods. The comment does not identify any particular environmental concern regarding that analysis; therefore, no further response is required or can be provided. As for the other species identified in the comment, such issues are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

Nonetheless, for informational purposes, please note that the Project’s impacts to biological resources – including the species identified – were studied and evaluated in Section 4.3, Biota, of the Mission Village Project’s 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to biological resources would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. E10-7:

Thank you for reviewing these comments and consideration in readdressing these serious concerns for a challenged riparian eco-system that supports the well-being of humans, wildlife, native plants in Santa Clarita/Los Angeles County and throughout Southern California.

Response No. E10-7:

The comment, serving as a conclusion, expresses gratitude for the review and consideration of the comment letter. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E11

Darrell Clarke
Transportation Chair
Sierra Club Angeles Chapter

Comment No. E11-1:

Please find the attached additional Sierra Club comments on the Newhall Ranch Landmark Village and Mission Village Recirculated Portions of the EIR documents.

Response No. E11-1:

The comment is an introduction to comments that follow. No further response is required.

Comment No. E11-2:

Sierra Club comments on Newhall Ranch Mission Village EIR Recirculated Portions

I would like to submit the following transportation-related comments in addition to other Sierra Club comments submitted on this project.

Response No. E11-2:

The comment is an introduction to comments that follow. No further response is required.

Comment No. E11-3:

- Table 2.1-3 Summary (page 2.1-29) and MV 4.23-4/2-4 (page 2.1-41) – Only one single-port EV charging station per residence is inadequate, especially in light of the California Air Resources Board’s direction toward an all-electric vehicle fleet and the evolution of EVs toward longer range. The requirement should be *one charger per residential parking space*.

Response No. E11-3:

The comment recommends that Mitigation Measure MV 4.23-4/2-4 be revised to require zero emission vehicle (ZEV) charging equipment for every residential parking space on the Project site, in lieu of the measure’s current requirement to provide one ZEV charging station per residence. The comment suggests that this recommendation is necessitated by the California Air Resources Board’s (ARB) pursuit of turnover in the light duty and passenger vehicle fleet in favor of ZEVs.

The Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis) illustrates how Mitigation Measure MV 4.23-4/2-4 will increase the number of ZEVs operated by Project residents. Notably, Appendix 2.1-A and Appendix H therein include an extensive evaluation regarding how the

commitment to provide one ZEV charger for each residence and a \$1,000 ZEV purchase subsidy to 50% of the residences will lead to the purchase of ZEVs. The effectiveness of this measure has been verified by the ARB (see Appendix 2.6 of the Final Recirculated Analysis), which also recently identified the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) Project as an example of a sustainable land use development project that has “demonstrated that it is feasible to design projects that achieve zero net additional GHG emissions” (see page 135 of ARB’s *The 2017 Climate Change Scoping Plan Update*). The relationship of the Mission Village Project to the RMDP/SCP Project is described on page 2.1-3 of the Recirculated Analysis; as explained therein, the Mission Village Project is located within the geographic boundary of the RMDP/SCP Project planning area, and the greenhouse gas (GHG) emissions associated with the Mission Village Project are reflected in the RMDP/SCP Project’s GHG emissions inventory data.

It also should be noted that the Mission Village Project would not impair the ability of Project residents to own and/or operate more than one ZEV. Such a potentiality would be supported by the “beachhead” community status of the RMDP/SCP Project, which is attributable – in part – to its proposed deployment of extensive on-site and off-site EV charging equipment, as well as the multi-faceted implementation of regulations, programs and policies from State, regional and local agencies to facilitate turnover in California’s light duty and passenger vehicle fleet.

Comment No. E11-4:

- MV 4.23-6/2-6 (page 2.1-42) – Where is the process to measure the effectiveness of the TDM plan’s actual VMT reduction and take actions if the target is not met (the Monitoring Action on page 2.3-34+ is mostly about NEVs)?

Response No. E11-4:

The comment inquires as to the process that will be utilized to measure the effectiveness of the Newhall Ranch Transportation Demand Management Plan (TDM Plan), the implementation of which is required by Mitigation Measure MV 4.23-6/2-6. In response, the subject TDM Plan, which was authored by an expert transportation engineering firm (UrbanTrans), identifies those strategies that will be implemented to reduce vehicle miles traveled (VMT), as well as timeline and phasing requirements, monitoring standards, and performance metrics and targets tailored to each of the strategies. In accordance with the TDM Plan, a non-profit Transportation Management Organization (TMO) or equivalent management entity shall be established to provide the services required, as applicable.

Appendix E to Appendix 2.1-A of the Recirculated Analysis contains the TDM Plan, and Section 4.0: Program Monitoring and Table 1: Mission Village TDM Plan Performance Metrics and Targets therein

contain information that is particularly responsive to this comment. As explained in the TDM Plan, data collection mechanisms that will be used to ensure the effectiveness of the VMT-reducing strategies include field verification, resident surveys, TMO reports, and employer reports/surveys. Relatedly, the TMO or equivalent entity is required to periodically evaluate the parameters of the VMT-reduction strategies to ensure that the strategies are meeting the needs and priorities of the Project's residents, employees, tenants and visitors while concurrently serving to reduce VMT. These actions and requirements will ensure that the TDM Plan is effective. Please also see the Project's Errata to the Mitigation Monitoring and Reporting Plan (MMRP), a copy of which was circulated for public review and comment in Section 2.3 of the Recirculated Analysis.

Comment No. E11-5:

More fundamentally, there is nothing about how well the development's urban form inherently does or does not encourage VMT reduction via walkability, bicycle facilities, well-located services, and useful transit.

Response No. E11-5:

The comment states that the Recirculated Analysis does not address how well the Project's "urban form" encourages or discourages VMT reduction via amenities for pedestrians and bicyclists, the location of services, and transit. However, the comment is mistaken as Appendix E to Appendix 2.1-A of the Recirculated Analysis includes an extensive evaluation and discussion of these very issues. Specifically, Appendix E contains a technical memorandum, authored by Fehr & Peers (an expert transportation engineering firm), that evaluates the effectiveness of the Project's TDM Plan primarily by reference to the California Air Pollution Control Officers Associations' (CAPCOA) published guidance, titled *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures*.

The Project is a comprehensive master-planned community that will provide a broad range of land uses to serve residents, including schools, office and retail space and entertainment, which will eliminate the need for many residents to travel off-site (see, e.g., Recirculated Analysis Table 1.0-1, Mission Village Tract Map Statistical Summary). Specific to the comment, the following strategies studied in the Fehr & Peers technical memorandum and contained in the Project's TDM Plan address the areas of interest to the commenter:

2. Pedestrian Network

3. Traffic Calming

4. Transit Network Expansion

6. Required Commute Trip Reduction Program

9. Transit Fare Subsidy for Employees

12. Mobility Hubs

13. Tech-Enabled Mobility

14. Bike Share Program

15. Transit Fare Subsidy for Below Market Rate Housing Residents

Comment No. E11-6:

- MV 4.23-9/2-9 (page 2.1-44) – Not only is \$100,000 insufficient to fund the additional cost of a new electric transit bus over a CNG bus, the appropriate amount *should entirely fund the capital and operating costs for all additional transit service to serve the new development.*

Response No. E11-6:

The comment recommends that Mitigation Measure MV 4.23-9/2-9 be revised to require the Project to entirely fund the capital and operating costs of the subject electric transit buses. However, the requirement established in Mitigation Measure MV 4.23-9/2-9 was delineated to complement the existing subsidy and incentive funding from public agencies that encourage the adoption of zero emissions technology in the medium- and heavy-duty vehicle fleet. Examples of such funding include, but are not limited to, the ARB's Hybrid Truck and Bus Voucher Incentive Program and Zero-Emission Bus and Truck Pilot Program, Caltrans' Low Carbon Transit Operations Program and Transit & Intercity Rail Capital Program, and the California Energy Commission's Medium- and Heavy-Duty Vehicle Technology Demonstration. Full funding of the electric transit bus is not required since the barrier to electric bus adoption is not the full cost of the transit bus but the incremental costs and benefits.

It is also noted that the mitigation framework in the Recirculated Analysis reflects the mitigation framework established by the RMDP/SCP Project's AEA (see, e.g., Recirculated Analysis, p. 2.1-3). As memorialized in a letter from the ARB to the California Department of Fish and Wildlife, dated November 3, 2016 (located in Appendix 2.6 of the Final Recirculated Analysis), the ARB concluded:

“ARB staff consulted with Department of Fish and Wildlife staff and technical experts at Ascent Environmental, the principal consultant assisting the Department. In doing so, ARB staff reviewed the technical documentation provided for the evaluation of the project’s total estimated GHG emissions and the reductions in emissions to be achieved through the mitigation measures. Based on staff’s review, CARB finds the documentation provides an adequate technical basis to determine that the project would not result in any net additional GHG emissions after the mitigation measures are fully implemented.”

As discussed in **Response to Comment No. E11-3** above, the ARB also has identified the Newhall Ranch Resource Management and Development Plan, which includes the Mission Village Project, as a recent example of a sustainable land use development project that has “demonstrated that it is feasible to design projects that achieve zero net additional GHG emissions” (see page 135 of ARB’s *The 2017 Climate Change Scoping Plan Update*). Thus, the Recirculated Analysis’ parameters for Mitigation Measure MV 4.23-9/2-9 are reasonable and adequate.

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COMMENT LETTER NO. E12

Kenneth Kahn, Tribal Chairman
Santa Ynez Band of Chumash Indians
PO Box 517
Santa Ynez, CA 93460

Comment No. E12-1:

Please accept the attached comments.

Response No. E12-1:

The County of Los Angeles (County) accepts the comments from The Santa Ynez Band of Chumash Indians (Santa Ynez Band), a Chumash federally-recognized tribe. No further response is required.

Comment No. E12-2:

Dear Ms. Courtney and to whom it may concern within the California Department of Fish and Wildlife (“DFW” or “CDFW”) and Other Local, State and Federal Lead Agencies with Project jurisdiction:

The Santa Ynez Band of Chumash Indians (“Tribe”), a federally-recognized tribe, provides the following comments on the Newhall Ranch Draft AEA regarding consultation (including AB 52), cultural resource identification, impact assessment and mitigation adequacy, and expressly requesting consultation.

Response No. E12-2:

The County recognizes that the Santa Ynez Band is a federally recognized tribe and has reviewed and considered the comments. No further response is required.

Comment No. E12-3:

I. AB 52 APPLICABILITY

The Tribe received a Notification of Newhall Ranch Resource Development and Conservation Plan/Spineflower Conservation Plan Draft Additional Analysis dated November 3, 2016 (the day of “release of the AEA) (“Notification”). That form letter stated that CDFW’s goal was to understand Tribal interests related to the Draft AEA and to work collaboratively to resolve any concerns and requested “preliminary input” by January 6, 2017, or during the public comment period for the Project which began November 2, 2016 (and was originally set to conclude January 6, 2017, but later extended to February 13, 2017). Thus, the Tribe’s request for consultation as stated in the CDFW letter is timely made through this comment letter.

The Tribe, however, notes that consultation should have been initiated by the Agency *prior to* the draft AEA being scoped, developed and released for public review. Had timely consultation occurred, the Tribe and other Chumash entities could have provided information and made requests to influence how the

AEA was scoped and what subjects it should cover to address tribal concerns. Such subjects may have included items additional to those developed in response to the two important issues addressed by the California Supreme Court in *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 2014. The way that consultation is being handled to date, however, has forced the Tribe into commenting on the inadequacies of a document that has already been drafted and circulated for public (and tribal comment) versus the Tribe playing an earlier and constructive role in the development of the AEA.

Moreover, the Tribe asks, why was the AEA not conducted according to AB 52 (tribal cultural resources and CEQA)? AB 52 became operative prior to the AEA being released. Why was no Notice of Preparation (NOP) circulated? There is no bar to such a notice being circulated for additional environmental review and some jurisdictions are proactively implementing AB 52 to include further environmental documentation, even when those actions that may not technically require a NOP. Here, if the agency issued a NOP, there would be no debate that AB 52 and its provisions requiring tribal consultation regarding the type of environmental document to be produced would apply, that cultural landscapes must be considered and that tribes may have expertise regarding environmental resources of cultural value to them. Please explain how the agency considered or satisfied AB 52 with respect to this AEA, particularly noting the high level of interest by local tribes and the great public controversy regarding the Project?

Response No. E12-3:

The County recognizes that the Santa Ynez Band is a federally recognized tribe and has reviewed and considered the comments. However, this comment and all others that follow are addressed to the California Department of Fish and Wildlife (CDFW), not the County. Based on the County's review, the County has determined that the entire comment letter relates to CDFW's obligations to consult with Indian tribes regarding Newhall's Resource Management and Development Plan/Spineflower Conservation Plan (RMDP/SCP), which is not the project currently before the County. The County has no jurisdiction over the RMDP. More specifically, the comments focus exclusively on the CDFW's Draft Additional Environmental Analysis (AEA) for the RMDP, which is not a document prepared by the County. The comment does not address any issue pertaining to the Recirculated Analysis prepared by the County for the Mission Village project.

Although the comment letter applies to a different project with a different lead agency, the County has considered each comment in the letter as it might relate to the Recirculated Analysis. Accordingly, the County incorporates by reference and includes as Appendix 2.4 of the Final Recirculated Analysis the CDFW responses to the commenter's letter on the RMDP/SCP Project's AEA.

As discussed in Section 2.1(1)(b) of the Recirculated Analysis, the Mission Village Project site is located within the geographic boundary of the RMDP/SCP Project, which covers resource management and development within the Project and other nearby developments. As noted above, the designated

California Environmental Quality Act (CEQA) lead agency for the RMDP/SCP Project is CDFW. As discussed in Section 1.0 of the Recirculated Analysis, CDFW is preparing the RMPD/SCP AEA to address the Supreme Court's decision in the *Center for Biological Diversity* litigation. In the event that CDFW certifies the RMPD/SCP Project's AEA, any mitigation measures in the RMDP/SCP Project's AEA would be applied by the County to the Mission Village Project, and the mitigation framework in the Recirculated Analysis reflects the mitigation framework established by the RMDP/SCP Project's AEA (see Recirculated Analysis, pages 2.1-3, 2.1-39, 2.2-33). Because of the similar scope of analysis presented in the RMDP/SCP Project's AEA and the Recirculated Analysis, and the related mitigation framework, it is reasonable to expect that many of CDFW's responses to this comment letter will apply equally to the Recirculated Analysis.

Based on the County's independent review of the comments that follow on the RMDP/SCP Project's AEA, CDFW's responses to such comments, and the record of proceedings for the Mission Village Project and this Recirculated Analysis, the County concludes that CDFW's responses fully address the comments provided by the commenter on the RMDP/SCP Project's AEA. The County also finds that, except where specified in the responses that follow, no supplemental response is required for application to the Recirculated Analysis. Please see individual responses to each of the comments that follow for additional related information.

Comment No. E12-4:

II. SB 18 CONSULTATION APPLICABILITY

SB 18 requires that local agencies that adopt or amend General and Specific Plans must consult with affiliated tribes concerning open space plans and other aspects of land use planning. The Tribe notes that the Landmark Village Project part of the Newhall Development requires both a General Plan amendment No. 00-196 and a Specific Plan amendment No. 00-196. Please explain whether the Project has complied with the requirements of SB 18 for both actions, and if not, why not. Even if an earlier action on a plan amendment might have been grandfathered, new actions to approve such amendments should be subject to current legal requirements.

Response No. E12-4:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.4 for CDFW's responses to this comment letter).

The comment refers to Senate Bill (SB) 18 and its potential applicability to the Landmark Village Project, which the County approved in 2011. The project currently under review, however, is not Landmark Village but Mission Village. Therefore, no further response is required.

Comment No. E12-5:

III. OTHER CALIFORNIA STATE AND CDFW CONSULTATION OBLIGATIONS

Independent of any AB 52 requirement to consult, the Tribe notes the obligation of all state agencies, including CDFW to consult with the Tribe generally and specifically on actions such as those proposed at Newhall:

Executive Order B-10-11:

IT IS FURTHER ORDERED that it is the policy of this Administration that every state agency and department subject to my executive control shall encourage communication and consultation with California Indian Tribes. Agencies and departments shall permit elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

We also note DFW Tribal Communication and Consultation Policy No. 2014-07 dated Oct. 2, 2014, that DFW seeks to establish and maintain a respectful and effective means of communicating and consulting with Tribes and will seek in good faith to:

1. Communicate and consult with Tribes about fish, wildlife, and plant issues and seek tribal input regarding the identification of potential issues, possible means of addressing those issues, and appropriate actions, if any, to be taken by the Department;
2. Assess the potential impact of Proposed Activities on Tribal Interests and ensure to the maximum extent feasible that tribal concerns are considered before such activities are undertaken and that such impacts are avoided or minimized whenever practicable;
3. Provide timely and useful information relating to Proposed Activities that may affect Tribal Interests;
4. Communicate with and engage with Tribes at the earliest possible stage in the decision-making process;
5. Communicate with Tribes in a manner that is considerate and respectful;
6. Provide Tribes with meaningful opportunities to respond and participate in decision-making processes that affect Tribal Interests;

7. Acknowledge and respect California Native American cultural resources regardless of whether those resources are located on or off Tribal Lands;
8. Acknowledge and respect both the confidential nature of information concerning cultural practices, traditions, beliefs, tribal histories, and Tribal Lands and that state law protects the confidentiality of certain tribal cultural information (Gov. Code, § 6254(r)). The Department will take all lawful and necessary steps to ensure confidential information provided by a Tribe is not disclosed without the prior written permission of the Tribe;
9. Encourage collaborative and cooperative relationships with Tribes in matters affecting fish, wildlife, and plants;
10. Assist the efforts of Tribes to develop sustainable programs, policies, and practices with regard to fish, wildlife, and plants;
11. Acknowledge and seek ways to accommodate the limited financial and staffing resources of Tribes and the Department to ensure effective communication and consultation; and
12. Identify and recommend means to remove procedural impediments to working directly and effectively with Tribes.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=122905&inline>

This policy is the foundation of CDFW's efforts to work cooperatively, communicate effectively, and consult with tribes. It establishes a formal process for engaging in government-to-government consultations. The policy implements and builds on Executive Order B-10-11 and the California Natural Resources Agency Tribal Consultation Policy. However, the previous "consultation" efforts in Newhall, the current AEA and the process used to develop it, do not appear to satisfy either consultation policy. Therefore, the consultation processes must be reinitiated and the AEA revised to consider and address ongoing tribal concerns.

In addition we request consultation with the CDFW Tribal Liaison to actively coordinate the communication and consultation efforts of CDFW as to Newhall.

Response No. E12-5:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.4 for CDFW's responses to this comment letter).

Comment No. E12-6:

IV. INTEREST OF SANTA YNEZ

What would be gained through consultation with Santa Ynez? The Tribe being able to directly address the agencies in explaining its tribal interests and concerns about the Project is vital to a legitimate CEQA process.

The interest of California Tribes in full preservation-in-place analysis and a transparent consideration of the feasibility of each method of preservation, flows from their deep passion for their ancestors and their traditional lands. Many tribes, including Santa Ynez, were separated, some forcibly, from all or part of their homelands and traditional areas over the last several centuries during the “settling” of the West.¹

Off-reservation sacred places, burial grounds, gathering areas, ceremonial places and villages are now under the jurisdiction of local and state agencies for which CEQA is the primary legal mechanism for identifying, evaluating and mitigating potentially adverse impacts. Thus, tribes, including Santa Ynez, often find themselves trying to have their cultural and religious items, places and views adequately integrated into the CEQA process, as has been historically the case in the Newhall Project, which is located in Chumash ancestral lands. If consultation had been properly initiated, the Tribe would have raised these concerns prior to release of the draft AEA.

¹ See, for example, *Early California Laws and Policies Related to California Indians*, California Research Bureau, Kimberley Johnston-Dodds, September 2002 <<http://www.library.ca.gov/crb/02/14/02-014.pdf>> Also see, *AN AMERICAN GENOCIDE: The United States and the California Indian Catastrophe, 1846-1873*, Benjamin Madley, Yale University Press, 2016.

Response No. E12-6:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.4 for CDFW’s responses to this comment letter).

Comment No. E12-7:

V. THE TRIBE HAS RAISED PERSISTANT [sic] CULTURAL RESOURCE IDENTIFICATION AND TREATMENT CONCERNS THAT HAVE NOT BEEN ADDRESSED TO DATE

The Tribe has long expressed concerns about how the project identified and proposes to treat resources of concern to the Tribe. These concerns have been expressed in amicus letters to the California Supreme Court (see two attached letters) and in a declaration from former Santa Ynez Tribal Chairman Vincent Armenta in federal court (see attached declaration). The applicant and agency, parties in both of those

legal proceedings, were aware of the Tribe's concerns but have made no timely effort to seek the Tribe's views and expertise prior to releasing the AEA.

Notwithstanding the state appellate court opinion on remand, the Tribe continues to assert these concerns and substantial evidence regarding these concerns. The agency has not timely engaged the Tribe in consultation to discuss these issues regarding how to ensure cultural resources of importance to the Chumash will be adequately considered and protected in the CEQA process, prior to scoping or releasing the draft AEA. The AEA merely states that, "For purposes of CEQA compliance related to CDFW's review of and action on the project, the AEA augments the environmental information developed in the 2010 Final EIR, CDFW will take into account the combination of the 2010 Final EIR with its supporting materials and the AEA when it considers related action in the future." (AEA, pages 1-4 to 1-5). Please explain how the agency has considered Tribal concerns in the AEA and how it intends to specifically understand and address the Tribe's concerns prior to taking action on the Project in the future?

The Tribe remains concerned about the adequacy of the cultural resources mitigation measures for the Project. The Newhall Opinion on remand, affirming that court's prior holdings regarding cultural resources, appears to interpret CEQA Guidelines section 15126.4 (Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects) to allow: 1) that a preservation-in-place method need not be acceptable to culturally-affiliated tribes and 2) that feasibility determinations for that method or a contingent measure that is not preservation-in-place can be done at some future time after project approval, without the use of standards to ensure the determination is supported by substantial evidence or tribal participation. Thus, the Opinion may disproportionately impact Chumash resources specifically and California Tribes and tribal entities more generally, by appearing to "bless" a shortcutting of a full analysis of each of the potential methods to achieve preservation in place,² the determination of feasibility of preservation measures and the appropriateness of a project's contingent measures (if any). The Tribe hereby requests the Project's cultural resource (and other) mitigation measures be revised to require any post-approval actions *be made in an open, transparent and accountable process and by a party without an inherent bias (the applicant or its agents)*. These issues are of vital importance to Santa Ynez (and likely other California Tribes) for the following reasons:

² CEQA Guidelines section 15126.4 states that preservation-in-place maintains the relationship between the artifacts and their archaeological context *and may also avoid conflict with the religious or cultural values of groups associated with the site*. It also states that specific methods of achieving preservation-in-place may include but are not limited to: 1) planning construction to avoid sites, 2) incorporating sites into parks or open space, 3) covering sites with sterile soil and building tennis courts or similar facilities, or 4) dedicating sites into permanent conservation easements. These four methods, and others that might be conceived given a project's and site's facts and environmental context, can be very different from one another and may offer comparative advantages and disadvantages. Such factors should be evaluated in an environmental document and, along with the affiliated tribe's views on the methods, be taken into consideration by the decision maker. *Madera Oversight Coalition v. County of Madera*, 199 Cal.App.4th 48 (2011).

First, while CEQA addresses trustee, responsible and lead agencies, until the promulgation of AB 52 in late 2014, it did not directly address tribal governments. This often created a situation where the cultural resource section of environmental documents defaulted to consider only the views of "credentialed"

archaeologists or academics interested in “scientific” values rather than to also reflect the views of the people who are in fact culturally-affiliated with those same resources and usually for the cultural or religious (not scientific) value of the resources - which can result in different mitigation measures. Mitigation that might be appropriate to mitigate impacts to *archaeological* values (i.e., excavation or capping), may not be appropriate to mitigate impacts to the cultural values of the resource. Further, because there are no “accepted” standards of cultural resource management practice (contrary to the statement in the Opinion (page 12)), the cultural resource mitigation required on projects can vary widely. This overreliance on unaffiliated, “scholarly” consultants working off of unpromulgated, inconsistent standards resulted, in part, in a systemic lack of integration of tribal values and perspectives into projects, their environmental documents and mitigation,³ including as exhibited in the Newhall Project. Such omissions, and their unmitigated cumulative effects on tribal resources, also resulted in the passage of AB 52.

³ See, for example, *How the archaeologists stole culture: A gap in American environmental impact assessment practice and how to fill it*, Dr. Tom King, Environmental Impact Assessment Review 18(2)LI 17-133, March 1998 <https://www.researchgate.net/publication/248536857_How_the_archeologists_stole_culture_A_gap_in_American_environmental_impact_assessment_practice_and_how_to_fill_it>

Second, CEQA standards and documents continue to often be poorly harmonized with federal processes such as the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), as occurred previously in Newhall, despite the CEQA Guidelines preference for coordination of those statutory processes and environmental documents (CEQA Guidelines section 15226 (Joint Activities)). This disconnect often manifests itself in the CEQA documents coming first in time, and only later, the federal documents. This includes cultural resource management documents such as Historic Property Treatment Plans (HPTPs) which then - often years after the project has already been approved under CEQA - form part of the puzzle about what can be preserved and how, and what is feasible. Moreover, CEQA’s preference for preservation-in-place can offer a stronger, substantive protection for cultural resources compared to the federal frameworks which may be largely procedural. The agencies should not be allowed to continue to engage in uncoordinated and deferred joint activity analysis that creates a perfect storm: reducing the substantive protection for sites, unfairly placing the tribes outside of determinations of feasibility and leaving tribes potentially without a timely CEQA remedy. Please explain what steps are being made to update the NEPA, NHPA and ESA aspects of the Project and what efforts will be made to consult with affiliated tribes on the federal side and how these will be coordinated with state actions.

Third, we are concerned about not just when determinations of feasibility of preservation-in-place methods are made, but *by whom and on what basis*. If feasibility determinations are made post-project approval, and outside the “public” CEQA process, there should be clear performance standards set out *prior to project approval* for how feasibility is to be determined and supported by substantial evidence. In Newhall, these standards were not clear from the answers to the petition for review or the mitigation measures themselves, which we understand remain unchanged. Moreover, such determinations should be made *by the lead agency*, not the project applicant: To allow the applicant to make the determinations, would be for an agency to improperly yield its independent judgment to a private entity and one with an inherent bias in making such findings. Those determinations, likely would be based on maximizing project profits - not maximizing the public good. Tribal interests, which might otherwise be considered by a lead agency including pursuant to government-to-government relations, would also be shortchanged.

Fourth, sometimes an effort is made by agencies or applicants during the CEQA process to pit one tribal entity against another, or have one tribal entity agree to speak on behalf of other tribal entities without authorization from those entities, efforts that are typically not made regarding other types of governmental entities. To help prevent this tribal “forum shopping”, it is important that evaluations and mitigations that address the culturally-appropriate treatment of cultural items *be required in the CEQA documents themselves* - and recognize that *the treatments may differ* given the resources encountered and the cultural practices of the tribes affiliated with those resources, which in Newhall, are both the Tataviam and Chumash. Yet, no provisions were made in the Newhall mitigation measures for the appropriate treatment of any Chumash materials that may be encountered on the Newhall Project despite Chumash monitors having been used during site work on an earlier road project at one of the sites in the Project area.

Finally, when the negotiation of these treatment protocols is deferred to post-project approval or at the time of late discoveries, it frequently disenfranchises all the tribes and creates a void that archaeologists or academics are once again invited to *fill with approaches other than preservation-in-place methods*, such as sampling, partial or full data recovery excavation (all three of which are different) or other methods (sometimes euphemistically called “contingencies”) that primarily benefit archaeologists and applicants. Make no mistake: such contingent measures rarely result in preservation-in-place. Moreover, whether preservation-in-place will in fact occur is not an allowable “detail” to be deferred or a substantially confirming measure that may be “substituted” pursuant to CEQA. In Newhall, the contingent mitigation for cultural resources may result in desecrations and spiritual violations for tribes, the impacts of which continue to fail to be analyzed in the EIR or AEA.

Response No. E12-7:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.4 for CDFW’s responses to this comment letter).

Comment No. E12-8:

VI. PROJECT CHANGES MAY AFFECT CULTURAL RESOURCES OF CONCERN TO TRIBES AND MUST BE CLEARLY DESCRIBED AND REFLECTED IN THE AEA ANALYSIS

The Tribe understands that the Superior Court’s writ in the state litigation was narrow to revising the EIR to address the stickleback and greenhouse gas (GHG) issues mentioned above. The Tribe also is generally supportive of protective mechanisms for the stickleback and improvements to control GHG. However, to the extent the Project now will be changed to address GHG effects, i.e. a building or road is placed somewhere new that may have direct, indirect or cumulative effects to cultural resources, or, to the extent the proposed modifications to Newhall Ranch’s GHG reduction measures and design and construction process for the Santa Clara River bridges and streambank stabilization efforts could impact burials or other cultural resources, then there may be new, unanalyzed cultural resource impacts that

should have also been considered in the AEA. The AEA merely states that the revised project will be in “essentially” identical to that in the 2010 FEIR (AEA, page 3-37). Are these in the same locations or not? Please explain how the revised Project differs from the prior Project in more specific detail relative to Project component locations.

It is well known that villages, burial areas, sacred sites and resource procurement locations are also found in, along or not far from wetland areas or other water sources. CEQA unambiguously states that if project mitigation may cause additional environmental effects, those effects must also be discussed in the environmental document. CEQA Guidelines section 15126.4(a)(1)(D). Yet, the AEA, section 4.1, does not indicate that any cultural resource professionals contributed to the new analysis.

Also, please explain whether any prior or new cultural surveys cover these areas and explain why such surveys may not have been done to examine, or previous surveys updated, to reflect current conditions. It is well known that environmental conditions change over time, such as through erosion, bioturbation, etc., and that survey methodology evolves over time, therefore cultural surveys require regular updating to reflect current conditions and methods. Accordingly, the Tribe requests that all such surveys be updated and based off on contemporary survey techniques that include the participation of knowledgeable, affiliated tribal monitors and representatives.

Response No. E12-8:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.4 for CDFW’s responses to this comment letter).

Comment No. E12-9:

VII. AUTHORITY TO IDENTIFY AND INTERPRET CULTURAL RESOURCES

CEQA provides that certain historical resources are presumed to be historically or culturally significant for the purposes of CEQA. See PRC Sec. 21084.1. Additionally, CEQA provides that, even if a resource has not been identified as significant pursuant to one of these mechanisms, a lead agency has the discretion to determine whether the resource may be a historical resource for the purpose of CEQA. Id. The CEQA Guidelines further clarify the authority of a lead agency to determine the presence of historically significant resources:

Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant to in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resources, provided the lead agency’s determination is supported by substantial evidence in light of the record.

CEDQ [sic] Guidelines at 14 CCR sec. 15064.

Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing in CRHP, which include the following:

- (A) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- (B) Is associated with the lives of persons important in our past.
- (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (D) Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA Guidelines at 14 CCR at Sec. 15064.5

Thus, there is authority to identify resources of historic significance even if such historic resources have not been previously identified. In fact, in light of the recommendations regarding the protection of traditional tribal uses, the lead agency also appears to have an obligation to evaluate ongoing traditional tribal uses as significant historic resources in the CEQA process.

Specifically, the Tribe requests that culturally-appropriate methods for identification occur, including but not limited to: conducting an updated NAHC Sacred Lands File search, old maps searches, search of any THPO databases; having a qualified and affiliated Tribal Monitor/ Representative on the initial pedestrian survey; looking (around) for resources of tribal concern which may also include natural features, viewsapes, sacred water sources, phenomenons, essence of place, intangible or ceremonial aspects, landscape values; the Tribe providing input on appropriate boundaries; and the agency working with Tribal Preservation Consulting Services (Tribal Preservation Departments, THPOs, THPO CRM programs, etc.)

Tribal perspectives about significance also must be considered; these may include that: an individual artifact may have cultural value or has value as a component of larger place (landscape, district); may show indication of individual artisan (painting, incising, etching, fingerprints); and must consider cultural, spiritual or religious value for affiliated people.

Tribal perspectives about integrity must also be considered: resources may not need to be in “original” location; Ancestor remains may be in any state of completeness or decomposition; “disturbed” sites can still have cultural value; resources may not need to be intact; natural decay may be okay, part of a cultural process; and objects may be “associated” even if at some distance.

Finally, regarding eligibility, the Tribe expects that testing will be considered an adverse effect/impact; that noninvasive testing tools will be considered first such as Ground Penetrating Radar, Geoarchaeology, Historic Human Remains Detection Canines, historical and current aerial photography, LiDAR, etc.; that eligibility will be assessed under all Criteria - A, B, C and D; that value to the Tribal Community will be considered; and that ethnographic studies and regional syntheses can help provide context as an evaluation tool – not necessarily just as after-the-fact mitigation measure, at the very start of project application and before the draft environmental document published.

Response No. E12-9:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.4 for CDFW's responses to this comment letter).

Comment No. E12-10:

VIII. CULTURAL LANDSCAPES

A historic property may be a cultural landscape and it may be based on traditional uses of natural resources. The Department of State Parks has interpreted historic resources to include "cultural landscapes" and has looked to federal guidance interpreting the National Historic Preservation Act (16 U.S.C. sec. 470, et seq.) to define what resources may be designated a cultural landscape. See www.parks.ca.gov/default.asp?page_id=22854 (examples such as Golden Gate Park and Lake Shasta). Consistent with federal guidance, the State Parks website explains that the term "cultural landscape is an umbrella term that includes four general landscape types: historic designated landscapes, historic sites, and ethnographic landscapes which are defined in the National Park Service, Preservation Brief 36, Protecting Cultural Landscapes (Brief 36). Id.

Brief 36 defines a cultural landscape to be a "geographic area, including both cultural and natural resources and the wildlife and domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values." In the definition of ethnographic landscape, Brief 36 also notes that subsistence activities are often a component of the landscape.

After reviewing the various types of cultural landscapes, State Parks identifies a list of themes in California history that are recognized as cultural resource deficiencies in the State Parks System. With regard to significant properties, State Parks offers the following themes:

- Settlement and Subsistence Patters [sic];
- Special Adaptations and Environmental Management;
- Trade and Movement; and
- Ideology (e.g. sacred sites, petroglyph and pictograph sites, intaglios).

California State Parks website at www.parks.ca.gov/default.asp?page_id=22854.

The California Environmental Resources Evaluation System (CERES) has also issued guidelines for monitors and consultants working with Native American cultural, religious, and burial sites, which describe the scope of historical resources. Guidelines for Monitors/Consultants Native American Cultural, Religious, and Burial Sites, <http://ceres.ca.gov/nahc/guidelines4mon.htm1>. Consistent with State Parks interpretation of cultural landscapes, these guidelines advise that historic resources can

include Native American graves and artifacts; traditional cultural landscapes; natural resources used for food, ceremonies or traditional crafts; and places that have special significance because of the spiritual power associated with them. Id.

The protections of historic and cultural resources under CEQA and the National Historic Preservation Act are interrelated, and as noted above, California State Parks looks to federal policy documents with respect to evaluating historic and cultural resources. Similarly, the National Parks Service guidelines for cultural resources management also illustrate the connection between cultural landscapes and traditional uses. The National Parks Service recognizes that “[e]thnographic resources are basic expressions of human culture and the basis for continuity of cultural systems” and they are not limited to things commonly thought of a cultural resources. See NPS-28, Cultural Resource Management Guideline, issued pursuant to Director’s Order #28. “A cultural system ... includes traditional arts and native languages, religious beliefs and subsistence activities.” Id. “Ethnographic resources are variations of natural resources and standard cultural resource types. They are subsistence and ceremonial locales and sites, structures, objects, and rural and urban landscapes assigned cultural significance by traditional users.” Id. When natural resources acquire meaning according to different cultural constructs of a particular group, they become ethnographic and thus cultural resources as well, and the heritage significance of the natural resources may be related to religious, healing, and subsistence. Id.

These authorities, and others such as cultural landscape publications on the ACHP website, must be considered regardless of whether AB 52 is found to apply to the AEA. Natural resources with cultural value relevant to the Newhall site include arroyo willow, juncus, tule, clay and river rock sources and other resource locations must be considered in the AEA. More detail about them can be provided through consultation between CDFW and the Tribe. The Tribe expects to see such analysis be applied to the whole of the Project, any recent Project changes and to the Project’s mitigation.

Response No. E12-10:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.4 for CDFW’s responses to this comment letter).

Comment No. E12-11:

IX. FIFTH CIRCUIT CA COURT OF APPEALS DECISION THAT PROTECTS TRADITIONAL CULTURAL PLACES (TCPs) AS PART OF THE CEQA AFFECTED ENVIRONMENT

MADERA OVERSIGHT COALITION CASE CITATION AND ABSTRACT:

http://www.narf.org/nill/bulletins/state/documents/madera_oversight_v_madera.html

Court of Appeal, Fifth District, California.
MADERA OVERSIGHT COALITION, INC., et al., Plaintiffs and Appellants,
v.
COUNTY OF MADERA, Defendant and Appellant;
Tesoro Viejo, Inc., et al., Real Parties in Interest and Appellants.

No. F059153.Sept. 13, 2011

CEQA requires consideration of project impacts on either archaeological sites or historical sites deemed to be historical resources. If the project will cause a substantial adverse change to the characteristics of an historical resource that conveys its significance or justifies its eligibility for inclusion in the California Register, the project is judged to have a significant effect upon the environment, according to Section 15064.5 of the CEQA guidelines. Five of the seven resources in the Project Area are considered historical resources: CA-MAD-295/827, 826, 2392, 2394 and P-20-002308. In addition, there are areas that are of special religious or social significance to the Native Americans (e.g., Traditional Cultural Properties) in the Project Area. Based on the current project design, all historical resources and the sites of special religious or social significance within the Project Site may be impacted by the proposed development, either directly or indirectly.

2. Specific rules for historical resources of an archaeological nature

Guidelines section 15126.4, subdivision (b) addresses mitigation measures related to impacts on historical resources. When the particular historical resource is archaeological in nature, the discussion contained in the EIR is governed by subdivision (b)(3) of that guideline, which provides in part:

“Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archeological site:

“(A) Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

*84 “(B) Preservation in place may be accomplished by, but is not limited to, the following:

“1. Planning construction to avoid archaeological sites;

“2. Incorporation of sites within parks, greenspace, or other open space;

“3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.

“4. Deeding the site into a permanent conservation easement.

“(C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall **653 be prepared and adopted prior to any excavation being undertaken....” FNI6

FNI6. These provisions apply to archaeological sites that are historical resources. Archaeological sites that are not historical resources are subject to different requirements. For example, when a site meets the definition of a unique archaeological resource and is not an historical resource, it is treated in accordance with the provisions in section 21083.2, not Guidelines section 15126.4, subdivision (b)(3). (Guidelines, § 15064.5, subd. (c)(3).) As a result, unique archaeological sites that are not historical resources are subject to less stringent requirements regarding mitigation of impacts.

The AEA does not describe how the Project is consistent with this case.

Response No. E12-11:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.4 for CDFW’s responses to this comment letter).

Comment No. E12-12:

X. UNDRIP

In December 2010, the United States announced support for the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**. In announcing this support, President Obama stated: “The aspirations it affirms—including the respect for the institutions and rich cultures of Native peoples—are one we must always seek to fulfill... [W]hat matters far more than any resolution or declaration – are actions to match those words.” The UNDRIP addresses indigenous peoples’ rights to maintain culture and traditions (Article 11); and religious traditions, customs, and ceremonies (Article 12); to participate in decision making in matters which would affect their rights (Article 18); and to maintain spiritual connections to traditionally owned lands (Article 25).

Assembly Joint Resolution 42 as filed with the Secretary of State August 11, 2014, expresses the Legislature’s endorsement of the principles of the United Nations Declaration on the Rights of Indigenous Peoples. The measure, among other things, calls for increased awareness, sensitivity, and respect for issues of sovereignty related to the heritage of Native Americans and indigenous peoples. The consultation and CEQA processes used for Newhall do not appear consistent with UNDRIP principles, please explain.

Response No. E12-12:

As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.4 for CDFW's responses to this comment letter).

Comment No. E12-13:

CONCLUSION

The Tribe appreciates your consideration of our comments on the Newhall Ranch Draft AEA and our request that the Newhall site be considered as a traditional cultural landscape to the Chumash. We hereby incorporate by reference Wishtoyo Foundation's and Mati Waiya's prior submitted comments on the EIR's deficiencies, including the content of those comments regarding the EIR's deficiencies as to the identification of, analysis of, and mitigation for Chumash cultural resources at CA-LAN-2133, 2233, 2235, and throughout the project site, and their additional comments on the Newhall Ranch Draft AEA and any litigation pertaining thereto.

The Tribe also looks forward to beginning meaningful consultation regarding cultural resource identification methods, the Project's impacts, appropriate mitigation and the sufficiency of the environmental documents with each of the permitting agencies.

Response No. E12-13:

The County recognizes that the Santa Ynez Band is a federally recognized tribe and has reviewed and considered the comments. As described in **Response to Comment No. E12-3**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.4 for CDFW's responses to this comment letter).

COMMENT LETTER NO. E13

Aruna Prabhala, Kevin Bundy, Ileene Anderson,
Center for Biological Diversity
1212 Broadway, Suite 800
Oakland, CA 94612

Comment No. E13-A:

Please see attached comments from the Center for Biological Diversity, Friends of Santa Clara River, SCOPE and Wishtoyo/Ventura Coastkeeper regarding the Additional Analysis and Recirculated EIR for the Mission Village Project.

Response No. E13-A:

The comment is an introduction to comments that follow and identifies the list of organizations that are submitting the subject comment letter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required.

Comment No. E13-B:

The exhibits referenced in the letter are too large to send via email and have been mailed to your office today, which we were told by your office would ensure that our comments and exhibits were timely submitted. Please confirm receipt of this email and the CD when it arrives.

Response No. E13-B:

The comment notes that the exhibits included in the letter are too large to send electronically, such that hard copies were sent via regular mail. In response to the comment's request, the County of Los Angeles (County) acknowledges receipt of the comment letter and the exhibits. No further response is required.

Comment No. E13-C:

If you have questions or concerns regarding the letter or its exhibits, please feel free to contact me.

Response No. E13-C:

The comment states that the County may contact the commenter with any questions or concerns regarding the comment letter or its exhibits. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required.

Comment No. E13-D:

These comments are submitted on behalf of the of the Center for Biological Diversity ("the Center"), Friends of the Santa Clara River, SCOPE and Wishtoyo/Ventura Coastkeeper (collectively "conservation groups") to Los Angeles County regarding the Recirculated Portions of the EIR (Additional Analysis)

(hereinafter “Additional Analysis”) for the Mission Village Project (“the Project”), one of the five villages within the Newhall Ranch Specific Plan.

Response No. E13-D:

The comment identifies the list of organizations that are submitting the subject comment letter. Whereas the comment defines the Recirculated Portions of the EIR as the “Additional Analysis,” in this and all subsequent responses, the document will be referred to by its correct title – the Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required.

Comment No. E13-E:

The Additional Analysis is narrow in its scope and focuses on only two issues: modification of construction methods to avoid take of unarmored threespine stickleback and re-evaluation of the Project’s GHG emissions. (AA pp. 1.01-1.03.) The Additional Analysis consideration of these two issues is inadequate and incomplete. Additionally, the Additional Analysis fails as a CEQA document and cannot be used to resolve the issues raised by the California Supreme Court in *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal. 4th 204 or in *Friends of the Santa Clara River v. County of Los Angeles* (Case No. B256125; Los Angeles County No. BS136549).

Response No. E13-E:

The comment characterizes the Recirculated Analysis as “narrow in its scope ... inadequate and incomplete” and states that it cannot be used to resolve the issues implicated by the Mission Village Project’s litigation proceedings. In response, please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**. As discussed in the referenced topical response, the Recirculated Analysis’ scope is consistent with the California Supreme Court’s 2015 *Center for Biological Diversity v. California Department of Fish and Wildlife* decision, the Second Appellate District’s opinion on remand, as well as operative provisions of the California Environmental Quality Act (CEQA). Given the general parameters of this comment, no further response is required. The comment refers specifically to pages 1-1 to 1-3 of the AEA; the corresponding pages in the Recirculated Analysis are 1.0-1 to 1.0-3.

Comment No. E13-F:

For these reasons, the conservation groups urge Los Angeles County to substantially revise and re-release an environmental impact report that adequately addresses the environmental impacts of the Project and complies with CEQA prior to moving forward with the Project.

Response No. E13-F:

The comment requests that the County substantially revise and re-release an Environmental Impact Report (EIR) for the Project before moving forward with the Project. Given the general parameters of this

comment, a detailed response is not provided. However, please note that, based on the County's evaluation of the arguments presented in later portions of this comment letter and a review of the Mission Village Project's record of proceedings, no changes have triggered the need for preparation of a subsequent EIR under the operative CEQA provisions. See **Response to Comment No. E13-E and Topical Response 1: Scope of the Recirculated Portions of the EIR.**

Comment No. E13-G:

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.1 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Los Angeles County.

Friends of the Santa Clara River is a non-profit environmental organization dedicated to protecting, restoring, and enhancing the natural qualities of the Santa Clara River, and preserving natural diversity within the Santa Clara River watershed.

SCOPE is a non-profit organization that works to promote, protect and preserve the environment of the Santa Clarita Valley. SCOPE monitors, reviews and takes action on proposals which would impact or affect the environment, ecology and/or quality of life in the Santa Clarita Valley.

Wishtoyo/Ventura Coastkeeper is a non-profit grassroots organization with over 700 members consisting of Ventura County's diverse residents and Chumash Native Americans. Wishtoyo's mission is to preserve and protect Chumash culture, the culture of all Ventura County's diverse communities, and the environment that our current and future generations depend upon.

Response No. E13-G:

The comment provides general, background information regarding the organizations that submitted the subject comment letter, including their respective missions. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.

Comment No. E13-H:

The conservation groups' concerns with the Additional Analysis are similar in scope and substance as the concerns they raised in their comments on the Additional Environmental Analysis ("AEA") for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Environmental Impact Report ("the Project") released by the California Department of Fish and Wildlife. The AEA and Additional Analysis here are nearly identical in the issues they cover and the analysis they rely upon. Therefore, the conservation groups incorporate their comment letter on the AEA into this letter and have attached it as Exhibit 1. When reviewing and responding to comments submitted on the Additional Analysis, the conservation groups request Los Angeles respond to the issues raised in the incorporated and attached AEA comment letter as they apply to Mission Village, except for instances where the AEA comment letter specifically references the entire Newhall Ranch Specific Plan.

Response No. E13-H:

The comment requests that the County refer to the commenter's attached comment letter on a related, but different project (i.e., the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan Project (RMDP/SCP Project) that is not under the County's jurisdiction and for which the County does not act as the CEQA lead agency. The Additional Environmental Analysis (AEA) for the RMDP/SCP Project referenced by the comment was prepared and will be evaluated for certification under CEQA by the California Department of Fish and Wildlife (CDFW).

The comment specifically requests that the County "respond to the issues raised" in the comment letter on CDFW's AEA for the RMDP/SCP Project "as they apply to Mission Village." Other than this general request, the commenter does not provide any specific critiques or comments related to the Recirculated Analysis. Although the substantive comment letter applies to a different project with a different lead agency, the County has considered each comment raised by the commenter and considered its applicability to the Recirculated Analysis. Accordingly, the County incorporates by reference and includes as Appendix 2.2 of the Final Recirculated Analysis the responses to the commenter's letter on the RMDP/SCP Project's AEA that were prepared, considered and certified by CDFW.

As discussed in Section 2.1(1)(b) of the Recirculated Analysis, the Mission Village Project site is located within the geographic boundary of the RMDP/SCP Project, which covers resource management and development within the Project and other nearby developments. As noted above, the designated CEQA lead agency for the RMDP/SCP Project is CDFW. As discussed in Section 1.0 of the Recirculated Analysis, CDFW is preparing the RMPD/SCP AEA to address the Supreme Court's decision in the *Center for Biological Diversity* litigation. In the event that CDFW certifies the RMPD/SCP Project's AEA, any mitigation measures in the RMDP/SCP Project's AEA would be applied by the County to the Mission Village Project, and the mitigation framework in the Recirculated Analysis reflects the mitigation framework established by the RMDP/SCP Project's AEA (see Recirculated Analysis, pages 2.1-3, 2.1-39, 2.2-33). Because of the similar scope of analysis presented in the RMDP/SCP Project's AEA and the Recirculated Analysis, and the related mitigation framework, it is reasonable to expect that many of CDFW's responses to this comment letter will apply equally to the Recirculated Analysis.

Based on the County's independent review of the comments that follow on the RMDP/SCP Project's AEA, CDFW's responses to such comments, and the record of proceedings for the Mission Village Project and this Recirculated Analysis, the County concludes that CDFW's responses fully address the comments provided by the commenter on the RMDP/SCP Project's AEA. The County also finds that, except where specified in the responses that follow, no supplemental response is required for application to the

Recirculated Analysis. Please see individual responses to each of the comments that follow for additional related information.

Comment No. E13-I:

Thank you for the opportunity to submit comments on the Project and the Additional Analysis. We look forward to working with the County to assure that the Project and its associated environmental review conforms to the requirements of state law while assuring that the significant environmental impacts of the Project are adequately analyzed and mitigated. In light of the deficiencies in the Additional Analysis raised in this comment letter, we strongly urge the County to revise the Additional Analysis and recirculate it for further public review and comment. If you have any questions, please contact the Center at the number listed below.

Response No. E13-I:

The County appreciates the comments provided in this letter and the offer to work with the County during the Project's environmental review process. As stated in **Response to Comment No. E13-F**, based on the responses provided below, no changes have triggered the need for preparation of a subsequent EIR under the operative CEQA provisions.

O9. Letter from Aruna Prabhala, Kevin Bundy, Heene Anderson, Center for Biological Diversity, dated February 13, 2017

Comment No. O9-1:

I apologize, my inclusion of San Bernardino Valley Audubon Society in previous letter was in error. This letter is submitted on behalf of Center for Biological Diversity, Friends of Santa Clara River, SCOPE and Wishtoyo/Ventura Coastkeeper only.

Response No. O9-1:

The comment identifies a mis-statement in Comment No. O9-2 below concerning the identity of the organizations submitting the subject comment letter, specifically noting that the letter was not submitted on behalf of the San Bernardino Valley Audubon Society. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.

Comment No. O9-2:

Please see attached comments from the Center for Biological Diversity, Friends of Santa Clara River, SCOPE and Wishtoyo Foundation and San Bernardino Valley Audubon Society's regarding the Additional Environmental Analysis for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Environmental Impact Report.

Response No. O9-2:

The comment is an introduction to comments that follow. No further response is required. Please also see **Response to Comment No. O9-1** above for information regarding the list of organizations submitting the comment letter.

Comment No. O9-3:

The Exhibits included in the letter are too large to send via email and have been mailed to your office today. Please confirm receipt of this email and the CD when it arrives.

Response No. O9-3:

The comment notes that the exhibits included in the letter are too large to send electronically, such that hard copies were sent via regular mail. In response to the comment's request, the County acknowledges receipt of the comment letter and the exhibits. No further response is required.

Comment No. O9-4:

If you have questions or concerns regarding the letter or its exhibits, please feel free to contact me.

Response No. O9-4:

The comment states the commenter may be contacted with any questions or concerns regarding the comment letter or its exhibits. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required.

Comment No. O9-5:

These comments are submitted on behalf of the Center for Biological Diversity (“the Center”), Friends of the Santa Clara River, SCOPE and Wishtoyo/Ventura Coastkeeper (collectively “conservation groups”) regarding the Additional Environmental Analysis (“AEA”) for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Environmental Impact Report (“the Project”).

Response No. O9-5:

The comment identifies the list of organizations that are submitting the subject comment letter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required.

Comment No. O9-6:

The stated purpose of the AEA is to respond to “direction from the California Supreme Court in its decision regarding the project’s environmental impacts.” (AEA 1-1, citing Center for Biological Diversity v. California Department of Fish and Wildlife (2015) 62 Cal. 4th 204.) However, the AEA is extremely limited in scope and covers only two topics: “consideration of the project applicant’s proposed revisions to the GHG reduction measures” and “whether the modified bridge and bank stabilization design and construction methods would result in prohibited take or possession of unarmored threespine stickleback or other significant adverse impacts to the species not previously addressed in the 2010 Final EIR.” (AEA 1-1.).

Response No. O9-6:

The comment restates information contained in the draft environmental documentation regarding the scope and purpose of the RMDP/SCP Project’s AEA. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final

Recirculated Analysis for CDFW's responses to this comment letter).¹ Both the comment and response refer to page 1-1 of the AEA; the corresponding pages in the Recirculated Analysis are 1.0-1 to 1.0-3.

Comment No. O9-7:

As explained in further detail below, the AEA analysis of these two issues is inadequate and incomplete. Additionally, the AEA fails as a CEQA document and cannot be used to resolve the issues raised by the California Supreme Court in *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal. 4th 204.

Response No. O9-7:

The comment is an introduction to comments that follow, and generally states that the analysis of greenhouse gas (GHG) emissions and impacts to unarmored threespine stickleback is inadequate and incomplete, such that the AEA does not resolve the issues addressed in the California Supreme Court's 2015 decision. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-8:

For these reasons, the conservation groups urge the Department of Fish and Wildlife ("Department") to substantially revise and re-release an environmental impact report that adequately addresses the environmental impacts of the Project and complies with CEQA prior to moving forward with the Project.

Response No. O9-8:

The comment requests that CDFW substantially revise and re-release an EIR for the Project before moving forward with the Project. Given the general parameters of this comment, a detailed response is not provided. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the

¹ As part of the review of this comment, the County has reviewed CDFW's Topical Response 1: Scope of the Additional Environmental Analysis. Based on the County's independent review, the County concludes that the topical response is responsive to comments submitted on the AEA. However, to reflect the litigation history of the Recirculated Analysis, the County has prepared a related topical response: Topical Response 1: Scope of the Recirculated Portions of the EIR. For purposes of reviewing and responding to this comment letter, the County's Topical Response 1: Scope of the Recirculated Portions of the EIR applies wherever the CDFW response refers to CDFW's Topical Response 1: Scope of the Additional Environmental Analysis.

comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-9:

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.1 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Los Angeles County.

SCOPE is a non-profit organization that works to promote, protect and preserve the environment of the Santa Clarita Valley. SCOPE monitors, reviews and takes action on proposals which would impact or affect the environment, ecology and/or quality of life in the Santa Clarita Valley.

Friends of the Santa Clara River is a non-profit environmental organization dedicated to protecting, restoring, and enhancing the natural qualities of the Santa Clara River, and preserving natural diversity within the Santa Clara River watershed.

Wishtoyo/Ventura Coastkeeper is a non-profit grassroots organization with over 700 members consisting of Ventura County's diverse residents and Chumash Native Americans. Wishtoyo's mission is to preserve and protect Chumash culture, the culture of all Ventura County's diverse communities, and the environment that our current and future generations depend upon.

Response No. O9-9:

The comment provides general, background information regarding the organizations that submitted the subject comment letter, including their respective missions. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-10:

I. The Revised Greenhouse Gas Analysis Fails to Satisfy CEQA's Requirements

A. The Greenhouse Gas Emissions Inventory Fails to Account for All Reasonably Foreseeable Project Emissions.

1. The Assumption of a 30-Year Project Life Is Unsupported.

The greenhouse gas inventory and mitigation measures discussed in the revised analysis¹ assume a 30-year project life from the date of construction. Indeed, the greenhouse gas emissions inventory appears to assume that all residential and commercial buildings, and all associated sources, will simply cease emitting beginning 30 years after buildings are completed. (See App. 1, App. K, Tables K-5 and K-6 [showing emissions declining to zero or near zero beginning 30 years after Project construction].)² This assumption is unsupported by either the cited guidance document or any substantial evidence.

¹ References to the “revised analysis” in this document encompass the Draft Additional Environmental Analysis (“AEA”) and accompanying technical documentation prepared by the California Department of Fish and Wildlife. To the extent that Los Angeles County’s Draft Recirculated EIRs for the Mission Village and Landmark Village projects rely on the same or substantially similar documents, the term “revised analysis” is intended to refer to the County’s documents as well.

² References to “App. 1” throughout these comments refer to the Greenhouse Gas Emissions Technical Report and Appendices attached as Appendix 1 to the Department’s Draft Additional Environmental Analysis and also included as an appendix to the recirculated portions of Los Angeles County’s environmental impact reports (EIRs) for Mission Village and Landmark Village.

According to the revised analysis, the 30-year project life assumption was drawn from a South Coast Air Quality Management District (SCAQMD) greenhouse gas threshold. (App. 1, App. K, Table K-5, n.1.) The cited document, however, recommends amortization of construction emissions based on a 30-year project life for stationary and industrial sources where SCAQMD is the lead agency, not residential and commercial developments under the jurisdiction of other lead agencies.³ Indeed, SCAQMD staff expressly declined to recommend a threshold for residential and commercial facilities that included a similar 30-year project life assumption.⁴ The SCAQMD documents do not support the assumptions in the revised analysis.

³ South Coast Air Quality Management District, Board Letter Re: Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans, Agenda No. 31 at 2 (Dec. 5, 2008) (explaining that proposal submitted to SCAQMD Board “applies only to industrial (stationary source) projects where the AQMD is the lead agency”) (attached as Ex. A).

⁴ South Coast Air Quality Management District, Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold at 3-18, Table 3-4 (Oct. 2008) (explaining that 30-year offsite mitigation for residential/commercial projects “Not Recommended at this Time”) (attached as Ex. B).

There is no substantial evidence that all emissions from the Project will cease 30 years after construction is complete. The revised analysis goes further than simply amortizing construction emissions over a 30-year period; as discussed above, the analysis also assumes virtually all operational emissions will cease 30 years after buildout. Residential neighborhoods are not typically abandoned and completely rebuilt after 30 years, and nothing in the revised analysis or prior environmental review shows Newhall Ranch would be any different. According to the housing element of the Los Angeles County General Plan, 70 percent of the housing stock in unincorporated Los Angeles County is more than 30 years old, and half of the stock is more than 50 years old.⁵ Nothing in the revised analysis or prior environmental review contains an enforceable commitment that Newhall Ranch will be abandoned starting in 2050 and completely depopulated by 2060. To the contrary, the residential and commercial structures built from 2020 to 2030 will likely be in need of significant retrofitting when they reach 30 years of age.⁶ The efficiency of building envelopes and major building components will be determined largely by methods used in their

construction; absent significant retrofits, a substantial proportion of building-related emissions will likely continue for as long as the buildings themselves remain in service. The revised analysis speculates that emissions from energy and mobile sources after 2050 may be lower than they are today, but it fails to disclose and analyze emissions that foreseeably will continue well beyond the assumed 30-year life of the Project. There is simply no evidence that the buildings themselves will cease emitting completely on the schedule assumed in Appendix K to the GHG technical report.

⁵ Los Angeles County Housing Element, 2014-2021 at 82 (attached as Ex. C).

⁶ Ibid. [Housing Element at 82] (“Typically, most homes begin to require major repairs or rehabilitation at 30 or 40 years of age. Features, such as electrical capacity, plumbing, kitchen features, and roofs usually need updating if no prior replacement has occurred.”)

This faulty, unsupported assumption fatally undermines both the emissions inventory and the mitigation commitments set forth in the revised analysis. The document’s conclusion that greenhouse gas emissions will be reduced to “net zero,” and accordingly will be less than significant, thus lacks substantial evidentiary support. For the same reason, the document fails to commit to sufficient mitigation to reduce all of the Project’s foreseeable emissions over time to zero.

Response No. O9-10:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment refers specifically to Appendix K of the GHG Technical Report, Appendix 1, of the AEA and Tables K-5 and K-6 contained therein. A corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis, and Appendix K and Tables K-5 and K-6 contained therein correspond to the material to which the comment refers.

Comment No. O9-11:

2. Vegetation Change Emissions Estimates Lack Support

Estimates of vegetation change emissions in the revised analysis are also inadequately supported. Emissions are described as a simple, one-time loss of existing vegetation carbon stock based on acreage. (App. 1, Table 2-10b.) However, the emissions estimates fail to include any estimate of forgone future sequestration associated with continuing growth of existing vegetation. Removing vegetation not only eliminates existing carbon stock at the time of removal, but also eliminates the capacity of existing vegetation to continue growing and sequestering additional carbon into the future. The revised analysis contains no evidence that sequestration in new vegetation will be identical to, or in excess of, lost future sequestration capacity associated with removal of existing vegetation. This omission not only deprives the document’s estimates of an evidentiary basis, but also results in a potential undercounting of emissions associated with vegetation change.

Response No. O9-11:

The comment expresses a concern regarding the methodology used to estimate the change in carbon sequestration-related emissions that will result from the Project's changes to the existing, on-site vegetation conditions. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both the comment and response refer to Table 2-10b of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table 3-10b contained therein corresponds to the table to which the comment and response refer.

Comment No. O9-12:

Estimates of sequestration from new tree growth similarly lack support. The document does not describe the basis for the estimated number of new trees, nor does it explain the methodology by which emissions reductions from new trees were determined. (See App. 1, Tables ES-2, 2-10a, 2-10b.) The CalEEMod output files attached to the greenhouse gas technical report provide no meaningful information. (See App. 1, App. B, "ES 2030 Unmitigated" scenario, p. 2 of 40 ["Vegetation based on project information"], "NRSP 2030 Unmitigated" scenario, p. 2 of 45 [same]; "VCC 2030 Unmitigated" scenario, unpaginated [same].) The revised analysis also refers to Intergovernmental Panel on Climate Change (IPCC) recommendations in computing sequestration from new tree growth, but no specific source is identified. Nor is there any evidence that generic IPCC recommendations are applicable to the particular mix of trees and other vegetation likely to be planted, and to grow, in this particular portion of Los Angeles County. What mix of species is assumed? Will the trees be irrigated or fertilized? Were N₂O emissions from fertilizer factored into the estimates? What planting success/mortality/replanting rates are assumed? Without site-specific answers to these questions, any estimate of future sequestration from vegetation growth lacks an evidentiary basis.

Response No. O9-12:

The comment expresses a concern regarding the methodology used to estimate the change in GHG emissions related to carbon sequestration from tree planting. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both the comment and response

refer to Tables ES-2, 2-10a, and 2-10b contained in the GHG Technical Report, Appendix 1, of the AEA, as well as scenarios included in Appendix B of the GHG Technical Report. A corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis. Appendix 2.1-A contains Tables ES-2, 3-10a, and 3-10b, and scenarios located in Appendix B that correspond to the information to which the comment and response refer.

Comment No. O9-13:

3. Grid Emissions Factors May Underestimate Energy Emissions

Sections 2.1.3 and 2.3.2 of the AEA detail a methodology used to determine the greenhouse gas emissions associated with indirect and direct sources, expressed as GHGs embedded in energy use for the new site over the period of analysis. The document uses a unit value (GHGs/MW) based on the GHG intensity of current electricity sources for Southern California Edison (SCE) in Section 2.1.3 for indirect emissions. It also assumes that, over the course of the analysis period, the mix of electricity sources will change in line with statewide Renewable Portfolio Standards (the RPS). Renewable sources, the document assumes, will grow as a percentage of the source portfolio and reduce the GHG intensity of a MW of electricity for SCE.

Using this procedure may underestimate the GHG intensity of the fuel mix used to generate electricity if current trends continue. For instance, the large increase in renewables is leading utilities to look at options for load balancing on the grid. Natural gas peaker plants, hydro pumped storage, and various energy storage technologies are among these options. To date, many small natural gas plants have been brought online to help meet peak demands. New trends in grid management frequently assume the need for power plants that can be quickly ramped up and down to meet short-term demands. Natural gas is currently viewed as an appealing option for this use based on both technological and economic considerations.

Thus, in a future grid mix of energy sources where flexible natural gas generation increasingly supplants less flexible but lower GHG-intensity sources such as hydropower or nuclear, the GHG intensity of a unit of power may actually increase. It is not clear whether the modeling in the revised analysis considers this situation at all for grid supplied energy that makes up for the shortfalls in on-site generation. If that would occur, it could complicate meeting zero net energy (ZNE) goals as years progress.

Response No. O9-13:

The comment raises questions about the AEA's estimates of GHG emissions from energy use. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to Section 2.1.3 of the AEA. The AEA, however, does not contain a Section

2.1.3. Both the comment and response refer to Section 2.3.2 of the AEA; Section 2.1 of the Recirculated Analysis corresponds to Section 2.3.2 of the AEA.

Comment No. 09-14:

The revised analysis also incorrectly assumes that all renewable energy in SCE’s service territory is zero-carbon-emitting energy. (App 1 at 6-7; Table 2-12 nn. 2, 3.) SCE’s current generation portfolio includes biomass generation. The 2006 SCE PUP Report shows 25,750 MT CO₂ from “biogenic” generation.⁷ Biomass generation is forecast to increase in the future; according to SCE’s 2016 RPS Compliance Report, submitted to the Public Utilities Commission, SCE is currently a party to CPUC-approved contracts for biomass generation totaling 235,274,333 kWh in 2022 and 354,045,667 kWh in 2023.⁸ Two recent pieces of legislation, SB 1122 and SB 859, will likely result in additional bioenergy procurement. (See Pub. Util. Code §§ 399.20(f)(2) [requiring procurement of 250MW of bioenergy from small- scale generating facilities], 399.20.3 [requiring procurement of 125MW of bioenergy generation using materials sourced from “high hazard” forest areas]. SCE will be required to procure over 110MW of bioenergy under SB 1122 and 44MW of bioenergy under SB 859.⁹

⁷ Southern California Edison, 2006 Annual Entity Emissions: Electric Power Generation/Electric Utility Sector (attached as Ex. D). This appears to be the most recent PUP Report readily available from online sources. It is not clear what version of the PUP Report was used in the revised analysis; SCE Power/Utility Protocol (PUP) Reports are not available at the website cited in Table 2-12, n. 1 (the internal website links are broken), and the analysis does not specify which year’s PUP Report data were used in preparing the document.

⁸ Southern California Edison, 2016 RPS Procurement Plan (Aug. 8, 2016), Public Appendix D, Joint IOU Cost Quantification at PDF page 200-205 (Table 4) (Aug. 8, 2016) (attached as Ex. E).

⁹ Public Utilities Commission, Decision D.14-12-081 at 85 (Dec. 26, 2014) (attached as Ex. F); Public Utilities Commission Res. E-4805, Table 1 (Oct. 21, 2016) (attached as Ex. G).

Biomass generation, although classified as “renewable” under California’s Renewable Portfolio Standard, is not “zero carbon” generation. Combustion of wood for energy instantaneously releases virtually all of the carbon in the wood to the atmosphere as CO₂. Biomass and fossil CO₂ are indistinguishable in terms of their atmospheric forcing effects.¹⁰ Burning wood for energy is typically less efficient, and thus far more carbon-intensive per unit of energy produced, than burning fossil fuels. Measured at the stack, biomass combustion produces significantly more CO₂ per megawatt-hour than fossil fuel combustion; a large biomass-fueled boiler may have an emissions rate far in excess of 3,000 lbs CO₂ per MWh—far higher than emissions rates from coal-fired and gas-fired power plants.¹¹ Smaller- scale facilities using gasification technology (such as the facilities likely to be constructed pursuant to SB 1122) are similarly carbon-intensive; the Cabin Creek bioenergy project approved by Placer County would have an emissions rate of more than 3,300 lbs CO₂/MWh.¹² By way of comparison, California’s 2012 baseline emissions rate from the electric power sector was 954 lbs CO₂ per MWh.¹³ Replacing California grid electricity with biomass electricity likely more than triples smokestack CO₂ emissions; by this measure, increasing biomass generation increases rather than decreases the carbon intensity of the grid.

¹⁰ U.S. EPA Science Advisory Board, Science Advisory Board Review of EPA’s Accounting Framework for Biogenic CO₂ Emissions from Stationary Sources 7 (Sept. 28, 2012) (attached as Ex. H); see also Center for

Biological Diversity, et al. v. EPA, 722 F.3d 401, 406 (D.C. Cir. 2013) (“In layman’s terms, the atmosphere makes no distinction between carbon dioxide emitted by biogenic and fossil-fuel sources”).

¹¹ Representative emissions calculations, based on Department of Energy, Energy Information Administration, International Energy Agency, and Oak Ridge National Laboratory data are attached as Exhibit I.

¹² Ascent Environmental, Cabin Creek Biomass Facility Project Draft Environmental Impact Report, App. D (July 27, 2012) (describing 2 MW gasification plant with estimated combustion emissions of 26,526 tonnes CO₂e/yr and generating 17,520 MWh/yr of electricity, resulting in an emissions rate of 3,338 lbs CO₂e/MWh) (attached as Ex. J).

¹³ See Energy and Environment Daily, Clean Power Plan Hub, at http://www.eenews.net/interactive/clean_power_plan/states/california (visited May 18, 2016).

The revised analysis is thus incorrect in assuming that all renewable electricity in SCE’s portfolio will have zero greenhouse gas emissions. Accordingly, emissions projections based on the carbon intensity of SCE grid electricity lack substantial evidentiary support.

Response No. O9-14:

The comment questions whether the AEA’s Utility GHG Intensity Factor accounts for potential changes in Southern California Edison’s (SCE) generation portfolio attributable to potential increases in biomass power generation. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). Both the comment and response refer to pages 6 to 7 of, and Table 2-12 contained in, the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis, and pages 38 to 39, and Table 3-12 of Appendix 2.1-A correspond to the information to which the comment and response refer.

Comment No. O9-15:

4. The Inventory Fails to Include Other Potential Sources of Emissions.

The revised analysis does not explicitly factor in the likelihood of future increased heat days,¹⁴ which will likely contribute to increased energy needs for cooling over time. These needs would be more intense in the hotter northern parts of L.A. County vs. infill in the coastal plain.

¹⁴ See, e.g., Cayan, Dan, Mary Tyree, David Pierce, Tapash Das (Scripps Institution of Oceanography), Climate Change and Sea Level Rise Scenarios for California Vulnerability and Adaptation Assessment, California Energy Commission publication no. CEC-500-2012-008 (2012), available at www.energy.ca.gov/2012publications/CEC-500-2012-008/CEC-500-2012-008.pdf (visited Feb. 12, 2017).

Response No. 09-15:

The comment suggests that the AEA should explicitly factor into its GHG emissions analysis the potential for an unstated increase in “heat days” to alter future energy demand needs. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-16:

Nor does the revised analysis explicitly account for the effect of traffic congestion on mobile source emissions. It is not clear whether or how emissions estimates in CALEEMOD account for site-specific congestion, particularly congestion related to vehicles on trips not associated with the development, but occurring on roads shared by traffic related to the development. With more vehicles on shared roads (most obviously including, but not limited to, SR 126 and I-5), there will be more congestion and internal combustion vehicles will be slowed down, producing more carbon and criteria pollutants.

Response No. 09-16:

The comment states it is not clear how the GHG emissions analysis accounted for the effect of traffic congestion on mobile sources. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-17:

Moreover, it appears that the traffic analysis is out of date given apparent changes in trip generation and VMT estimates since certification of the prior EIR.

Response No. 09-17:

The comment suggests the traffic analysis is out of date. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this

comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-18:

Finally, estimates of GHG emissions from construction seem to include only mobile source emissions, and do not seem to address embedded emissions from materials such as concrete and asphalt for roads. For local governments, these are some of the largest sources they have control over to meet future goals. Local private development projects should consider them as well.

Response No. 09-18:

The comment states that the AEA's GHG emissions analysis should consider the "embedded emissions" associated with the production of construction-related materials, such as concrete and asphalt. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-19:

B. Proposed Greenhouse Gas Mitigation Measures Contain Unsupported and Potentially Overstated Emissions Estimates and Otherwise Fail to Satisfy CEQA's Requirements

1. Zero Net Energy (GCC-1 and GCC-2)

Achieving zero net energy (ZNE) from residential and commercial buildings is a laudable goal. However, mitigation measures GCC-1 and GCC-2—outlining a ZNE approach for this Project—are vague, improperly defer mitigation, and otherwise fail to satisfy CEQA's requirements.

Both ZNE mitigation measures are impermissibly vague. Rather than commit to a particular efficient design, the applicant has to prepare a ZNE Confirmation Report. This report purportedly will demonstrate that development has been designed and will be constituted to achieve ZNE, as defined by the California Energy Commission (CEC) in its Integrated Energy Policy Report (IEPR), "or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emission savings." (AEA 2-25; App. 1 at 20 [emphasis added].) The revised analysis contains no data, performance standard, or other information necessary to guide a determination as to what methods might "otherwise" achieve an "equivalent" level of efficiency, generation, or greenhouse gas reduction. As a result, the feasibility, potential environmental impacts, enforceability, and effectiveness of this undefined "equivalent" approach are impossible to determine.

For similar reasons, GCC-1 and GCC-2 constitute improperly deferred mitigation. Deferred formulation of particular mitigation measures is permissible only where an agency affirmatively commits to mitigation that will meet a specified performance standard. (See CEQA Guidelines § 15126.4(a)(1)(B).) Here, the vagueness of the ZNE mitigation measures precludes any meaningful comment on or finding related to the ability of unspecified alternative approaches to achieve “equivalent” efficiency, generation, or emissions reductions. Moreover, the measures lack an adequate performance standard.

Response No. O9-19:

The comment suggests that Mitigation Measures MV 4.23-1/2-1 and MV 4.23-2/2-2 are impermissibly vague and constitute deferred mitigation. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment except as provided below. As a result, the County incorporates by reference CDFW’s response to this comment as well as the following supplemental information (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

For additional clarification, the relevant portions of Mitigation Measures 2-1 and 2-2 have been revised to include the specific standard for Zero Net Energy (ZNE) as identified by the California Energy Commission (CEC) and provide other clarifying revisions (see Sections 2.1, 2.2 and 2.4 of the Final Recirculated Analysis for the full revisions to Mitigation Measure MV 4.23-1/2-1 and comparable revisions to Mitigation Measure MV 4.23-2/2-2). Clarifying revisions to Mitigation Measure MV 4.23-1/2-1 are as follows (deletions are shown in ~~strike through~~ and additions are shown in underline):

Mitigation Measure MV 4.23-1/2-1: Residential Zero Net Energy

Prior to the issuance of residential building permits for the project or a portion of the project, the project applicant or its designee shall submit a one or more Zero Net Energy (ZNE) Confirmation Reports (ZNE Report) prepared by a qualified building energy efficiency and design consultant to Los Angeles County for review and approval confirmation that the residential development covered by the ZNE Report achieves the ZNE standard specified in this mitigation measure. ~~The~~ Specifically, a ZNE Report shall demonstrate that the residential development within the RMDP/SCP project site subject to application of Title 24, Part 6, of the California Code of Regulations has been designed and shall be constructed to achieve ZNE, as defined by CEC in its 2015 Integrated Energy Policy Report, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation or greenhouse gas emissions savings which requires the value of the net energy produced by project renewable energy resources to equal the value of the energy consumed annually by the project using the CEC’s Time Dependent Valuation metric.

A ZNE Report ~~may, but is not required to~~ shall provide, at a minimum, the following information:

- Confirmation that the residential development shall comply with Title 24, Part 6 building standards that are operative at the time of building permit application.
- Identification of additional measures or building performance standards that shall be relied upon to achieve the ZNE standard (as defined above), assuming ZNE is not already achieved by meeting the operative Title 24, Part 6 building standards.

In demonstrating that the residential development achieves the ZNE standard, the ZNE Report may:

- Evaluate multiple buildings and/or land use types. For example, a ZNE Report may cover all of the residential and ~~commercial~~ non-residential buildings within a neighborhood/community, or a subset thereof, including an individual building.
- Rely upon aggregated or community-based strategies to support its determination that the subject buildings are designed to achieve ZNE. For example, shortfalls in renewable energy generation for one or more buildings may be offset with excess renewable generation from one or more other buildings, ~~or off-site renewable energy generation.~~ As such, a ZNE Report could determine a building is designed to achieve ZNE based on aggregated or community-based strategies even if the building on its own may not be designed to achieve ZNE.
- Make reasonable assumptions about the estimated electricity and natural gas loads and energy efficiencies of the subject buildings.
- If interconnection of the project's renewable generation is not sufficient to allow compliance with the ZNE standard for the project, or a portion of the project, then Los Angeles County shall allow the project applicant or its designee to achieve an equivalent level of GHG emissions reductions to mitigate such shortfall by providing 5.1 MT CO₂e of GHG reductions for every megawatt-hour of renewable energy generation that would have been needed to achieve the ZNE standard for the project, or a portion of the project, as demonstrated in the ZNE Report.

Both the comment and response refer to page 2-25 of the AEA and to page 20 of the GHG Technical Report, Appendix 1, of the AEA. Pages 2.1-38 to 2.1-40 of the Recirculated Analysis correspond to page 2-25 of the AEA, and a corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis. Page 52 of Appendix 2.1-A corresponds to page 20 of the GHG Technical Report, Appendix 1, of the AEA.

Comment No. O9-20:

The measures rely on the definition of ZNE adopted in the IEPR. The IEPR, however, acknowledges substantial unresolved questions and significant uncertainties, [sic] particularly related to plug loads and natural gas usage, that prevent its ZNE definition from functioning as an adequate performance standard.¹⁵

¹⁵ California Energy Commission, 2015 IEPR at 41-45 (June 2016) (attached as Ex. K).

Response No. O9-20:

The comment states that the ZNE definition in the CEC's 2015 Integrated Energy Policy Report cannot function as an adequate performance standard because of "substantial unresolved questions and

significant uncertainties,” with a specific reference to “plug loads and natural gas usage.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-21:

The revised analysis also fails to address the potential environmental impacts associated with achieving ZNE. (See CEQA Guidelines § 15126.4(a)(1)(D). The mitigation measures do not specify what type of renewable energy generation might be considered or where it might be located (e.g., distributed solar on rooftops versus small-scale or large-scale concentrated solar or wind); indeed, the revised analysis indicates that renewable energy generation could occur offsite (App. 1 at 20), but provides no information concerning what type of site, or what type of generation, might be pursued. As a result, the document fails to provide even a general good-faith analysis of the potential environmental impacts of these mitigation measures.

Response No. O9-21:

The comment requests additional information about the potential environmental impacts with ZNE compliance. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment refers specifically to page 20 of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis, and page 52 of Appendix 2.1-A corresponds to page 20 of the GHG Technical Report, Appendix 1, of the AEA.

Comment No. O9-22:

Furthermore, it is not clear that the ZNE evaluation accurately reflects greenhouse gas emissions associated with use of fossil fuel-fired electricity generation during times when renewable generation (onsite or elsewhere) is unavailable. As discussed above, natural gas-fired peaking generation facilities are increasingly being deployed to integrate variable renewables generation.¹⁶ It is not clear whether the Energy Commission’s ZNE definition accurately accounts for these emissions. For example, the CEC’s ZNE definition relies on Time Dependent Valuation of energy (TDV).¹⁷ TDV is primarily a method of evaluating the cost-effectiveness of energy efficiency measures.¹⁸ It is not clear, however, that TDV alone accurately

reflects the amount of renewable energy generation or other energy savings necessary to fully offset emissions from grid electricity usage in the Newhall Ranch area. At least for the near future, grid electricity at times of rapidly increasing daily demand will foreseeably be provided by simple-cycle natural gas combustion turbines, and by other fossil sources when solar and wind energy is not available. The AEA does not provide information about the current or anticipated generation mix in the local area, and thus does not provide a basis for concluding that a ZNE Confirmation Report will result in zero fossil-fuel energy emissions as the AEA promises. (AEA at 2-26.)

¹⁶ See, e.g., U.S. Energy Information Administration, Half of power plant capacity additions in 2013 came from natural gas (April 8, 2014), at <http://www.eia.gov/todayinenergy/detail.php?id=15751> (discussing natural gas capacity additions in California in order to balance intermittent renewable generation) (attached as Ex. L).

¹⁷ 2015 IEPR at 41.

¹⁸ Energy and Environmental Economics, Time Dependent Valuation of Energy for Developing Building Efficiency Standards: 2013 Time Dependent Valuation (TDV) Data Sources and Inputs at 3 (February 2011) (attached as Ex. M).

Response No. O9-22:

The comment questions whether the AEA's ZNE evaluation accurately accounts for GHG emissions associated with fossil fuel-fired electricity generation. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment and response refer to page 2-26 of the AEA. Pages 2.1-40 to 2.1-41 of the Recirculated Analysis correspond to page 2-26 of the AEA.

Comment No. O9-23:

One potential solution would be to invest in on-site energy storage to retain over-produced renewable generation from daytime hours for use in the evening and nighttime hours. Integrating on-site storage could also position the community as a forward-thinking project while simultaneously alleviating potential future issues in maintaining ZNE status. Energy storage applications should be considered as a component of a better-defined, more specific ZNE mitigation proposal that fully satisfies CEQA's requirements.

Response No. O9-23:

The comment requests that the incorporation of on-site energy storage be considered. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response

to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-24:

2. Electric Vehicle Subsidies, Charging Stations, and TDM Plan

Like ZNE for residential and commercial buildings, support for electric vehicle (EV) purchase and use is a laudable goal and an important step toward reducing mobile source emissions, provided that the carbon intensity of the electrical grid continues to decrease. The EV mitigation measures in the revised analysis (GCC-4, GCC-5, and GCC-12), however, are predicated on highly optimistic, unrealistic assumptions and may double-count some emissions reductions. Moreover, these measures potentially conflict with, and again may double-count, certain emissions reductions anticipated from transportation demand management (TDM) mitigation (GCC-6).

Response No. O9-24:

The comment, which serves as an introduction to others that follow, questions the accuracy of the GHG emission reduction calculations for Mitigation Measure 2-4, Mitigation Measure 2-5 and Mitigation Measure 2-12, all of which are designed to spur the use of zero emission vehicles both on and off the Project site. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-25:

The revised analysis assumes 50% of residences in the Project will purchase an EV by 2030. This is a highly aggressive assumption, not a conservative one; the document's "best estimate" assumptions are very close to the high-end (most aggressive adoption and tech development) assumptions discussed. (See App. 1, App. H, App. A [Purchasing Forecast Model Tables].) Market share for EVs by 2030, even under aggressive adoption assumptions, is usually projected to be far lower than 50 percent.¹⁹ The projections in the revised analysis are thus extremely aggressive, rather than the type of conservative assumptions typically employed in environmental analysis.

¹⁹ ICF International, California Transportation Electrification Assessment, Phase 1: Final Report at 18-19 (September 2014) (estimating 6,950,000 battery and plug-in hybrid EVs, combined, in 2030 under "aggressive adoption" case) (attached as Ex. N). As of December 2015, there were already nearly 26,000,000 automobiles registered in California. California Department of Motor Vehicles, Statistics for

Publication January – December 2015, at
<https://www.dmv.ca.gov/portal/dmv/forms/about/profile/official.pdf> (attached as Ex. O).

Response No. O9-25:

The comment states the GHG emission reduction calculations associated with Mitigation Measure 2-4 are “highly aggressive,” and questions the calculation’s projection that 50 percent of the Project’s residences will purchase a Zero Emission Vehicle (ZEV) by 2030. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). Both the comment and response refer to Appendix A of Appendix H of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis, and Appendix A of Appendix H contained in Appendix 2.1-A corresponds to the information to which the comment and response refer.

Comment No. O9-26:

The emissions reductions claimed from EV adoption and use lack evidentiary support in other ways as well. After assuming that 50 percent of Project households will purchase an EV by 2030, the revised analysis takes an unsupported and largely unexplained leap of logic in further assuming that 50 percent of miles driven related to Project residential uses will be driven in EVs. (App. 1 at 35-36.) The revised analysis notes the high (85 percent) utilization rate of EVs by households with one EV and one conventional vehicle, and then goes on to claim that that “numerous other factors” are “anticipated” to result in an unspecified EV use rate “higher than that estimated here”; on this scant basis, the document then assumes 50 percent of miles driven from residential uses will be in EVs. The emissions reductions claimed for this mitigation measure are calculated solely on the basis of on the assumption that 50 percent of miles driven will be EV miles. (App. 1 at 35; Table 4-3.) Yet the document provides no actual evidence supporting this chain of assumptions; in particular, the document does not state what “higher than estimated” EV usage rate supports the assumption of 50 percent vehicle mile displacement that underlies the greenhouse gas emission reduction calculations.

Response No. O9-26:

The comment questions the evidentiary support for the AEA’s determination that 50 percent of home-based VMT will occur in ZEVs following implementation of the mitigation measure supporting ZEV use (Mitigation Measures 2-4, 2-5, and 2-12). As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this

comment except as provided below. As a result, the County incorporates by reference CDFW's response to this comment as well as the following supplemental information (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

For additional clarification, although Ramboll Environ's Technical Report support the analysis presented in the Recirculated Analysis, Mitigation Measure MV 4.23-4/2-4 conservatively will be revised to increase the number of available vehicle purchase subsidies from 50% to 65% to make the incentive program available to a greater number of village residences, as follows (deletions are shown in ~~striketrough~~ and additions are shown in underline):

"The dedicated account shall be incrementally funded, for each village-level project, in an amount that equals the provision of a \$1,000 subsidy per residence – on a first-come, first-serve basis – for 65 ~~50~~ percent of the village's total residences subject to application of Title 24, Part 6, of the California Code of Regulations."²

Both the comment and response refer to pages 35 to 36 and to Table 4-3 of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis, and pages 68 to 69 and Table 5-3 of Appendix 2.1-A correspond to the material to which the comment and response refer.

Comment No. 09-27:

Emissions reductions claimed from provision of non-residential charging stations also appear to be unsupported and overblown. The revised analysis asserts that 20 parking spaces with chargers will reduce emissions by almost 40,000 MT CO₂e/year. (AEA at 2-32.) This claim assumes full occupancy of each space for ten hours per day, charging at a rate of 25 miles per hour, for total displacement of 250 miles per parking space per day. (App. 1 at 36- 37.) These assumptions are suspect at best. Charging and EV fuel economy assumptions once again are drawn from the highest end of the possible range. (App. 1 at 37.) Moreover, uninterrupted charging for 10 hours is not a realistic assumption in a commercial lot, where many vehicle users may stay for much shorter periods of time while shopping or running errands. The document provides no evidence that every charging station will be fully occupied for 10 hours per day under any realistic scenario.

Response No. 09-27:

The comment questions the accuracy of the GHG emission reduction calculations for Mitigation Measures 2-5 and 2-12, focusing on the calculations' daily usage input (i.e., 10 hours per day of charging activity). As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for

² With this modification, the equivalency factor for Mitigation Measure 2-4 would decrease from 5.06 MT CO₂e reductions per year to 4.22 MT CO₂e reductions per year. Please see **Response to Comment No. 09-25** above for additional information regarding the application of the equivalency factor.

applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment except as provided below. As a result, the County incorporates by reference CDFW's response to this comment as well as the following supplemental information (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

For additional clarification, although Ramboll Environ's technical analysis supports the utilization of a 10 hours per day utilization rate, the Project Applicant is willing to voluntarily implement additional mitigation, the effectiveness and enforcement of which will be ensured through its incorporation into the MMRP. As discussed in CDFW's responses to prior comments, the continued deployment of charging infrastructure is a well-recognized and validated strategy to facilitate fleet turnover. Therefore, the Project Applicant Proposed Supplemental Commitment will require the Project to provide additional parking spaces with access to Level 2 charging equipment, as illustrated below:

Project Applicant Proposed Supplemental Commitment: Additional Electric Vehicle Chargers

In addition to the installation of EV charging stations required by Mitigation Measures 2-5 and 2-12, and although not required for the project to achieve net zero GHG emissions, the project applicant or its designee shall provide Los Angeles County with proof of installation of EV charging stations prior to the issuance of residential and commercial building permits per the following ratios: one (1) parking space shall be served by an electric vehicle charging station for every 50 dwelling units, and one (1) parking space shall be served by an electric vehicle charging station for every 15,900 square feet of commercial development. ("Commercial development" includes retail, light industrial, office, hotel and mixed-use buildings.) EV charging stations capable of servicing 1,010 parking spaces would be required if the maximum allowable development facilitated by the RMDP/SCP project occurs; fewer EV charging stations would be required if maximum build-out under the RMDP/SCP project does not occur.

The EV charging stations shall achieve a similar or better functionality as a Level 2 charging station and may service one or more parking spaces. In the event that the installed charging stations use functionality/technology other than Level 2 charging stations, the parameters of the mitigation obligation (i.e., number of parking spaces served by EV charging stations) shall reflect the comparative equivalency of Level 2 charging stations

to the installed charging stations on the basis of average charge rate per hour. For purposes of this equivalency demonstration, Level 2 charging stations shall be assumed to provide charging capabilities of 25 range miles per hour.

The EV charging stations shall be located either on the project site or within the jurisdictional area of the Southern California Association of Governments. The EV charging stations shall be in areas that are generally accessible to the public, such as areas that include, but are not limited to, retail centers, employment centers and office complexes, recreational facilities, schools, and other categories of public facilities.

Both the comment and response refer to page 2-32 of the AEA and pages 36 to 37 of the GHG Technical Report, Appendix 1, of the AEA. For informational purposes, pages 2.1-45 to 2.1-46 of the Recirculated Analysis correspond to page 2-32 of the AEA, and a corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis. Pages 69 to 71 of Appendix 2.1-A correspond to pages 36 to 37 of the GHG Technical Report, Appendix 1, of the AEA.

Comment No. 09-28:

Furthermore, it appears that the revised analysis may double-count claimed emissions reductions from residential and non-residential charging stations. In estimating mobile source emissions, the revised analysis incorporates trip-end internalization percentages in order to eliminate double-counting of internal trips. (See App. 1 at 17-18, Tables 2-17c, 2-17d.) But the document's assessment of claimed emissions reductions does not seem to correct for double-counting of internal trips. Rather, the GHG technical report (App. 1 at 35, Table 4-3) simply assumes that 50 percent of all conventional vehicle residential miles will be displaced by EV miles, and calculates GHG reductions per displaced mile. At the same time, the report (App. 1 at 36-37, Table 4-4) also assumes that every mile of range charged at a non-residential charger similarly displaces a mile traveled in a conventional vehicle. Accordingly, even if claimed residential reductions use trip figures adjusted to eliminate double-counting for internal trips, claimed non-residential reductions are based solely on charged range. So, assuming residential EVs are parked at non-residential charging stations on internal trips, the non-residential charging station may not actually achieve any reductions (especially given that internal trips are likely to be short enough that range anxiety is not a concern, and a trip that would otherwise occur in a conventional vehicle is not actually displaced). Accordingly, the non-residential charging station reductions most likely reflect a significant degree of double-counting of reductions from internal trips. (See App. 1, Table 2-17c [residential internal trip production rates of 22-59%, and non-residential internal trip attraction rates of 25-49%.])

Response No. O9-28:

This comment suggests that the GHG emission reductions associated with implementation of Mitigation Measure 2-4 and Mitigation Measure 2-5 may be overstated. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Both the comment and response refer to pages 17 to 18 and 35 to 37, as well as Tables 2-17c, 2-17d, 4-3, and 4-4, of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, with pages 48 to 49 and 68 to 71, and Tables 3-17c, 3-18d, 5-3, and 5-4 of Appendix 2.1-A corresponding to pages 17 to 18 and 35 to 37, and Tables 2-17c, 2-17d, 4-3, and 4-4 of the AEA, respectively.

Comment No. O9-29:

The revised analysis also fails to account for any difference between battery EVs and plug-in hybrid EVs (PHEVs), which have on-board internal combustion engines. There is no substantial evidence all miles traveled in PHEVs will be zero-emission miles. PHEVs will likely outnumber battery and fuel-cell EVs in the future; according to a 2014 California Energy Commission demand forecast, there will be roughly ten times as many PHEVs than battery EVs on the road in 2024.²⁰ It is not credible to assume that Project residents will purchase only battery EVs, or that PHEVs used by Project residents will never use the onboard internal combustion engine. Absent disclosure and analysis of anticipated miles traveled using PHEV internal combustion engines, the revised document's conclusions lack evidentiary support.

²⁰ California Energy Commission, California Energy Demand 2014–2024 Final Forecast, Volume 1: Statewide Electricity Demand, End-User Natural Gas Demand, and Energy Efficiency at 43 (Table 11) (January 2014) (attached as Ex. P).

Response No. O9-29:

The comment states that the AEA's GHG emissions analysis fails to account for the different emissions profiles of battery electric vehicles (BEV) and PHEVs, noting that the latter do not always produce zero emission miles. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's

response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-30:

The EV purchase and charging station mitigation measures also appear to conflict with, or at least exist in considerable tension with, the neighborhood electric vehicle (NEV) component of the TDM plan. First, the different programs use dramatically different assumptions and methodologies. The revised analysis claims a 2.5 percent reduction in VMT from use of NEVs (App. 1, App. E at 11.) This claim is based on the assumption that a 25 percent subsidy (\$3250, based on a \$13,000 average purchase price) would lead 1 in 5 households to purchase a NEV. (App. 1, App. E at 11.) It is striking that the document assumes a much lower subsidy (\$1,000, available to only half of Project households) will result in a much higher rate of EV purchase, despite the fact that EVs are significantly more expensive than NEVs. Indeed, the revised analysis assumes that the lower EV subsidy will be 100 percent effective (i.e., that a subsidy offered to 50 percent of households will result in 50 percent of households purchasing an EV), while at the same time it assumes the higher relative NEV subsidy will be only 20 percent effective.²¹

²¹ Because every Project residence will have a Level 2 charging station regardless of vehicle ownership (App. 1, App. H at 1), availability of charging logically would not factor into a household's decision to purchase an EV, a NEV, or both.

Response No. O9-30:

The comment states that there is a tension or conflict between Mitigation Measures 2-4, 2-5, and 2-12 and the neighborhood electric vehicle (NEV) component of Mitigation Measure 2-6, highlighting the distinctions between the purchase subsidy value for ZEVs and NEVs and the corresponding uptake data points. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

The comment and response refer to page 11 of Appendix E of the GHG Technical Report, Appendix 1, of the AEA; a corresponding GHG Technical Report is included as Appendix 2.1-A in the Recirculated Analysis, and pages 11 to 12 of Appendix E of Appendix 2.1-A corresponds to the material to which the comment and response refer.

Comment No. 09-31:

The revised analysis claims 10,259 MT CO₂e/yr in reductions from the NEV program, based on the assumption that 20 percent of households will purchase a NEV. (App. 1, Table 4-5, n. 4.) This is in addition to all claimed reductions from standard EVs and charging stations, which are listed in App. 1, Tables 4-3 and 4-4. Non-residential charging stations will serve both EVs and NEVs (App. 1, App. H at Ex 4). However, as noted above, GHG reductions for non-residential charging stations are based on 10 hours of charging at rate of 25 miles driving range per hour, or a reduction of 250 miles of range per parking space per day. (App. 1, Table 4-4, n. 4.) NEVs may occupy charging station spaces, but they do not have 250-mile ranges. According to a U.S. Department of Energy report, “[w]hen the batteries are functioning properly, a fully functional [NEV] range is typically around 30 miles for each full charge in mild climates.”²² The same report states that “[o]nly 50-70% of the nominal vehicle range should be used” in order to avoid situations where the vehicle loses charge due to cold weather, worn batteries, or demanding conditions.²³ Accordingly, if a NEV is parked all day (or even for more than about an hour) at a non-residential charging station, that station likely will not achieve the reductions claimed.

²² Roberta Brayer et al., USDOE, Guidelines for the Establishment of a Model Neighborhood Electric Vehicle (NEV) Fleet, Report No. INL/EXT-06-11309 at 2 (June 2006), available at https://avt.inl.gov/pdf/nev/nev_deploy_guidelines_report.pdf (attached as Ex. Q); see also Nikki Gordon-Bloomfield, Neighborhood Electric Vehicles: A Marginal Option (May 15, 2013), at <http://www.plugincars.com/neighborhood-electric-vehicle-margins-127231.html> (typical NEV range is between 25 and 30 miles per charge) (attached as Ex. R).

²³ USDOE 2006 at 21.

Ultimately, there is no indication that either incentive program (NEV or EV) considered the existence of the other. Again, the subsidy for NEVs is higher, both in absolute terms and relative to purchase price. The two types of vehicles have different ranges and costs and serve different needs,²⁴ but availability of a subsidy for both could affect residents’ choice of mode. Moreover, there is no evidence NEV-related emissions reductions will persist for even the unsupported assumed 30-year life of the project; typical batteries in NEVs last only a few years and are very expensive to replace,²⁵ but the TDM plan does not mention battery life or subsidies for replacement. Residents might be reluctant to invest in a NEV, knowing that they would face expensive battery replacement in the near future. Ultimately, the revised analysis simply fails to evaluate how the EV and NEV incentive programs might interact with one another, and thus fails to substantiate its implicit conclusion that emissions reductions claimed from the two programs are completely additional to one another.

²⁴ See CAPCOA, Quantifying Greenhouse Gas Mitigation Measures at 196 (2010) (citing SMAQMD guidance showing NEVs do not replace gas-fueled vehicles as primary vehicles).

²⁵ Gordon-Bloomfield 2013 at 2 (“Unlike full-sized, highway-capable EVs—which come with battery packs capable of lasting for hundreds of thousands of miles—the cheap lead-acid battery packs found in NEVs require replacing every few years at a cost of up to several thousand dollars.”); see also USDOE 2006 at 16 (cost of typical 72V NEV battery pack ranges from \$600-\$1,000, and numerous factors affect battery life).

Response No. O9-31:

The comment states that the Project's ZEV and NEV commitments "threaten" double-counting of GHG emission reductions because the NEVs may utilize charging equipment in the Project's non-residential development areas. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to Tables 4-3, 4-4, and 4-5, as well as Appendix H, of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, with Tables 5-3, 5-4, and 5-5, and Appendix H of Appendix 2.1-A corresponding to pages Tables 4-3, 4-4, and 4-5, and Appendix H of the GHG Technical Report, Appendix 1, of the AEA, respectively.

Comment No. O9-32:**3. "GHG Reduction Plan"**

The AEA relies on greenhouse gas offsets for nearly half of the reductions necessary to mitigate the Project's emissions.²⁶ The GHG Reduction Plan governing these offsets, however, fails to meet several CEQA requirements.

²⁶ The GHG Reduction Plan incorrectly states that mitigation measures GCC-1 through GCC-12 "will mitigate the Project's GHG emissions below the CEQA significance thresholds." (App 1, App F at 6.) The significance threshold used in the AEA is zero net emissions. (AEA at 2-20.) The AEA estimates that measures GCC-1 through GCC-12 will reduce emissions by 289,043 MT CO₂e/yr. (AEA at 2-34.) This leaves 237,059 MT CO₂e/yr in additional emissions, which the AEA proposes will be offset through the GHG Reduction Plan. (AEA at 2-35.)

Response No. O9-32:

CDFW's response to this comment provides a broad overview of the mitigation measures and the performance standards underpinning the GHG Reduction Plan which ensure that all GHG reductions used for compliance with Mitigation Measures 2-10 and 2-13 are consistent with CEQA Guidelines Section 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by "[o]ff-site measures, including offsets that are not otherwise required" and "[m]easures that sequester greenhouse gases"). The GHG Reduction Plan, through the implementation of Direct Reduction Activities and the purchase of Carbon Offsets meets the requirements of CEQA. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated

Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-33:

a. The GHG Reduction Plan Fails to Ensure Additionality.

The revised analysis states that all emissions reductions embodied in offsets and "direct reduction" activities must be "real, additional, quantifiable, enforceable, validated, and permanent." (AEA at 2-33.) Neither the AEA nor the GHG Reduction Plan, however, adequately defines these terms.

Response No. O9-33:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to page 2-33 of the AEA. Pages 2.1-1, 2.1-47, and 2.3-1 of the Recirculated Analysis correspond to page 2-33 of the AEA.

Comment No. O9-34:

California law establishes specific standards for greenhouse gas offset credits used in the AB 32 cap-and-trade system. Health and Safety Code section 38562(d) requires, in relevant part, that:

- (1) The greenhouse gas emission reductions achieved are real, permanent, quantifiable, verifiable, and enforceable by the state board.
- (2) For regulations pursuant to Part 5 (commencing with Section 38570) [i.e., regulations implementing the market-based cap-and-trade system], the reduction is in addition to any greenhouse gas emission reduction otherwise required by law or regulation, and any other greenhouse gas emission reduction that otherwise would occur.
- (3) If applicable, the greenhouse gas emission reduction occurs over the same time period and is equivalent in amount to any direct emission reduction required pursuant to this division.

In particular, the two-part definition of "additional" under subdivision (d)(2) requires not only that credited reductions are not otherwise legally required, but also that credited reductions would not otherwise occur in the absence of the offset project.

Response No. O9-34:

This introductory comment refers to regulatory standards for offset credits under the California Global Warming Solutions Act of 2006, California Health and Safety Code Section 38500 *et seq.* (AB 32) cap-and-trade system promulgated under the Assembly Bill (AB) 32. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-35:

This definition of "additional" also applies in the CEQA context, as the regulatory history of the relevant CEQA Guidelines makes clear. The CEQA Guidelines specify that only GHG reductions that are "not otherwise required" may be used to offset project emissions. (CEQA Guidelines, § 15126.4, subd. (c)(3).) However, as the California Resources Agency's Final Statement of Reasons for adopting this Guideline explains, the "not otherwise required" language was intended to make clear that only "additional" emissions reductions—that is, reductions not otherwise required by law or likely to occur anyway—may be used to generate offsets for CEQA mitigation.²⁷ The Final Statement of Reasons explicitly interprets CEQA's mitigation requirements, including requirements governing use of offsets, as "consistent with the Legislature's directive in AB32 that reductions relied on as part of a market-based compliance mechanism must be 'in addition to any greenhouse gas emission reduction otherwise required by law or regulation, and any other greenhouse gas emission reduction that otherwise would occur.'"²⁸

²⁷ California Natural Resources Agency, Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97 at 48, 87-90 (December 2009) (attached as Ex. S).

²⁸ *Id.* at 88-89 (quoting Health and Safety Code, § 38562(d)(2)).

Response No. O9-35:

As an introduction to other comments, the comment makes certain statements about the definition of "additionality" as it applies to CEQA. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-36:

The revised analysis contains no express commitment, and no substantial evidence, that all carbon offset projects contemplated in the GHG Reduction Plan—whether directly undertaken or purchased on the credit market—will satisfy this definition of additionality. For this reason alone—in addition to the other reasons described below—the GHG Reduction Plan is insufficient to support a finding that the Project’s emissions will be reduced to “net zero,” and thus to a less-than-significant level.

Response No. O9-36:

This comment states that the GHG Reduction Plan does not satisfy additionality requirements but that is not correct. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-37:

b. The GHG Reduction Plan Constitutes Vague, Improperly Deferred, Inadequately Enforceable, and Impermissibly Delayed Mitigation.

A mitigation measure requiring the purchase of offset credits operates as a kind of mitigation fee. But CEQA allows for mitigation fees only where there is evidence of a functioning, enforceable, and effective implementation program. For example, courts have found mitigation fees inadequate where the amount to be paid for traffic mitigation was unspecified and not “part of a reasonable, enforceable program” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1189); where a proposed urban decay mitigation fee contained no cost estimate and no description of how it would be implemented (*California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 198 (*Woodland*)); and where there was no specific traffic mitigation plan in place that would be funded by mitigation fees. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1122 (*Gray*).)

Response No. O9-37:

This comment incorrectly assumes that purchasing Carbon Offsets is equivalent to a mitigation fee. Mitigation Measures 2-13 is not designed to function as a “mitigation fee.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-38:

The GHG Reduction Plan falls short of these standards in two major ways. First, the GHG Reduction Plan fails to specify the sources of “direct” reductions²⁹ and offset credits. Although the GHG Reduction Plan gives some examples of offset credit registries from which credits might be purchased, it does not provide evidence that these or other “comparable” registries are functioning and will continue to function in a manner that will result in actual, effective mitigation.

²⁹ The “Direct Reduction” projects discussed in the GHG Reduction Plan appear to be nothing more than examples of carbon offset projects; it is not clear from the GHG Reduction Plan whether there is any substantive difference between undertaking “Direct Reduction Activities” and “Purchasing Carbon Offset Credits.”

Response No. O9-38:

This comment makes an introductory statement before other comments about the Direct Reduction Activities. Because this comment is similar to other subsequent comments, specific responses are cross-referenced here. See **Response to Comment No. O9-39** for a description of the Direct Reduction Activities being pursued by the Applicant. See **Response to Comment No. O9-40** for a discussion of the ample availability of Carbon Offsets if the Applicant needs to rely on such Carbon Offsets in accordance with the GHG Reduction Plan.

Comment No. O9-39:

The GHG Reduction Plan’s references to unspecified “direct reduction” efforts are similarly vague; the plan offers no evidence regarding the availability of such projects, the parties who might carry them out, their effectiveness, their permanence, or the qualifications of those undertaking or monitoring the project. (AEA App F at 1-2.) Examples provided of forest conservation projects, cookstove replacement projects, and dairy methane projects all fail to provide evidence that specific, functioning projects exist. Indeed, the GHG Reduction Plan seems to go to great lengths to avoid making any specific commitment to any particular project whatsoever. This approach may be intended to preserve the maximum degree of flexibility for the Project’s developer, but it falls short of the standards imposed by CEQA. (See, e.g., Gray, supra, 167 Cal.App.4th at p. 1122.)

Response No. O9-39:

The comment asserts that the GHG Reduction Plan is “vague” and falls short of CEQA standards, simply because the specific Direct Reduction Activities have not been identified. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report,

Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. O9-40:

Second, the EIR fails to provide evidence that a sufficient quantity of GHG offset credits is available from existing, functioning programs to mitigate the Project's emissions. A substantial number of offset credits will be required to mitigate the Project's GHG emissions to "net zero." The AEA estimates that credits must be purchased in quantities sufficient to offset 237,059 MT CO₂e/yr, or 7,026,846 MT CO₂e total. (AEA 2-35.) California's 2030 and 2050 greenhouse gas reduction goals envision increasingly steep emissions reductions statewide. (See Health & Safety Code § 38566; see also Executive Orders B-30-15, S-3-05.) Demand for offsets and offset projects is likely to increase dramatically over the decades during which this Project will be built and operating. Particularly in the context of foreseeable increasing demand, the sheer volume of uncovered emissions creates a serious doubt as to the availability of sufficient credits, and the lack of evidence that sufficient credits exist renders the mitigation measure invalid. (See Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 728.)

Response No. O9-40:

This comment indicates that there may not be an adequate supply of Carbon Offsets to purchase if needed for compliance with Mitigation Measures 2-10 and 2-13. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to page 2-35 of the AEA. Pages 2.1-29 and 2.1-47 of the Recirculated Analysis correspond to page 2-35 of the AEA.

Comment No. O9-41:

Moreover, the "Compliance Options" section of the GHG Reduction Plan is vague and contradictory as to how emissions are intended to be offset and when any emissions reductions are anticipated to occur. CEQA requires mitigation measures to be in place and effective before significant impacts occur, not after. (See POET, LLC v. State Air Resources Bd. (2013) 218 Cal.App.4th 681, 738 ["Once the project reaches the point where activity will have a significant adverse effect on the environment, the mitigation measures must be in place."]) Compliance Options in the GHG Reduction Plan fail to provide adequate assurance that emissions reductions embodied in offset credits actually will have occurred before Project emissions occur.

Response No. O9-41:

In response to public comments, revisions have been made to the GHG Reduction Plan to clarify the Compliance Options identified in Mitigation Measures 2-10 and 2-13 to reduce GHG emissions. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-42:

For example, Compliance Option No. 1 seems to envision funding of unspecified "Direct Reduction Activities" and retention of a third-party evaluator to estimate emissions reductions that the activities "will achieve in the future" based on unspecified "protocols and methodologies" adopted by unspecified "registries and governmental agencies." (App. 1, App. F at 7-8.) Contrary to the plan's assertions, this does not ensure that "estimated GHG emissions reductions will occur before a comparable amount of estimated Project GHG emissions are emitted." (Id. at 8.) Funding a forest management project, for example, does not result in an immediate and predictable quantity of "future" emissions reduction or sequestration. Rather, offset credits are generated annually based on a comparison between the forest project baseline and actual conditions; if the project is not performing as planned, no credits are generated.³⁰ Funding a cookstove distribution project similarly does not ensure future reductions; mere distribution of cookstoves (ibid.) does not ensure their use. Compliance Option No. 2 similarly states that the Project applicant may simply "guarantee" that it will retire offsets "within 10 years" of a building permit application. (Ibid.) Under this option, therefore, impacts could occur unlawfully for 10 years before reductions are implemented.

³⁰ See, e.g., California Air Resources Board, Compliance Offset Protocol: U.S. Forest Projects at 34-35 (Oct. 20, 2011).

Response No. O9-42:

The comment raises several concerns related to Compliance Option No. 2. This compliance option has been eliminated from the GHG Reduction Plan (see Appendix 2.7.1 of the Final Recirculated Analysis) and Mitigation Measure 2-13 (see Sections 2.1, 2.2, and 2.4 of the Final Recirculated Analysis). As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both

the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. O9-43:

Compliance Options No. 3 and 4 appear to require the retirement of offsets generated by Direct Reduction Activities or purchased on the open market before building permits are obtained. These options thus could avoid the timing problem identified in POET, LLC; however, both options are exceedingly vague. Moreover, it is not clear how the “Compliance Options” listed on pages 8 to 9 of the GHG Reduction Plan relate to the separately numbered “Compliance Options” listed on pages 10 to 11 of the GHG Reduction Plan. The latter “Compliance Options” cross-reference “Compliance Conditions” No. 1 and No. 2, but there do not seem to be any “Compliance Conditions” clearly identified as such in the document. Terminology used throughout the document is inconsistent, cross-references are incorrect or confusing, and the plan in general is insufficient to provide an adequate commitment to mitigation.

Response No. O9-43:

The comment raises a question about the terminology in the GHG Reduction Plan. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. O9-44:

In sum, the GHG Reduction Plan—which is responsible for mitigating nearly half the Project’s emissions—is vague, contradictory, and inadequate to satisfy CEQA’s mitigation requirements.

Response No. O9-44:

This comment, which concludes similar earlier comments, makes the unsupported assertion that the GHG Reduction Plan does not satisfy CEQA. This is not the case. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the

record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment refers to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-45:

c. The GHG Reduction Plan Contains Incorrect and Potentially Misleading Assertions Concerning “CARB- Approved” Registries, Offsets and Protocols

The GHG Reduction Plan relies very heavily on the credibility of, and procedures employed by, carbon offset project registries. Notably, however, the text of the GHG Reduction Plan itself contains no standards by which the quality of offset project or credits can be measured, and no specific commitments that can be readily enforced. Instead, the plan simply lists “example” offset credit registries, without any specific discussion of the protocols or standards governing issuance of credits by these registries. The plan also allows offset purchases from “comparable” registries, without articulating any standards by which different registries may be compared. These aspects of the GHG Reduction Plan further exacerbate the vagueness and unenforceability of the overall mitigation measure, as discussed above.

Response No. O9-45:

The comment raises concerns about the reference to other “comparable” registries. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment refers to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-46:

The plan’s assertion that certain registries are “CARB-approved” to handle offsets generated under AB 32 cap-and-trade compliance protocols is at least somewhat misleading. Offset project standards—including additionality, verification, enforceability, and permanence—are established by offset project protocols, not necessarily by the identity of the registry that handles offset project transactions. AB 32 cap-and-trade compliance protocols, and the emissions reductions generated under those protocols, must meet specific statutory requirements. (Health & Safety Code § 38562(d).) Emissions reductions must be enforceable by

the state, and ARB retains ultimate authority to approve, reject, or invalidate credits, as well as authority to demand replacement by the credit holder if credits are reversed or found to be invalid. (Health & Safety Code § 38562(d)(1); 17 Cal. Code Regs. § 95985.) So far, only six protocols have been certified for compliance.³¹ The “example registries” listed in the GHG Reduction Plan may handle transactions in these credits; at the same time, however, these registries may also sell credits under a number of other protocols that have not been “CARB-certified” as meeting the requirements of AB 32. CARB’s decision to allow these registries to list, trade, and track certain compliance-grade offset credits does not mean that all credits handled by these registries are compliance-grade.

³¹ <https://www.arb.ca.gov/cc/capandtrade/offsets/offsets.htm> (visited February 9, 2017).

Response No. O9-46:

The comment states that a reference in the GHG Reduction Plan to “CARB-approved” registries is misleading, implying that the California Air Resources Board (ARB) approval is irrelevant to evaluating the Project Applicant’s mitigation commitment. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. O9-47:

The GHG Reduction Plan contains no commitment to rely solely on CARB-certified offset protocols, and to the extent it suggests otherwise by referring to “CARB-certified” registries, it is misleading. As a result, the GHG Reduction Plan does not commit to using only offset credits that satisfy the requirements of state law.

Response No. O9-47:

This comment suggests that the GHG Reduction Plan is misleading “to the extent it suggests otherwise by referring to ‘CARB-certified’ registries”. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated

Analysis for CDFW's responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. O9-48:

d. Claimed Reductions from Potential "Direct Reduction Activities" Are Unsupported.

The GHG Reduction Plan discusses several examples of potential "Direct Reduction" activities, without committing to any particular type of project or protocol. In addition to suffering from the vagueness and unenforceability problems identified above, this portion of the GHG Reduction Plan fails to demonstrate that any particular "Direct Reduction" project will generate CEQA-compliant mitigation.

Response No. O9-48:

This comment suggests that the GHG Reduction Plan is vague and unenforceable because it does not commit to specific Direct Reduction Activities. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-49:

First, the document contains contradictory assertions concerning the extent to which the Project will rely on Clean Development Mechanism (CDM) offset projects. On one hand, the GHG Reduction Plan states that it "will only utilize CDM to the extent that cook stove projects ... are used as Direct Reduction Activities." (App. 1, App. F at 3.) Yet CDM forest project protocols also are mentioned in the context of potential forest management "Direct Reduction Activities." (App. 1, App. F at 4 & n.4.) The VCS carbon registry also uses CDM methodologies for some project types.

Response No. O9-49:

The comment raises potential concerns with offsets generated from Clean Development Mechanism (CDM) methodologies. In response to public comment, the GHG Reduction Plan is being revised to eliminate the CDM as an Approved Registry (see Appendix 2.7.1 of the Final Recirculated Analysis). As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for

applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. O9-50:

Problems with additionality, enforceability, monitoring, and adverse effects of CDM projects are well-known and have been well-documented. In particular, a large portion, and possibly the large majority of CDM projects, do not represent real additional emissions reductions.³² This is in part because the CDM attempts to filter out non-additional projects on a project-by-project basis, a task that is very challenging.³³ Developers of CDM projects are required to demonstrate that their proposed offset projects are additional (i.e., that the projects would not have gone forward without the added incentive from the offset program). Most do so with a financial assessment showing that the project is not cost effective on its own. Because of the many assumptions that go into project financial assessments, project developers have been able to strategically choose financial assessment assumptions to make cost effective projects appear not cost effective.³⁴ For these reasons, CDM projects—and projects handled by registries using CDM methodologies—cannot be assumed to represent additional reductions or otherwise satisfy CEQA's requirements.

³² See, e.g., Gang He & Richard Morse, Addressing carbon Offsetter's Paradox: Lessons from Chinese wind CDM, 63 Energy Policy 1051 (2013) (attached as Ex. T); Barbara Haya and Payal Parekh, Hydropower in the CDM: Examining Additionality and Criteria for Sustainability, U.C. Berkeley Energy and Resources Group Working Paper ERG-11-001 (Nov. 2011) (attached as Ex. U); Barbara Haya, Measuring Emissions Against an Alternative Future: Fundamental Flaws in the Structure of the Kyoto Protocol's Clean Development Mechanism, U.C. Berkeley Energy and Resources Group Working Paper ERG09-001 (Dec. 2009) (attached as Ex. V); Michael Wara, Measuring the Clean Development Mechanism's Performance and Potential, 55 UCLA L. Rev. 1759 (2008) (attached as Ex. W); U.S. Gov't Accountability Office, Lessons Learned from the European Union's Emissions Trading Scheme and the Kyoto Protocol's Clean Development Mechanism, GAO-09-151(Nov. 2008) (attached as Ex. X).

³³ U.S. Gov't Accountability Office, Climate Change Issues: Options for Addressing Challenges to Carbon Offset Quality, GAO-11-345 (Feb. 2011) (attached as Ex. Y).

³⁴ Barbara Haya, Carbon Offsetting: An Efficient Way to Reduce Emissions or to Avoid Reducing Emissions? An Investigation and Analysis of Offsetting Design and Practice in India and China, Ph.D. Dissertation (Fall 2010) (attached as Ex. Z).

Response No. O9-50:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-51:

Even ARB-certified compliance protocols, like the US Forest Project Protocol, may not result in reliable mitigation. One recent study concluded that California's compliance protocol for improved forest management projects is unlikely to change land management decisions already in forest landowners' interests, and thus is likely creating non-additional offset credits.³⁵ Another recent global analysis pointed to fundamental physical limits on the ability of land-based carbon stocks, including forests, to absorb necessary quantities of fossil carbon emissions.³⁶ Among other conclusions, the study noted that fossil CO₂ emissions should be presumed to persist in the atmosphere for 10,000 years, not 100 years—meaning that terrestrial carbon storage projects must demonstrate permanence not just on century timescales, but on multi-millennial timescales.³⁷ California's US Forest Project Protocol, like many other offset protocols, requires carbon reductions to be monitored for only 100 years.³⁸ Fossil CO₂ emissions from the Project, as a practical matter, are "irreversible."³⁹ Even if offset credits are assumed to be rigorously additional—a conclusion the GHG Reduction Plan fails to support—they are not permanent on timescales necessary to mitigate the physical impact on climate change.

³⁵ See Erin Clover Kelly and Marissa Bongiovanni Schmitz, Forest offsets and the California compliance market: Bringing an abstract ecosystem good to market, 75 *Geoforum* 99, 106 (2016) (attached as Ex. AA).

³⁶ Brendan Mackey et al., Untangling the confusion around land carbon science and climate change mitigation policy, 3 *Nature Climate Change* 552 (2013), doi:10.1038/NCLIMATE1804 (attached as Ex. BB).

³⁷ *Id.* at 556.

³⁸ California Air Resources Board, Compliance Offset Protocol: U.S. Forest Projects at 15 (Oct. 2011) (attached as Ex. CC).

³⁹ Mackey 2013, at 553.

Response No. O9-51:

The comment raises questions about "CARB-certified compliance protocols, like the US Forest Project Protocol." The Applicant is not proposing to rely on this protocol. Therefore, the comment is not directly applicable. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the

County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-52:

The GHG Reduction Plan does not even commit to use CARB- certified compliance protocols for forest projects, and even CARB-certified projects do not fully offset Project emissions to the degree necessary to provide evidentiary support for the "net zero" claims in the revised analysis.

Response No. 09-52:

The comment raises similar issues about ARB-certified compliance protocols for forest protocols. The Applicant is not proposing to rely on this protocol. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. 09-53:

Cookstove projects suffer from similar deficiencies related to the additionality, verifiability, and permanence of claimed greenhouse gas reductions. For example, the CDM cookstove project methodology calculates emissions reductions primarily based on the distribution of cookstoves and manufacturers' estimates as to the lifespan of cookstoves.⁴⁰ Distribution of cookstoves alone, however, does not necessarily translate into their use. Another recent study found that the health co-benefits of cookstoves—also stressed in the GHG Reduction Plan—may not be as extensive as expected.⁴¹ Again, the GHG Reduction Plan's discussion of cookstove projects does not represent a commitment to meaningful, enforceable, specific mitigation, and there is no evidentiary support for a finding that these projects will fully offset Project emissions.

⁴⁰ See Clean Development Mechanism, AMS II.G; Small-scale methodology: Energy efficiency measures in thermal applications of non-renewable biomass at 7-8 (v. 8.0) (attached as Ex. DD).

⁴¹ Kevin Mortimer, et al., A cleaner burning biomass-fuelled cookstove intervention to prevent pneumonia in children under 5 years old in rural Malawi (the Cooking and Pneumonia Study): a cluster randomised controlled trial, 389 *The Lancet* 167 (2017), doi:10.1016/S0140-6736(16)32507-7 (attached as Ex. EE).

Response No. O9-53:

The comment raises concerns about using cook stove projects to achieve GHG reductions and use of the CDM methodologies. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-54:

Finally, dairy digester projects may have some capacity to reduce methane emissions. The GHG Reduction Plan, however, does not require these projects to meet the standards set by CARB for compliance with the state's cap-and-trade program. (App. 1, App. F at 6.) These projects also potentially suffer from the types of additionality and permanence concerns discussed above in the context of forest projects. Merely mentioning dairy digester projects as an example of "Direct Reduction" activities, to be carried out in conjunction with an unspecified project developer according to unspecified protocols, does not satisfy CEQA's mitigation requirements.

Response No. O9-54:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-55:

e. The Additional Analysis and GHG Reduction Plan Fail to Commit to Monitoring and Complete Mitigation

Each mitigation measure in the revised analysis claims a specific quantity of GHG reductions. The GHG Mitigation Plan is no different. The result is that nothing in the revised analysis commits to monitoring how well each proposed mitigation measure performs in practice, and nothing in the revised analysis commits to mitigating any shortfall.⁴²

⁴² As discussed above, assumptions regarding the effectiveness of EV subsidies, charging stations, and EV fuel economy are extremely aggressive rather than conservative. It is entirely foreseeable that these measures will fall short of the reductions claimed. Yet nothing in the revised analysis in general, or the GHG Reduction Plan in particular, commits to monitoring or correcting any shortfall.

Response No. O9-55:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-56:

CEQA requires that the Department adopt a mitigation monitoring and reporting plan to ensure compliance with and enforceability of mitigation measures during project implementation. (See Pub. Res. Code § 21081.6(a), (b).) In the context of the significance threshold used in the revised analysis, any mitigation program must enforceably ensure that all Project emissions are actually reduced to zero. As drafted, the mitigation measures in the revised analysis fall short of a commitment to this outcome.

Response No. O9-56:

The GHG mitigation measures will be incorporated into a Mitigation Monitoring and Reporting Program (MMRP) as required by CEQA. The County of Los Angeles will enforce the implementation of all mitigation measures in accordance with the MMRP. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this

comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-57:

In particular, rather than committing to provide offsets for any emissions remaining after implementation of on-site reduction measures, the GHG Reduction Plan simply proposes a fixed, numerical commitment to a certain quantity of offsets over a 30-year period. (App 1, App F at 7.) As a result, the GHG Reduction Plan does not make any commitment to sufficient mitigation should any of the measures proposed in GCC-1 through GCC-12 fail to result in anticipated emissions reductions.

Response No. O9-57:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-58:

Nor does the GHG Reduction Plan commit to mitigation of emissions that may continue beyond the improperly assumed 30-year life of the project. For all of these reasons, the GHG Reduction Plan falls short of CEQA's requirements that mitigation measures must reduce or avoid impacts to the extent feasible and that measures must be fully enforceable. (See Pub. Res. Code §§ 21002, 21002.1(b), 21081(a); CEQA Guidelines §Section 15126.4(a)(1), (2), 15091(a)(1), 15092(b).).

Response No. O9-58:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to the GHG Reduction Plan, Appendix F of the GHG

Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-59:

f. The GHG Reduction Plan's Focus on Offsets Improperly Precludes Consideration of Other Feasible Alternatives/Mitigation Measures

Given the deep uncertainties surrounding the effectiveness and adequacy of offset credits identified above, mitigation for Project emissions should seek to minimize reliance on offset projects by maximizing feasible on-site reductions.

Response No. O9-59:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment refers.

Comment No. O9-60:

The 2030 Target Scoping Plan specifically endorses an approach that maximizes on-site reductions and local co-benefits, while relying on offsets only to the extent that complete mitigation using on-site reductions is infeasible:

To the degree a project relies on GHG mitigation measures, CARB recommends that lead agencies prioritize on-site design features and direct investments in GHG reductions in the vicinity of the project, to help provide potential air quality and economic co-benefits locally. For example, direct investment in a local building retrofit program can pay for cool roofs, solar panels, solar water heaters, smart meters, energy efficient lighting, energy efficient appliances, energy efficient windows, insulation, and water conservation measures for homes within the geographic area of the project. This type of local program generates real demand side benefits and local jobs, while creating the market signals for energy efficiency materials and goods— some of which can be and are currently produced in California. Other examples of local direct investments include financing installation of regional electric vehicle (EV) charging stations, paying for electrification of public school buses, and investing in local urban forests. It is critical that any such investments in actions to reduce GHG emissions are real and quantifiable. Where further project design or

regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits issued by a recognized and reputable accredited carbon registry. Appendix B includes other examples of on-site project design features, mitigation measures, and direct regional investments that may be feasible to minimize GHG emissions from land use development projects.⁴³

⁴³ California Air Resources Board, The 2017 Climate Change Scoping Plan Update: The Proposed Strategy for Achieving California’s 2030 Greenhouse Gas Target at 137 (Jan. 2017) (“Proposed 2030 Target Scoping Plan”) (attached as Ex. FF).

Response No. O9-60:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-61:

The revised analysis here, however, is predicated on the assumption that the basic project design will not change from that studied in the prior EIRs.⁴⁴ There is no evidence in the revised analysis that the on-site emissions reductions identified represent the maximum feasible degree of greenhouse gas mitigation. Nor does the revised analysis provide any information as to whether other alternatives are feasible. Just by way of example, there is no evidence that it would be infeasible to generate and store more renewable energy onsite than the Project’s structures will use—in other words, to go beyond “zero net energy”—in order to avoid such heavy reliance on uncertain and inadequate offset projects.

⁴⁴ As discussed elsewhere in this letter, the Department’s decision to conduct an extremely narrow environmental review following the Supreme Court’s decision on the prior EIR unlawfully constrained its disclosure and analysis of impacts, development of mitigation measures, and analysis of alternatives. The Project applicant may have an interest in not changing anything significant about the basic project design, but the Department, as an agency of the State of California, has an independent responsibility under CEQA to ensure that all feasible mitigation measures and alternatives are considered. The revised analysis is far too limited in scope to satisfy the Department’s obligations here.

Response No. O9-61:

This comment questions whether the Project design will change and whether on-site emission reductions incorporated into the Project’s design achieve the maximum feasible degree of GHG emissions mitigation. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment,

CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-62:

Finally, the heavy reliance on offsets in the revised analysis threatens to undermine the Legislature's purpose in adopting SB 375. SB 375 sought to align transportation and land use planning on a regional basis in order to meet greenhouse gas reduction targets. The reductions to be achieved under SB 375, moreover, were intended to be additional to reductions achieved under other state climate programs. (See *Bay Area Citizens v. Association of Bay Area Governments* (2016) 248 Cal. App. 4th 966.) Heavy reliance on offsets may facilitate development of projects that do not align with SB 375's goals. Notably, the revised analysis here contains no discussion of the Project's consistency with SB 375.

Response No. O9-62:

This comment is noted regarding the commenter's view regarding the Legislature's purpose in adopting SB 375. This information will be provided to the decisionmakers.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-63:

g. The Revised Analysis Fails to Address Potential Impacts of Mitigation Measures, Including the GHG Reduction Plan

The revised analysis fails to disclose or address any potentially significant impacts of the GHG Reduction Plan. As discussed above, CEQA requires at least some discussion of the impacts caused by mitigation measures. (CEQA Guidelines § 15126.4(a)(1)(D).) Despite the GHG Reduction Plan's vagueness and lack of specific mitigation commitments, it is at least reasonably foreseeable that many of the "Direct Reduction" activities—including forest management projects and dairy digesters—could cause environmental impacts, some of them potentially significant. This omission violates CEQA.

Response No. O9-63:

This comment claims that the AEA fails to analyze potentially significant impacts of the GHG Reduction Plan outlined in Mitigation Measure 2-13. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. O9-64:**4. Offsets for Construction and Vegetation Change Emissions**

The revised analysis claims that construction and vegetation change emissions will be mitigated using substantially the same methods outlined in the GHG Reduction Plan: "Direct Reduction" activities and purchase of offset credits. As a result, this mitigation measure suffers from the same deficiencies—including vagueness, lack of a performance standard, inadequate demonstration of additionality, and inadequate assurance functioning, valid mitigation programs exist—discussed above in the context of the GHG Reduction Plan.

Response No. O9-64:

This comment claims that Mitigation Measure 2-10, which requires Los Angeles County to confirm, prior to the issuance of grading permits, that construction and vegetation change-related GHG emissions for the Project will be mitigated in accordance with the GHG Reduction Plan, is vague, lacks a performance standard, inadequately demonstrates additionality, and inadequately assures that functioning, valid mitigation programs exist. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both the comment and response refer to the GHG Reduction Plan, Appendix F of the GHG Technical Report, Appendix 1, of the AEA. A corresponding GHG Technical

Report is included as Appendix 2.1-A of the Recirculated Analysis, and Appendix F of Appendix 2.1-A corresponds to the GHG Reduction Plan to which the comment and response refer.

Comment No. 09-65:

Mitigation for construction and vegetation change emissions also appears to be unlawfully delayed. According to the revised analysis, “[t]he year of full buildout (2030), the project applicant shall engage in a one-time purchase of carbon offsets that can demonstrate GHG reductions shall continue over the life of the project on a yearly basis.” (AEA at 1-15, 2- 30.) Construction and vegetation change emissions, however, will occur starting in 2020, when construction begins. The revised analysis requires Los Angeles County to “confirm” that the Project proponent “shall fully mitigate” these emissions prior to issuing grading permits, but it appears that the actual purchase of offsets or funding of direct reductions may not happen until 2030; moreover, as discussed above, mere funding of an offset project does not guarantee that annual reductions actually will occur and credits will be generated. Again, CEQA requires mitigation to be in place before significant impacts occur; while formulation of mitigation measures may be deferred under certain circumstances (not met here), mitigation itself may not be. (See *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 738.) Moreover, as discussed above, mitigation of emissions for “the life of the project” (i.e., 30 years)” (AEA at 2-30) is inadequate because there is no substantial evidence that all of the Project’s emissions will cease after 30 years.

Response No. 09-65:

The sentence referred to by the comment has been deleted (see Sections 2.1, 2.2, and 2.4 of the Final Recirculated Analysis). Compliance with Mitigation Measure 2-10 will not occur in 2030 but, rather, prior to the Applicant receiving a grading permit. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment refers specifically to pages 1-15 and 2-30 of the AEA. Pages 1.0-23 to 1.0-24, and 2.1-44 of the Recirculated Analysis correspond to the pages to which the comment refers.

Comment No. 09-66:

C. The Revised Analysis Fails to Demonstrate Consistency with California’s Long-Term, Science-Based Greenhouse Gas Reduction Goals

The revised analysis incorrectly claims that because the Project is anticipated to cause “no net increase” in greenhouse gas emissions, it “would not conflict with any plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.” (AEA at 2-36.) As discussed above, there is inadequate evidence to support a finding that the mitigation measures outlined in the revised analysis will actually achieve “no net increase” in emissions. Even if there were such evidence, a present-day “net zero”

threshold alone would not necessarily demonstrate consistency with all applicable plans, policies, laws, and regulations.

Response No. O9-66:

This comment states that the AEA does not analyze the Project's consistency with applicable GHG plans, policies, laws and regulations, including California's long-term GHG reduction goals. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to page 2-36 of the AEA; page 2.1-47 of the Recirculated Analysis corresponds to page 2-36 of the AEA.

Comment No. O9-67:

The revised analysis does not explicitly address the requirements of AB 32, SB 32, SB 375, or any other California climate statute, policy or regulation in any detail. AB 32 requires reductions to 1990 levels by 2020, and SB 32 requires 40% below 1990 levels by 2030; current (2014) emissions remain about 10 MMT CO₂e/yr above 1990 (2020 target) levels, and about 180 MMT CO₂e/yr above 2030 target levels.⁴⁵ As the revised analysis acknowledges, the 2030 target is "the next interim step in the state's continuing efforts to pursue the long-term target" of 80% below 1990 levels by 2050. (AEA at 2-9.) In this context, simply maintaining current levels of emissions alone does not demonstrate compliance with mid-term and long-term state targets, all of which require substantial reductions from existing conditions. Nor does merely stating that "relevant plans . . . all establish non-zero targets" allowing positive emissions for land developments (AEA at 2-36) demonstrate consistency with these targets. Finally, as discussed above, the revised analysis fails to grapple with the ways in which heavy reliance on greenhouse gas offsets may defeat the purpose of SB 375 by facilitating far-flung, greenfield development. For all of these reasons, the conclusion that the Project is consistent with all applicable climate plans, policies, and regulations lacks support.

⁴⁵ *Proposed 2030 Target Scoping Plan at 12-13.*

Response No. O9-67:

This comment asserts that the AEA does not address the requirements of California climate change statutes, policies, plans and regulations, including AB 32, Senate Bill (SB) 32, and SB 375. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the

Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to pages 2-9 and 2-36 of the AEA; pages 2.1-12 and 2.1-47 of the Recirculated Analysis correspond to pages 2-9 and 2-36 of the AEA.

Comment No. O9-68:

D. The Revised Analysis Fails to Conduct an Assessment of Energy Impacts Pursuant to CEQA Guidelines Appendix F.

CEQA expressly requires an analysis of energy impacts and potential energy conservation measures. (Pub. Res. Code §Section 21100(b)(3); CEQA Guidelines §Section 15126.4(a)(1)(C); CEQA Guidelines, App. F.) An EIR must explicitly and directly address energy consumption, including by calculating the amount of energy used by mobile sources and in construction and operation of a project; merely citing compliance with energy efficiency standards or relying on greenhouse gas reduction measures is insufficient to satisfy CEQA's energy impacts analysis [sic] requirements. (See *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal. App. 4th 256, 261-65; *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173.)

Response No. O9-68:

This comment provides background information that will be included as part of the record and made available to the decision makers prior to a final decision on the project.

Comment No. O9-69:

The prior EIRs prepared for this Project did not contain an analysis of energy impacts and conservation measures sufficient to meet the standards articulate in *Ukiah Citizens* and California Clean Energy Committee. The revised analysis, moreover, describes a Project with substantially different energy impacts than the Project addressed in the prior EIRs. Greenhouse gas emission estimates, building efficiency standards, mobile source assumptions, and a host of other factors affecting energy use and conservation have changed in the revised analysis. Accordingly, before the Department or the County can move ahead with the Project, an energy analysis sufficient to meet CEQA's standards must be prepared.

Response No. O9-69:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). It is noted, however, that the County's 2011 Final EIR considered the energy-related impacts of the Mission Village Project. Specifically, Section 4.17, Utilities, of that EIR concluded that the

Project would not result in significant impacts relating to the consumption of electricity and natural gas resources with implementation of the identified mitigation measures and project design features. Section 4.17 tiered from Sections 4.13 (Natural Gas) and 4.14 (Electricity) of the County's program-level EIR for the Newhall Ranch Specific Plan, which itself resulted in the adoption of mitigation measures designed to reduce natural gas and electricity consumption to less-than-significant levels. The adequacy of the energy analysis in the County's 2011 Final EIR was never challenged in any of the judicial proceedings relating to this Project by the author of this comment or others.

Comment No. O9-70:

II. The AEA's Proposed Modifications to Santa Clara River Bridge Crossing and Bank Stabilizations to Protect Unarmored Threespine Stickleback are Inadequate and Incomplete

The AEA recognizes that the SCR is a dynamic and ever-changing system (at 3-29). The "no water contact" construction approach has potential to reduce the impacts to the UTS during bridge construction through working exclusively outside of the wetted channel and only during the "dry season." Even with these proposed safeguards, impacts could still occur to the fish during construction.

Response No. O9-70:

The comment states that despite the "no water contact" construction approach for the Project's bridges, and despite additional safeguards to ensure no construction activities intrude into the wetted channel of the Santa Clara River, "impacts could still occur to the fish during construction." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to page 3-29 of the AEA; pages 2.1-7 to 2.1-9 of the Recirculated Analysis correspond to page 3-29 of the AEA.

Comment No. O9-71:

Additionally, the proposal "no water contact" only addresses the potential construction impacts, not the long-term impacts from the bridge construction. While it reduces the potential impacts and "take" of the fish, it does not eliminate it for the following reasons:

Response No. O9-71:

The comment states that the proposed "no water contact" approach to bridge construction "only addresses the potential construction impacts, not the long-term impacts from bridge construction." As

described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-72:

- The "dry season" work, which is proposed to run from June 1 to September 30 (AEA at 1-20) will overlap the breeding/nesting season for the UTS which is recognized as occurring year round [sic], with less breeding activity occurring from October to January⁴⁶.

Response No. O9-72:

The comment states that the proposed "no water contact" approach to bridge construction will not eliminate take of unarmored threespine stickleback (UTS) because "[t]he 'dry season' work, which is proposed to run from June 1 to September 30 (AEA at 1-20) will overlap the breeding/nesting season for the UTS which is recognized as occurring year round, with less breeding activity occurring from October to January." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Both the comment and response refer to page 1-20 of the AEA; page 2.2-35 of the Recirculated Analysis corresponds to page 1-20 of the AEA.

Comment No. O9-73:

One issue that the AEA did not thoroughly analyze is the impacts to the UTS from the "dry season" pile driving. The best available science indicates that severe impacts, including possible mortalities, could still occur⁴⁷ even though the pile driving will not be done in the wetted channel. The dynamics of sound have been well studied and Popper and Hastings (2009) note:

"the pulse propagating down the length of the pile may couple to the substrate at the water bottom and cause waves to propagate outward through the bottom sediment. These transient waves in the substrate can be transmitted from the bottom into the water at some distance away from the pile to create localized areas of very low and, or very high sound pressure and acoustic particle motion because of interference with the sound pulse directly from the pile that is traveling outward through the water. Thus it is possible that

the received levels of sound could be higher at some locations farther from the pile than at locations closer to it. This has been observed in some monitoring data (Caltrans, 2001)” (at pg. 457)

These findings are of concern because 1) the pulses are know [sic] to cause fish mortality⁴⁸ and 2) even though no pile driving will occur in the wetted channel, the pile driving is likely to reach the shallow subsurface within the river channel, which would then potentially move the pulse to areas where the UTS are located, including potentially negatively affect the fish themselves, their nests and nesting and breeding activities.

⁴⁶ USFWS 2009. Unarmored Threespine Stickleback (*Gasterosteus aculeatus williamsoni*) 5-Year Review: Summary and Evaluation. available at http://ecos.fws.gov/docs/five_year_review/doc2629.pdf . Attached as Ex. JJ

⁴⁷ Popper & Hastings 2009. Review Paper: The effects of anthropogenic sources of sound on fishes. *Journal of Fish Biology* (2009) 75, 455–489. Attached as Ex. II.

⁴⁸ IBID

Response No. 09-73:

The comment states that the AEA “did not thoroughly analyze ... impacts to the UTS from ‘dry season’ pile driving.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-74:

In addition, the expert analysis of the CBEC Engineering, Inc. identifies additional potential impacts and necessary clarifications in their Technical Memorandum (CBEC 2017, attached as Ex. GG). Clarifications are necessary in order to evaluate the effectiveness of the “no water contact” proposal to preclude impacts to UTS and include issues associated with how the wetted channel was defined, and how the local drainage features outside the wetted channel that affect the wetted channel, construction activities outside of but very near the wetted channel (CBEC at pg 2, Ex. GG).

Response No. 09-74:

The comment indicates that CBEC Engineering, Inc. (CBEC) has prepared a technical memorandum analyzing the proposed Project’s potential to affect UTS. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-75:

The memorandum also identifies the failure of the AEA to assess the potential long-term impacts to UTS from bridge construction (CBEC at pg 2, Ex. GG) and identifies potential new impacts to UTS not addressed in the AEA or its appendices (CBEC at pg 2 to 3, Ex. GG).

Response No. 09-75:

The comment contends that the CBEC technical memorandum addresses the “failure of the AEA to assess the potential long-term impacts to UTS from bridge construction.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-76:

Section 3.3 of the memorandum analyzes the inadequacies in the impact analysis and proposed mitigation.

Response No. O9-76:

The comment contends that the CBEC technical memorandum “identifies potential long-term new impacts to UTS not addressed in the AEA or its appendices.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-77:

Section 3.4 evaluates the analysis of Santa Clara River Low-Flow Inundation Analysis (PACE, 2016d.)

Response No. O9-77:

The comment states that Section 3.3 of the CBEC technical memorandum “analyzes the inadequacies in the impact analysis and proposed mitigation.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-78:

Section 3.5 evaluates the analysis of the Geosyntec, 2016b. Memorandum: Santa Clara River Seasonal Streamflow Analysis. Section 3.6 evaluates the analysis of the Moffatt & Nichol, 2016c.

Response No. O9-78:

The comment states that (i) Section 3.4 of the CBEC technical memorandum evaluates the “Santa Clara River Low-Flow Inundation Analysis” performed by PACE (2016d), (ii) Section 3.5 of the technical analysis evaluates Geosyntec’s 2016 study, titled “Memorandum: Santa Clara River Streamflow Analysis,” and (iii) Section 3.6 of the technical memorandum evaluates the analysis of the Moffatt & Nichol report (2016c), titled “Memorandum: Implementation of Proposed ‘No Water Contact’ Construction Program.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County

concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-79:

Memorandum: Implementation of Proposed "No Water Contact" Construction Program. Section 4 includes a list of questions that would help to clarify the technical analysis of the appendices provided in the AEA. We incorporate these comments by reference and request written responses to CBEC's comments and questions.

Response No. 09-79:

The comment states that Section 4 of the CBEC technical memorandum "includes a list of questions that would help to clarify the technical analysis of the appendices provided in the AEA." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-80:

Concerns about the state of UTS in the Santa Clara River outside of the Newhall Ranch Project is also of issue here. As the Department is well aware, in 2014, the Department attempted to translocation UTS from the Santa Clara river into the San Francisquito Creek. The population of UTS in San Francisquito Creek had been extirpated circa 2005. The reason for the translocation was due to dwindling water in the Santa Clara River due to drought. 569 fish were ultimately rescued from the Santa Clara river and moved to the San Francisquito Creek over four separate days in 2014. Subsequent surveys on San Francisquito Creek in 2015 failed to relocate any of the translocated fish.⁴⁹ The outcome of this effort underscores the importance of maintaining habitat for this highly imperiled fish in the project area.

⁴⁹ <https://www.wildlife.ca.gov/Drought/Projects/Stickleback>

Response No. 09-80:

The comment expresses concern "about the state of UTS in the Santa Clara River outside of the Newhall Ranch Project[.]" As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental

response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-81:

The final AEA needs to address the technical issues identified in the CBEC 2017 (Exhibit GG) memorandum and provide additional analysis on impacts to the UTS based on responses. Additional mitigation measures must be added to address the impacts.

Response No. 09-81:

The comment indicates that the final AEA needs to address the issues identified in the CBEC technical memorandum and develop additional mitigation measures to offset Project-related impacts to UTS. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-82:

The AEA does not consider any potential effects of changed bridge pile locations for the Commerce Center Drive bridge on surface and groundwater hydrology that may affect the highly sensitive Middle Canyon Spring. The final analysis should consider any such potential effects and ensure that the natural hydrology maintaining the spring is preserved, and if feasible, enhanced.

Response No. 09-82:

The comment states the AEA "does not consider any potential effects of changed bridge pile locations for the Commerce Center Drive bridge on surface and groundwater hydrology that may affect the highly sensitive Middle Canyon Spring." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-83:

Based on the analysis of impacts even with the implementation of the “no water contact” proposal, there is still potential for impacts to occur to UTS and other aquatic species. Therefore, as we have recommended previously, the project needs to prepare a Natural Communities Conservation Plan (NCCP) that includes the UTS as a covered species in order to assure that any potential take is covered. Because an NCCP is a habitat based plan, other impacted sensitive species and habitats should be included as covered species so that a single comprehensive conservation plan is created instead of the current piecemeal approach of required plans.

Response No. O9-83:

The comment states that “the project needs to prepare a Natural Communities Conservation Plan (NCCP) that includes the UTS as a covered species in order to assure that any potential take is covered.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-84:

While we recognize that each village have or will have its own required plans identified in their respective EIRs, here, we provide a list of plans that are required either through the Newhall Ranch Specific Plan or the Landmark Village EIR as an example:

- Spineflower Conservation Plan,
- Resource Management Plan,
- Oak Resource Management Plan and an Oak Resource Replacement Plan (both at LV4.4-6),
- conceptual wetlands mitigation plan (Mitigation Measure LV 4.4-1),
- wetlands mitigation plan (Mitigation Measure LV 4.4-29 through 4.4-41),
- Slender Mariposa Lily Mitigation and Monitoring Plan (LLV 4.4-5),
- Undescribed Everlasting Mitigation and Monitoring Plan (LV 4.4-4),
- bat roost site creation plan (LV 4.4-26),
- an integrated pest management plan (LV 4.4-46),
- a revegetation plan (SP 4.6-2),
- a long-term management plan (SP 4.6-12),
- wildfire fuel modification plan (SP 4.6-52),
- Fire Management Plan (SP 4.6-72),
- Comprehensive Mitigation Implementation Plan (CMIP) (LV 4.4-1),
- a Plan to address the relocation of southwestern pond turtle (LV 4.4-9),
- the two-striped garter snake and/or south coast garter snake Relocation Plan (LV 4.4- 16)

- an arroyo toad monitoring plan (LV 4.4-17), if present
- a relocation plan for coast horned lizard, silvery legless lizard, coastal western whiptail, rosy boa, San Bernardino ringneck snake, and coast patch-nosed snake (LV 4.4-20)
- Exotic Wildlife Species Control Plan (LV 4.4-27)
- a red-legged frog monitoring plan (LV 4.4-55), if present
- and other mitigation plans as required by each village development plan.

Response No. O9-84:

The comment lists a series of planning documents which, according to the comment, “are required either through the Newhall Ranch Specific Plan or the Landmark Village EIR[.]” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-85:

III. The AEA Fails to Address New Scientific Data Available on Other Rare Species

While the AEA tries to impermissibly narrow the biological issues to just the UTS, the fact remains that between the time the original EIR was completed and now, new federal actions and additional scientific data have occurred that may affect rare species that likely occur within the project area and need to be included in the environmental review.

Response No. O9-85:

The comment states that the AEA “tries to impermissibly narrow the biological issues to just the UTS[.]” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-86:

For example, US Fish and Wildlife Services finalized revised critical habitat for the federally endangered and State species of concern arroyo toad on February 9, 2011 (attached as Ex. KK). Unit 6B of that designation lies directly upstream from the project area and Landmark village along the Santa Clara River.

The arroyo toad relies upon the Santa Clara river in this area for successful breeding and reproduction, but also relies on the upland habitat most of the year for estivation/hibernation of adults, which make up the breeding population. More recent peer-reviewed data documents arroyo toads estivating/hibernating at distances up to 150 meters (492 feet) from surface flow waters in coastal southern California⁵⁰. Because these rare amphibians exhibit local migrations to non-breeding habitat, they could occur within the dry season and other construction activity areas along the Santa Clara River. While preconstruction surveys are required for the arroyo toad, it is unclear how estivating/hibernating toads would be detected if they were to be performed as required - prior to construction.

⁵⁰ Mitrovich et al. 2011. Attached as Exhibit HH.

Response No. O9-86:

The comment states that “between the time the original EIR was completed and now, new federal actions and additional scientific data have occurred that may affect rare species that likely occur within the project area and need to be included in the environmental review.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-87:

Recent scientific data have become available on the Santa Ana sucker fish, a federally threatened species, that show genetic integrity of the species in the Santa Clara River above the Piru “dry gap.” While the U.S. Fish and Wildlife Service do not currently recognize the population in the Santa Clara River as part of the listed population, the recent genetics work done by the U.S. Geological Survey on the species indicates that the basis for not listing the species in the Santa Clara River above the Piru “dry gap” is in error.⁵¹ Therefore, impacts that could affect UTS need to also be evaluated for their impacts to Santa Ana Sucker.

⁵¹ Richmond et al. 2015. Attached as Exhibit LL.

Response No. O9-87:

The comment states that recent genetics work on the Santa Ana sucker, a federally-threatened fish, indicates that the species should be listed upstream of the Piru “Dry Gap” as well as downstream of it, as is currently the case. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by

reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-88:

IV. The AEA Fails as a CEQA Document and Must be Revised and Recirculated Before the Project Can Move Forward

The conservation groups have closely monitored and raised concerns about this Project for many years. The groups, along with others, successfully challenged the Department's 2010 approvals for the Project in the California Supreme Court. The Court criticized the Project's environmental review and ruled on behalf of Petitioners on two issues with far-reaching environmental consequences that affect all aspects of the Department's approvals. Specifically, the Court found mitigation measures BIO-44 and BIO-46 adopted by the Department violate Fish and Game Code Section 5515 because they result in impermissible take of the fully protected unarmored threespine stickleback. (Center for Biological Diversity, *supra*, 62 Cal.4th 204 at pp. 232-237.) The Court also found that although the Department may use a hypothetical "business as usual" scenario for evaluating the significance of greenhouse gas emissions in accordance with the Supreme Court's opinion. (*Id.* at pp. 224-25, 228-29), no substantial evidence supports the Department's finding that the Project's greenhouse gas emissions will not result in a cumulatively significant environmental impact. (*Id.* at pp. 225-27.)

The facts of the case and the relevant case law required setting aside the legally defective approvals for the Project and associated environmental review, after which the Department should have prepared a subsequent EIR. Those approvals include the Master Streambed Alteration Agreement (Notification No. 1600-2004-0016- RS) and Incidental Take Permits Nos. 2081-2008-012-05 and 2081-2008-013-05.I. Instead, the Department chose to keep those prior approvals in place and augment its prior environmental review with this AEA. (AEA 1-4 "the AEA augments the environmental information developed in the 2010 Final EIR. CDFW will take into account the combination of the 2010 Final EIR with its supporting materials and the AEA when it considered related final action in the future.") In addition to the inadequacies in its environmental analysis that are detailed above, the AEA does not meet the statutory or regulatory requirements for an environmental review document under CEQA. Therefore, the AEA is an inadequate response to the Supreme Court's ruling and fails as a CEQA.

Response No. 09-88:

The comment presents a legal argument regarding the proper scope of the AEA. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to page 1-4 of the AEA; page 1.0-4 of the Recirculated Analysis corresponds to page 1-4 of the AEA.

Comment No. O9-89:**A. The AEA Fails to Adequately Respond to the California Supreme Court’s Ruling in Center for Biological Diversity v. Department of Fish and Wildlife**

In 2015, the Supreme Court held that the Department violated CEQA by failing to support its conclusions regarding the project’s greenhouse gas impacts with substantial evidence and by violating the Fish and Game Code’s prohibition against “taking” fully protected species. (Center for Biological Diversity, *supra*, 62 Cal.4th at p. 240.) There are no parts of the Project that can be severed from the parts infected by these violations. The appropriate next step by the Department was to decertify the Project’s Environmental Impact Report and setting aside the project and all project approvals that depend on the legally defective portions of the EIR.⁵² Partial decertification of an EIR is not consistent with the role of the EIR in the CEQA process and thus is in conflict with one of the core purposes of CEQA. As the court in *Landvalue 77* succinctly held, “[t]he statutes and CEQA Guidelines provide for the certification of an EIR when it is complete, and the concept of completeness is not compatible with partial certification. In short, an EIR is either complete or it is not.” (*Landvalue 77, LLC v. Board of Trustees of California State University* (2011) 193 Cal.App.4th 675, 682.).

⁵² This issue was raised in detail at the Los Angeles Superior Court as part of briefing on the remedy for *Center for Biological Diversity v. Department of Fish and Wildlife* (Case No. B131347) on December 9, 2016. That briefing is attached to this letter at Ex. QQ.

Response No. O9-89:

The comment states the Supreme Court’s decision held that CDFW “violated CEQA by failing to support its conclusions regarding the project’s greenhouse gas impacts with substantial evidence,” and violated the “Fish and Game Code’s prohibition against ‘taking’ fully protected species.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-90:

Here, the Final EIR for the Project is clearly not complete and the limited environmental review in the AEA does not fill the remaining gaps. For example, the EIR’s discussion of alternatives cannot stand based on the EIR’s inadequate analysis of greenhouse gas impacts, as this error is fundamental to the comparison of various alternatives’ environmental consequences. Similarly, the invalidation of mitigation measures BIO-44 and BIO-46 affects the entire suite of biological mitigation measures, and means that the project will have a significant impact that is not addressed anywhere in the existing EIR.

Response No. 09-90:

The comment states that the invalidation of Mitigation Measures BIO-44 and BIO-46 “affects the entire suite of biological mitigation measures, and means that the project will have a significant impact that is not addressed anywhere in the existing EIR.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-91:

The AEA used by the Department to remedy the defects identified by the Supreme Court is not consistent with controlling law and is not in accordance with the closely interconnected nature of the Department’s approvals. Instead, the approach taken by the Department here has improperly tied the Department’s hands by precluding consideration of all feasible means of reducing or avoiding the project’s environmental impacts as evidenced by the AEA’s overly narrow and limited scope. These self-created constraints have resulted in an inadequate and incomplete environmental review document as the sections above detailed.

Response No. 09-91:

The comment states the AEA “is not consistent with controlling law and is not in accordance with the closely interconnected nature of CDFW’s approvals.” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-92:

Instead, the appropriate response to the Supreme Court ruling is for the defective legal approval to be set aside and the Final EIR from 2010 should be de-certified. After which the Department should examine the Project, in total, and its impacts on the environment in a revised EIR. It is the conservation groups’ view that any form of environmental review more narrow or limited would be inadequate and impermissible under CEQA.

Response No. 09-92:

The comment reiterates Petitioners' legal position that CDFW should (i) set aside all of the Project approvals, and (ii) de-certify the entire 2010 Final EIR. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-93:**B. It Remains Unclear What Form of CEQA Document the Department Intended to Prepare**

As a preliminary matter, the AEA does not appear to expressly state whether it is a supplemental EIR, a subsequent EIR, or some other type of CEQA compliance document such as a revised EIR. The term "Additional Environmental Analysis" does not appear in any statute or regulation associated with CEQA. The Department's failure to identify the type of CEQA document and cite substantial evidence supporting its decision to prepare that document constitutes a violation of CEQA. If the original EIR is decertified, a revised draft EIR is the appropriate CEQA document. If the EIR is not decertified, a "subsequent EIR or a supplement to an EIR must be prepared if the lead agency determines, on the basis of substantial evidence in light of the whole record," that changes have occurred to the project, as set forth in Public Resources Code Section 21166. (9-303 CALIFORNIA REAL ESTATE LAW & PRACTICE Section 303.24.)

Courts have faulted agencies for failing to make these required determinations. In *City of San Jose v. Great Oaks Water Co.* (1987) 192 Cal.App.3d 1005, the lead agency substantially changed the nature of a project by modifying the project's sources of water supply. (Id. at 1015.) The Court concluded: "the City violated CEQA by failing to make a determination whether a subsequent or supplemental EIR was required by the redesign of the project, or whether an addendum to the final EIR would suffice." (Id. at 1017, emphasis added.) The Department committed the same procedural error in this instance by failing to make an express determination in light of the evidence as to whether a subsequent EIR, supplemental EIR, addendum to EIR, or revised EIR was required.

Response No. 09-93:

The comment states it is unclear what form of CEQA document CDFW has prepared when it published its November 2016, "Notice of Availability of the Draft Additional Environmental Analysis for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan Environmental Impact Report." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's

response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-94:

C. Regardless of the Title of the Environmental Review Document, CEQA Requires a Broader Analysis of the Project's Environmental Impact than the AEA

Despite the Supreme Court ruling and the numbers of years that have passed since the Department last conducted an environmental review of the Project, the AEA includes a very narrow and limited approach to its analysis focusing only on "the consideration of the project applicant's proposed revisions to the GHG reduction measures and to the method by which the bridges and bank stabilization would be constructed." (AEA 1-1.) This narrow scope precludes the necessary comprehensive analysis of the Project impacts and conflicts with CEQA.

Response No. 09-94:

The comment states that the AEA, by focusing only on revisions to the GHG reduction measures and to the modified construction methods and timing for the bridges and bank stabilization, "precludes the necessary comprehensive analysis of the Project impacts and conflicts with CEQA." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to page 1.1 of the AEA; the corresponding pages in the Recirculated Analysis are 1.0-1 to 1.0-3.

Comment No. 09-95:

For example, as noted above, the GHG analysis fails to analyze the potential environmental impacts associated with the proposed mitigation measures, including achieving ZNE. (See Section I(B)(1); see also CEQA Guidelines § 15126.4(a)(1)(D).) The AEA fails to provide an analysis of the potential environmental impacts of the proposed mitigation measures or even the information necessary to conduct such an analysis. The absence of such information and the failure to complete an analysis of the potential impacts from proposed mitigation measures violate CEQA.

Response No. 09-95:

This comment asserts that the AEA fails to analyze the potential environmental impacts of mitigation measures, including the mitigation measures relating to ZNE. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the

record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-96:

Similarly, the "no water contact" construction approach described by the AEA fails to address the long-term impacts of the redesigned bridges and their construction on the unarmored three-spine stickleback. Impacts such as "dry season" pile driving and potential changes to drainage features outside the wetted channel are left unanalyzed.

Response No. 09-96:

The comment states that the AEA fails to evaluate "the long-term impacts of the redesigned bridges and their construction on the unarmored three-spine stickleback. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-97:

Most troubling, the AEA fails to revise or update the analysis of the Project's environmental impacts in light of changed circumstances. The most recent environmental analysis for the Project's environmental impacts was in 2010 in the Final EIR. In addition, the Final EIR also relied upon studies that dated further back. (See CDFW FEIR at 4.8-1 [CDFW FEIR traffic analysis was based on a 2008 Austin-Foust traffic analysis].)

Response No. 09-97:

Preliminarily, the comment states that the Project's environmental impacts analysis, and in particular its traffic analysis, needs to be revised or updated in light of "changed circumstances," but the comment does not provide any evidence or information of such "changed circumstances." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-98:

More recent studies show that circumstances have changed in a way that could impact the Project's environmental impacts. For example, the AEA notes that "during the 2014 and 2015 surveys, no unarmored threespine stickleback or other species native to the Santa Clara River were observed in the project area. (AEA 3-11.) Instead, "during the habitat surveys, CDFW observed unarmored threespine stickleback between the Old Road Bridge and the Valencia WRP discharge, upstream of the project area in August 2015." (Id.) These surveys results differ from the surveying done in the Final EIR and require the AEA take a broader analysis of unarmored threespine stickleback populations in the Santa Clara River and how they will be impacted by the Project, rather than just analyzing how the proposed modifications to the Project will impact the species.

Response No. O9-98:

The comment states that the AEA fails to account for changes in environmental conditions that have occurred since CDFW certified the 2010 Final EIR. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to page 3-11 of the AEA; the corresponding page in the Recirculated Analysis is 2.1-13.

Comment No. O9-99:

Also as noted above, new federal actions and collection of additional scientific data have occurred since the 2010 Final EIR and now. These "changed circumstances" impact rare species that likely occur within the project area and should be considered in any new environmental review of the project. Examples of Project impacts to species that should have been re-analyzed include but are not limited to arroyo toad and Santa Ana sucker fish. Other issues that should be reanalyzed in light of new circumstances include water availability, air quality and traffic.

Response No. O9-99:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-100:

Water availability and quality is a critical issue for California, with substantial implications for land use, the economy, and the environment. Since 2011, the state has been experiencing severe drought conditions, prompting a mandatory 25% reduction in municipal water use, cuts to senior agriculture water rights, and the 2014 Sustainable Groundwater Management Act. (Wilson 2016, attached as Ex. TT) Not only are the state's human residents vulnerable to impacts of drought, so too are its iconic plants, animals and regions. In the face of climate change, the gap between supply and demand will continue to widen as the existing water deficit is unreconciled with increased pressures from development, population growth and agriculture. (Wilson 2016, Ex. TT) California's water supply relies heavily on snow pack in the Sierra Nevada Mountains, which has been at record lows the past few years. (Weiser 2016, attached as Ex. SS) As the snow pack continues to diminish, California has become increasingly dependent on groundwater extraction to meet its water needs. Aquifer depletion and land subsidence have become a serious concern as an increasingly warmer climate has resulted in less snowpack, less rain and more evaporation. (Cooley 2016, attached as Ex. RR) In light of California's severe drought, the long-term of availability of water for the Project and the impact of the Project on the region's limited water supply should be re-examined.

Response No. O9-100:

The comment states that in light of water availability, quality, and associated drought conditions, "the impact of the Project on the region's limited water supply should be re-examined." As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-101:

Air quality is a significant environmental and public health concern as unhealthy, polluted air contributes to, and exacerbates, many diseases and mortality rates. In the U.S., government estimates indicate that between 10-12% of total health costs can be attributed to air pollution. (VCAPCD 2003, attached as Ex. MM) Some of the nation's most polluted counties are in Southern California. (ALA 2016, attached as Ex. NN) Air pollution and its impacts are felt most heavily by young children, the elderly, pregnant women and people with existing heart and lung disease. People living in poverty are also more susceptible to air pollution as they are less able to relocate to less polluted areas, and their homes and places of work are more likely to be located near sources of pollution, such as freeways or ports, as there [sic] areas are more affordable. (BAAQMD 2016, attached as Ex. OO; ALA 2016) Pollution sources include transportation, industry and manufacturing, construction, the importation and movement of goods, and energy development.

Response No. O9-101:

This comment is an introduction to the comment that follows, and provides general background information regarding health issues associated with and sources of air pollution. As described in **Response**

to Comment No. E13-H, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-102:

Transportation presents one of the most significant sources of pollution in urban areas, where large segments of the population are constantly exposed to roads and traffic. (BAAQMD 2016; Newman, attached as Ex. PP.) As noted above, the Project's GHG revisions have implications for its traffic analysis, which in turn can have implications for its air quality analysis. Similarly new data on traffic patterns and air quality could affect the Project's GHG impacts and mitigation. The AEA seems to have revised trip generation estimates in some instances but failed to provide a comprehensive analysis of changed background conditions for traffic in the area. Rather than examining the GHG issue in isolation, the AEA should have analyzed each of these impacts fully in light of changed circumstances since the 2010 Final EIR. Analyzing only the GHG issue provides an incomplete picture to the public and fails to fully address the Project's environmental impacts as required by CEQA.

Response No. 09-102:

The comment states that the AEA should re-analyze the air quality impacts of the Project because the GHG emissions analysis has traffic implications and traffic generates air pollution. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-103:

Lastly, the AEA should have included an updated analysis of potential alternatives to the Project since the AEA found a new significant impact from the Project: its anticipated GHG emissions were higher than previously estimated. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. (Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d).) An EIR "it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." (Guidelines § 15126.6(a).) Even though the AEA includes mitigation measures that address the Project's significant GHG emissions, it must still analyze alternatives to the Project that would address the new significant impact. (Laurel Heights Improvement Assn v. Regents of Univ. of Cal. (1988) 47 Cal.3d 376, 403; Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 732.) Under CEQA, "the public agency bears the burden of affirmatively demonstrating that, notwithstanding a project's impact on the environment, the agency's approval of the

proposed project followed meaningful consideration of alternatives and mitigation measures.” (Mountain Lion Foundation v. Fish & Game Com. (1997), 16 Cal. 4th 105, 134.) The AEA failure to include a revised analysis of alternatives violates CEQA.

Response No. O9-103:

This comment claims that the AEA should have included a revised alternatives analysis because the AEA identified a new significant impact relating to GHG emissions. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-104:

D. If the Approvals for the Project is Kept in Place and the EIR is not Decertified, the Department should have at a Minimum Prepared a Subsequent EIR not an AEA

If a court⁵³ finds that the approvals could remain in place while the Department re- evaluated the Project environmental impact, a subsequent EIR would be the appropriate form for the environmental review. Public Resources Code section 21166 provides the general rule as to when a supplemental EIR or subsequent EIR is required:

When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs: (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report. (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report. (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

⁵³ The conservation groups acknowledge that the Superior Court has issued an order and writ for this case that makes such a finding; however, petitioners intend to appeal the order and writ.

The California Supreme Court explained this section requires the agency to prepare a subsequent or supplemental EIR “in the event there are substantial changes to the project or its circumstances, or in the event of material new and previously unavailable information.” (Friends of College of San Mateo Gardens v. San Mateo County Community College Dist. (2016) 1 Cal.5th 937, 960 [“Friends”].) CEQA Guidelines section 15162 and 15163 provide further detail. A supplemental EIR – as opposed to a subsequent EIR – is required if “[o]nly minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.” (Committee for Green Foothills v. Santa Clara County Bd.

of Supervisors (2008) 161 Cal.App.4th 1204, 1229 (depublished); CEQA Guidelines §§ 15162, 15163(a)(2).) In contrast, a subsequent EIR is required for “major” revisions to the EIR.

Subdivision (a) of section 21166 applies here. The AEA documents “substantial” changes to the project, including: “proposed modifications to the project’s GHG reduction measures, and to the design and construction methods for the proposed developments Santa Clara River bridge crossings and bank stabilization.” (AEA 1-1.). Specifically, for the anticipated GHG emissions, the AEA discusses “the implementation of 13 mitigation measures,” many of which the conservation groups have expressed concerns about as detailed above. In addition, the revised Project also includes proposals “to modify the design and construction methods for the project’s bridges and bank stabilization.” (AEA 1-1.) These substantial changes will require “major” revisions to the EIR, as illustrated by the size of the AEA and its associated appendices. These substantial changes to the Project require a subsequent EIR to be prepared.

Similarly, subdivision (b) of section 21666 also applies because the circumstances under which the project is being undertaken have changed. The California Supreme Court has issued a ruling clarifying CDFW’s obligations regarding GHG and “take” analyses which has significantly altered the circumstances surrounding the project and its associated approvals.

Response No. O9-104:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). The comment refers specifically to pages 1-1 of the AEA; the corresponding pages in the Recirculated Analysis are 1.0-1 to 1.0-3.

Comment No. O9-105:

The Supreme Court’s decision established new and different legal requirements for greenhouse gas analysis, and therefore constituted both a change in the circumstances under which the project will be undertaken and new information of substantial importance that could not have been known when the prior EIR was prepared. (Pub. Resources Code § 21166(b), (c); Guidelines § 15162(a)(2), (3).) Additionally, the AEA identifies the increase in GHG emissions as a new significant impact. (See AEA at 2-15 to 2-16 [adopting any increase in GHG emissions as threshold of significance].) The AEA also concludes that unmitigated emissions are roughly double emissions estimated in the prior EIR—even though the project itself supposedly has not changed. (Compare App 1 Table ES-2 [estimating 518,330 MT CO₂e/yr increase] with CDFW FEIR at 8.0-71 [estimating 269,053 MT CO₂e/yr increase].) This is an undeniably a substantial increase in emissions which requires major revisions of the EIR in the form of a subsequent EIR.

Response No. O9-105:

This comment argues that subdivision (b) of Public Resources Code Section 21166 applies and requires preparation of a subsequent EIR rather than the AEA. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). The comment refers specifically to pages 2-15 to 2-16 of the AEA, as well as Table ES-2 located in the GHG Technical Report, Appendix 1, of the AEA. Pages 1.0-15 and 2.1-25 to 2.1-30 of the Recirculated Analysis corresponds with pages 2-15 to 2-16 of the AEA. A corresponding GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Table ES-2 located therein corresponds to Table ES-2 in the AEA's GHG Technical Report.

Comment No. O9-106:

Therefore, a subsequent EIR is necessary here not a supplemental EIR. A supplement can be used only where "minor additions or changes" are necessary "to make the previous EIR adequately apply to the project in the changed situation." (15163(a)(2).) Here, changes in mitigation measures, the sharp increase in estimated emissions, the lack of reanalysis of alternatives, and changes in project context indicate that the Department should prepare a subsequent EIR not a supplemental EIR.

Response No. O9-106:

This comment reiterates the argument advanced in prior comments that a subsequent EIR was required and not a supplemental EIR, instead of the AEA. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-107:

E. Even if a Supplemental EIR was the Appropriate Level of Environmental Review, the AEA does not meet the Requirements for a Supplemental EIR

While the conservation groups believe a supplemental EIR is inappropriate here it appears at times that the Department is attempting to treat the AEA as a supplement to the 2010 final EIR. Even if the Department intended the AEA to qualify as a supplemental EIR, the AEA fails to do so under CEQA

Guidelines section 15163. Guidelines section 15163 provides that a supplemental EIR must contain “the information necessary to make the previous EIR adequate for the project as revised.” This means that “[w]hen a lead agency is considering whether to prepare an [supplemental EIR], it is specifically authorized to limit its consideration of the later project to effects not considered in connection with the earlier project.” (Temecula Band of Luiseno Mission Indians v. Rancho Cal. Water Dist. (1996) 43 Cal.App.4th 425, 437.)

Response No. O9-107:

This comment claims that if a supplemental EIR was the appropriate document to comply with the Supreme Court’s ruling, the AEA fails to satisfy CEQA’s requirements for supplemental EIRs. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-108:

The AEA does not comply with its obligations under Guidelines section 15163. The AEA fails to establish that (a) it contains the information necessary to render the previous EIR adequate or (b) that it adequately considered effects not considered in connection with the earlier project. For example, the AEA contains no analysis of alternatives to the project even though the new GHG analysis significantly changes the anticipated impacts of the project and the range of feasible alternatives. The new GHG analysis also necessarily impacts the air quality analysis and corresponding alternatives analysis.

Response No. O9-108:

This comment criticizes the AEA’s compliance with Section 15163 of the CEQA Guidelines, which govern preparation of a supplemental EIR. As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-109:

The AEA similarly fails to accurately describe changes to the project (e.g., by providing revised site plans or highlighting differences to original project, with specific references to original EIR). These defects render the AEA unintelligible as a whole and frustrate CEQA’s goal of promoting informed decision-making and public participation.

Response No. 09-109:

The comment states that the AEA “fails to accurately describe changes to the project (e.g., by providing revised site plans or highlighting differences to original project, with specific references to original EIR).” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-110:

Conclusion

Thank you for the opportunity to submit comments on the Project and the AEA. We look forward to working with the Department to assure that the Project and its associated environmental review conforms to the requirements of state law while assuring that the significant environmental impacts of the Project are adequately analyzed and mitigated. In light of the inadequacies in the AEA raised in this comment letter, we strongly urge the Department revise the AEA and recirculate it for further public review and comment. If you have any questions, please contact the Center at the number listed below.

Response No. 09-110:

These concluding remarks also do not raise new issues or provide additional evidence. Therefore, no further response is required or necessary.

Comment No. O9-111:

Provided below is the first page of Exhibit A to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**EXHIBIT A
PAGE 1 OF 11**

BOARD MEETING DATE: December 5, 2008 AGENDA NO. 31

PROPOSAL: Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans

SYNOPSIS: This action is to adopt a resolution approving the Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans where AQMD is the lead agency. This interim threshold will be used for determining significant impacts for proposed projects. Once CARB adopts the statewide significance thresholds, staff will report back to the Board regarding any recommended changes or additions to the AQMD's interim threshold.

COMMITTEE: Climate Change, September 19, 2008 and October 29 2008

RECOMMENDED ACTION:
Adopt the attached resolution approving the Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans for use by the AQMD.

Barry R. Wallerstein, D.Env.
Executive Officer

BUSINESS

Background

The California Environmental Quality Act (CEQA) requires public agencies in California to analyze potential adverse impacts from proposed projects undertaken by a public agency, funded by a public agency, or requiring discretionary approval by a public agency. To disclose potential adverse impacts from a proposed project, pursuant to CEQA, lead agencies typically prepare a multidisciplinary environmental impact analysis and make decisions based on the analysis regarding the environmental effects of the proposed project (CEQA Guidelines §15002[a]).

In the past, air quality analyses tended to focus on potential adverse impacts from criteria pollutants and toxic air contaminants. Subsequent to the adoption of Assembly

South Coast Air Quality Management District, Board Letter Re: Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans, Agenda No. 31 at 2 (Dec. 5, 2008).

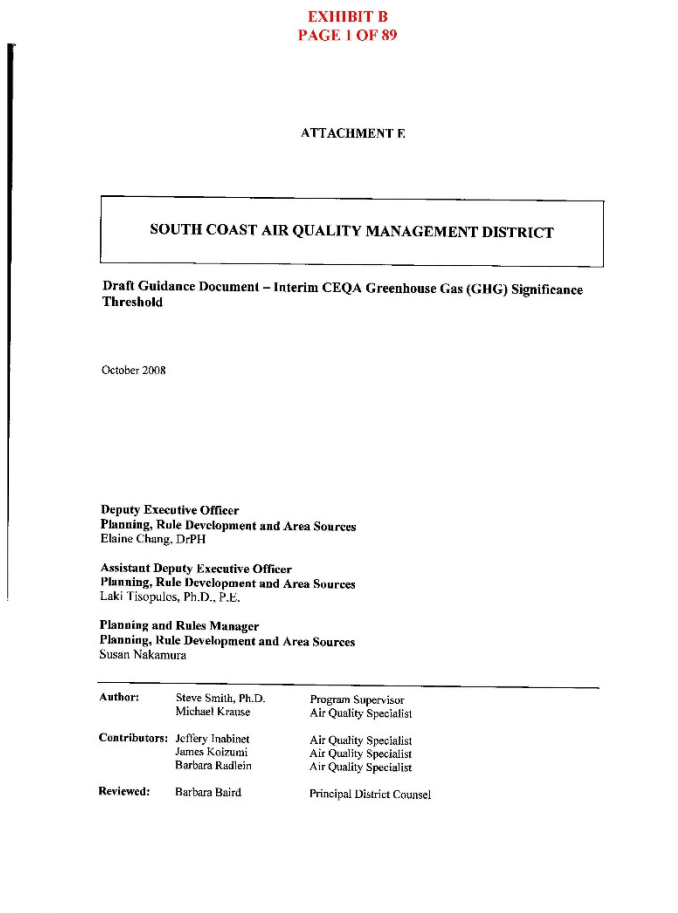
Response No. O9-111:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response

to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-112:

Provided below is the first page of Exhibit B to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



South Coast Air Quality Management District, Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold at 3-18, Table 3-4 (Oct. 2008).

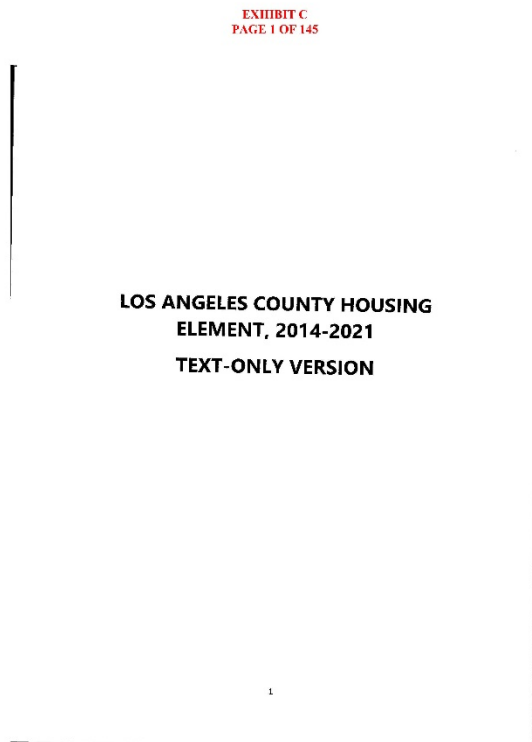
Response No. O9-112:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed

in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-113:

Provided below is the first page of Exhibit C to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



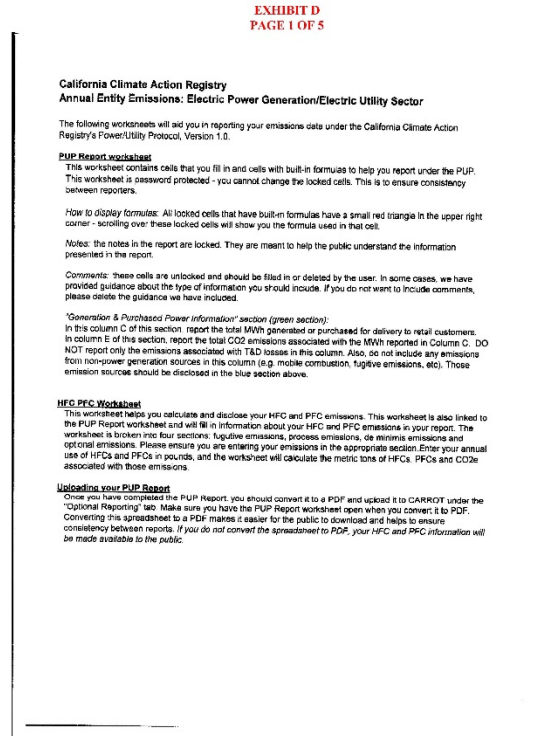
Los Angeles County Housing Element, 2014-2021. Page 82.

Response No. O9-113:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-114:

Provided below is the first page of Exhibit D to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



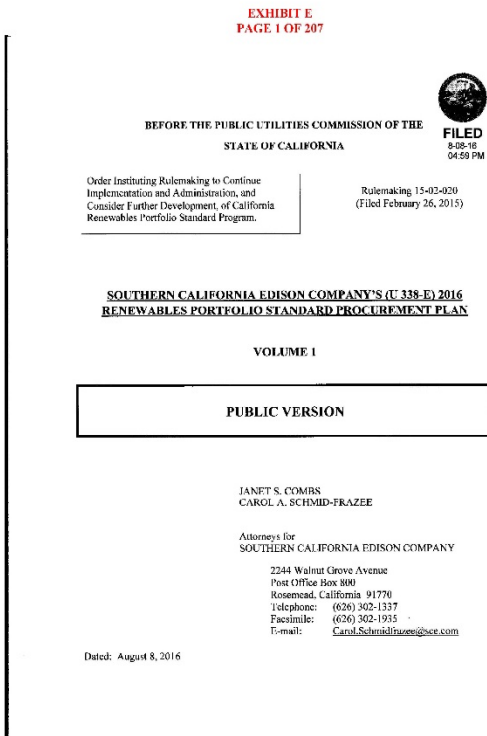
Southern California Edison, 2006 Annual Entity Emissions: Electric Power Generation/Electric Utility Sector.

Response No. O9-114:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-115:

Provided below is the first page of Exhibit E to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



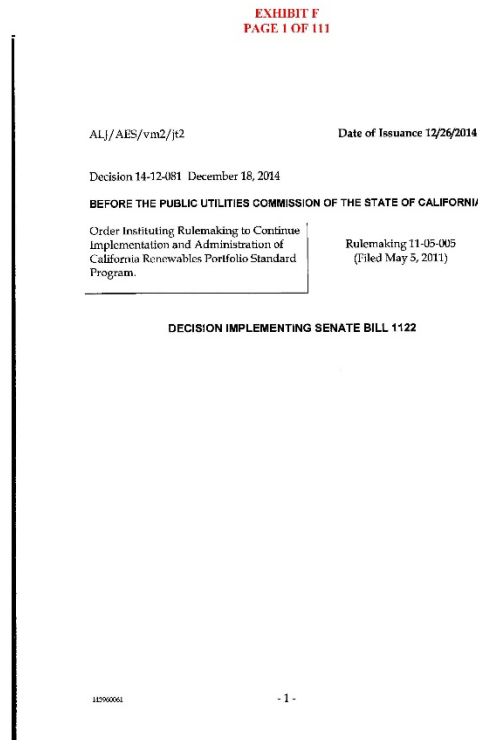
Southern California Edison, 2016 RPS Procurement Plan (Aug. 8, 2016), Public Appendix D, Joint IOU Cost Quantification at PDF page 200-205.

Response No. O9-115:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-116:

Provided below is the first page of Exhibit F to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



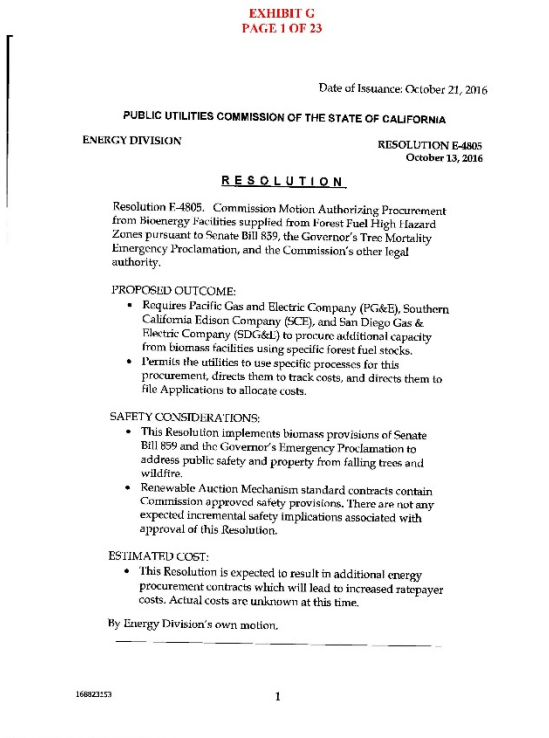
Public Utilities Commission, Decision D.14-12-081 at 85 (Dec. 26, 2014)

Response No. O9-116:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-117:

Provided below is the first page of Exhibit G to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



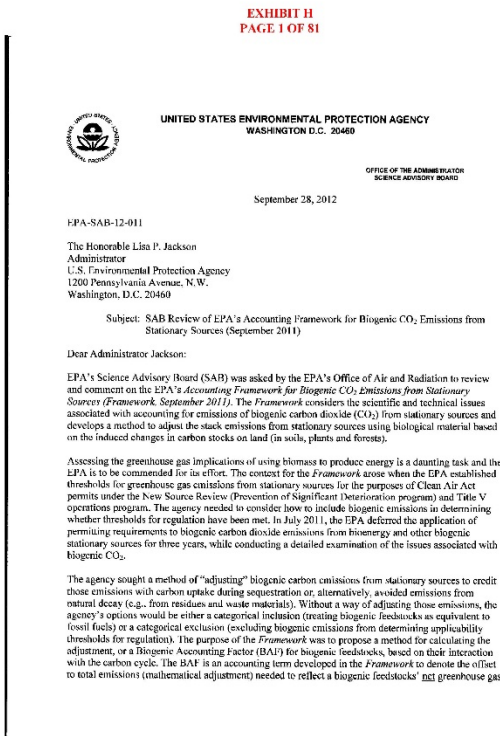
Public Utilities Commission Res. E-4805, Table 1 (Oct. 21, 2016)

Response No. O9-117:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-118:

Provided below is the first page of Exhibit H to Letter No. 09. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



U.S. EPA Science Advisory Board, Science Advisory Board Review of EPA's Accounting Framework for Biogenic CO₂ Emissions from Stationary Sources (Sept. 28, 2012).

Response No. 09-118:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-119:

Provided below is the first page of Exhibit I to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**EXHIBIT I
PAGE 1 OF 1**

CO ₂ Emission Rates From Modern Power Plants	lb	Facility	MWh	Biomass v.	
	CO ₂ /MWh	efficiency	/MWh	lb CO ₂ /MWh	Tech
New gas combined cycle ^a	177	51%	6.7	786	383%
New subcritical coal steam turbine ^b	710	39%	8.7	3,839	360%
U.S. coal fleet avg. 2013 ^c	210	33%	12.5	2,138	218%
New biomass steam turbine ^d	213	24%	14.2	8,018	

References:

CO₂ emissions:

^a E.U. 2009. FR at <http://www.eia.gov/environment/history/C2Lack.html>. Value for coal is for "at least" different types of coal with slightly more or less.

^b Assumed 40% efficiency for forest biomass. Biomass Energy Data Bank v. 4. Oak Ridge National Laboratory, 2011. <http://www.ornl.gov/bdb/> and the wood's DOE carbon.

Efficiency:

^a DOE National Energy Technology Laboratory. Federal Gas Combined Cycle Plant Case. http://www.eneff.com/AM/Template.cfm?SECTION=1&TEMPLATE=/CM/SEC_DISPLAY.cfm

^b International Energy Agency. Power Generation from Coal: Managing and Reporting Efficiency Performance and CO₂ Emissions. http://www.eia.doe.gov/pub/coalcoal/coal_efficiency/coal_efficiency.pdf

^c EIA data show the average efficiency for the U.S. coal fleet in 2013 was 33.8%. http://www.eia.doe.gov/pub/coalcoal/coal_efficiency/coal_efficiency.pdf

^d ORNL's Biomass Energy Data Bank (<http://www.ornl.gov/bdb/>) page 83 states that actual efficiencies for biomass steam turbines are "in the low 20's" (20%) "due to a number of parameters for recently proposed biomass plants (mostly a common assumption of 24% efficiency).

Representative emissions calculations, based on Department of Energy, Energy Information Administration, International Energy Agency, and Oak Ridge National Laboratory data

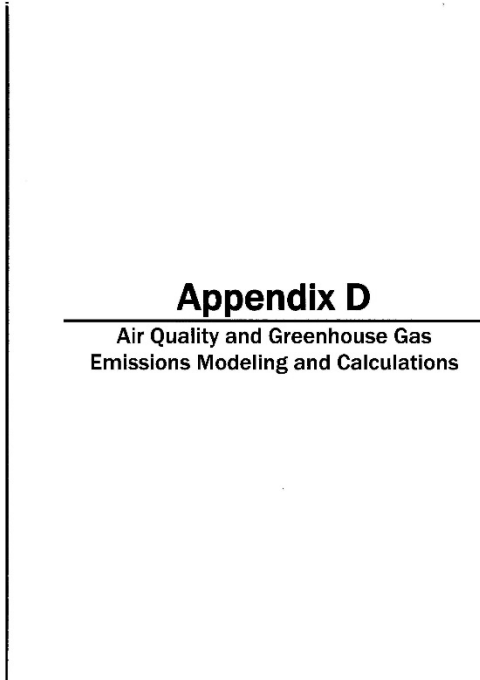
Response No. O9-119:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-120:

Provided below is the first page of Exhibit J to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

EXHIBIT J
PAGE 1 OF 50



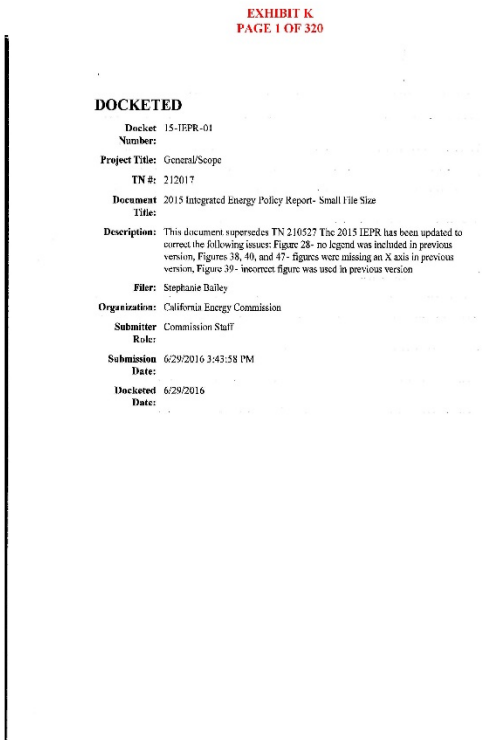
Ascent Environmental, Cabin Creek Biomass Facility Project Draft Environmental Impact Report, App. D (July 27, 2012)

Response No. O9-120:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-121:

Provided below is the first page of Exhibit K to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



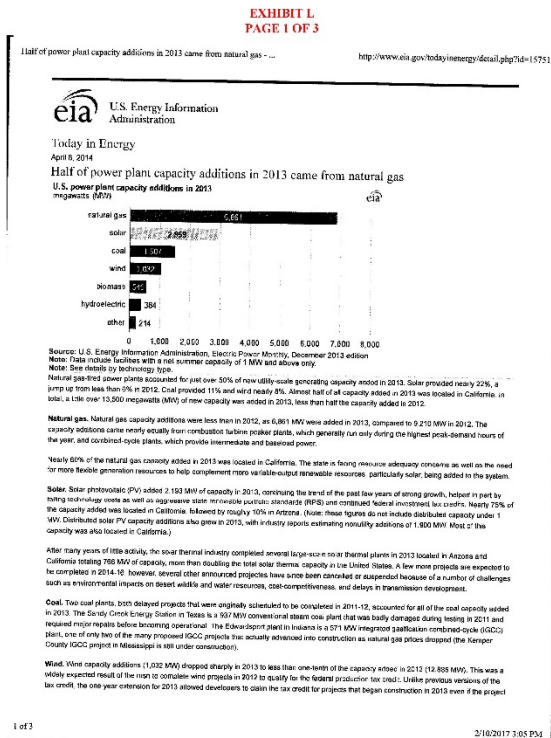
California Energy Commission, 2015 IEPR at 41-45 (June 2016)

Response No. O9-121:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-122:

Provided below is the first page of Exhibit L to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



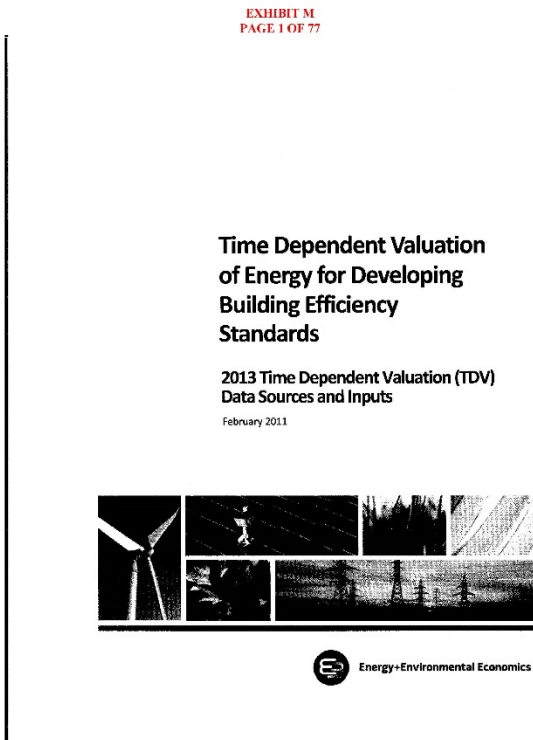
U.S. Energy Information Administration, Half of power plant capacity additions in 2013 came from natural gas (April 8, 2014)

Response No. O9-122:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-123:

Provided below is the first page of Exhibit M to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



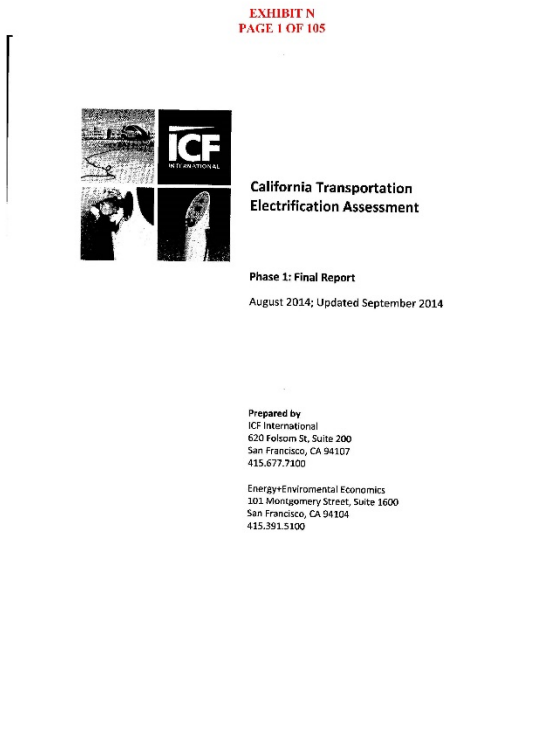
Energy and Environmental Economics, Time Dependent Valuation of Energy for Developing Building Efficiency Standards: 2013 Time Dependent Valuation (TDV) Data Sources and Inputs at 3 (February 2011)

Response No. O9-123:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-124:

Provided below is the first page of Exhibit N to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



ICF International, California Transportation Electrification Assessment, Phase 1: Final Report at 18-19 (September 2014)

Response No. O9-124:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-125:

Provided below is the first page of Exhibit O to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**EXHIBIT O
PAGE 1 OF 1**

**State of California
DEPARTMENT OF MOTOR VEHICLES
STATISTICS FOR PUBLICATION
JANUARY THROUGH DECEMBER 2015**

EMPLOYEE AND OFFICE STATISTICS

Number of DMV Offices	175	- 17 Auxiliary Offices (the include 3 CCI sites, 10 Industry Business Centers, 1 State Location, and 3 Travel Points)
Number of Driver Safety Offices	16	- 16 are spaced with one DMV location and 8 are independent. Additional 27 Resident Hearing Offices.
Number of Call Centers	3	- 3 independent facilities
Number of Investigations Offices	12	- An additional 28 are at other DMV locations.
Number of Occupational Licensing Offices	2	- An additional 14 are at other DMV locations.
Number of Other Locations	5,000	- 175 Auto Clubs and 4,825 Business Partner sites.
Appropriate Number of Employees	9,537	- includes full time, part-time, intermittent, and part-time employees. Approximately 6,272 (66%) are in DMV and approximately 3,265 (34%) are at headquarters.

DRIVER LICENSE AND IDENTIFICATION CARD STATISTICS

A. Total Driver Licenses Currently Issued:	28,914,851	(Includes 3,794,927 people that also have an ID Card)
Identification Cards:		
B. ID-Only (Age 16 and over)	2,605,084	
C. Both ID Card and Driver License	3,794,927	
D. Under Age 16 ID Cards	227,121	
E. Total Identification Cards	6,647,132	(Includes 1,407,188 Senior Citizen ID Cards)
Total People with a Driver License and/or ID Card:	28,967,936	(A + B + C)
Total Driver Licenses and ID Cards Currently Issued:	32,963,963	(A + E)

REGISTERED VEHICLE STATISTICS

Automobiles	24,487,807	
Motorcycles	894,885	
CDRL Trucks	476,160	(Commercial Vehicle Registration Act)
Non-CDRL Trucks/Con. Vehicles*	5,002,300	
PTI Trailers	2,234,270	(Permanent Trailer Identification)
Trailer CDRL/CPH	990,713	
CA Based R/P Trucks	82,036	(International Registration Plan)
Misc. Vehicles	113,225	(Miscellaneous vehicles include historical vehicles, special equipment, etc.)
Fee Paid Registered	33,769,387	
Exempt Registrations	577,559	
Total Registered†	34,346,946	
Foreign Based R/P Trucks	1,549,000	(Vehicles based in other states which pay fees to operate in California)

AVERAGE FEE PAID BY BASIC VEHICLE TYPE (does not include R/P)

	TRUCK (CDRL)	TRUCK (Non-CDRL)	AUTO	MOTORCYCLE	TRAILER
Registration Fee	\$16	\$46	\$46	\$46	\$46
CDP Fee	42	24	24	24	24
Vehicle License Fee (VLF)	100	63	79	28	52
Weights Fee	0	0	0	0	0
CDRL Fee**	254	0	0	0	0
Motorcycle Safety Fee	0	0	0	2	0
Total	\$118	\$117	\$149	\$100	\$122
Percent of all vehicles	1.5%	12.2%	75.1%	2.9%	1.3%

† The fee schedule for the R/P trucks (state fees) is not included in this table. Motorcycles and other fees are not included in this table.

NOTE: The current average VLF is \$74 per vehicle, and the current overall Total fee paid per vehicle registration is \$174.

* Includes pickup trucks and address used or not used to register for transportation or purposes of property.

** The fee for CDRL/CPH is included in the VLF for CDRL/CPH.

2016 Recirculated Analysis 01/17/16

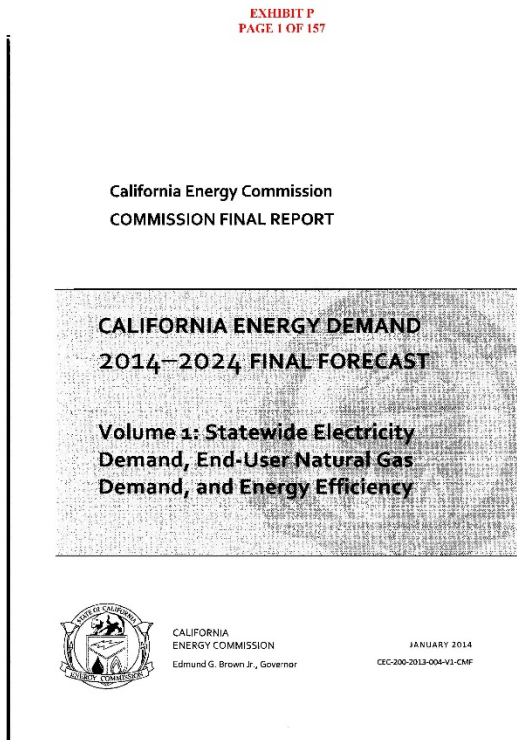
California Department of Motor Vehicles, Statistics for Publication January – December 2015

Response No. O9-125:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-126:

Provided below is the first page of Exhibit P to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



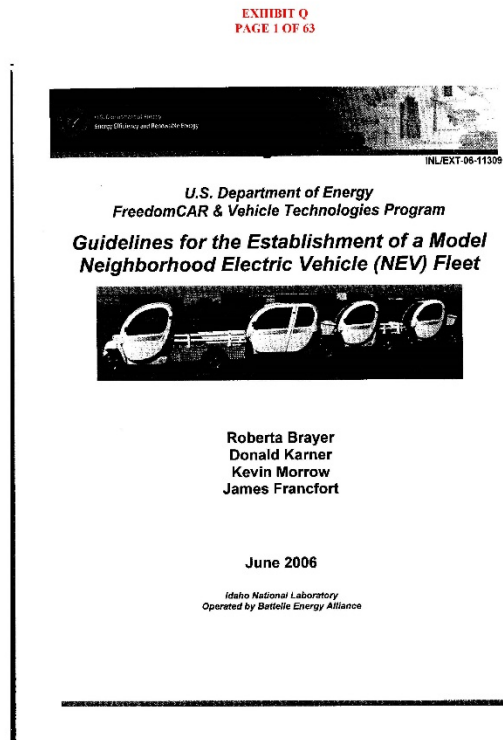
California Energy Commission, California Energy Demand 2014–2024 Final Forecast, Volume 1: Statewide Electricity Demand, End-User Natural Gas Demand, and Energy Efficiency at 43 (Table 11) (January 2014)

Response No. O9-126:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-127:

Provided below is the first page of Exhibit Q to Letter No. 09. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Roberta Brayer et al., USDOE, Guidelines for the Establishment of a Model Neighborhood Electric Vehicle (NEV) Fleet, Report No. INL/EXT-06-11309 at 2 (June 2006)

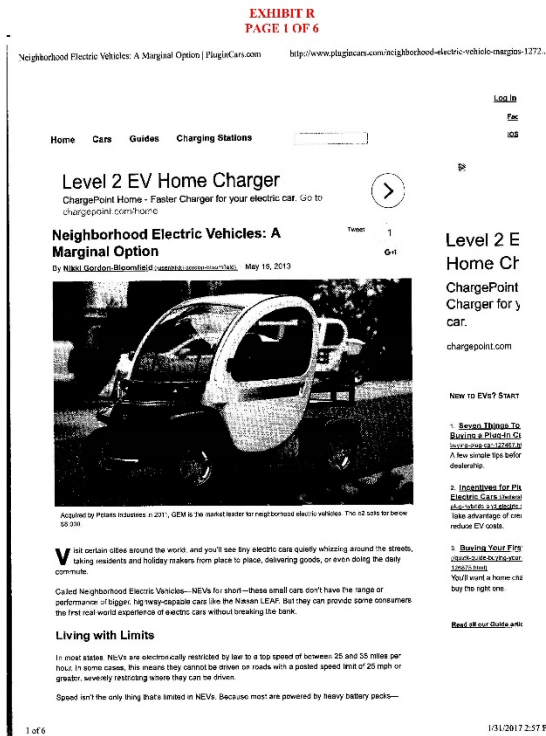
Response No. 09-127:

This publication was cited by the commenter as a relevant source document for establishing that an NEV's range is typically around 30 miles for each full charge, in support of the comment's conclusion that the emissions reduction from EV and NEV are double counted. As described in **Response to Comment No. 09-31**, the GHG emission reductions attributable to mitigation measures for mobile sources were sequenced in order to eliminate potential double counting. As explained in Section 4.1.1 of the GHG Technical Report, Appendix 1, of the AEA, the GHG emission reduction benefits of Mitigation Measure 2-6 (TDM Plan), including its NEV strategy, are subtracted from the Project's unmitigated mobile source inventory before accounting for the benefit of Mitigation Measure 2-5. This approach is consistent with CAPCOA methodology on how to incorporate reductions from the NEV commitment. A corresponding

GHG Technical Report is included as Appendix 2.1-A of the Recirculated Analysis, and Section 5.1.2 therein corresponds to Section 4.1.1 of the AEA’s GHG Technical Report.

Comment No. O9-128:

Provided below is the first page of Exhibit R to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Nikki Gordon-Bloomfield, Neighborhood Electric Vehicles: A Marginal Option (May 15, 2013), at <http://www.plugincars.com/neighborhood-electric-vehicle-margins-127231.html>

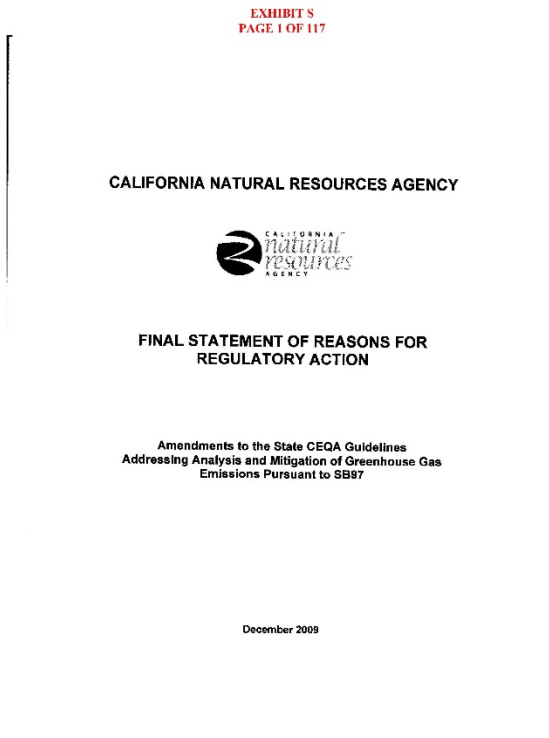
Response No. O9-128:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response

to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-129:

Provided below is the first page of Exhibit S to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

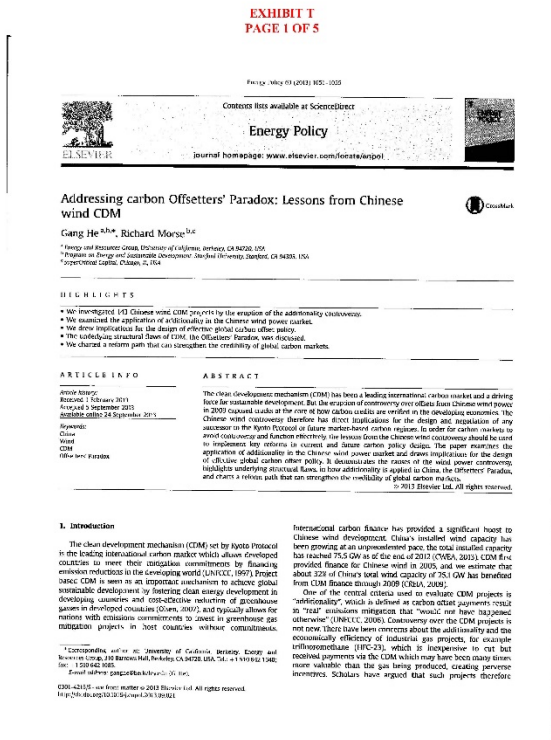


Response No. O9-129:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-130:

Provided below is the first page of Exhibit T to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

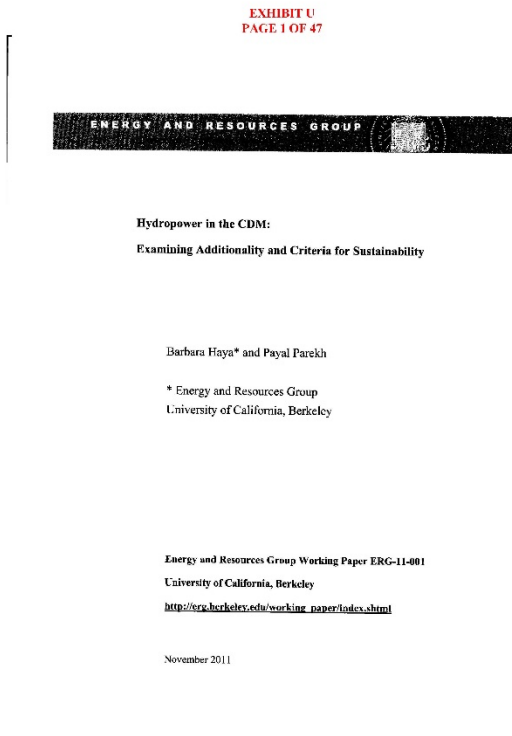


Response No. O9-130:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-131:

Provided below is the first page of Exhibit U to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

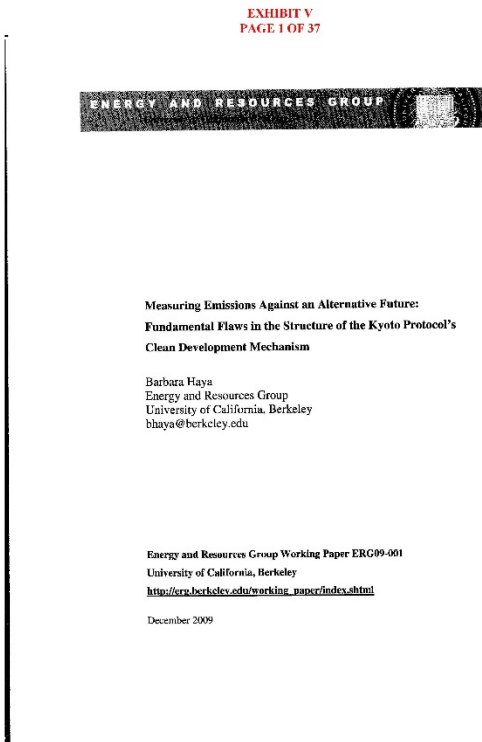


Response No. O9-131:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-132:

Provided below is the first page of Exhibit V to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

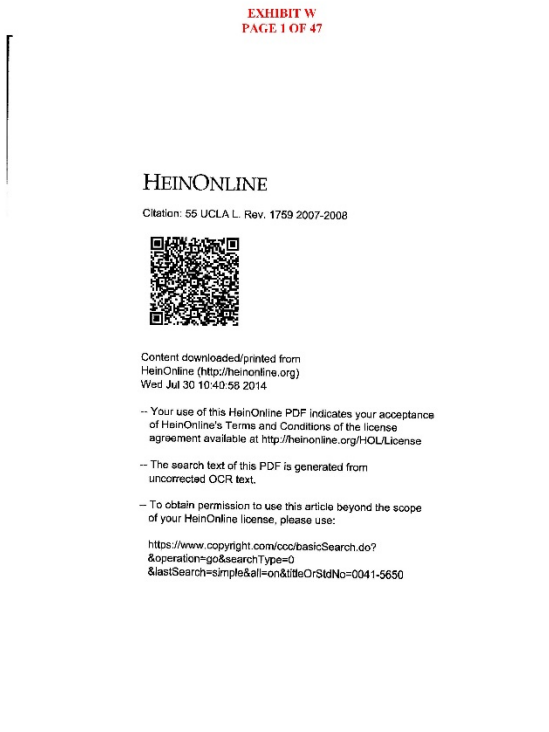


Response No. O9-132:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-133:

Provided below is the first page of Exhibit W to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

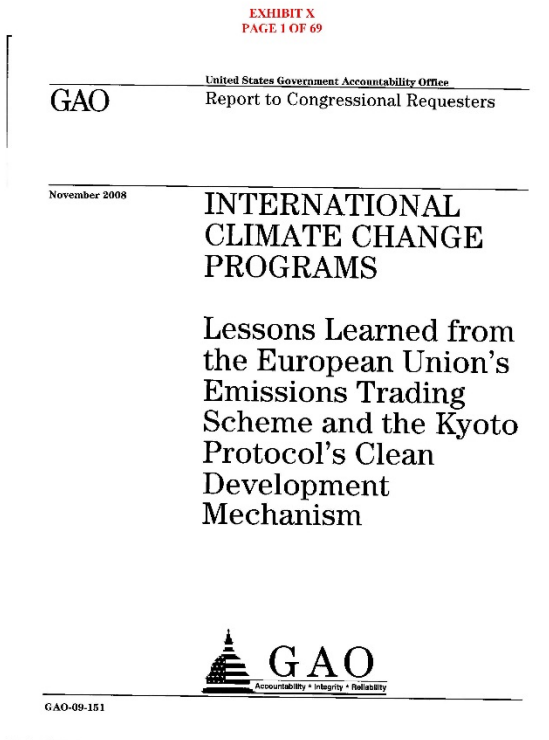


Response No. O9-133:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-134:

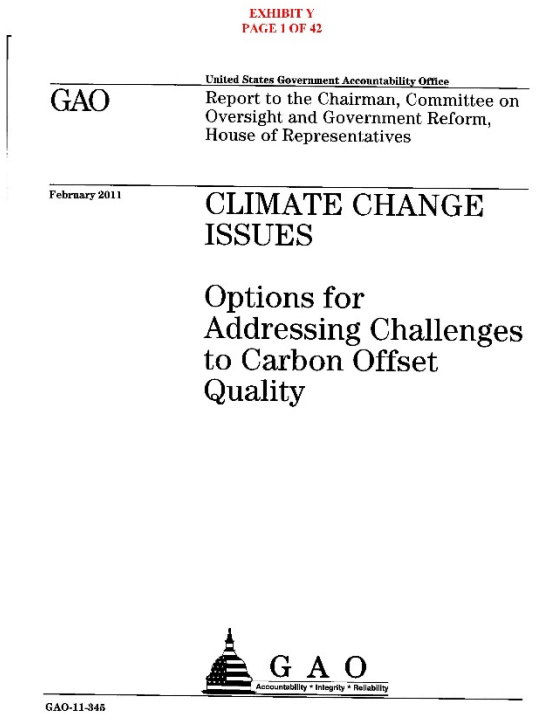
Provided below is the first page of Exhibit X to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**Response No. O9-134:**

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-135:

Provided below is the first page of Exhibit Y to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. O9-135:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-136:

Provided below is the first page of Exhibit Z to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

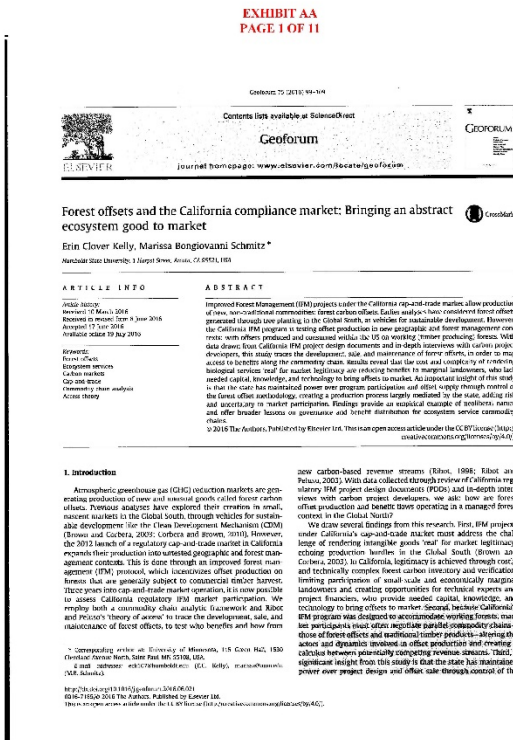


Response No. O9-136:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-137:

Provided below is the first page of Exhibit AA to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

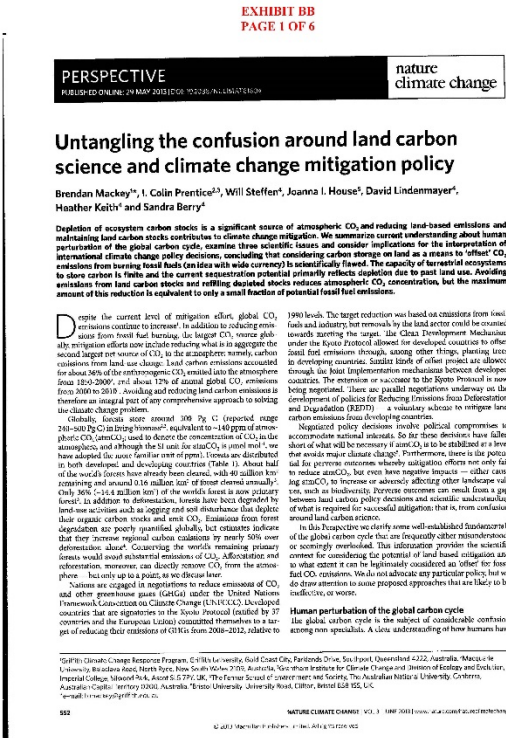


Response No. O9-137:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-138:

Provided below is the first page of Exhibit BB to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

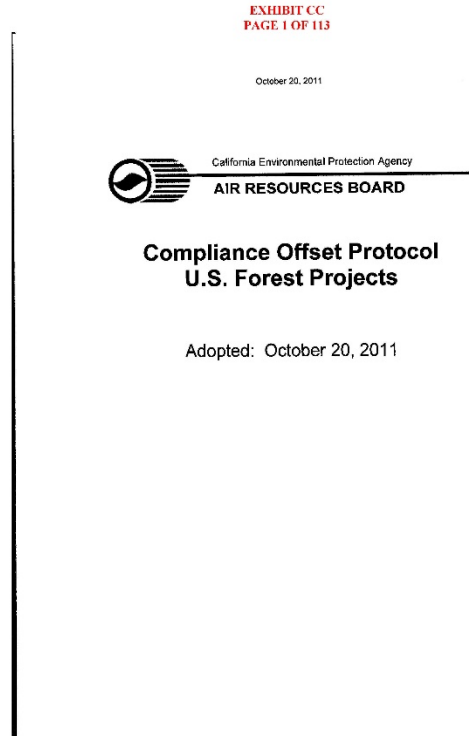


Response No. O9-138:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-139:

Provided below is the first page of Exhibit CC to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

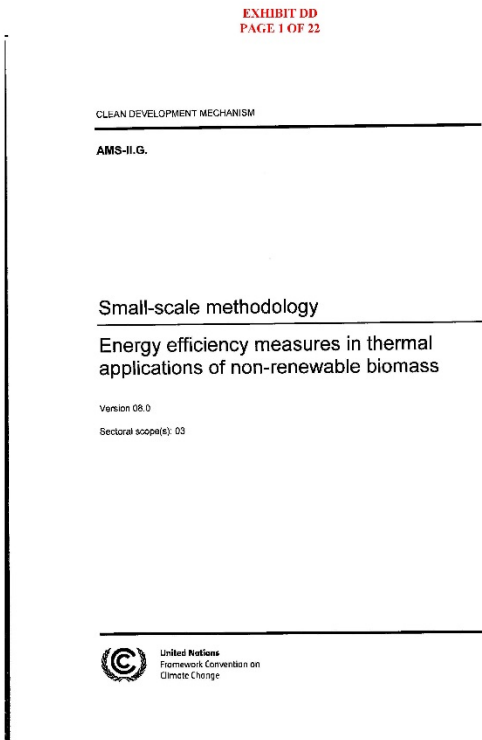


Response No. O9-139:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-140:

Provided below is the first page of Exhibit DD to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. O9-140:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-141:

Provided below is the first page of Exhibit EE to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

EXHIBIT EE
PAGE 1 OF 9

Articles

A cleaner burning biomass-fuelled cookstove intervention to prevent pneumonia in children under 5 years old in rural Malawi (the Cooking and Pneumonia Study): a cluster randomised controlled trial

Kevin Mortimer, Olayinka B. Oluwalana, Andrew W. Kinney, John M. Meeker, Cynthia Zimwira, William Warner, Deborah Haward, Tazim Fajana, Nigel Collins, Margaret A. Koenig, Douglas Wingo, Anissa Courpas, James R. Cunniff, John Balmes, Ursula M. Lissner

Summary
Background WHO estimates exposure to air pollution from cooking with solid fuels is associated with over 4 million premature deaths worldwide every year including half a million children under the age of 5 years from pneumonia. We hypothesized that replacing open fires with cleaner burning biomass-fuelled cookstoves would reduce pneumonia incidence in young children.

Methods We did a community-level open cluster randomised controlled trial to compare the effects of a cleaner burning biomass-fuelled cookstove intervention to a combination of open fire cooking on pneumonia in children living in two rural districts, Chikwawa and Karonga, of Malawi. Clusters were randomly allocated to intervention and control groups using a computer-generated randomisation schedule with stratification by site, distance from health centre, and size of cluster. Within clusters, households with a child under the age of 4.5 years were eligible. Intervention households received two biomass-fuelled cookstoves and a solar panel. The primary outcome was WHO Integrated Management of Childhood Illness (IMCI)-defined pneumonia episodes in children under 5 years of age. Efficacy and safety analyses were by intention to treat. The trial is registered with ISRCTN, number ISRCTN193449623.

Findings We enrolled 10750 children from 8626 households across 350 clusters between Dec 9, 2013, and Feb 28, 2016. 18543 children from 8679 households contributed 43 991 child-years of follow-up data to the intention-to-treat analysis. The IMCI pneumonia incidence rate in the intervention group was 13.7% (95% CI 14.0–13.6) vs 15.1% per 100 child-years and in the control group 15.1% (95% CI 14.77–15.45) per 100 child-years, with an intervention versus control incidence rate ratio (IRR) of 0.91 (95% CI 0.79–1.03, *p*=0.188). Cooking-related serious adverse events (burns) were seen in 19 children, nine in the intervention and ten (one death) in the control group (IRR 0.9) (95% CI 0.37–2.32, *p*=0.43).

Interpretation We found no evidence that an intervention comprising cleaner burning biomass-fuelled cookstoves reduced the risk of pneumonia in young children in rural Malawi. Effective strategies to reduce the adverse health effects of household air pollution are needed.

Funding Medical Research Council, UK Department for International Development, and Wellcome Trust.

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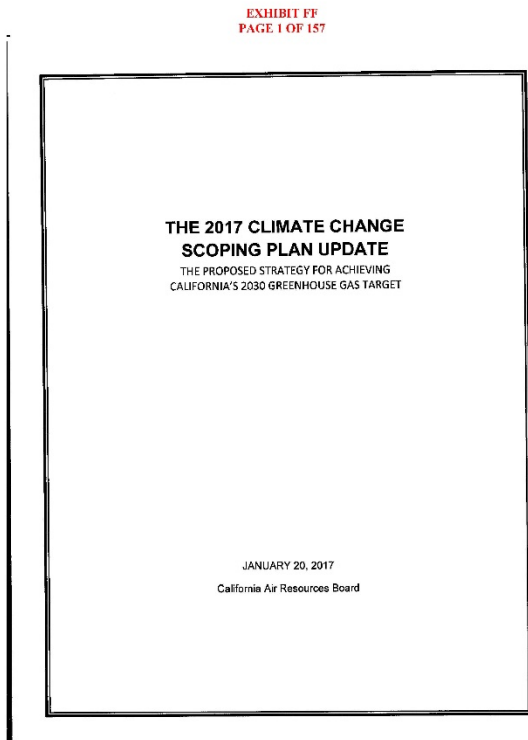
Introduction
Almost half of the world's population, including 700 million Africans, rely on biomass fuels for cooking (eg, charcoal, dung, crop residues, wood, and charcoal). Although a billion people in sub-Saharan Africa are projected to gain access to electricity by 2040, 330 million will remain dependent on biomass fuels. Biomass fuel is typically burned in open fires, often indoors, leading to high levels of household air pollution from smoke. Women and children experience high exposures as a result of the house due to gender-based domestic roles and these exposures have been linked to a range of adverse health outcomes, including chronic obstructive pulmonary disease, lung cancer, acute lower respiratory infections, and pneumonia.^{1,2} Household air pollution from biomass fuel smoke is a leading cause of global disability and mortality, and is associated with over a million deaths a year due to exposure primarily by WHO.³ This burden, including about half a million deaths due to pneumonia in young children, falls disproportionately on the poor, especially in sub-Saharan Africa. In Malawi, pneumonia is a leading cause of mortality among children younger than 5 years of age.⁴ Over 95% of households depend on biomass for fuel and household air pollution levels are high and well beyond WHO safe levels.⁵ A substantial burden of pneumonia in young children might be attributable to biomass smoke exposure in this setting. Two trials to assess the effects of interventions to reduce exposure to biomass smoke on health outcomes have been published to date.^{6,7} Both trials used stoves

Response No. O9-141:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-142:

Provided below is the first page of Exhibit FF to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. O9-142:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-143:

EXHIBIT GG

INTRODUCTION

BACKGROUND

The Center for Biological Diversity (CBD) contracted with cbec, inc. eco engineering (cbec) to perform a technical review focusing on potential impacts to unarmored three-spine stickleback (UTS) from “No Water Contact (NWC)” design and construction related to the river reach involved in the Newhall Ranch Project Technical Review as related to development and associated bridge construction at two locations on the Santa Clara River. This review is limited to comments on the adequacy of data, methods, and findings, with respect to hydrology, hydraulics, and geomorphology.

Response No. O9-143:

This comment states that the Center for Biological Diversity (CBD) contracted with cbec “to perform a technical review” of the proposed “No Water Contact” approach to the design and construction of bridges at “two locations on the Santa Clara River.” cbec’s focus was “on potential impacts to unarmored threespine stickleback (UTS)” from the “No Water Contact” approach. The comment also states that the technical review “is limited to comments on the adequacy of data, methods, and findings, with respect to hydrology, hydraulics, and geomorphology.”

The comment provides a thorough scope of cbec’s technical review but does not address any environmental issue as to the adequacy of the Draft Additional Environmental Analysis (AEA). Thus, no further response is required. The California Department of Fish and Wildlife (CDFW) also points out that cbec provides engineering services regarding hydrology, hydraulics, and geomorphology, but does not provide biological consulting services or opinions specific to UTS, other special-status fish species.

Comment No. O9-144:

GOAL AND OBJECTIVES

The goal of the technical review was to assess potential impacts to the UTS and its habitat from the proposed Newhall Ranch Project development and associated bridge construction. The objectives of the review were to:

1. Evaluate the effectiveness of the No Water Contact (NWC) proposal to preclude impacts to the UTS during construction and during maintenance.
2. Based on the dynamic hydrology of the Santa Clara River, assess the bridge configuration once constructed to preclude impacts to UTS over time and maintaining the hydrologic regime that supports UTS.
3. Identify any new environmental impacts that might be associated with the No Water Contact alternative.

Response No. O9-144:

The comment identifies the three goals of cbec’s technical review. cbec’s technical memorandum, including its goals and objectives, will be provided to decision makers prior to a final decision on the proposed Project’s modifications evaluated in the Draft AEA.

Because the comment does not raise any environmental issue as to the adequacy of the Recirculated Analysis, no further response is required.

Comment No. O9-145:

SUMMARY OF KEY FINDINGS

The following are key findings related to the objectives of this review:

1. Effectiveness of the NWC proposal to preclude UTS impacts – The applicant has made a reasonable effort to develop mitigation measures that will avoid water contact during construction; however, there are several items that could be clarified as follows:
 - Wetted channel - Although it is not explicitly stated in any of the documents reviewed, it is understood that a flow rate of 500 cfs was used to establish the “wetted channel” and is the basis of the NWC method. Independent checks on this flow rate indicate it is a conservative flow rate to use to establish the wetted channel area for the June to September construction window; however, it is not clear how accurate the associated inundation area is because modeling and mapping of the wetted channel appears to have been done using only LIDAR data without more detailed field surveys.

Response No. O9-145:

The comment addresses the “effectiveness of the “No Water Contact” approach evaluated in the AEA “to preclude UTS impacts” and states that the “applicant has made a reasonable effort to develop mitigation measures that will avoid water contact during construction[.]” As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-146:

- Local drainage features - It is understood that the bridge piers will be installed outside of the wetted channel during the dry season; however, it is not clear from available documentation if there are swales or other water features tributary to the wetted channel (i.e., outside of the wetted channel and that may not be evident from LIDAR data) and if these water features may be

impacted during construction and long-term maintenance and lead to associated impacts within the wetted channel.

Response No. O9-146:

The comment acknowledges that the bridge piers will be installed outside of the wetted channel during the dry season, but seeks clarification as to whether “there are swales or other water features tributary to the wetted channel (i.e., outside of the wetted channel and that may not be evident from LIDAR data)” The comment also requests clarification as to whether such water features, if they exist, could be affected by construction and long-term maintenance of the bridges. The comment then asks whether impacts to swales and water features could “lead to associated impacts within the wetted channel.”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-147:

1. Assessment of the bridge configuration once constructed to preclude impacts to UTS over time – It is acknowledged that the Santa Clara River is an alluvial stream system, which is subject to both vertical and horizontal variation of the channel geometry (PACE, 2016d); however, in all of the documents that were reviewed the technical analyses were limited to the assumption of a rigid river channel boundary with fixed geometry. While this is a standard of practice for evaluating hydraulic conditions under existing conditions it does not address potential future changes to the river morphology and the associated effects the bridge piles may have on the river system once built and, in turn, how UTS may be impacted over time. While it is not known how the river may change in the future, historic changes are documented and a simple exercise was performed to evaluate the relationship of the proposed bridge piles at both bridge locations with respect to historic channel planform patterns using Google Earth historic imagery (Attachment A). This exercise demonstrates that there is a high likelihood that the river channel may change location in the future and some bridge piles may become located within the active channel inhabited by UTS. Therefore, it would seem reasonable for the applicant to address these future conditions and mitigation measures in the environmental analysis.

Response No. O9-147:

The comment states that the Santa Clara River “is an alluvial stream system, which is subject to both vertical and horizontal variation of the channel geometry,” and cites the PACE (2016d) technical study attached as an appendix to the Draft AEA (the same study is contained in Appendix 2.2-A of the Recirculated Analysis). The comment then states that all of the technical documents reviewed limited their analyses “to the assumption of a rigid channel boundary with fixed geometry.” The comment acknowledges that this “is a standard of practice for evaluating hydraulic conditions under existing

conditions,” but contends such an approach “does not address potential future changes to the river morphology and the associated effects the bridge piles may have on the river system once built and, in turn, how UTS may be impacted over time.” The comment states that while “it is not known how the river may change in the future, historic changes are documented” The comment then explains that cbec evaluated “the relationship of the proposed bridge piles at both bridge locations with respect to historic channel planform patterns using Google Earth historic imagery Attachment A).” According to the comment, the evaluation shows there is a “high likelihood that the river channel may change location in the future and some bridge piles may become located within the active channel inhabited by UTS. The comment then states it would be reasonable for the applicant to address these future conditions and mitigation measures in the AEA.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. 09-148:

2. Identification of any new environmental impacts - The wetted channel is defined based on surface topographic conditions; however, it is not clear if hyporheic zone investigations have been made to understand the potential groundwater connections between the wetted channel and the dry riverbed where grading will occur. The concern is if physical impacts to the UTS may occur during their nest building or breeding season (Figure 1) via construction intrusions into the hyporheic zone, below the water table, where UTS may inhabit wetted interstitial spaces between riverbed sediments.

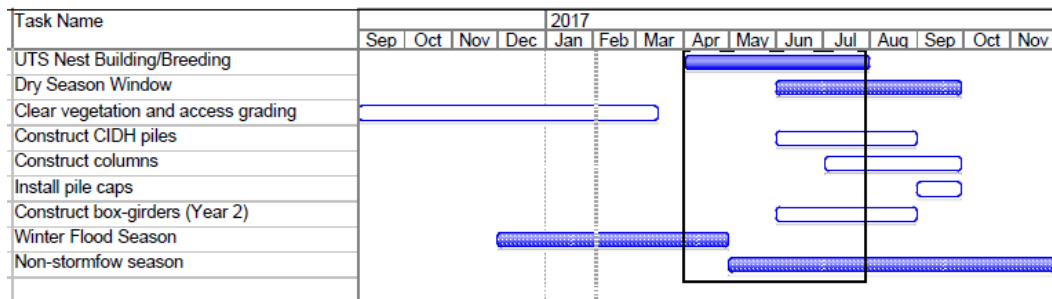


Figure 1. Seasonal Flow Conditions and Timing of Construction Activities

Response No. O9-148:

The comment questions whether CDFW investigated the hyporheic zone (a subsurface volume of sediment and porous space adjacent to or beneath a stream through which stream water readily exchanges) “to understand the potential groundwater connections between the wetted channel and the dry riverbed where grading will occur.” The comment expresses concern that construction activities may intrude into “the hyporheic zone, below the water table, where UTS may inhabit wetted interstitial spaces between riverbed sediments,” thereby affecting UTS during their nest building and breeding season.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-149:

LITERATURE REVIEW

Overview

cbec’s review was limited to public information and files that were provided by the CBD including:

1. “Pages from NewhallDraftAEA.pdf” – This was the primary file for review and included pages 1- 18 to 1-24 from California Department of Fish and Wildlife (2016).
2. “AEA_Apdx_2 - no water contact construction” – This file included Geosyntec (2016a), Moffatt & Nichol (2016a), Moffatt & Nichol (2016b), and PACE (2015a).
3. “AEA_Apdx_3 - scour analysis” - This file included PACE (2016b) and PACE (2016c).
4. “AEA_Apdx_4 - Effects to UTS” - This file included State of California Department of Fish and Wildlife, 2016a and State of California Department of Fish and Wildlife (2016b).
5. “Landmark apx2_2a no water contact” - This file included Moffatt & Nichol, 2016b, Moffatt & Nichol, 2016c, PACE (2016d) and Geosyntec (2016b).
6. “Landmark apx2_2b - analysis of impacts to UTS” - This file included ICF International and R2 Resource Consultants, Inc. (2016), ICF International (2016), PACE (2016b), and PACE (2016c).
7. “Newhall-EIR-AEA-Map-Nov2016” -
8. “Pages from DFG002423” – Pages 2.0-81 to 2.0-93 from California Department of Fish and Wildlife (2010).

The following sections provide review comments associated with key documents.

Response No. O9-149:

This comment indicates that cbec's review was limited to excerpts from eight different documents provided by CBD. The CDFW notes that cbec only reviewed six pages of the Draft AEA, all of which occur in the Introduction (pages 1-18 to 1-24 of the AEA, which correspond to a portion of Table 1.0-2, located at pages 1.0-29 to 1.0-39, of the Recirculated Analysis). This means that cbec did not review those portions of the Draft AEA which specifically address impacts to UTS (pages 3-1 through 3-40, which correspond to pages 2.2-1 to 2.2-37 of the Recirculated Analysis).

The comment does not raise issues as to the adequacy of the Recirculated Analysis; and, thus, no further response is required.

Comment No. O9-150:

UTS HABITAT/LIFECYCLE CHARACTERISTICS

The excerpts compiled in Attachment B were obtained from public information provided by the CBD and are focused on UTS habitat/lifecycle characteristics associated with hydrologic, hydraulic, and geomorphic processes that were used to guide this review.

Response No. O9-150:

The comment indicates that the "excerpts compiled in Attachment B were obtained from public information provided by CBD and are focused on UTS habitat/lifecycle characteristics associated with hydrologic, hydraulic, and geomorphic processes that were used to guide" cbec's review.

The comment does not raise issues as to the adequacy of the Recirculated Analysis; and, thus, no further response is required.

Comment No. O9-151:

California Department of Fish and Wildlife, 2016. Newhall Ranch RMDP/SCP Project, Draft Additional Environmental Analysis

Section 1.4.2 of this document addresses the UTS and potential impacts and mitigation measures related to: Bridge Construction, Maintenance, and Operation; Construction, Operation, and Demobilization of Temporary Haul Routes Bridges; and, Bank Stabilization Construction. The following questions arose during the review of this document:

- Impact 3-1 - It is understood that the bridge piers will be installed outside of the wetted channel during the dry season; however, will swales or other water features tributary to the wetted channel (i.e., outside of the wetted channel) be impacted during construction and long-term maintenance and lead to associated impacts within the wetted channel?

Response No. O9-151:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding the document's evaluation of Impact 3-1, relating to permanent bridge pier construction. Specifically, the comment inquires whether "swales or other water features tributary to the wetted channel (i.e., outside of the wetted channel) be impacted during construction and long-term maintenance and lead to associated impacts within the wetted channel."

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-152:

- Impact 3-1 – How exactly did the hydraulic modeling and analysis of expected fish behavior demonstrate that scour depressions around and behind the bridge piers that could result after medium to heavy river flows would not result in stranding of UTS? The UTS are extremely small aquatic organisms and, per Baskin and Bell (1976) the UTS tend to gather in areas of slower-moving or standing water, implying that they would become stranded in scour depressions as flood stages recede.

Response No. O9-152:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding the document's evaluation of Impact 3-1, relating to potential impacts on UTS following installation of the permanent bridge piers. Specifically, the comment seeks information regarding how the hydraulic modeling and fish behavior analysis were able to determine that "scour depressions around and behind the bridge piers that could result after medium to heavy flows would not result in stranding of UTS." The comment states that "UTS are extremely small organic organisms and, per Baskin and Bell (1976) the UTS tend to gather in areas of slower-moving or standing water, implying that would become stranded in scour depressions as flood stages recede."

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County

concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-153:

- Mitigation 3-1d – Mitigation measures will “ensure that no equipment, personnel or debris enter or makes contact with the wetted channel of the river”; however, Mitigation 3-2e mentions monitoring activities beyond the wetted channel that may be a “threat to adjacent natural habitats or nearby species and ensure no equipment, personnel or debris enter or makes contact with the wetted channel of the River”. This seems to imply there may be swales or other water features tributary to the wetted channel (i.e., outside of the wetted channel) and these water features could be impacted during construction and long-term maintenance and lead to associated impacts within the wetted channel? Has a detailed topographic field survey been conducted to identify potential small-scale drainage features outside of the wetted channel?

Response No. O9-153:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding Mitigation Measures 3-1d and 3-2e. Specifically, the comment states that the language of Mitigation Measure 3-2e implies there may be swales and other water features tributary to (i.e., outside) the wetted channel that could be affected by construction activities, leading to associated impact on the wetted channel itself. The comment then asks: “Has a detailed topographic field survey been conducted to identify small-scale drainage features outside the wetted channel?”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-154:

- Mitigation 3-1e – How close to the project sites is the NOAA precipitation gage(s) that will be used to forecast a “clear weather window” and are there any orographic effects on local/regional

precipitation patterns between the gage(s) and project sites that may need to be accounted for to provide accurate precipitation forecasts?

Response No. O9-154:

The comment addresses Mitigation Measure 3-1e and seeks information as to the proximity of the National Oceanic and Atmospheric Administration (NOAA) precipitation gauges vis-à-vis the Project site. The precipitation gauges will be used to forecast “clear weather windows” for purposes of conducting construction activities at the bridges and bank stabilization locations. The comment also asks if there “are any orographic effects on local/regional precipitation patterns between the NOAA gauges and the Project site that must be accounted for when attempting to make accurate precipitation forecasts.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-155:

- Mitigation 3-2d – “A set-back from the edge of the top of bank for a horizontal distance that is twice the bank height (2 horizontal: 1 vertical) shall be maintained to prevent collapsing the bank of the low flow channel”; has this set-back been mapped using detailed field surveyed topographic data or estimated with a computer exercise (CAD or GIS) to assess the significance of the increased spatial footprint?

Response No. O9-155:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding Mitigation Measure 3-2d, which protects the river bank during installation of the temporary haul route bridges. Specifically, the comment cites the 2:1 setback requirement and asks whether the set-back has been mapped “using detailed field surveyed topographic data or estimated with a computer exercise (CAD or GIS) to assess the significance of the increased spatial footprint.”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed

in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-156:

- Mitigation 3-2e – See Mitigation 3-1d comment above.

Response No. O9-156:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding Mitigation Measure 3-2e. Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

The comment repeats the previous comment regarding Mitigation Measure 3-1d, above. (See Comment No. O9-153.) Accordingly, please refer to **Response to Comment No. O9-153**.

Comment No. O9-157:

- Mitigation 3-2 Significance after Mitigation - Mitigation Measure 3-2 would “require that a qualified biologist monitor the installation and demobilization activities to ensure that construction stays outside of the wetted portion of the river and that the temporary pile locations are at least 10 feet away from the edge of the wetted portion of the river”; however, based on Mitigation 3-2d a set-back from the edge of the top of bank is also required and this boundary could be farther than 10 feet away from the edge of the wetted portion of the river. Again, has the Mitigation 3-2d setback boundary been mapped to understand the area necessary to avoid UTS impacts?

Response No. O9-157:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding the mitigation measures associated with the installation of the temporary haul route bridges (Mitigation Measures 3-2a through 3-2e). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA. The comment, repeats specific concerns about Mitigation Measure 3-2d and mapping of the setback boundary.

The comment repeats the previous comment regarding Mitigation Measure 3-2d, above (see Comment No. O9-155). Accordingly, please refer to **Response to Comment No. O9-155**.

Comment No. O9-158:

- Impact 3-3 – Bank stabilization locations are located within which floodplain, the FEMA 1- percent-annual-chance Special Flood Hazard Area (SFHA), or another designated floodplain?

Response No. O9-158:

The comment addresses Section 1.4.2 of the Draft AEA and seeks information regarding Impact 3-3 (bank stabilization). Specifically, the comment asks whether the bank stabilization locations are within the Federal Emergency Management Agency (FEMA) 1-percent-annual-chance Special Flood Hazard Area (SFHA) or some other designated floodplain.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-159:

- Mitigation 3-3d – Where are the bank stabilization construction locations susceptible to winter flood flows and what defines a “winter flood flow”?

Response No. O9-159:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding bank stabilization Mitigation Measure 3-3d. Specifically, the comment asks CDFW to identify those bank stabilization locations that are susceptible to winter flood flows. The comment also asks for a definition of “winter flood flow.”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this

comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-160:

- Mitigation 3-3e – Perimeter BMPs would “deflect minor flows (less than 12 inches deep, and less than 15 fps velocities) from entering bank protection construction work zones”. The characteristics of the BMPs are not known; would the BMPs be designed to accommodate both hydraulic criteria and/or the limiting criterion? While flow less than 12 inches deep would likely be capable of being deflected, flow velocities upwards of 15 fps are significant and exceed the permissible velocity for all channel lining materials except for 18 inch D50 rip rap and larger, and gabions and concrete (Fischenich, 2001: Table 2).

Response No. O9-160:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding bank stabilization Mitigation Measure 3-3e. Specifically, the comment seeks information regarding the characteristics of the best management practices (BMPs) that will be deployed to protect the perimeter of bank stabilization work areas. The comment asks whether the BMPs would “be designed to accommodate both hydraulic criteria and/or the limiting criterion.” The comment also questions whether the BMPs would be able to successfully deflect flow velocities “upwards of 15 fps,” which the comment contends are “significant and exceed the permissible velocity for all channel lining materials except for 18 inch D50 rip rap and larger, and gabions and concrete (Fischenich, 2001: Table 2).”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-161:

- Mitigation 3-3f(3) – “The project applicant or its designee shall assess local stream and groundwater conditions, including flow depths, groundwater elevations, and anticipated dewatering cone of influence (radius of draw down)”. The groundwater table is mentioned with respect to the installation of CIDH piles using steel casing (Moffatt & Nichol, 2016b) and the depth to groundwater is indicated to be 0 – 15 feet (during October 2016), in drought conditions and to avoid potential impacts to the streamflow, groundwater pumping activities and streamflow would

be monitored where dewatering activities are within 1000 feet of the wetted channel (State of California Department of Fish and Wildlife, 2016b); however, it is not clear if any field observations or modeling have been performed to assess the potential for drawdown of water levels from dewatering and impacts to UTS. The applicant has performed surface water hydrology investigations at this level of design to guide mitigation measures to avoid UTS impacts; have similar groundwater investigations been performed to obtain data prior to construction? Also, the wetted channel is defined based on surface topographic conditions; it is not clear if hyporheic zone investigations have been made to understand the potential groundwater connections between the wetted channel and the dry riverbed where grading will occur.

Response No. O9-161:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding bank stabilization Mitigation Measure 3-3f(3), which imposes restrictions on groundwater pumping associated with bank stabilization construction. The comment asks if “any field observations or modeling have been performed to assess the potential for drawdown of water levels from dewatering and impacts to UTS,” and whether the applicant has performed groundwater investigations “to obtain data prior to construction.” The comment also seeks clarification as to whether “hyporheic investigations have been made to understand the potential groundwater connections between the wetted channel and the dry riverbed where grading will occur.”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter). Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

Comment No. O9-162:

- Mitigation 3-3f(4) – If dewatering activities result in the violation of measures in the Construction Groundwater Dewatering Plan, and construction is halted by the designated monitor, what occurs next and how will construction be affected?

Response No. O9-162:

The comment addresses Section 1.4.2 of the Draft AEA and seeks clarification regarding bank stabilization Mitigation Measure 3-3f(4), which calls for construction work to cease in the event there is a violation of the measures set forth in the Construction Groundwater Dewatering Plan. The comment seeks

information regarding what happens after construction is halted and how will construction be affected. Starting on page 1.0-29 of the Recirculated Analysis, Table 1.0-2 provides information corresponding to Section 1.4.2 of the AEA.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis except as provided below. As a result, the County incorporates by reference CDFW's response to this comment and incorporates the supplemental information below (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

In the event of an observed effect on the wetted channel that necessitates halting of dewatering operations, the applicant will be required to consult with CDFW, revise the Construction Groundwater Dewatering Plan as appropriate, and implement whatever additional restrictions may be necessary to preclude impact to the wetted channel (such as limiting the extent of excavation dewatering, implementing other construction methods acceptable to the Los Angeles County Department of Public Works such as launch stone, or suspending construction until such time as regional groundwater conditions are more favorable for the construction to proceed). Mitigation Measure 4.3-109/BIO-3-3f (bullet 4) has been revised to include this requirement explicitly. See below (new text is shown in underline format):

- ▲ The project applicant or its designee shall monitor daily surface water elevations upstream, adjacent to, and downstream of the extraction points, to assess any critical flow regimes susceptible to excessive draw down before, during, and after groundwater dewatering activities. The designated monitor shall have the authority to halt dewatering activities if water levels decrease in the wetted portion of the Santa Clara River where unarmored threespine stickleback are present. In the event the designated monitor observes an effect on the wetted channel that necessitates halting of dewatering operations, the applicant will be required to consult with CDFW, revise the Construction Groundwater Dewatering Plan as appropriate, and implement whatever additional restrictions may be necessary to preclude impact to the wetted channel (such as limiting the extent of excavation dewatering, implementing other construction methods acceptable to the Los Angeles County Department of Public Works such as launch stone, or suspending construction until such time as regional groundwater conditions are more favorable for the construction to proceed).

Comment No. O9-163:

Santa Clara River Low-Flow Inundation Analysis (PACE, 2016d)

The purpose of this memorandum and associated figures and appendices is to verify the proposed 165-foot pier spacing for the proposed bridges will not be subjected to flooding during the dry season, which for this Project area has been defined as the period between June 1 and September 30. The following questions arose during the review of this document:

Response No. O9-163:

The comment summarizes what the commenter believes was the purpose of the “Santa Clara Low-Flow Inundation Analysis” that PACE (2016d) conducted for the Draft AEA. The comment does not raise any issue regarding the adequacy of the Recirculated Analysis or the PACE analysis; and, thus, no further response is required.

Comment No. O9-164:

- Inundation areas - Figures 1 and 2 in the PACE memorandum show the inundation areas for the highest estimated dry season flow (500 cfs) and the low flow channel in relation to the proposed bridge pile locations. Were historical river channel patterns assessed to understand the potential for changes in alignment of the dry season flow channel in the future and with respect to proposed bridge pier locations and scour?

Response No. O9-164:

The comment addresses the “inundation areas” shown in Figures 1 and 2 in the PACE memorandum. The comment asks whether PACE assessed “historical river channel patterns to understand the potential changes in alignment of the dry season flow channel in the future and with respect to the proposed bridge pier locations and scour?”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-165:

- HEC-RAS Modeling and Manning’s Roughness Coefficients – The roughness coefficients are described but not shown on a map to understand the spatial extent of this parameter used in the hydraulic modeling. Can the HEC-RAS model input and output files be provided for review?

Response No. O9-165:

The comment seeks information regarding the HEC-RAS modeling and Manning's roughness coefficients that PACE used in its hydraulic analysis. Specifically, the comment asks that the input and output files for the HEC-RAS model be provided for public review.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-166:

- Base Topographic Data – The only topographic data referenced is a 2014 LiDAR survey and it is characterized as fine resolution data; however, no information is provided with respect to the accuracy of the data.

Response No. O9-166:

The comment seeks clarification as to the accuracy of the 2014 LIDAR resolution data, and asks whether the LIDAR data was augmented with data from "field topographic surveys to establish detailed cross sections along the proposed bridge pile alignments and topography under water areas."

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-167:

- There is also no mention of a field topographic survey conducted to augment the LIDAR data and establish detailed cross sections along the proposed bridge pile alignments and topography under water areas. Was a field survey conducted to establish detailed cross sections along the proposed bridge pier alignments to verify and augment the 2014 LIDAR data used for the modeling? Also,

are there any standing water areas captured in the 2014 LIDAR data in the vicinity of the wetted channel that might not accurately show topography in the wetted channel areas?

Response No. O9-167:

The comment asks whether the 2014 LIDAR data captured any standing water areas “in the vicinity of the wetted channel that might show topography in the wetted channel areas.”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-168:

- Channel Improvements within the Hydraulic Model – The only improvement mentioned is the bank protection and a note is included stating that the proposed bridge structure was not included in the hydraulic model. Were the bridge piles included in the hydraulic model?

Response No. O9-168:

The comment seeks information regarding which “channel improvements” were included in the hydraulic model. Specifically, the comments ask whether the hydraulic model included proposed bridge piles.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-169:

PACE September 30, 2016 memo “Pier Scour Analysis - Newhall Ranch RMDP Permanent Bridges”

The purpose of this memorandum is to provide additional context to the issue of bridge pier scour as it relates to the potential for stranding of fish in scour holes that may result from large storm events. The following questions arose during the review of this document:

Response No. O9-169:

The comment describes the PACE memorandum, dated September 30, 2016, titled “Pier Scour Analysis – Newhall Ranch RMDP Permanent Bridges”. Because the comment does not raise any issue as to the adequacy of the Recirculated Analysis, no further response is required.

Comment No. O9-170:

- Are bridge pier scour countermeasures being considered so that a scour hole would be prevented from forming in the first place?

Response No. O9-170:

The comment asks whether CDFW is considering bridge pier scour measures that would prevent scour depression from forming behind piers.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-171:

- At what locations were the sediment samples taken for the grain size (D50, D95) data?

Response No. O9-171:

The comment requests that CDFW identify the locations where the sediment samples were taken for purposes of providing the grain size data for the scour analysis.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed

in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-172:

- Was the potential for the accumulation of flood debris at bridge piers considered with respect to an increased obstruction area of a pier and increased dimensions of a scour hole?

Response No. O9-172:

The comment asks whether the PACE pier scour analysis took into account "the potential for the accumulation of flood debris at bridge piers", and for the potential of such debris to increase the dimensions of the scour holes.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-173:

Geosyntec, 2016b. Memorandum: Santa Clara River Seasonal Streamflow Analysis

The purpose of this analysis was to estimate likely and extreme streamflows that may be present during potential project construction windows. The following observations and questions arose during the review of this document:

Response No. O9-173:

The comment describes the commenter's understanding of the purpose of the 2016 Geosyntec memorandum titled, "Santa Clara River Seasonal Streamflow Analysis."

Because the comment does not raise issues regarding the adequacy of the Recirculated Analysis, no further response is required.

Comment No. O9-174:

- Based on corresponding monthly peak flows obtained from historical stream gage data, PACE (2016d) states that Geosyntec estimated the peak flow that is expected during this window to be approximately 500 cfs. Although it is not explicitly stated in any of the documents reviewed, it is understood that this flow rate is used to establish the “wetted channel” and is the basis of the NWC method.

Response No. O9-174:

The comment states that the dry season flow rate of 500 cfs was “used to establish the “wetted channel” and is the basis of the NWC method.”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-175:

- The wetted channel is based on flows recorded at two USGS stream gages located approximately 3 to 5 miles downstream from the proposed bridge crossings. The drainage areas for the gages are 645 square miles (11109000) and 644 square miles (11108500) while the drainage areas at the locations of the bridges are 418 square miles for the Commerce Center Bridge and 625 square miles for the Long Canyon Bridge (USGS, 2017). Flows from the gage locations do not appear to have been adjusted to the bridge locations to approximate the flows at these locations and this would imply the assumption of larger, more conservative, flows to establish the wetted channel widths at the bridge crossings. Were the resulting USGS stream gage flows adjusted upstream to the bridge crossing locations?

Response No. O9-175:

The comment addresses the flow rate inputs from existing United States Geological Survey (USGS) flow gauges along the Santa Clara River. Specifically, the comment states that the flow from the gauge locations “do not appear to have been adjusted to the bridge locations [so as] to approximate the flows at these locations”. According to the comment, this would imply the assumption of larger mere conservative flows to establish the wetted channel widths at the bridge crossings. The comment then asks if the “resulting USGS stream gage flows adjusted upstream to the bridge crossing locations”.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-176:

- It is noted that the streamflow records at the gages are fair and poor, respectively, and base (low) flow at both gages is affected by pumping from wells for irrigation (USGS, 1995; USGS, 2016). The 500 cfs peak flow rate was derived from a mean daily flow of 92 cfs¹ which is a flow exceeded about 10 percent of the time, so this is assumed to not be a base flow; however, the relatively fair to poor quality of the recorded data itself is noteworthy. Was the poor and fair quality ratings of the stream flow data evaluated at all?

¹ *Approximate instantaneous peak flows were estimated from peak mean daily flows using a regression equation derived by matching annual peak streamflow observations to the mean daily streamflow recorded for the same day.*

Response No. O9-176:

The comment addresses the relative quality of the stream flow records from the USGS gauges used in the Geosyntec analysis, and contends that the gauges were rated "fair" to "poor". The comment asks if CDFW evaluated the fair to poor quality ratings of the stream flow gauges.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-177:

- Figure 2 shows the last 2 years of recorded flow data (black line) for USGS gage 11109000, the June through September dry season construction windows (pink boxes), and the 500 cfs value (red line). The colored areas show long-term statistics of streamflow for each day of the year at that station and the top of the dark blue area represents the maximum discharge recorded during

the period of record for each day of the year. The 500 cfs flow rate appears to be a reasonable flow rate for establishing the wetted channel area.

Response No. O9-177:

The comment describes Figure 2 from the Geosyntec 2016b memorandum, but does not raise any issue as to the adequacy of the Recirculated Analysis. Therefore, no further response is required.

Comment No. O9-178:

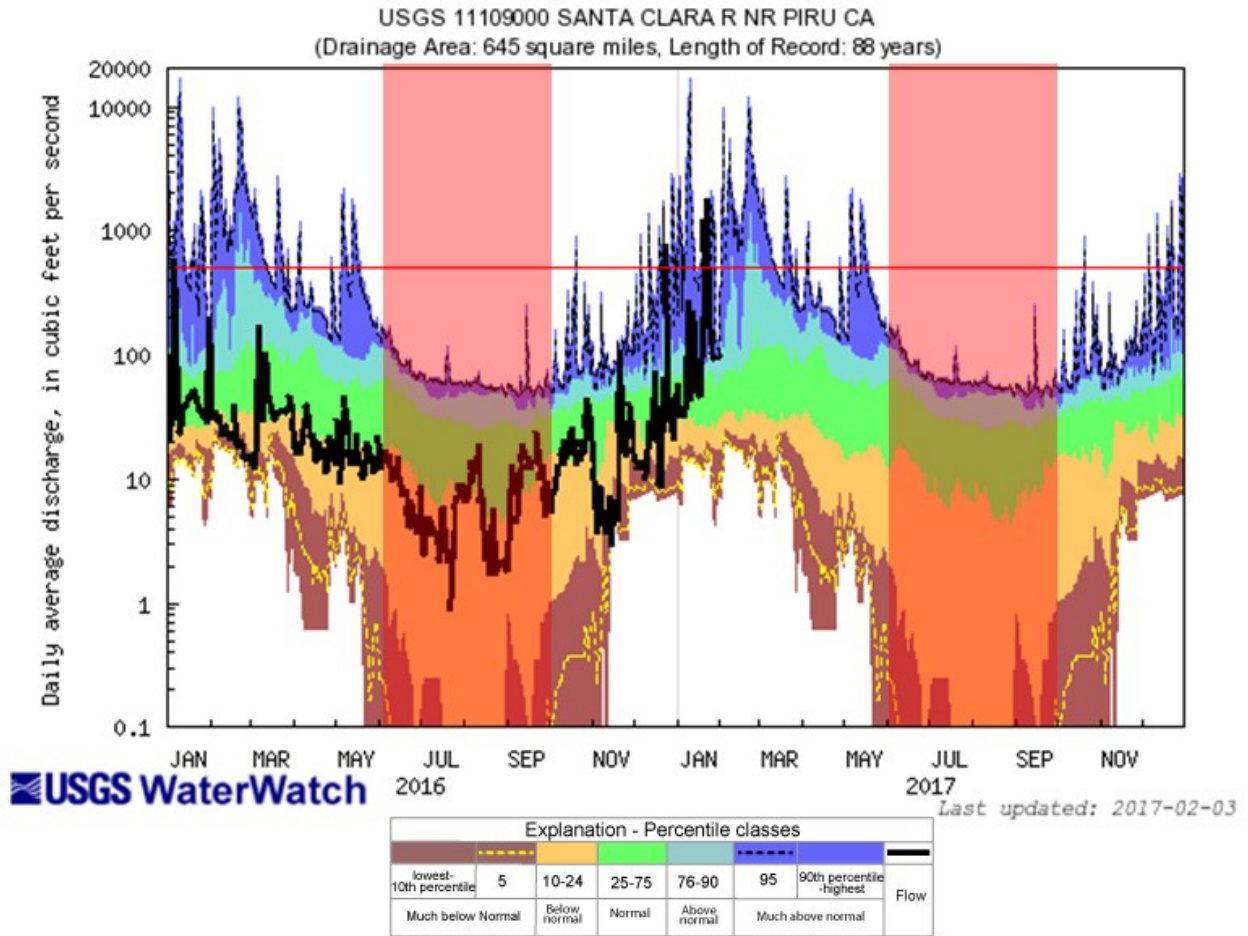


Figure 2. Santa Clara River Streamflow Duration Hydrograph

Response No. O9-178:

The comment provides a graphic of USGS discharge data, but does not address any issue covered in the AEA; therefore, no further response is required.

Comment No. O9-179:

Moffatt & Nichol, 2016c. Memorandum: Implementation of Proposed “No Water Contact” Construction Program.” The Moffat & Nichol memorandum appears as part of Appendix 2.2-A of the Recirculated Analysis.

The purpose of this memorandum is to evaluate whether the permanent bridges, as well as the temporary haul route bridges, can be constructed pursuant to a “No Water Contact” construction program. The following questions arose during the review of this document:

Response No. O9-179:

The comment describes the commenter’s understanding of the purpose of the 2016 Moffat & Nichol memorandum titled, “Implementation of Purpose ‘No Water Contact’ Construction Program.”

The comment does not raise any issue as to the adequacy of the Recirculated Analysis. Therefore, no further response is required.

Comment No. O9-180:

- It is stated that all work will be completed without any construction activity entering the wetted channel of the River or impacting the wetted channel in any way that results in take of unarmored threespine stickleback (page 2).; however, grading of the dry riverbed adjacent to the wetted channel will occur (page 7). Are there groundwater connections between the dry riverbed and the area of the wetted channel and could construction activity disturb groundwater that is eventually discharged into UTS habitat?

Response No. O9-180:

The comment notes that grading activities will take place in the dry riverbed adjacent to the wetted channel, and then asks whether construction activity could “disturb groundwater that is eventually discharged into UTS habitat?”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-181:

- How close to the wetted channel boundary will vegetation be cleared prior to construction?

Response No. O9-181:

The comment seeks clarification as to “[h]ow close to the wetted channel boundary will vegetation be cleared prior to construction” of the bridges and bank stabilization.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-182:

- Are there areas where construction access to the riverbed is prohibited due to the proximity or presence of the wetted channel of the river known and delineated?

Response No. O9-182:

The comment asks whether there are areas “where construction access to the riverbed is prohibited due to the proximity or presence of the wetted channel” The comment also asks whether such areas, if they exist, have been identified and delineated.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-183:

- If the temporary haul routes will include a modular bridge deck section that spans the wetted channel of the river, will these modular sections be more than 114-ft long at Commerce Center Drive and 91-ft long at Long Canyon crossings (i.e., the maximum dry season flow widths) with no support piers in the wetted channel?

Response No. O9-183:

The comment asks whether the modular bridge decks for the temporary haul route bridges will be long enough to span the maximum dry season flow widths at Commerce Center Drive and Long Canyon Road without placing “support piers in the wetted channel.”

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-184:

- What time of year will steel pile vibration occur for construction of the temporary haul route bridges?

Response No. O9-184:

The comment seeks clarification as to what time of year steel pile vibration will occur for construction of the temporary haul route bridges?

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County’s independent review of the comment, CDFW’s response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW’s response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW’s response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-185:

REFERENCES

Baskin, J.N., and M.A. Bell, 1976. Unarmored threespine stickleback survey and report. Unpublished report, Contract Number 39-5495. U.S. Department of Agriculture, Forest Service, San Francisco.

California Department of Fish and Wildlife, 2010. Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan SCH No. 2000011025. <https://nrm.dfg.ca.gov/documents/ContextDocs.aspx?cat=NewhallRanchFinal>

California Department of Fish and Wildlife, 2016. Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan - Draft Additional Environmental Analysis SCH No. 2000011025. <https://nrm.dfg.ca.gov/documents/ContextDocs.aspx?cat=NewhallRanchDraftAEA>

Federal Register, 1980. Endangered and Threatened Wildlife and Plants; Proposed Designation of Critical Habitat for the Endangered Unarmored Threespine Stickleback, U.S. Fish and Wildlife Service, 50 CFR Part 17, Vol. 45, No. 223, Monday, November 17, pages 76012 to 76015 [missing page 76013].

Fischenich, C., 2001. Stability Thresholds for Stream Restoration Materials, ERDC TN-EMRRP-SR-29, May. <http://www.spa.usace.army.mil/Portals/16/docs/civilworks/regulatory/Stream%20Information%20and%20Management/ERDC%20Stability%20Thresholds.pdf>

Geosyntec, 2016a. Memorandum: Santa Clara River Seasonal Streamflow Analysis, July. Geosyntec, 2016b. Memorandum: Santa Clara River Seasonal Streamflow Analysis, October.

ICF International and R2 Resource Consultants, Inc., 2016. Assessment of Construction-Related Impacts on Fish in Santa Clara River, Newhall Ranch Resource Management and Development Plan, October.

ICF International, 2016. Memorandum: Vibratory Pile Installation Impacts on Special Status Fish, October 11.

Moffatt & Nichol, 2016a. Memorandum: Implementation of Proposed "No Water Contact" Construction Program, August.

Moffatt & Nichol, 2016b. Memorandum: Commerce Center Drive and Long Canyon Road Bridges (CIDH) Temporary Haul Route Bridges (Temporary Steel HP Piles), August 3.

Moffatt & Nichol, 2016c. Memorandum: Implementation of Proposed "No Water Contact" Construction Program, October 11.

PACE, 2016a. Technical Memorandum: Santa Clara River Low-Flow Inundation Analysis, August 5.

PACE, 2016b. Technical Memorandum: Pier Scour Analysis - Newhall Ranch RMDP Permanent Bridges, September 30.

PACE, 2016c. Technical Memorandum: Pier Scour Analysis – Newhall Ranch RMDP Temporary Haul Route Bridge, October 3.

PACE, 2016d. Technical Memorandum: Santa Clara River Low-Flow Inundation Analysis, October 11. State of California Department of Fish and Wildlife, 2016a. Memorandum : Engineering Review of Take

Avoidance of Unarmored Threespine Stickleback Proposed Bridges and Flood-Control Facilities on the Santa Clara River Newhall Ranch Resource Management and Development Plan/Spineflower Conservation Plan Additional Environmental Analysis, October 19.

State of California Department of Fish and Wildlife, 2016b. Memorandum : Analysis of Impacts to Unarmored Threespine Stickleback for the Draft Additional Environmental Analysis of the Newhall Ranch RMDP/SCP, October 19.

U.S. Fish and Wildlife Service, 1985. Revised Unarmored Threespine Stickleback Recovery Plan, Portland OR, December 26.

Fish and Wildlife Service, 2009. Unarmored Threespine Stickleback (*Gasterosteus aculeatus williamsoni*) 5-Year Review: Summary and Evaluation, Ventura, California, May 29.

USGS, 1995. Water resources Data California Water Year 1995, Volume 1, report CA-95-1, Page 292. <https://pubs.usgs.gov/wdr/1995/ca-95/WRD-1995-vol1.pdf>

USGS, 2016. Water Year Summary 2016 for streamgage 11109000 Santa Clara River near Piru, CA https://waterdata.usgs.gov/nwis/wys_rpt/?site_no=11109000&agency_cd=USGS

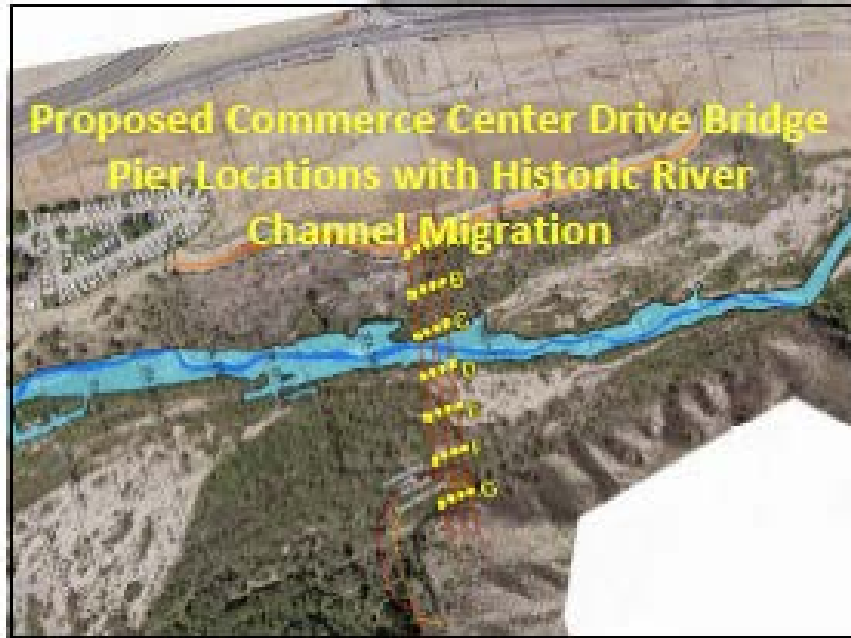
USGS, 2017. StreamStats, California, Version 3. <https://water.usgs.gov/osw/streamstats/california.html>

Response No. O9-185:

The comment consists of a list of references that cbec consulted when preparing the technical memorandum. It does not raise any issue as to the adequacy of the Recirculated Analysis; therefore, no substantive response is required. CDFW has reviewed the documents on the list of references to the extent they bear upon the issues addressed in the Draft AEA.

Comment No. O9-186:

ATTACHMENT A



















Response No. O9-186:

The comment comprises Attachment A to the cbec technical memorandum and consists of a series of graphics showing the Santa Clara River on various dates in the past, with overlays of the proposed Project's permanent bridge piers.

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-187:

ATTACHMENT B

The excerpts compiled in this attachment were obtained from public information provided by the CBD and are focused on UTS habitat/lifecycle characteristics associated with hydrologic, hydraulic, and geomorphic processes that were used to guide this review.

- Page 1 - "The UTS is currently restricted to three areas [including] the upper Santa Clara River and its tributaries in Los Angeles County".
- Page 7 - "This location includes a reach of the Santa Clara River below Soledad Canyon where the Los Angeles Aqueduct crosses the river and ending downstream near the Ventura-Los Angeles County line. The distribution of the UTS shifts in this portion of the Santa Clara River due to seasonal changes in water availability (portions of the river go dry during the summer months) and the availability of suitable habitat (adequate vegetation and low flow velocities). Two such areas have continuous flow provided by two different waste water treatment plants. The discharge point for one of the treatment plants is located at the Bouquet Canyon bridge and the other is located immediately downstream of the Interstate 5 freeway bridge".
- Page 16 - "Two sewage treatment plants discharge treated effluent within the UTS habitat in the Santa Clara River. When burdened with heavy flows resulting from large storm events, these treatment plants may potentially discharge raw or partially treated sewage into the UTS habitat."
- Page 7 - "Numerous individuals, including early-stage juveniles, were recorded in the marshy area north of the main channel at Castaic Junction and the confluence of San Francisquito Creek. Their presence, combined with the occurrence of relatively ideal habitat, suggests these locations may be important breeding and nursery areas". (U.S. Fish and Wildlife Service, 2009).
- Page 12 - "Young UTS are typically found at the shallow edges of streams in areas with dense vegetation. The water temperature in these areas tends to be a few degrees higher than the surrounding stream, which may help speed development through the vulnerable early juvenile stages" (U.S. Fish and Wildlife Service, 2009).
- Page 1 - The UTS inhabits "slow-moving reaches or quiet-water microhabitats in streams and rivers. Favorable habitats are usually shaded by dense and abundant vegetation. In more open reaches, algal mats or barriers (e.g., sand bars, floating vegetation, low-flow road crossings) may provide refuge for the species".
- Page 12 - "Baskin and Bell (1976) indicate that the ideal habitat for UTS is a small, clean pond in the stream with a constant flow of water through it. The UTS tend to gather in areas of slower-

moving or standing water. In places where water is moving rapidly they tend to be found behind obstructions, or at the edge of the stream, especially under the edge of algal (*Cladophora* spp.) mats” (U.S. Fish and Wildlife Service, 2009).

- Page 1 - “The UTS reproduce throughout the year with less breeding activity occurring from October to January. Reproduction occurs in areas with adequate aquatic vegetation and slow-moving water” (U.S. Fish and Wildlife Service, 2009).
- Page 5 - “The nature of breeding habitat is dynamic and may shift in structure and specific location from year to year depending on seasonal rainfall and storm cycles” (U.S. Fish and Wildlife Service, 2009).
- Page 5 - “The smallest specimens of the UTS captured outside of a nest are approximately 10 millimeters (mm) (0.40 in) standard length” (U.S. Fish and Wildlife Service, 2009).
- Page 2 - The UTS have been extirpated from other areas “as a result of the effects of urbanization (e.g., dewatering of streams, habitat alteration, introduction of exotic predators, and pollution)” (U.S. Fish and Wildlife Service, 2009).
- Page 14 – “As part of a residential development, the Newhall Land and Farming Company is proposing to construct approximately 9,096 m (29,843 ft) of bank stabilization along the north and south banks of the Santa Clara River. Approximately 8,928 m (29,293 ft) of buried bank stabilization (i.e., 98 percent of the project total) would be installed in upland areas adjacent to the river. By constructing the majority of the proposed buried bank stabilization in the upland areas, direct impacts to the UTS habitat should be minimized; however, the remaining 168 m (550 ft) of bank stabilization would occur in the UTS habitat.”
- Page 19 – “The Metropolitan Water District (MWD) released 100s of acre feet of water into the Santa Clara River in January 2007 in order to inspect and repair its pipelines. Fishery biologists monitoring the discharge of the water observed stranded UTS in temporary pools of water on the upper terraces of the Santa Clara River banks, which were created by the high flows.”

Response No. O9-187:

The comment describes the document excerpts that comprise Attachment B to the cbec technical memorandum. They do not raise any issue as to the adequacy of the Recirculated Analysis; therefore, no substantive response is required.

Comment No. O9-188:

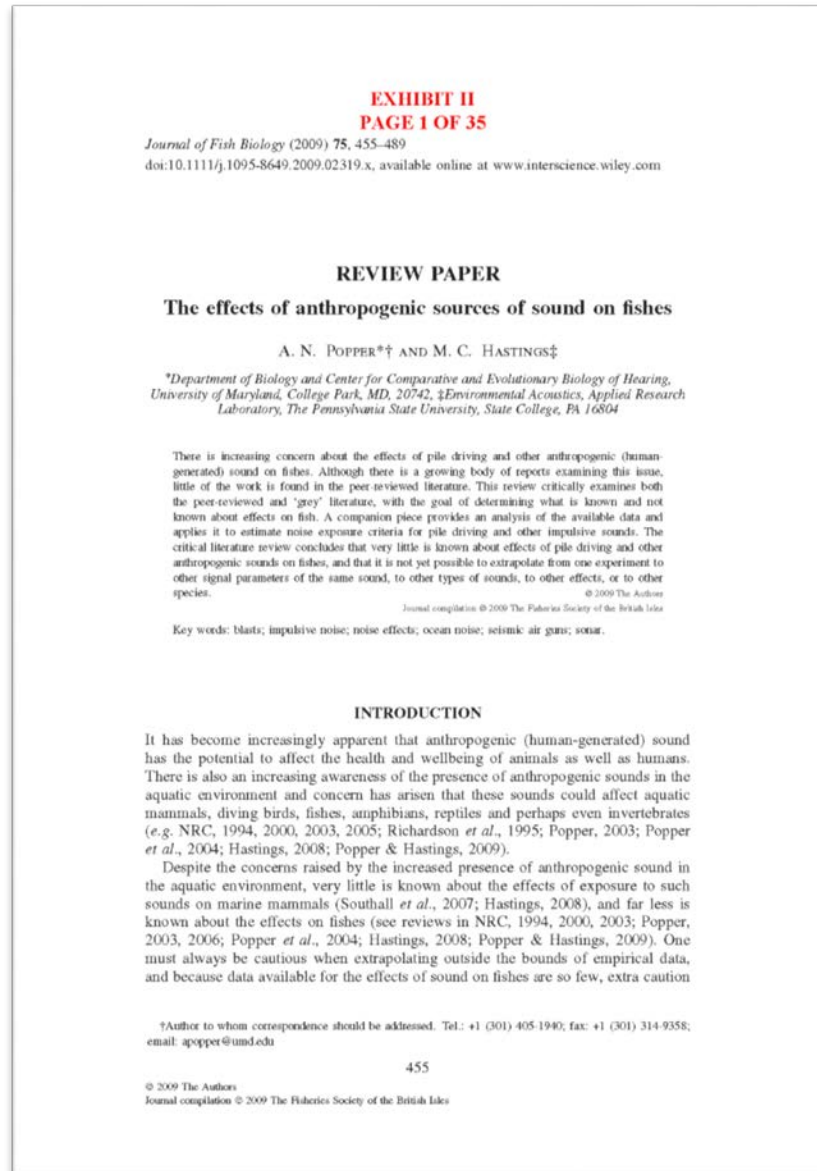
Provided below is the first page of Exhibit HH to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**Response No. O9-188:**

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-189:

Provided below is the first page of Exhibit II to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

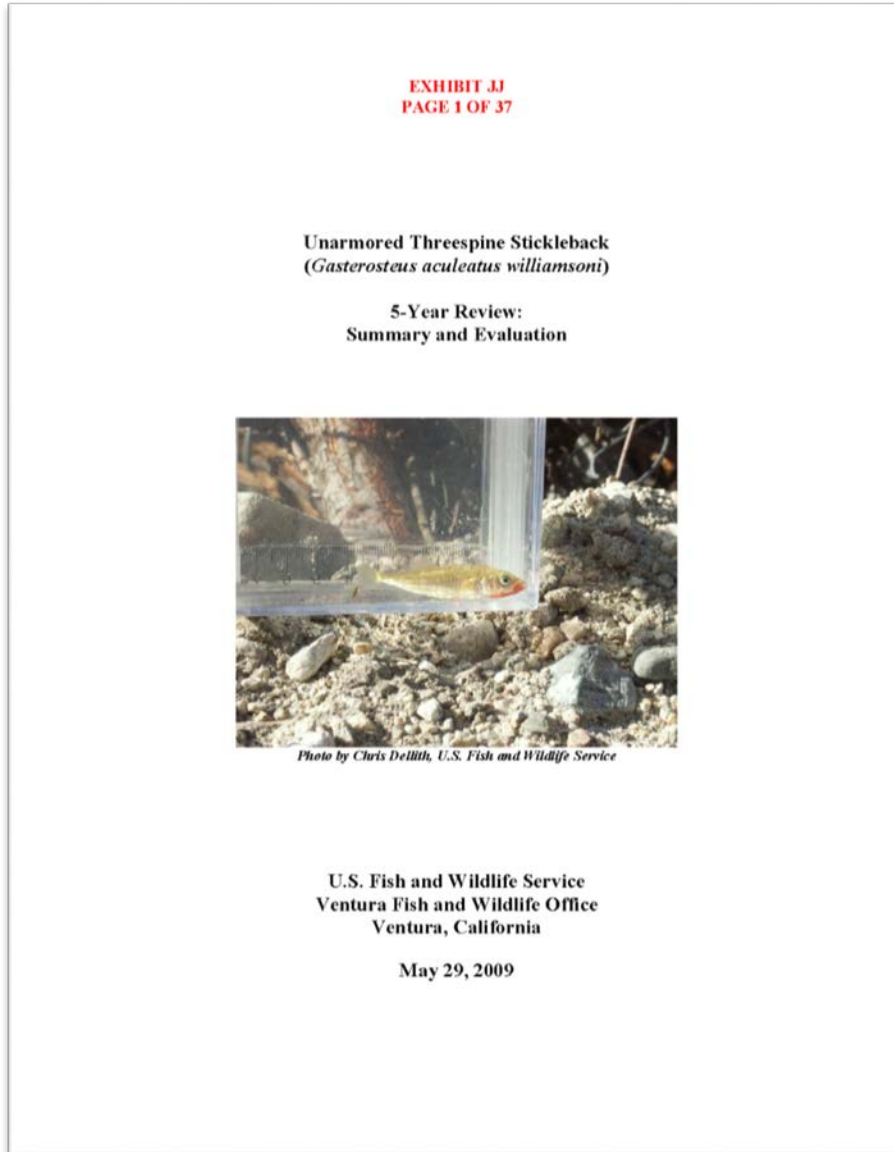
**Response No. O9-189:**

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response

to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-190:

Provided below is the first page of Exhibit JJ to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



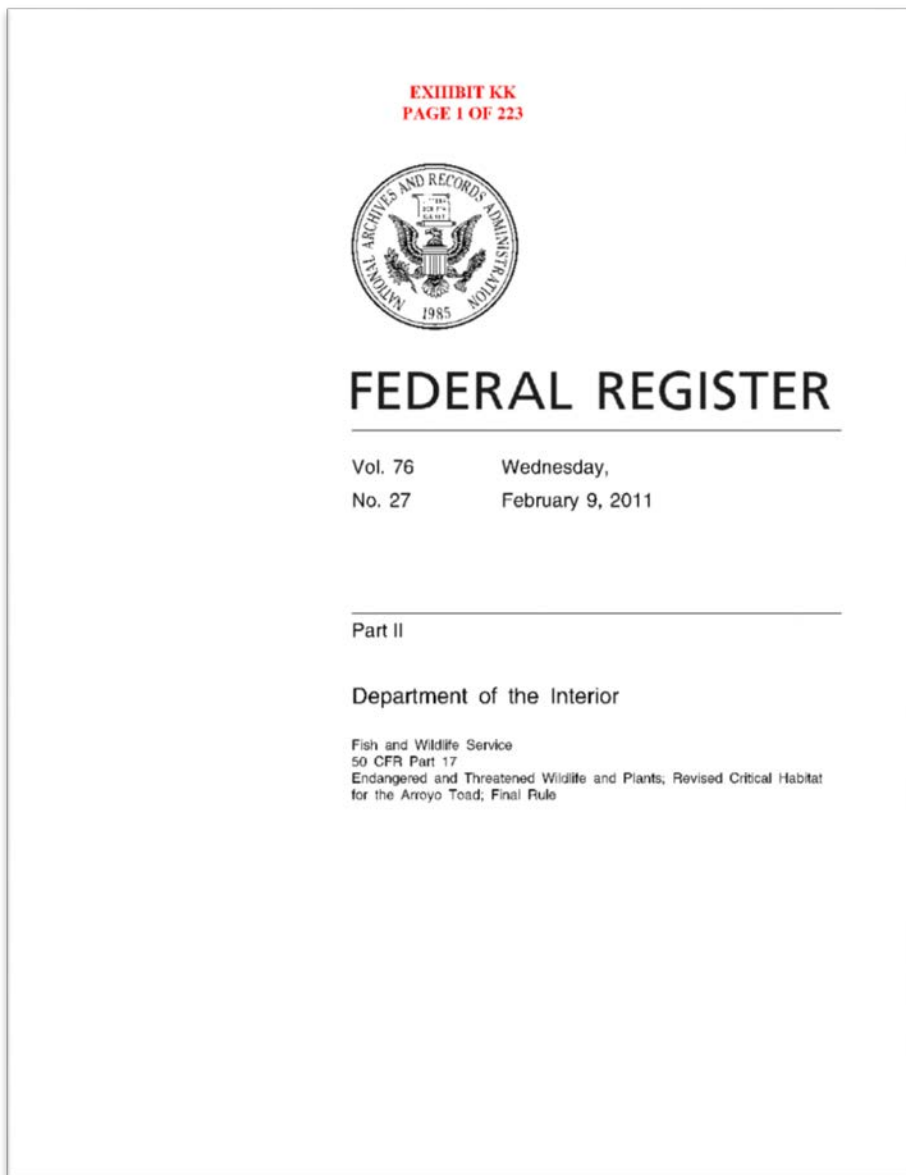
Response No. O9-190:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment,

CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. 09-191:

Provided below is the first page of Exhibit KK to Letter No. 09. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

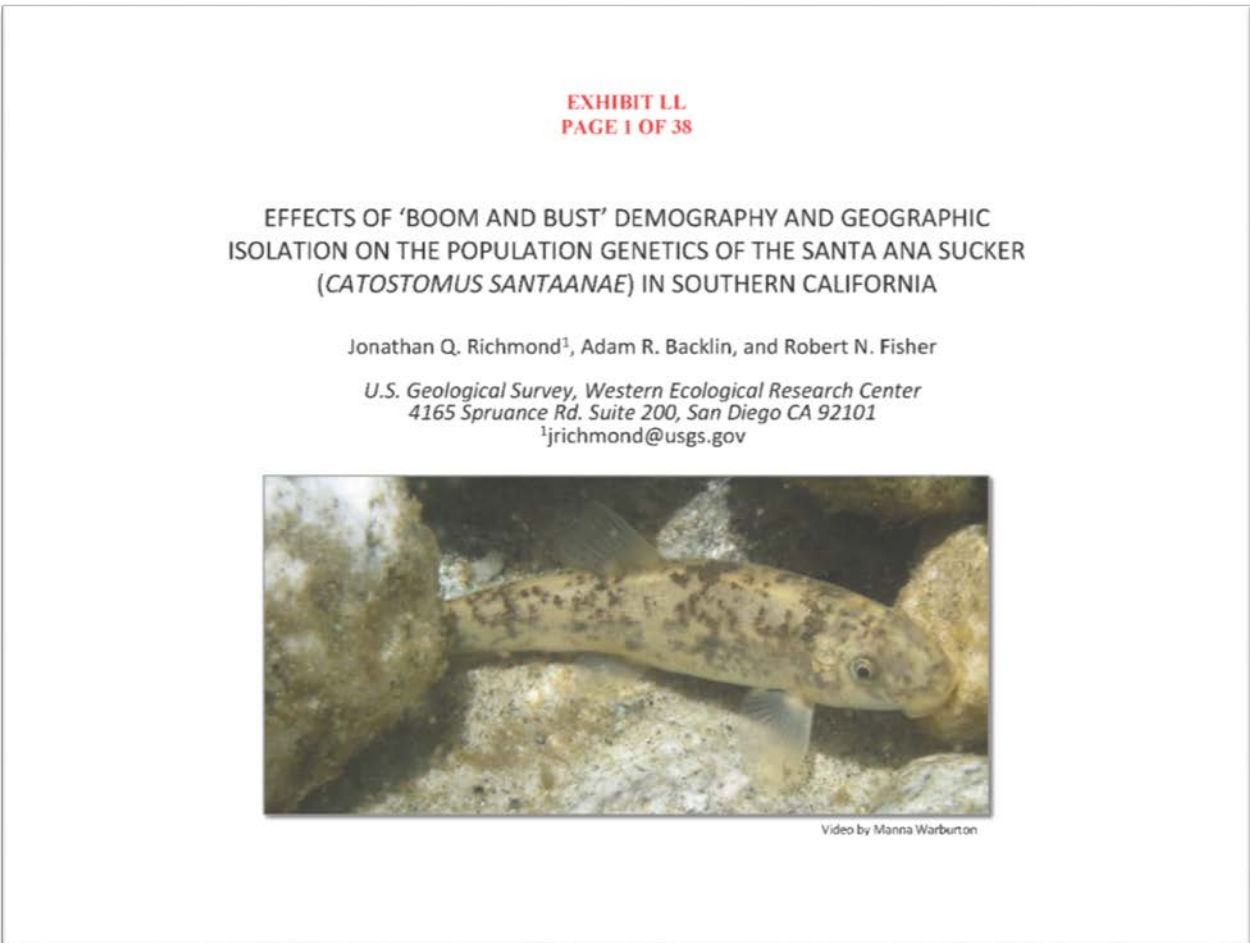


Response No. O9-191:

The commenter cited this publication in support of the statement that the USFWS, on February 9, 2011, issued a final rule designating critical habitat for the federally-listed arroyo toad. Please see **Response to Comment No. O9-86**, above, for relevant information that responds to that issue.

Comment No. O9-192:

Provided below is the first page of Exhibit LL to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



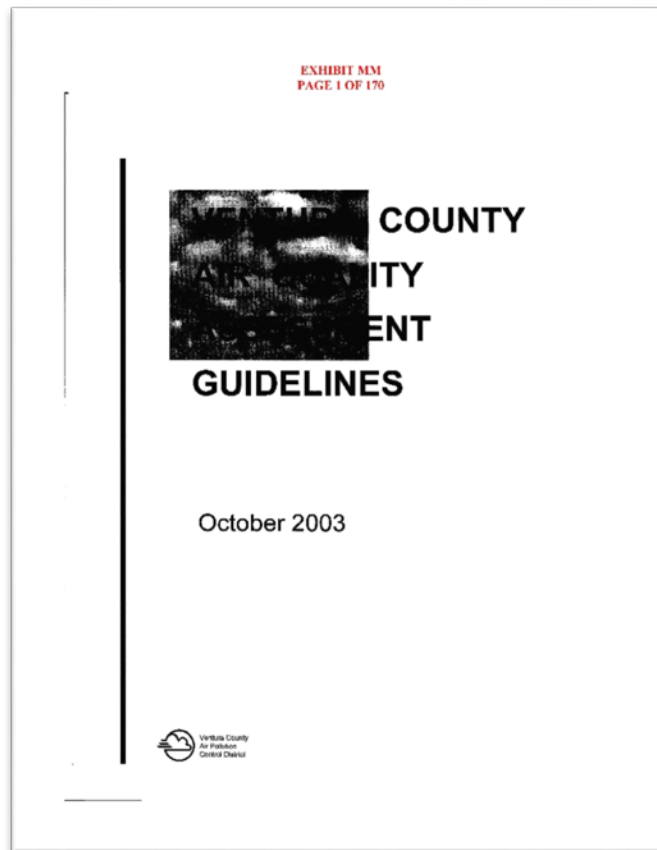
Response No. O9-192:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed

in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-193:

Provided below is the first page of Exhibit MM to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



VCAPCD. Ventura County Air Quality Assessment Guidelines. October 2003.

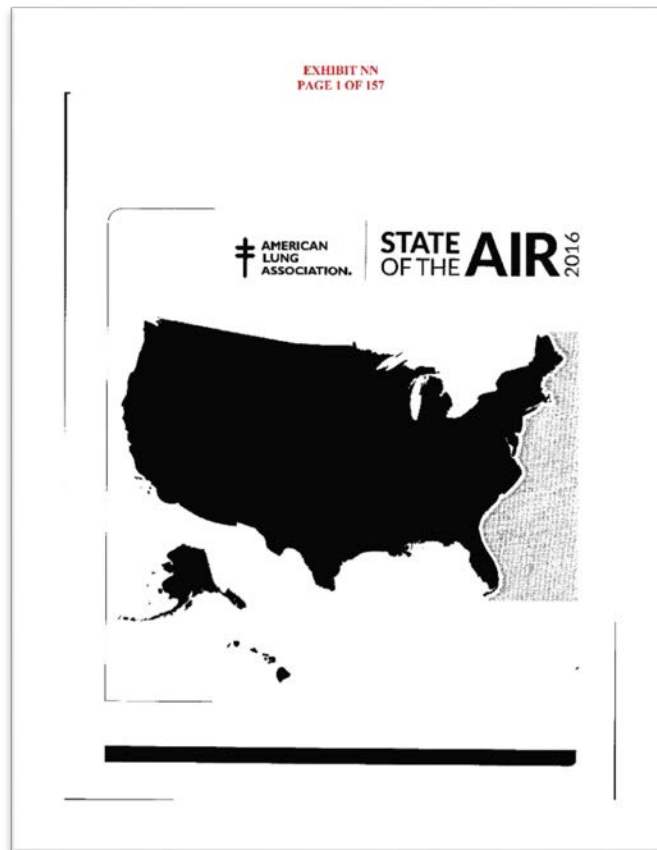
Response No. O9-193:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response

to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-194:

Provided below is the first page of Exhibit NN to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



American Lung Association. State of Air 2016.

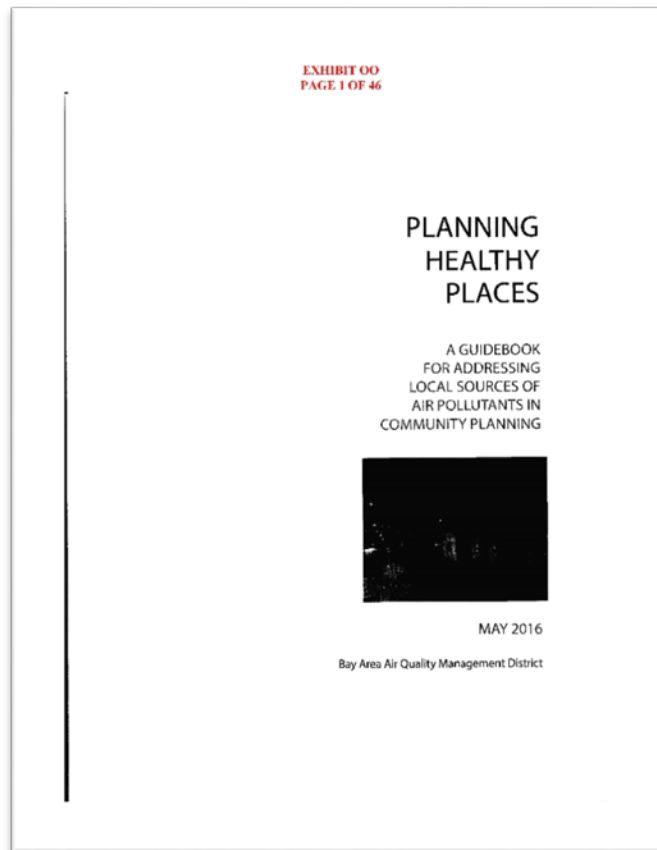
Response No. O9-194:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response

to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-195:

Provided below is the first page of Exhibit OO to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



BAAQMD. Planning Healthy Places: A Guidebook for Addressing Local Sources of Air Pollutants in Community Planning. May 2016.

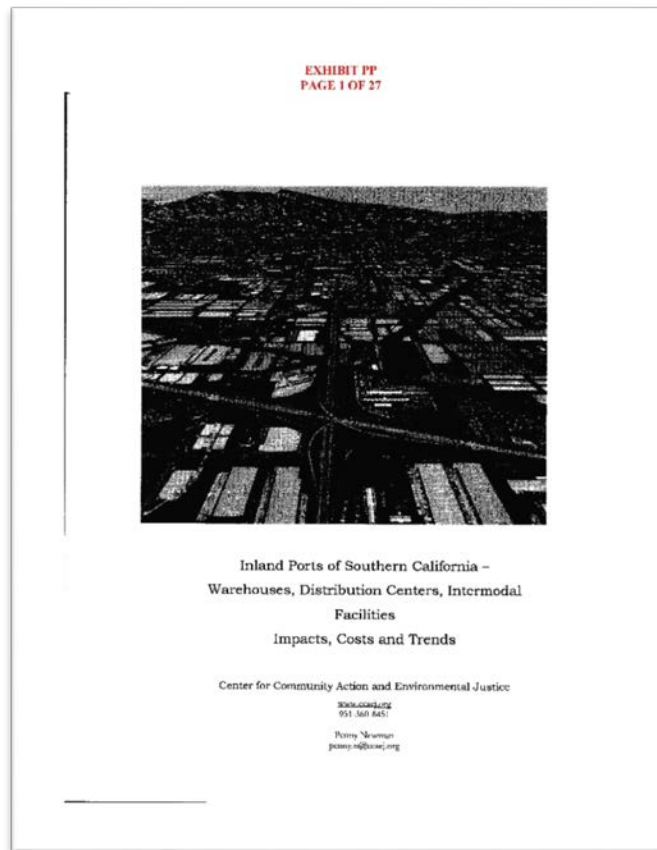
Response No. O9-195:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response

to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-196:

Provided below is the first page of Exhibit PP to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Center for Community Action and Environmental Justice. Inland Ports of Southern California - Warehouse, Distribution Center, Intermodal Facilities Impact, Costs and Trends.

Response No. O9-196:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response

to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW’s responses to this comment letter).

Comment No. O9-197

Provided below is the first page of Exhibit QQ to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**EXHIBIT QQ
PAGE 1 OF 23**

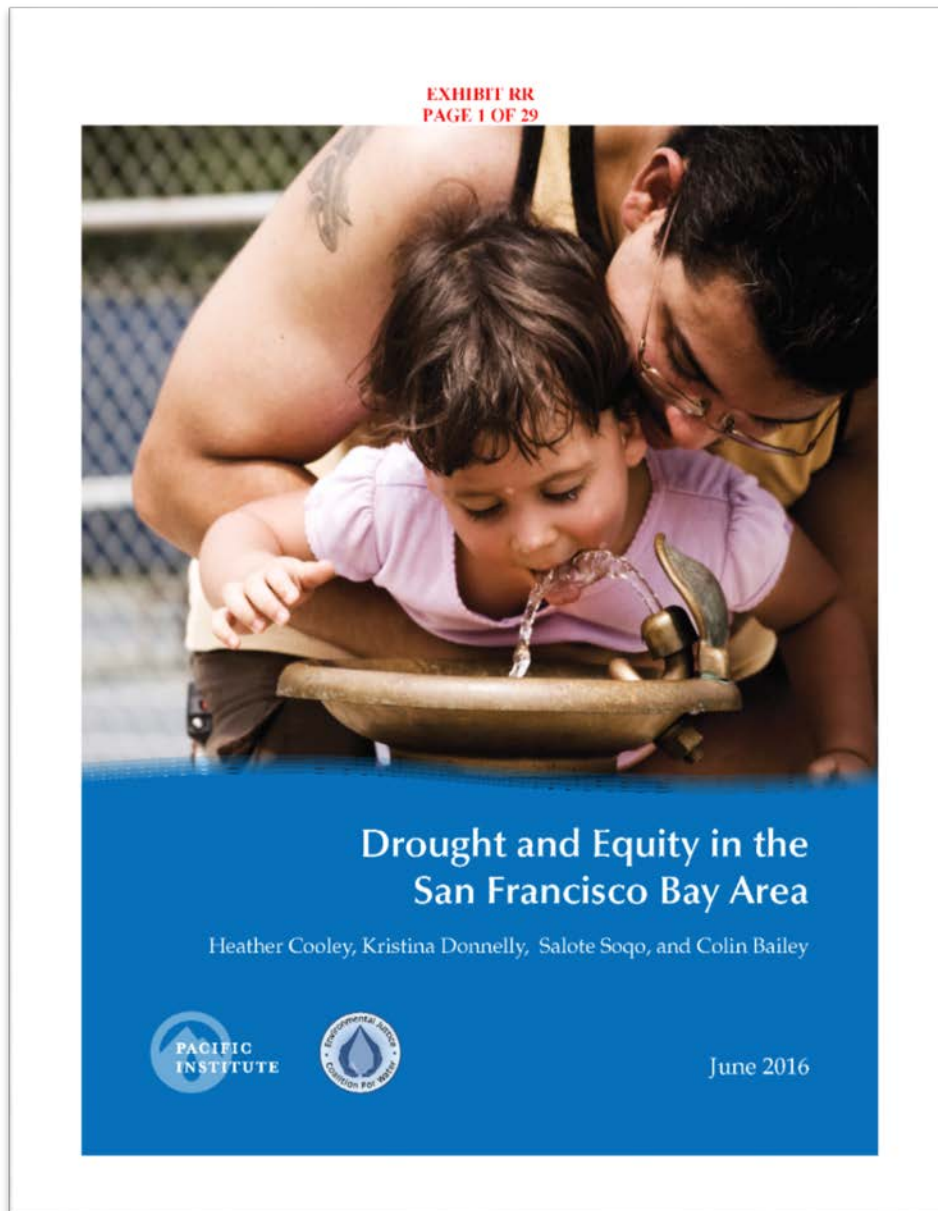
1	C. CENTER FOR BIOLOGICAL DIVERSITY	
2	John Bone (SBN 163136)	
3	Amy Hamby (SBN 251636)	
4	Amy Prabhala (SBN 278907)	
5	2212 Broadway, Suite 800	
6	Oakland, CA 94612	
7	Telephone: 510-844-7100 Fax: 510-844-7150	
8	Email: jbone@biologicaldiversity.org	
9	ahamby@biologicaldiversity.org	
10	aprabhala@biologicaldiversity.org	
11		
12	CLA: TEB-BROWN AND CARSTENS	
13	Jan Clatter-Brown (SBN 50273)	
14	Doug Carstens (SBN 193439)	
15	2200 Pacific Coast Hwy, Suite 218	
16	Herndon Beach, CA 90257	
17	Telephone: 310-398-2400 Fax: 310-398-2400	
18	Email: jeb@chccanlaw.com	
19	clg@chccanlaw.com	
20	Attorneys for Petitioners	
21	(additional contact on next page)	
22		
23	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
24	IN AND FOR THE COUNTY OF LOS ANGELES	
25		197
26	CENTER FOR BIOLOGICAL DIVERSITY,) Case No. BS 13134;	
27	FRIENDS OF THE SANTA CLARA RIVER,)	
28	SANTA CLARA ORGANIZATION FOR) PETITIONERS' BRIEF ON REMEDY	
29	PLANNING THE ENVIRONMENT,)	
30	RISHI YOG FOUNDATION/VENTURA)	
31	COASTS OF PEAK and CALIFORNIA) Type: N-G	
32	NATIVE PLANT SOCIETY) Judge: Hon. John A. Tardiff, Jr.	
33	Petitioners,) Filing Date: December 16, 2016	
34	vs.) Hearing Time: 9:00 a.m.	
35) AutoFiled: January 3, 2017	
36	CALIFORNIA DEPARTMENT OF FISH)	
37	AND WILDLIFE and DOES 1-20,)	
38	Respondents,)	
39)	
40	MINERAL LAND AND FARMING)	
41	COMPANY and DOES 21-50,)	
42)	
43	Real Parties in Interest,)	
44)	
45	_____)	
46	Petitioners' Brief on Remedy	

Response No. 09-197:

The commenter cited this publication to support the statement that the Department should decertify the 2010 Final EIR in its entirety and set aside the project and all project approvals that depend on the legally defective portions of the 2010 Final EIR. Please see **Response to Comment No. 09-89**, above, for relevant information that responds to this issue.

Comment No. 09-198:

Provided below is the first page of Exhibit RR to Letter No. 09. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

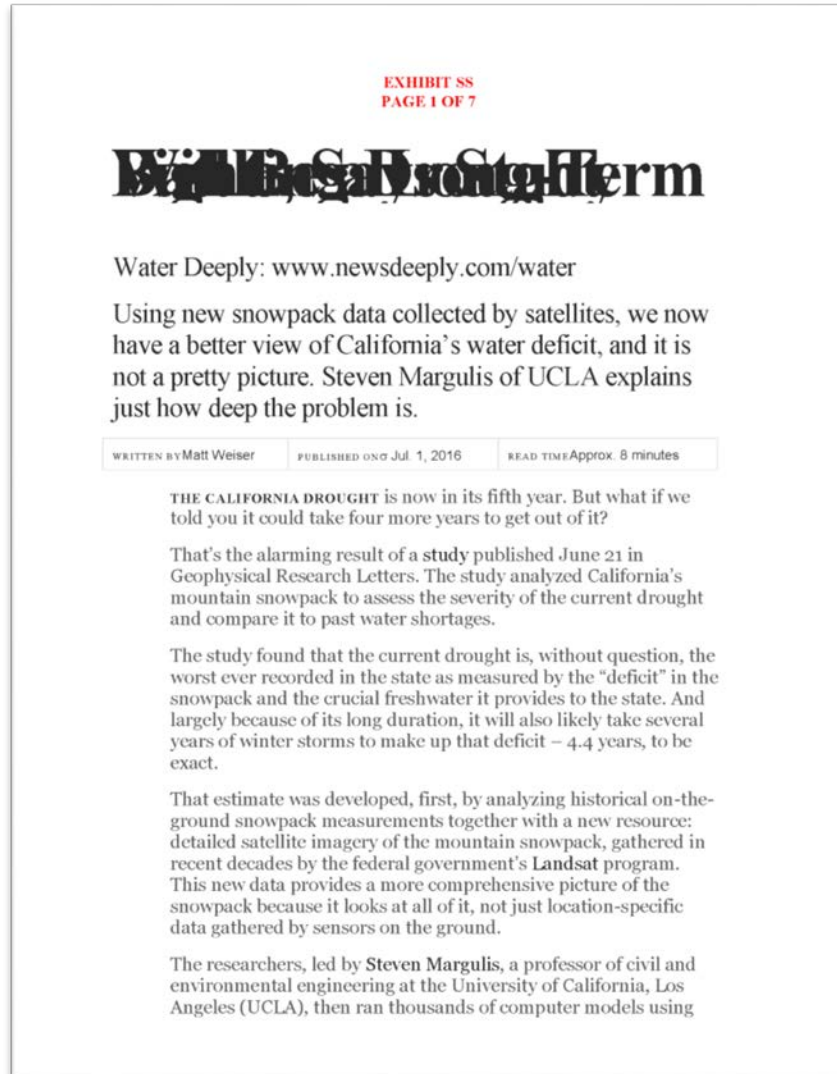


Response No. O9-198:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-199:

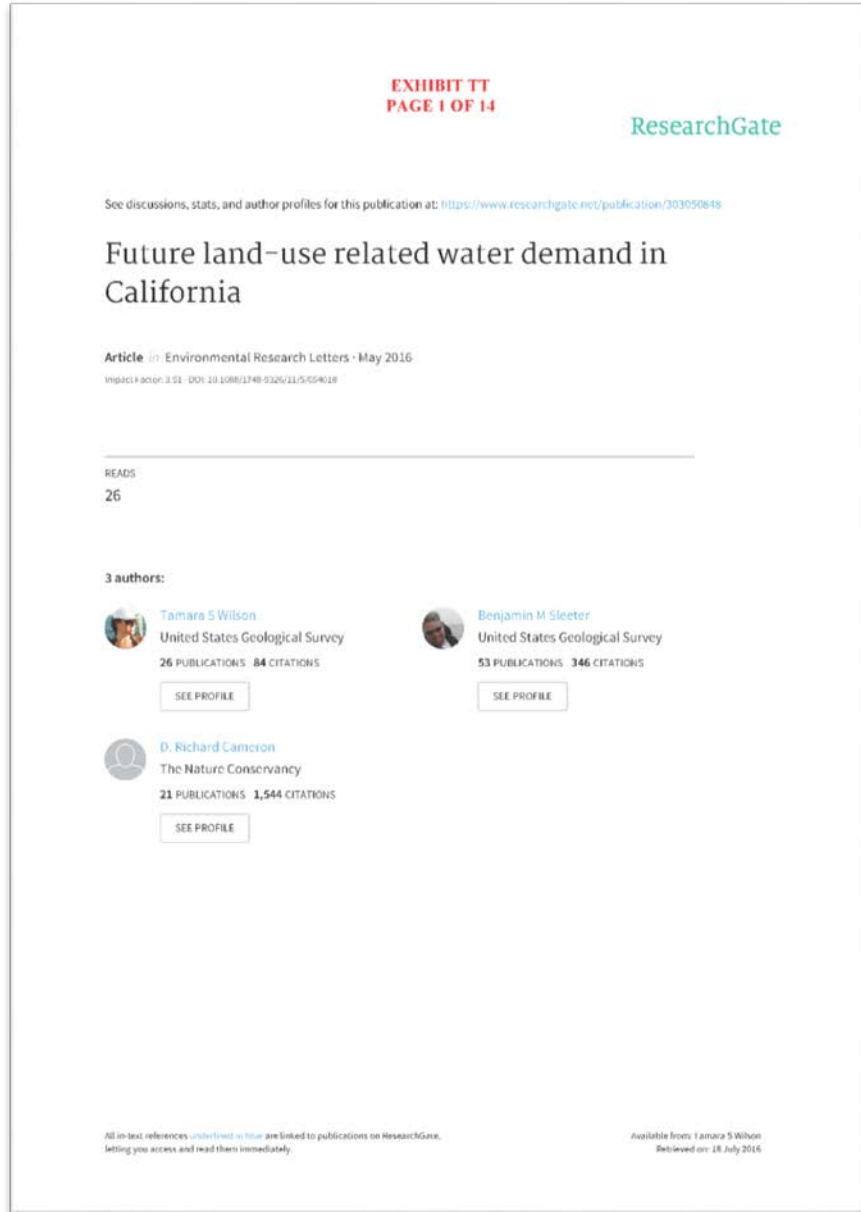
Provided below is the first page of Exhibit SS to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**Response No. O9-199:**

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

Comment No. O9-200:

Provided below is the first page of Exhibit TT to Letter No. O9. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. O9-200:

As described in **Response to Comment No. E13-H**, the County has reviewed this comment on the AEA for applicability to the Recirculated Analysis. Based on the County's independent review of the comment, CDFW's response to the comment, and the record supporting the Recirculated Analysis, the County concludes that CDFW's response fully addresses this comment and no supplemental response is needed

in relation to the Recirculated Analysis. As a result, the County incorporates by reference CDFW's response to this comment (see Appendix 2.2 of the Final Recirculated Analysis for CDFW's responses to this comment letter).

COMMENT LETTER NO. E14

Jason Weiner
General Counsel
Wishtoyo Chumash Foundation
9452 Telephone Road #432
Ventura, CA 93004

Comment No. E14-1:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 1 of 2.

Response No. E14-1:

The Los Angeles County Department of Regional Planning (County) acknowledges the comment and confirms receipt of the comments submitted by the Wishtoyo Foundation ("Wishtoyo"). No further response is required.

Comment No. E14-2:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E14-2:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis).

Comment No. E14-3:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E14-3:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E14-4:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 2 of 2, and contains only attachments for Wishtoyo's cultural resources comments.

Response No. E14-4:

The County confirms receipt of Wishtoyo's comments; however, the attachments provided by Wishtoyo are comprised of an array of documents that often are not connected to any particular Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond with regard to the attachments. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E14-5:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E14-5:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E14-6:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E14-6:

The County acknowledges receipt of two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E14-7:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 1 of 2.

Response No. E14-7:

The County acknowledges the comment and confirms receipt of the comments submitted by Wishtoyo. No further response is required.

Comment No. E14-8:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E14-8:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E14-9:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E14-9:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus, making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E14-10:

Thanks Diane. Will you be able to inform us when the CD arrives and if you received all of its contents?

Response No. E14-10:

The County received the CD; however, the above comment does not raise any environmental issues with regard to the adequacy of the County's Draft Recirculated Analysis. Thus, no further response is required.

Comment No. E14-11:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 2 of 2, and contains only attachments for Wishtoyo's cultural resources comments.

Response No. E14-11:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E14-12:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E14-12:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E14-13:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E14-13:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E14-14:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 1 of 2.

Response No. E14-14:

The County acknowledges the comment and confirms receipt of the comments submitted by Wishtoyo. No further response is required.

Comment No. E14-15:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E14-15:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E14-16:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E14-16:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E14-17:

Thank you for providing Wishtoyo Foundation ("Wishtoyo") with the opportunity to submit comments on the Draft Recirculated EIR. Wishtoyo is a Chumash Native American non-profit organization that protects Chumash cultural, and the natural resources all Peoples depend upon. These comments are specifically in regards to the native, endangered, fully protected, and rapidly disappearing Unarmored Threespine Stickleback important to the Chumash Peoples, Wishtoyo's members, and the general public concerned with loss of the planet's and region's native wildlife.

Response No. E14-17:

The comment describes the Wishtoyo Foundation as a "Chumash Native American non-profit organization that protects Chumash cultural [sic], and the natural resources all Peoples depend upon." The comment states that the comments to follow will be "in regard to the native, endangered, and fully protected, and rapidly disappearing Unarmored Threespine Stickleback," which, according to the comment, is "important to the Chumash Peoples, Wishtoyo's members, and the general public concerned with the loss of the planet's and the region's native wildlife."¹

As explained in the Draft Recirculated Analysis, Section 2.2, Unarmored Threespine Stickleback (UTS or stickleback), the previously certified 2011 Final Environmental Impact Report (EIR) identified potentially significant impacts to stickleback, a fully-protected fish species under Fish and Game Code Section 5515, and included biota Mitigation Measures MV 4.3-8 and MV 4.3-9, which would have allowed the U.S. Fish and Wildlife Service to divert the stream, and to collect and relocate fish, during construction of bridges

¹ The comment does not identify which Chumash band(s) or People(s) the Wishtoyo represents, nor explain in what manner the Chumash, or any of its bands, places special significance on the UTS.

and bank stabilization in or near the Santa Clara River. The County adopted those two mitigation measures as part of its certification of the Mission Village Final EIR in October 2011. The two measures mirror Mitigation Measures BIO-44 and BIO-46, which the California Department of Fish and Wildlife (CDFW) adopted when it certified the EIR for Newhall's Resource Management and Development Plan (RMDP) in December 2010.

In an opinion issued in November 2015, the California Supreme Court held that RMDP mitigation measures BIO-44 and BIO-46 violated the Fish and Game Code Section 5515 prohibition against authorizing the take or possession of stickleback. The Supreme Court did not overturn or otherwise disturb any other aspect of the RMDP EIR's biological analysis or evaluation of UTS. As a result of the Supreme Court decision, the Project Applicant has modified bridge design and construction methods to not require stream diversion or the collection and relocation of UTS under Mitigation Measures MV 4.3-8 and MV 4.3-9. As such, the modifications would ensure that the County's adopted mitigation measures for the Mission Village project are consistent with the Supreme Court's decision.

MV 4.3-8 and MV 4.3-9, along with Mitigation Measures MV 4.3-11 and MV 4.3-12, were to be implemented, as originally approved by the County in 2011, in the context of a "stream crossing and diversion plan," including a stream diversion bypass channel comparable to the natural river channel.² By mimicking the natural river channel, the mitigation would have offset identified impacts to fish and other special-status species resulting from disturbance caused by in-river construction activities during installation of the project's bridges and bank stabilization. The stream diversion plan also contemplated fish stranding surveys, fish stranding inspections, and the collection and relocation of stranded fish, if necessary, including stickleback. The Supreme Court held that BIO-44 (MV 4.3-9) and BIO-46 (MV 4.3-8) could not be implemented because collecting and relocating unarmored threespine stickleback during construction in, or diversion of, the Santa Clara River, constitutes prohibited take of a fully protected species under Fish and Game Code Section 5515. Although the petitioners in the Mission Village litigation did not challenge the legal sufficiency of MV 4.3-8 and MV 4.3-9, the applicant, nonetheless, proposed to the County to modify the bridge design and construction methods, as well as the construction timing, for the bridges and bank stabilization to preclude all contact with the wetted channel of the Santa Clara River during construction, thus avoiding impact on and the prospect of take of unarmored threespine stickleback.

2 The four mitigation measures in Mission Village have equivalent adopted mitigation measures in the CDFW-approved RMDP/SCP 2010 Final EIR. The following is a list of those mitigation measures: (a) MV 4.3-8 (CDFW BIO-46), (b) MV 4.3-9 (CDFW BIO-44), (c) MV 4.3-11 (CDFW BIO-45), and (d) MV 4.3-12 (CDFW BIO-47).

Specifically, the project has proposed to avoid all construction work in the wetted channel of the Santa Clara River, which obviates the need for a stream diversion plan or for creating a stream diversion bypass channel. The purpose of the project's modified bridge design and construction methods is to avoid contact with the wetted channel of the river, and the potential to strand or cause other adverse impacts to fish or other special-status species. This is explained thoroughly in Section 2.2 of the Draft Recirculated Analysis. In the absence of water contact, and in the absence of any dewatering or stream diversion activities that might affect unarmored threespine stickleback, there is no longer any need to "collect and relocate" stickleback pursuant to Mitigation Measures MV 4.3-9 and MV 4.3-8. Consequently, these two mitigation measures (BIO-44 and BIO-46), which the Supreme Court determined were invalid, are no longer necessary, and the County's Errata to Mitigation Monitoring and Reporting Plan (MMRP) eliminates MV 4.3-9 and MV 4.3-8 from the MMRP.

Further, the County has determined that Mitigation Measures MV 4.3-11 and MV 4.3-12 are inapplicable to the project because the proposed modified bridge design and construction methods no longer require work in the wetted channel or the creation of a stream diversion bypass channel during construction. As Section 2.2 of the Draft Recirculated Analysis makes clear, the project's modified bridge design and construction methods, along with the identified project features and new mitigation, avoid contact with water and the wetted channel of the Santa Clara River, eliminating the need for stream diversion. These modifications to the project enable construction to occur without the need for work in the wetted channel of the river, and without the need to divert waters, create a stream diversion plan or bypass channel, collect and relocate special status fish, or adversely impact other special status species.

As a result of these modifications, MV 4.3-11(a) is not applicable because a stream diversion bypass channel will not be created and there will not be any construction work within the wetted channel. MV 4.3-11(b) also is inapplicable because Section 2.2 of the Draft Recirculated Analysis has adopted new mitigation, which is more restrictive than MV 4.3-11(b) and only applies to the installation of the bank stabilization, as bridge construction methods do not require dewatering. The new requirement is found in Mitigation Measure MV 4.3-109/BIO 3-3f. Specifically, Mitigation Measure MV 4.3-109/BIO 3-3f requires the applicant to implement a County/CDFW reviewed and approved construction groundwater dewatering plan prior to construction of each area of bank stabilization, along with specific performance standards and monitoring of river elevations to ensure no effect on the wetted channel.

Similarly, MV 4.3-12 is not applicable because project construction will not disturb or divert stream waters within the Santa Clara River. MV 4.3-12 was designed to mitigate impacts resulting from stream diversions or construction within the wetted channel by creating "slow-moving water habitats." As stated above, there will be no need for stream diversion or a bypass channel. In short, MV 4.3-12 is no longer applicable

to protect fish or other special status species because stream habitat will not be impacted by stream diversions, and project construction will not require diverting waters, creating a stream diversion plan or bypass channel, collecting or relocating special status fish, or adversely impacting other special status species. For the above reasons, the County's Errata to the MMRP also eliminates MV 4.3-11 and MV 4.3-12 from the MMRP. Relatedly, the County also has determined that the project as modified can be implemented consistent with Fish and Game Code section 5515.

In addition, the County has evaluated the remaining mitigation measures from the biological resources section of the 2011 EIR in light of the proposed avoidance of all construction work in the wetted channel of the river, and has determined that the remaining mitigation measures adequately avoid, minimize, and mitigate biota impacts identified in the 2011 EIR. In fact, the County has considered the broader environmental spectrum of potential significant impacts, absent the mitigation measures, and whether the proposed bridge design and construction methods would cause new significant or more severe environmental effects generally, as compared to the effects analyzed and disclosed in the 2011 Final EIR. Based on this broader context, the County has determined that no such effects would occur, however, but for the potential effects to unarmored threespine stickleback, other fish and wildlife, and their habitats. The County also has determined that no new significant or more severe significant effects to other resources would occur, because of the limited nature of the modifications to the project that eliminate the need for the mitigation measures (i.e., MV 4.3-9, MV 4.3-11, MV 4.3-12, and MV 4.3-8).

The County also undertook this analysis in the context of the engineering, hydrologic, and geomorphic information presented in the Draft Recirculated Analysis. Further, the County has thoroughly reviewed CDFW's Draft Additional Environmental Analysis (AEA) due to its similarity with the issues presented herein. The County's review included not only the CDFW's AEA, but also all of the technical appendices addressing stickleback, including AEA Appendix 4 (Effects to Unarmored Threespine Stickleback). Specific to that analysis, the County concurs with CDFW's engineering review, which considered whether the proposed bridge design and construction timing and methods would change any proposed mitigation measures in the EIR or require additional measures. (See Draft AEA, Appendix 4 [CDFW engineer review memorandum, pp. 2, 8-9].) Based on that engineering review, the County has determined that the proposed timing and modified construction methods do not change or invalidate other mitigation measures; however, the timing and methods did require additional project design features and mitigation measures set forth in Section 2.2 of the Draft Recirculated Analysis. The project design features include measures to control contaminants, constrain work areas, avoid the wetted channel, and monitor and adjust project activities as needed to protect resources and minimize [the] opportunity for take of unarmored threespine stickleback. Because the comment does not raise any issues within the Draft Recirculated Analysis or relate to a change in the Project bridge design or construction method from what

was previously considered in the 2011 Final EIR, no response is required. Nevertheless, the following response is included for information purposes.

The County does not concur with the comment's statement that the UTS is "rapidly disappearing." While recent drought years may have stressed known populations, the County is unaware of any study or data that would support a conclusion that the species is rapidly disappearing. Since 1988, focused fish surveys have been conducted by State and Federal wildlife agencies, various independent biologists, and several consulting firms to document the presence or absence of special-status fish species, including UTS, within the Project area and upstream of the Project area within the Santa Clara River. (2011 Final EIR, Section 4.3, Biota, pp. 4.3-79, 4-3-168.) Those surveys indicate that UTS "has been documented in the portion of the Santa Clara River on and adjacent to the project site and within the Santa Clara River portion of the Specific Plan in 1988, 1995, 2000, 2002-2005, and 2007." (2011 Final EIR, Section 4.3, Biota, pp. 4.3-79, 4-3-168.)

Because the comment does not raise issues as to the adequacy of the Draft Recirculated Analysis, no further response is required.

Comment No. E14-18:

As you know, the Unarmored Threespine Stickleback ("UTS"), a fully protected species under California law, is rapidly disappearing along with the degradation of its habitat that must be protected and restored. Its habitat exists in two locations in the Upper Santa Clara River mainstem (Newhall Ranch Project area in a stretch of the Santa Clara River upstream of the Dry Gap to about and around the Old Road Bridge; and a stretch of the Santa Clara River near Soledad Canyon around the Stickleback Movie Ranch), a stretch of Bouquet Creek, a stretch of Soledad Canyon Creek, and a stretch of San Francisquito Creek. The California Department of Fish and Wildlife website as updated in June of 2015 (see attached) provides that the occurrence of Unarmored Threespine Stickleback as of June 2015 in these habitats is as follows: Upper Santa Clara River (extremely limited), Bouquet Creek (extremely limited), Soledad Canyon Creek (possibly extirpated), San Francisquito Creek (recently translocated to this location after extirpation in 2005 at this location).

Response No. E14-18:

The comment reiterates the protected status of the UTS under California law, and states that the species is "rapidly disappearing along with the degradation of its habitat that must be protected and restored [sic]." The comment states that UTS habitat exists at "two locations" in the Upper Santa Clara River main stem – the "Newhall Ranch Project area in a stretch of the Santa Clara River upstream of the Dry Gap to about and around the Old Road Bridge; and a stretch of the Santa Clara River near Soledad Canyon around the Stickleback Movie Ranch)." The comment identifies three other locations where Wishtoyo believes UTS are present: "a stretch of Bouquet Creek, a stretch of Soledad Canyon Creek, and a stretch of San Francisquito Creek." The comment states that, according to CDFW's website, as updated in June 2015, the

occurrence of UTS in these habitats is as follows: “Upper Santa Clara River (extremely limited), Bouquet Creek (extremely limited), Soledad Canyon Creek (possibly extirpated), San Francisquito Creek (recently translocated to this location after extirpation in 2005 at this location).”

As discussed in **Response to Comment No. E14-17**, this comment does not raise any issues as to the adequacy of the Draft Recirculated Analysis or relate to a change in the Project construction design from what was previously considered in the 2011 Final EIR. Thus, no response is required. Nevertheless, the following response is included for information purposes.

In regard to the “rapidly disappearing” status of UTS, the comment repeats the issues and questions set forth previously in Comment No. E14-17. Accordingly, please refer to **Response to Comment No. E14-17**, above. Furthermore, the comment does not present new information with regard to UTS.

In addition, CDFW’s website information does not present new or different data from what was previously reported in the 2011 Final EIR. As reported by CDFW (website and 2011 Final EIR), UTS is a state and federal listed endangered species and a fully protected species under the Fish and Game Code. As previously reported, UTS have a very limited distribution, with the southern California population represented in only three drainages in the Santa Clara River watershed: Upper Santa Clara River (extremely limited), Bouquet Creek (extremely limited), and Soledad Canyon (possibly extirpated). (CDFW’s website, <https://www.wildlife.ca.gov/Drought/Projects/Stickleback> and 2011 Final EIR, Section 4.3, Biota, pp. 4.3-168 [UTS legal status and life history].) Their naturally limited distribution, declining populations within the species complete historic range that included the Los Angeles, Santa Ana and San Gabriel Rivers (USFWS 2009), as well as known threats to the species, led to the federal listing of UTS as an endangered species in October 1970 (35 Federal Register 16047), the state listing in California in June 1971 (Richmond et al. 2014), and the revised recovery plan in 1985. (See, 2011 Final EIR, Section 4.3, Biota, pp. 4.3-168.) A long-term standardized UTS population assessment within the Upper Santa Clara River, focused on population trends, has never been performed; thus, it is not possible to ascertain whether that population is declining, increasing, or remaining essentially stable. Generally speaking, however, the numbers of UTS observed during any single survey effort have been variable, most likely due to the average one-year UTS life span and natural annual population variability, stochastic weather patterns (random, high weather variation) and dynamic habitat conditions in the Santa Clara River. The commenter is directed to the USFWS 2009 5-Year Review Report on Unarmored Threespine Stickleback, page 6, for a more complete description of the species range:

“Currently, the UTS are restricted to the upper Santa Clara River and its tributaries in Los Angeles County, San Antonio Creek on Vandenberg Air Force Base (VAFB) in Santa Barbara

County, and the Shay Creek vicinity in San Bernardino County (Moyle 2002). A small, transplanted population of the UTS may exist outside the native range in upper San Felipe Creek, a tributary to the Salton Sea, San Diego County (Moyle 2002). The UTS were transplanted to San Felipe Creek from Soledad Canyon in 1972, 1973, and again in 1981 (Swift et al. 1993, Service in litt. 2008a); however, the current status of this population or whether it still exists is unknown at this time (Service in litt. 2008a). ...[¶] No range-wide long-term program is currently being conducted for the UTS and data on population dynamics is limited. ... The UTS populations also vary with between-year changes in environmental conditions, such as drought.”

Because the comment does not raise issues as to the adequacy of the Draft Recirculated Analysis, no further response is required.

Comment No. E14-19:

Just recently it was found by the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife, and Los Angeles County that the population of Unarmored Threespine Stickleback in the Bouquet Canyon reach has been lost, as this population has been hybridized with another Stickleback species. (See attachments provided on CD and County of Los Angeles Department of Public Works Notice of Intent to Adopt a Mitigated Negative Declaration for Bouquet Canyon Creek Restoration Project also provided on the CD attached to this letter.) In addition, the habitat of one of the few remaining locations where Unarmored Threespine Stickleback exists – an upstream reach of the Santa Clara River around Stickleback Movie Ranch located at 9777 Soledad Canyon Rd, Santa Clarita, CA 91390, was just devastated by the July 24, 2016 Santa Clara River “Sand Fire” that burnt over 52 square mile of the Upper Santa Clara River watershed. (See attachments on CD.) During this fire, the Stickleback Movie Ranch and the banks of the Santa Clara River that contain Unarmored Threespine Stickleback were burnt to the ground. It is unknown whether this population has been wiped out by the ash and toxins from the Sand Fire and firefighting effort that have been flushed into the Santa Clara River during rain events in late 2016 and early 2017.

Response No. E14-19:

The comment states that the USFWS, CDFW, and the County of Los Angeles have recently determined that the UTS population in the Bouquet Canyon reach “has been lost” due to hybridizing with another stickleback species. The comment then describes the Sand Fire that occurred on July 24, 2016, and states that the fire destroyed the UTS habitat near the Stickleback Movie Ranch. According to the comment, it is unknown whether the UTS population at this location “has been wiped out by the ash and toxins from the Sand Fire and firefighting effort that have been flushed into the Santa Clara River during the rain events in late 2016 and early 2017.”

The 2016 Sand Fire and its potential impacts on the UTS habitat and population near the Stickleback Ranch is not related to the Project under review and, therefore, is beyond the scope of the Draft Recirculated Analysis. Unarmored threespine stickleback in Bouquet Canyon Creek is also not related to the Project

under review and, therefore, is beyond the scope of the Draft Recirculated Analysis. The County will consider the comment for the context it provides regarding UTS populations within the Santa Clara River as a whole. However, the referenced fire does not pertain to any aspect of the proposed Project's modifications evaluated in the County's Draft Recirculated Analysis.

In addition, because this comment does not raise any issues within the scope of the Draft Recirculated Analysis or relate to a change in the bridge design and construction methods from what was previously considered in the 2011 Final EIR, no further substantive response is required. For further responsive information, please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR**.

Comment No. E14-20:

All of the aforementioned facts are important and relevant to the Draft Recirculated EIR because, for the first time, the Draft Recirculated EIR indicates that surveys for Unarmored Threespine Stickleback conducted between 2014 – 2015¹ on in the Upper Santa Clara River in the Newhall Ranch Project site from the upstream edge of the Dry Gap to the Old Road found that:

“During the 2014 and 2015 surveys, no unarmored threespine stickleback or other species native to the Santa Clara River were observed in the project area. During the habitat surveys, CDFW observed unarmored threespine stickleback between the Old Road Bridge and the Valencia WRP discharge, upstream of the project area in August 2015.”

¹The Draft Recirculated EIR indicates these surveys were conducted on: 1.) August 2015 (CDFW surveyed for unarmored threespine stickleback habitat at a reconnaissance level in the Santa Clara River, from the Old Road downstream to just below the Valencia WRP discharge. This survey was upstream of the project area); and 2.) “August 19, September 4, and September 5, 2014 and other aquatic surveys were conducted on multiple dates from June 27 to September 1, 2015 (ICF International 2016a)”

Response No. E14-20:

The comment states that the aforementioned facts are important and relevant to the Recirculated Analysis because, for the first time, the Recirculated Analysis indicates that surveys for UTS conducted between 2014-2015 on the Upper Santa Clara River in the Newhall Ranch Project site from the upstream edge of the Dry Gap to The Old Road found that: “no unarmored threespine stickleback or other species native to the Santa Clara River were observed in the project area.” The comment acknowledges that, according to the Draft Recirculated Analysis, CDFW's surveys “observed unarmored threespine stickleback between the Old Road Bridge and the Valencia WRP discharge, upstream of the project area in August 2015.”

This comment does not raise significant new information. While the County recognizes that the 2014 and 2015 surveys detected no UTS in the Project reach of the Santa Clara River, these surveys are not

inconsistent with the analysis in the 2011 Final EIR. Prior surveys also showed that, during certain years, UTS were not detected in one or more sections of the Santa Clara River within the Project area, only to be found in those same areas during surveys conducted in subsequent years. As indicated above, and as discussed in the 2011 Final EIR, UTS presence is variable and appears to fluctuate according to changes in environmental conditions (e.g., storm events) (see discussion of UTS population assessment in Response to Comment No. E14-18). The County, like CDFW, assumes presence of UTS in the Project area.

In addition, the 2014 and 2015 UTS surveys represent only two data points and thus are insufficient to support any determination that the species no longer inhabits the Project reach of the Santa Clara River. A long-term standardized UTS population assessment within the Upper Santa Clara River, focused on population trends, has never been performed. For this reason, the Draft Recirculated Analysis – like the 2011 Final EIR before it – assumes UTS presence throughout the Project reach of the Santa Clara River; and, as a result, the 2011 Final EIR incorporated, and the County adopted, a mitigation strategy that avoids or substantially lessens impacts to UTS. (See 2011 Final EIR, Section 4.3, Biota, pp. 4.3-168—4.3-169.) To assume otherwise (i.e., to assume UTS no longer exist within the Project reach of the river) would mean that the Project would not be capable of affecting the species, even if bridge construction and other work were performed within the wetted channel of the Santa Clara River where UTS have been documented in the past. In such case, there would be no need to study the Project’s impacts on UTS. In order to be conservative, the County did not make that assumption and, in fact, assumed the opposite. The entire Draft Recirculated Analysis analysis of potential bridge and bank stabilization impacts conservatively presumes, for purposes of the analysis, that UTS are in the river at locations near proposed construction sites. Said differently, the Draft Recirculated Analysis presumes UTS are present within the wetted channel of the Santa Clara River for the entire reach of the river within the Project site where Project construction will occur in areas proximate to, but outside of, the wetted channel. The Draft Recirculated Analysis adopts a comprehensive “no water contact” approach to constructing the bridges and bank stabilization, combined with an array of additional protective mitigation measures, to ensure that the construction of bridges and bank stabilization within the Project is performed consistent with Fish and Game Code Section 5515. The Draft Recirculated Analysis concludes that impacts to UTS will be less than significant.

Comment No. E14-21:

This new information, not available during EIR Certification in 2010, is consistent with the following information Wishtoyo Foundation heard in 2014-2016 from the U.S. Fish and Wildlife Service officials whom were informed of these 2014 – 2015 survey results: That Unarmored Threespine Stickleback are present upstream of the confluence of the Valencia Wastewater Treatment Plant’s (“Valencia WTP”) discharge to around the Old Road, but it appears likely that Unarmored Threespine Stickleback are no longer present in the Newhall Ranch Project area from the Dry Gap to the confluence of the Valencia WTP effluent discharge. Based on the scientific literature regarding Unarmored Threespine Stickleback habitat

requirements, Valencia WTP monitoring data of its effluent discharge and the Santa Clara River upstream and downstream of its discharge, and Wishtoyo Foundation monitoring data of the Santa Clara River upstream and downstream of the Valencia WTP effluent discharge, it is apparent that the Valencia WTP effluent discharge is impairing Unarmored Threespine Stickleback habitat and causing adverse survival and reproductive impacts to the Unarmored Threespine Stickleback from the confluence of the Valencia WTP effluent discharge to the Dry Gap due to:

- 1.) the severe increases in temperature (the Valencia WTP is much hotter than the Santa Clara River and levels that are tolerable for UTS survival and reproduction); and
- 2.) increases in the velocity of the River's flow (the millions of gallons per day of Valencia WTP effluent discharge causes the River to move too fast for UTS survival, presence, and reproduction, and eliminates the slow moving water the species needs to be present, survive, and reproduce).

(See data, studies, reports, and information in Attached in CD and discussed below to support all of these assertions.)

Response No. E14-21:

The comment states that the 2014-2015 UTS survey results represents "new information . . . not available during EIR certification in 2010." The comment also contends that these data are consistent with statements Wishtoyo claims to have received from the USFWS to the effect that "Unarmored Threespine Stickleback are present upstream of the confluence of the Valencia Wastewater Treatment Plant's ('Valencia WTP') discharge to around the Old Road, but it appears likely that the Unarmored Stickleback are no longer present in the Newhall Ranch Project area from the Dry Gap to the confluence of the Valencia WTP effluent discharge." The comment claims that these data, when assessed in conjunction with the scientific literature regarding the habitat needs of the UTS, demonstrate that the Valencia WTP effluent discharge is impairing UTS habitat and causing adverse impacts on UTS survival and reproduction. The comment identifies two causes for this impact: (i) increases in the river's water temperature due to discharges from the Valencia WTP into the wetted channel of the river; and (2) increases in flow velocity due to discharges from the Valencia WTP into the river. According to the comment, the WTP effluent raises the river's water temperature to levels that UTS cannot tolerate and "causes the River to move too fast for UTS survival, presence, and reproduction, and eliminates the slow moving water the species needs to be present, survive, and reproduce." The comment states that the data, studies, reports, and information on which it relies are included on the CD attached to the comment letter.

First, the County recognizes that UTS presence is variable and the population fluctuates, and therefore, the County assumes presence of UTS in the Project area. The County also acknowledges that CDFW works closely with USFWS with matters concerning UTS. The County provided a copy of the Draft Recirculated Analysis to the USFWS. At no time during its various communications with the County did the USFWS

indicate that, in its opinion, UTS “are no longer present in the Newhall Ranch Project area from the Dry Gap to the confluence of the Valencia WTP effluent discharge.” Please refer to **Response to Comment No. E14-18** above for information related to the latest available 5-Year Review Report on UTS by the USFWS. In any case, as noted above, the Draft Recirculated Analysis assumes UTS are present within the wetted channel of the Santa Clara River for the entire reach of the river within the Project site where RMDP construction will occur in areas proximate to, but outside of, the wetted channel.

Second, the Valencia WTP (also known as the Valencia Water Reclamation Plant or WRP) is an existing, fully-operative and permitted facility operated by the Santa Clarita Valley Sanitation District (formerly, Sanitation District Nos. 26 and 32). The Valencia WRP’s impacts on the UTS, if any, are beyond the scope of the Draft Recirculated Analysis, which limits its evaluation to (i) the Project’s GHG emissions, and (ii) the Project’s modified bridge design and construction approach which avoids contact with the wetted channel of the Santa Clara River. Nothing in the comment shows any connection between the Project’s modified construction methods for the bridges and bank stabilization features and the effluent from the upstream Valencia WRP.³ The comment raises an issue that is not related to the change in bridge design or construction methods analyzed in the Draft Recirculated Analysis. Said differently, the discharges from the Valencia WRP (including flow velocity and water temperatures) are not generated by any aspect of the proposed Project’s modifications evaluated in the County’s Draft Recirculated Analysis. Specifically, the Valencia WRP discharges are not generated by the Project’s modified design and construction approach with bridges and bank stabilization, which approach is required by, and in response to, the corrective action required by the Supreme Court’s decision with regard to UTS. In addition, the discharges are not generated by the Project’s GHG analysis, nor the new mitigation measures reducing the Project’s GHG impacts to net zero in response to the Supreme Court’s decision. Thus, the issues concerning the WRP discharges are issues that were raised or could have been raised in response to the County’s 2011 Final EIR and no further response is required. Nonetheless, for further responsive information, please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR.**

Therefore, the comment is beyond the scope of the Recirculated Analysis and need not be addressed. In any case, the revised bridge design would likely reduce concerns related to this issue because the Project’s modified construction approach contemplates construction of the bridges and bank stabilization *outside* the wetted channel of the Santa Clara River (i.e., outside the receiving water of the WRP discharges), and incorporates numerous other protective measures to require no impact to UTS.

³ Nor does the comment draw any connection between the Project’s GHG emissions and the Valencia WRP effluent, and there is no connection.

Third, the Valencia WRP, an existing facility, operates pursuant to: (i) the 1980 Upper Santa Clara River Basin Facilities Plan, the associated certified EIR, and the 1987 Addendum, and (ii) the 2015 Santa Clarita Valley Joint Sewerage System Facilities Plan and EIR. The time to challenge these previously certified environmental documents has long since passed.

Fourth, the Valencia WRP and its effluent are subject to Waste Discharge Requirements (WDRs) and a National Pollutant Discharge Elimination System (NPDES) permit (Order R4-2015-0071; NPDES No. CA0054216; “NPDES permit”), effective May 3, 2015. The Los Angeles Regional Water Quality Control Board (Regional Board) adopted the NPDES permit pursuant to the California Water Code (commencing with Section 13260) and Section 402 of the federal Clean Water Act. The Valencia WRP WDRs identify several designated beneficial uses for the Santa Clara River that protect aquatic species, such as UTS. The designated beneficial uses for the Santa Clara River in the vicinity of the Valencia WRP that are protective of UTS are as follows: rare, threatened, or endangered species (RARE); warm freshwater habitat (WARM), wildlife habitat (WILD), and wetland habitat (WET). The discharge permit reflects a consideration of the protection of those beneficial uses that are applicable to aquatic species in the river, such as the UTS, with specific prohibition on any discharge that causes impairment of any of these designated beneficial uses. Thus, the time to challenge the NPDES permit itself has long passed.

Fifth, in the 2011 Final EIR, the County assessed the Project’s cumulative impacts on the Santa Clara River and the wildlife species that rely on it. This analysis took into account the current and ongoing effluent discharges from the Valencia WRP, treating them as a component of existing conditions. The 2011 Final EIR determined that the Project’s cumulative impacts on the hydrology of the river would be less than significant. Likewise, the 2011 Final EIR determined that the Project’s cumulative impacts on UTS habitat would be less than significant. Neither Wishtoyo nor any other party challenged these determinations during the County’s EIR review process or during the subsequent litigation. Thus, the issue cannot be raised now, as it does not relate to the limited set of issues covered in the current Draft Recirculated Analysis. Therefore, the comment is beyond the scope of the Recirculated Analysis and need not be addressed. For further responsive information regarding the scope of the Draft Recirculated Analysis, please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR.**

Comment No. E14-22:

Considering the information about the rapidly disappearing limited habitat for the Unarmored Threespine Stickleback and its fragile and declining populations that have come to light after prior County certification of the project EIR (see above and the documents in the attached CD); the new information in the Draft Recirculated EIR discovered in 2014 and 2015 regarding the lack of presence of the Unarmored Threespine Stickleback downstream of the Valencia WTP; the fact that the Proposed Newhall Ranch Wastewater Treatment Plant (“Proposed Newhall POTW2”) part of this Project will constantly discharge millions of

gallons of effluent during the wet season that will increase the velocity of the Santa Clara River thereby further degrading Unarmored Threespine Stickleback habitat; and the fact that the Newhall Ranch Wastewater Treatment Plant will discharge millions of gallons of effluent baking in the hot Santa Clarita Valley at levels that are much hotter than the Santa Clara River's natural temperature (and hotter than suitable for the Unarmored Threespine Stickleback) thereby further degrading Unarmored Threespine Stickleback habitat, it is essential that the County :

1.) prepare a revised or supplemental EIR that fully examines and analyzes the impacts of the Proposed Newhall POTW on the Unarmored Threespine Stickleback and its habitat from the water temperature and flow velocity increases in the Santa Clara River caused by the Proposed Newhall POTW; and

2.) approves a revised or supplemental EIR that contains velocity and temperature protections from the Proposed Newhall POTW consistent with California's Fully Protected Species statute that protects and allows for the restoration of Unarmored Threespine Stickleback from the discharge point of the Proposed Newhall POTW downstream to the Dry Gap.

Response No. E14-22:

The comment states that, in light of (i) the information about the "rapidly disappearing limited habitat for the Unarmored Threespine Stickleback and its fragile and declining populations that have come to light after prior CDFW certification of the project EIR;" (ii) the "new information in the Newhall Ranch Draft AEA discovered in 2014 and 2015" regarding the absence of stickleback downstream of the Valencia WRP; (iii) the fact that "the Proposed Newhall Ranch Wastewater Treatment Plant . . . part of this Project will constantly discharge millions of gallons of effluent during the wet season that will increase the velocity of the Santa Clara River thereby further degrading Unarmored Threespine Stickleback habitat"; and (iv) "the fact that the Newhall Ranch Wastewater Treatment Plant will discharge millions of gallons of effluent baking in the hot Santa Clarita Valley at levels that are much hotter than the Santa Clara River's natural temperature (and hotter than suitable for the Unarmored Threespine Stickleback) thereby further degrading Unarmored Threespine Stickleback habitat," the County must:

1. "prepare a revised or supplemental EIR that fully examines and analyzes the impacts of the Proposed Newhall POTW on the Unarmored Threespine Stickleback and its habitat from the water temperature and flow velocity increases in the Santa Clara River caused by the Proposed Newhall POTW;" and
2. "approve a revised or supplemental EIR that contains velocity and temperature protections from the Proposed Newhall POTW consistent with California's Fully Protected Species statute that protects and allows for the restoration of Unarmored Threespine Stickleback from the discharge point of the Proposed Newhall POTW downstream to the Dry Gap."

The County does not concur with the above comments for the following reasons:

First, the Newhall Ranch Wastewater Reclamation Plant – sometimes known as the Newhall Ranch publicly-owned treatment works (POTW) or the Newhall Ranch WRP – was approved by the County of Los Angeles as part of the Newhall Ranch Specific Plan pursuant to a project-level EIR certified by the County in 2003. Thus, no further review of the Newhall Ranch WRP is required; and any challenge to the Newhall Ranch WRP or its underlying certified EIR is time-barred.

Second, because the County already approved the Newhall Ranch WRP, it is not part of the proposed Project now under consideration and review by the County in the Draft Recirculated Analysis.

Third, the Newhall Ranch WRP and its effluent – like the Valencia WRP – are subject to Waste Discharge Requirements (WDRs) and a National Pollutant Discharge Elimination System (NPDES) permit (Order R4-2013-0180; NPDES No. CA0064556; “NPDES permit”), effective February 1, 2014. The Los Angeles Regional Water adopted the NPDES permit pursuant to the California Water Code (commencing with Section 13260) and Section 402 of the federal Clean Water Act. The Newhall Ranch WRP WDRs identify several designated beneficial uses for the Santa Clara River that protect aquatic species, such as UTS. The designated beneficial uses for the Santa Clara River in the vicinity of the Newhall Ranch WRP protective of UTS are as follows: rare, threatened, or endangered species (RARE); warm freshwater habitat (WARM), wildlife habitat (WILD), and wetland habitat (WET). The discharge permit reflects a consideration of the protection of those beneficial uses that are applicable to aquatic species in the river, such as the UTS, with specific prohibition on any discharge that causes impairment of any of these designated beneficial uses. Discharge limitations go so far as to require protection of the natural hydrologic conditions necessary to support the physical, chemical, and biological characteristics present in wetlands to prevent significant adverse effects on: (a) natural temperature, pH, dissolved oxygen, and other natural physical and chemical conditions; (b) movement of aquatic fauna; (c) survival and reproduction of aquatic flora and fauna; and (d) water levels. The time to challenge the Newhall Ranch WRP NPDES permit is long-passed.

Fourth, the Newhall Ranch WRP will discharge treated effluent to the Santa Clara River only during the wet season when discharges will be diluted by existing flow in the Santa Clara River. No discharge to the Santa Clara River will occur during the dry season. As described previously, the effects of the Newhall Ranch WRP were analyzed in the project-level EIR for the Newhall Ranch Specific Plan, which was certified by the County in 2003. Further, CDFW’s 2010 EIR analyzed potential effects of discharge by operation of the Newhall WRP and concluded that no significant impacts to UTS would occur.

Fifth, the Newhall Ranch WRP and the effect of its future effluent on UTS are beyond the scope of the Draft Recirculated Analysis, which is limited to (i) the proposed Project’s GHG emissions, and (ii) impacts

associated with the proposed “no water contact” approach to constructing bridges and installing bank stabilization. Neither of these two issues affects, or is implicated by, the Newhall Ranch WRP.

Sixth, the 2011 Final EIR, when it evaluated the proposed Project’s cumulative impacts on the hydrology and biology of the Santa Clara River, took into account the future effluent discharges from the Newhall Ranch WRP. The 2011 Final EIR determined that the proposed Project’s contribution to such impacts, including those on UTS, would be less than cumulatively considerable. Neither Wishtoyo nor any other party challenged that determination during the County’s 2011 EIR review process. Nor did any party challenge that determination during the subsequent litigation. Thus, the claim is barred from further consideration.

For these reasons, the County declines Wishtoyo’s request for a “revised or supplemental EIR” that addresses the Newhall Ranch WRP’s water temperature and flow velocity impacts on the UTS. The County also declines Wishtoyo’s request to impose “velocity and temperature protections” on the Newhall Ranch WRP.

Comment No. E14-23:

Based on the increases in velocity from the Valencia WTP, it appears that a prohibition of any discharge from the Proposed Newhall POTW is consistent with California’s Fully Protected Species statute. However if science conclusively demonstrates some small discharge can occur from the Proposed Newhall POTW that will not impact the velocity of river flows downstream of the Proposed Newhall POTW so as to impact the Unarmored Threespine Stickleback’s ability to survive, utilize, and be present downstream of the Proposed Newhall POTW’s discharge, the effluent discharge from the Proposed Newhall POTW must be cooled prior to discharge to a level equivalent to the naturally occurring temperatures of the River and that are suitable for Unarmored Threespine Stickleback.

Response No. E14-23:

The comment states that, “[b]ased on the increases in velocity from the Valencia WTP, it appears that a prohibition of any discharge from the proposed Newhall [WRP] is consistent with California’s Fully Protected statute.” The comment then contends that even if “some small discharge can occur” from the Newhall Ranch WRP without affecting the velocity of the river flows or the UTS, the effluent from the WRP must nevertheless “be cooled prior to discharge to a level equivalent to the naturally occurring temperatures of the River and that are suitable for UTS.

As pointed out in **Response to Comment Nos. E14-21 and E14-22**, above, the Newhall Ranch WRP, including its effluent, is regulated under an existing and valid NPDES permit issued by the Los Angeles Regional Board.

In addition, the County notes that the comment provides no evidence that the amount of effluent discharged from the Valencia WRP into the Santa Clara River is beyond its facility permitted flow of 21.6 mgd. The Newhall Ranch WRP, when it becomes operational, will discharge on average approximately 0.6 mgd during the wet season and will not release any discharge to the Santa Clara River during the dry season. The discharge amount to the Santa Clara River represents less than 1 percent of the river's average wet season flow. (See also CDFW 2010 Final EIR Section 4.4, page 4.4-114.) Also, because the Newhall Ranch WRP will only discharge to the river when recycled water demand is low, which will be during wet conditions when flows are elevated above natural base flow conditions, any effects to the reproductive development, behavior, and success of UTS will be avoided. Unarmored threespine stickleback do not typically spawn under wet season conditions (i.e., elevated base flows and colder water temperatures). During dry, low flow years, the demand for recycled water is high, precluding the need to discharge water to the Santa Clara River during these conditions.

The comment does not provide evidence of any connection between the Draft Recirculated Analysis' GHG analysis or the modified bridge design and construction methods to avoid impacts to UTS, and the Valencia WRP's discharges, flow rates, or discharge temperatures. As discussed above, because the comment does not raise issues regarding the adequacy of the Draft Recirculated Analysis, no further response is required.

Comment No. E14-24:

Below are comments that in addition to the studies, documents, and data on the CD attached to this letter, provide more information as to the temperature and flow velocity impacts from the Proposed Newhall POTW that must be studied and prevented.

Response No. E14-24:

The comment alerts the County that what follows is more information as to the temperature and flow velocity impacts from the proposed Newhall Ranch WRP.

As the comment is an introduction to further comments to follow, and because it raises no substantive issue with regard to the adequacy of the Draft Recirculated Analysis, no further response is required.

Comment No. E14-25:

Additional Comments Providing More Information as to the Temperature and Flow Velocity Impacts to UTS from the Proposed Newhall POTW that must be Studied and Prevented

1.) UTS Temperature Impacts (see all studies, information and data in the attached CD)

The USFWS 5 Year Review provides that high rates of mortality are likely to occur in situations where water temperature is increasing rapidly or when temperatures exceed the critical thermal maximum, and that Feldmeth and Baskin (1976) and Baskin (1975) found that UTS have a moderate tolerance (critical thermal maximum of 30.5 degrees Celsius (86.9 degrees Fahrenheit)) when acclimated at 8 degrees Celsius (46.4 degrees Fahrenheit) and a critical thermal maximum of 34.6 degrees Celsius (94.3 degrees Fahrenheit) when acclimated at 22.7 degrees Celsius (72.8 degrees Fahrenheit).

Response No. E14-25:

The comment introduces additional comments regarding the potential for the Newhall WRP to adversely affect UTS due to effluent-related increases in the temperature and velocity of the Santa Clara River. Specifically, the comment provides data from the USFWS 5-Year Review of the UTS indicating that “high rates of mortality are likely to occur in situations where water temperature is increasingly rapidly or when temperatures exceed the critical thermal maximum.” The comment then states that “Feldmeth and Baskin (1976) and Baskin (1975) found that UTS have a moderate tolerance (critical thermal maximum of 30.5 degrees Celsius (86.9 degrees Fahrenheit)) when acclimated at 8 degrees Celsius (46.4 degrees Fahrenheit) and a critical thermal maximum of 34.6 degrees Celsius (94.3 degrees Fahrenheit) when acclimated at 22.7 degrees Celsius (72.8 degrees Fahrenheit).”

As discussed in **Response to Comment No. E14-17**, because this comment does not raise any issue as to the adequacy of the Draft Recirculated Analysis or relate to a change in the Project bridge design or construction method from what was previously considered in the 2011 Final EIR, no further response is required. Moreover, to the extent that this comment relates to Wishtoyo’s concerns expressed in **Comment Nos. E14-21 and E14-22** regarding effluent released from the Newhall Ranch WRP, **Responses to Comment Nos. E14-21 and E14-22**, above, provide that the Newhall Ranch WRP, including its effluent, is regulated under an existing and valid NPDES permit issued by the Los Angeles Regional Board. Moreover, the issues concerning the Newhall Ranch WRP discharges are issues that were raised or could have been raised in response to the County’s 2011 Final EIR; and, for further responsive information, please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR**. Nonetheless, the following response is included for information purposes:

The County is aware of and has assessed the USFWS 5-Year Review for UTS, the Feldmeth and Baskin (1976) study, and the Baskin (1975) study. The County agrees that the comment accurately reproduces the critical thermal maximums described in Feldmeth and Baskin (1976) and in Baskin (1975). As these benchmarks show, the critical thermal maximum shifts according to the “acclimation” temperature used in the study. When the acclimation temperature is low (e.g., 46.4 degrees Fahrenheit⁴), the critical thermal

⁴ All temperatures from this point forward will be presented in Fahrenheit.

maximum is 86.9 degrees; but when that acclimation temperature is higher (e.g., 72.8 degrees), the critical thermal maximum also goes up (e.g., to 94.3 degrees).

It is important to note, however, that the table on page five of the Wishtoyo comment letter includes point temperature data from above and below the Valencia WRP. It is unknown if these were collected at a single time during the day, as collection times were not provided. A natural fluctuation in river temperature would be expected throughout the day with maximum temperatures typically occurring in the afternoon. Furthermore, these data were also collected above and below the Valencia WRP, representing temperatures at those locations only, and may not represent water temperature downstream at the proposed Newhall Ranch WRP, especially since the discharge rate and timing of discharge are vastly different than that of the Valencia WTP. See **Response to Comment No. E14-22** for a discussion of the Newhall Ranch WRP discharge.

It should also be noted that the critical thermal maximums were determined in laboratory conditions. Baskin (1975) conducted a study on the upper Santa Clara River that was partially focused on thermal and oxygen tolerances of UTS in the laboratory. The study authors found that water temperatures in study pools ranged between 64.7 and 84.9 degrees and were well within the tolerance limits determined in the laboratory of 86 degree maximum. Feldmeth and Baskin conducted a similar study and developed Critical Thermal Maximum's (CTM) between 86.9 degrees when acclimated to 46.4 degrees and a CTM of 94.3 degrees when acclimated to 72.8 degrees. Critical Thermal Maximum (CTM) studies like Baskin (1975) and Feldmeth and Baskin (1976) are important in evaluating and understanding what effects upper and lower thermal tolerances can have on fish and what those thermal endpoints are. However, these studies do have limitations and do not account for the reactive behavior fish will take when they encounter adverse conditions. Fish in the wild will seek refuge, when available, from adverse conditions when they occur. Animals used in these studies do not have the advantage to escape these adverse conditions. One disadvantage of CTM procedures is that they cannot account for exposure time and potentially un-realistic rates of temperature increase (Shultz and Bertrand 2011).

Irrespective of the applicability of these Critical Thermal Maxima to the Newhall Ranch WRP discharge, when CTMs are applied to the water temperatures measured by Wishtoyo at the Valencia WRP, as summarized in the table on page 5 of the Wishtoyo letter, it can be demonstrated that the water temperature of the Santa Clara River downstream of the Valencia WRP effluent discharge is below the critical thermal maximum for UTS at both the 46.4 degree acclimation benchmark and the 72.8 degree acclimation benchmark.

This can be shown using Wishtoyo's data (which has not been verified). The table on page 5 of the comment letter indicates that Wishtoyo's temperature measurements of the Santa Clara River, upstream of the Valencia WRP discharge, range between 61.5 degrees and 72.3 degrees, which means UTS would be "acclimated" at temperatures slightly below the 72.8 degree acclimation baseline discussed in Feldmeth and Baskin (1976) and Baskin (1975). This baseline generates a critical thermal maximum for UTS of 94.3 degrees. As shown in Wishtoyo's table, Wishtoyo's water temperature measurements of the River downstream of the WRP discharge range from 74.3 to 84 degrees, well below the critical thermal maximum.

Even if one were to assume the much lower acclimation temperature baseline of 46.4 degrees – i.e., an in-river water temperature more than 14 degrees below the lowest in-river temperature actually recorded by Wishtoyo (61.5 degrees) – the post-Valencia WRP discharge water temperature in the Santa Clara River, as recorded by Wishtoyo, would still be below the critical thermal maximum described in Feldmeth and Baskin (1976) and Baskin (1975). Specifically, with an assumed acclimation temperature of 46.4 degrees, the critical thermal maximum, according to Feldmeth and Baskin, is 86.9 degrees Fahrenheit. However, the highest in-river temperature recorded by Wishtoyo downstream of the Valencia WRP was 84 degrees Fahrenheit, nearly 3 degrees below the critical thermal maximum. Thus, the analysis of Wishtoyo's water temperature readings shows that Wishtoyo's data do not support their conclusion that effluent from the Valencia WRP is causing the water temperature in the Santa Clara River to reach critical thermal maximums for UTS.

Comment No. E14-26:

In addition Baskin 2000 (see attached CD) and Page 3 of October 19, 2016 letter from CDFW's Tim E. Hovey to Betty Courtney provides:

Aquatic vegetation is required by unarmored threespine stickleback to build nests. Nest building and breeding begins as soon as the water warms in April and continues through July. Once the eggs are laid, the embryos hatch in 6 to 8 days at 18 - 20 degrees Celsius (64.4 – 68 degrees Fahrenheit)... CDFW evaluation of the species life history determined instream flows, habitat, water quality and velocity are important factors to the subsistence of unarmored threespine stickleback.

Response No. E14-26:

The comment reproduces an excerpt from a letter, dated October 19, 2016, from Tim E. Hovey (of CDFW) to Betty Courtney (also of CDFW), which describes the habitat conditions that UTS require to build nests and hatch eggs. The letter excerpt indicates that environmental conditions such as instream flows, habitat, water quality, and velocity should be evaluated as they are "important factors to the subsistence of unarmored threespine stickleback."

The County has reviewed and considered Mr. Hovey’s letter. The excerpt set forth in the comment accurately reproduces a portion of that letter. As neither the comment nor the excerpt raises issues as to the adequacy of the Draft Recirculated Analysis, no further response is required.

Comment No. E14-27:

Wishtoyo Foundation and its Ventura Coastkeeper Program’s Watershed Monitoring Program Temperature Field Results³ investigating the impacts of the Valencia WTP effluent discharge on Santa Clara River water temperature are as follows:

Date	Location	Degrees C	Degrees F	Location	Degrees C	Degrees F	Change Degrees C	Change Degrees F
3/20/14	RU1	17.9	64.2	RD1	23.5	74.3	5.6	10.1
5/27/14	RU1	21.5	70.7	RD1	26.8	80.2	5.3	9.5
6/2/14	RU1	21.9	71.4	RD1	26.5	79.7	4.6	8.3
6/23/14	RU1	21.0	69.8	RD1	27.5	81.5	6.5	11.7
8/22/14	RU1	22.4	72.3	RD1	28.9	84.0	6.5	11.7
11/22/14	RU1	16.4	61.5	RD1	25.5	77.9	9.1	16.4
5/26/15	RU1	19.0	66.3	RD1	25.6	78.1	6.6	11.8

RU1 is located 300 feet Upstream of the Confluence of the Santa Clara River with the Valencia WTP Effluent Discharge

RD1 is located 300 feet Downstream of the Confluence of the Santa Clara River with the Valencia WTP Effluent Discharge

The monitoring data collected by Wishtoyo Foundation, the monitoring data collected by the Valencia WTP from 2010 – 2014 (see attached CD), the monitoring data collected by the Valencia WTP from 2014 to the present available from the Los Angeles Regional Water Quality Control Board and Los Angeles County (the Valencia WTP owner and operator), the scientific literature in the attached CD, the findings in the Draft Recirculated EIR, the analysis of the Proposed Newhall POTW in the 2010 EIR, indicate that:

a.) By drastically increasing the temperature the Santa Clara River downstream of the confluence of the Valencia WTP discharge and the Santa Clara River, the Valencia WTP discharge is creating a temperature barrier to UTS migration thereby precluding the UTS from repopulating the Santa Clara River downstream of the Valencia WTP and proposed Newhall POTW. The Proposed Newhall POTW will have the same effects downstream of its confluence with the Santa Clara River to the Dry Gap.

b.) By drastically increasing the temperature the Santa Clara River downstream of the confluence of the Valencia WTP discharge and the Santa Clara River, the Valencia WTP discharge is altering the temperature in the Santa Clara River in a manner that results in the Santa Clara River approaching the critical thermal maximum temperature for UTS that may result in mortality or other adverse effects to the UTS. The Proposed Newhall POTW will have the same effects downstream of its confluence with the Santa Clara River to the Dry Gap.

c.) By drastically increasing the of temperature the Santa Clara River downstream of the confluence of the Valencia WTP discharge and the Santa Clara River, the Valencia WTP discharge is altering the temperature in the Santa Clara River in a manner that results in changes in the normal embryo hatch rate that may be detrimental to the species' reproductive efforts and abilities. The Proposed Newhall POTW will have the same effects downstream of its confluence with the Santa Clara River to the Dry Gap.

Response No. E14-27:

The comment provides a table reflecting the seven sets of water temperature readings taken by Wishtoyo between March 20, 2014 and May 26, 2015. The water temperature readings were taken at one location upstream of the Valencia WRP discharge point (RU1) and at one location downstream of the WRP discharge point (RD1). According to the comment, these water temperature data, along with: (i) data maintained by the Regional Board and the County of Los Angeles, (ii) the technical literature provided in Wishtoyo's CD, and (iii) the 2010 Final EIR's analysis of the Newhall Ranch WRP indicate that the Valencia WRP is "drastically increasing the temperature" of the Santa Clara River downstream of the WRP effluent discharge point, thereby creating a "temperature barrier to UTS migration" and "precluding the UTS from repopulating the Santa Clara River downstream of the Valencia WTP and the proposed Newhall POTW."

The comment states that the Newhall Ranch WRP "will have the same effects downstream of its confluence with the Santa Clara River to the Dry Gap." The comment also indicates that the Valencia WRP discharges are "altering the temperature in the Santa Clara River in a manner that results in the Santa Clara River approaching the critical maximum temperature for UTS," which may lead to mortality and other adverse effects on the species. The comment claims that the proposed Newhall WRP will have the same impacts. Finally, the comment contends that the Valencia WRP effluent discharges increase the water temperature "in a manner that results in changes in the normal embryo hatch rate" for UTS, which "may be detrimental to the species' reproductive efforts and abilities. The comment claims the Newhall Ranch WRP will have the same impact on UTS "downstream of its confluence with the Santa Clara River to the Dry Gap."

As discussed in **Response to Comment No. E14-17**, this comment raises issues beyond the scope of the Draft Recirculated Analysis, which scope is limited to GHG emissions and modified bridge design and construction methods to protect UTS. Said differently, the comment raises issues unrelated to the Project's GHG emissions and/or the proposed "no water contact" methodology for bridge and bank stabilization construction. Instead, the comment focuses on the Valencia WRP, the Newhall Ranch WRP, and the potential for their respective discharges to alter the temperature of the Santa Clara River, thereby affecting UTS. As such, no further response is required. Nevertheless, the following response is included for informational purposes:

As stated above in **Response to Comment No. E14-21**, the Valencia WRP is an existing, operating plant with its own NPDES permit issued by the Los Angeles Regional Board. It is not a part of the proposed Project currently under review.

To the extent that the comment claims the as-yet-unbuilt Newhall Ranch WRP will have similar adverse effects on water temperature and UTS viability, the County provides the same response it provided above with respect to the Valencia WRP. Impacts from the Newhall Ranch WRP are beyond the scope of the Recirculated Analysis. The Newhall Ranch WRP is not part of the proposed Project. The Newhall Ranch WRP was approved by the County in 2003 pursuant to a project-specific EIR, which the County certified in 2003. Neither the Newhall Ranch WRP nor its EIR may be challenged at this point in time. Like the Valencia WRP, the Newhall Ranch WRP is also regulated by its own NPDES permit issued by the Los Angeles Regional Board. That permit has been in place since February 2014; and it, too, is no longer subject to challenge. The discharge rate and timing of discharge at the proposed Newhall Ranch WRP are vastly different than that of the Valencia WRP. See **Response to Comment No. E14-22** for discussion of the Newhall Ranch WRP discharge.

With respect to the comment's substantive claims, the evidence does not support Wishtoyo's position that the Valencia WRP's effluent discharge is (i) creating a "temperature barrier" to UTS migration, (ii) causing the Santa Clara River to approach a critical thermal maximum for UTS, and/or (iii) altering the temperature of the Santa Clara River in a manner that adversely affects UTS embryo hatch rates or other aspects of the species' breeding behavior.

Wishtoyo's water temperature data does not provide a sufficient technical basis for any of these three claims. In fact, none of the data presented in Wishtoyo's table provides a reliable basis for determining whether the Valencia WRP is causing substantial changes in the water temperature of the river.

First, Wishtoyo's water temperature table data does not show that in-river water temperatures downstream of the Valencia WRP discharge point are creating a "temperature barrier" or causing the Santa Clara River to approach the critical maximum temperature for UTS.

Second, the sample size – 7 sets of temperature readings over the span of 14 months – is very small, given that the Permittee, the Santa Clarita Valley Sanitation District, is required under its NPDES permit to take and report temperature readings on a weekly basis.

Third, water temperature readings, to be biologically relevant, must show the time of day at which they were taken, as ambient air temperatures influence the water temperature readings; Wishtoyo's comment letter does not provide the time-of-day when measurements were collected.

Fourth, as shown in **Response to Comment No. E14-25**, above, Wishtoyo's data do not establish that the Santa Clara River, downstream of the Valencia WRP discharge points, is reaching the critical thermal maximum for UTS. To the contrary, they show that the river's water temperature downstream of the discharge point is below the lowest critical thermal maximum of 86.9 degrees (Feldmeth and Baskin (1976) and Baskin (1975)). Furthermore, the Valencia WRP has a discharge limit of 86 degrees, except as a result of external ambient temperatures. To the County's knowledge, the Valencia WRP has been and still is in compliance with this discharge limitation.

For these reasons, Wishtoyo's data are insufficient to support its claim that the Valencia WRP is altering the temperature of the Santa Clara River in a manner that precludes UTS from completing key stages of its life history. For these same reasons, and because the Newhall Ranch WRP will operate differently than the Valencia WRP, Wishtoyo's data are insufficient to support its claim that the Newhall Ranch WRP, when constructed and made operational, will alter the temperature of the Santa Clara River in a manner that will preclude UTS from completing key stages of its life history or prevent UTS from dispersing downstream.

Comment No. E14-28:

2.) UTS Velocity Impacts

The USFWS Recovery Plan provides that UTS builds its nests only in microhabitat with slow or negligible water flow and within pools containing well established vegetation and a gentle current. (see attached CD).

Baskin 2000 (see attached CD) provides:

Two features of the stickleback's habitat appear to be essential for the survival of the young. First a slow flow of clear water is necessary for the proper development of the eggs. Any form of pollution or even small amounts of turbidity may interfere with normal development. Second, once the fry emerge, aquatic vegetation must be present along the shoreline to supply cover and abundant [sic] microscopic food organisms.

Page 3 of October 19, 2016 letter from CDFW's Tim E. Hovey to Betty Courtney provides:

"[Unarmored threespine stickleback] require specific habitat conditions to support a healthy and reproductive population. Unarmored threespine stickleback prefer shallow, quiet water with weedy pools, water behind obstructions, and backwaters surrounded by emergent vegetation at stream edges over

bottoms of gravel, sand and mud. The water quality [turbidity] should be sufficiently clear for aquatic vegetation to grow. Aquatic vegetation is required by unarmored threespine stickleback to build nests. Nest building and breeding begins as soon as the water warms in April and continues through July..... CDFW evaluation of the species life history determined instream flows, habitat, water quality and velocity are important factors to the subsistence of unarmored threespine stickleback.

Pages 3-6 to 3-7 of the Draft Recirculated EIR provides:

Unarmored threespine stickleback prefers slow-moving and standing water, usually shaded by dense and abundant vegetation. In more open reaches, algal mats or instream structures such as boulders or large woody debris provide refuge for the species. Similar to other threespine stickleback species, male unarmored threespine sticklebacks build a nest in slow-moving water, by gluing together bits of vegetation, such as grass and sticks, using a kidney-secreted protein, and will vigorously defend the established nest territory. Unarmored threespine stickleback may breed throughout the year, with less breeding occurring from October to January (USFWS 2009). Typically, unarmored threespine stickleback breed in spring to early summer and they are not likely to have eggs in August and September (Tim Hovey, pers. comm., 2016). Unarmored threespine stickleback are not distributed uniformly throughout the rivers in which they occur and breeding habitat is patchily distributed (USFWS 2009). The amount of suitable breeding habitat may be a limiting factor in the population of the unarmored threespine stickleback (USFWS 2009).

And that:

A study in a laboratory setting indicated that threespine stickleback can withstand flow velocities of less than or equal to 60 centimeters per second (cm/s), which equates to 2 feet per second (fps), provided a coarse substrate is present (Whoriskey and Wooton 1987.)

Response No. E14-28:

The comment provides information from the USFWS's Recovery Plan for UTS and other technical documents, including the County's Draft Recirculated Analysis, which indicates that UTS, for nesting and other life history stages, require a habitat with clear, slow moving water (i.e., less than 2 fps), often within pools or behind obstructions, that is shaded by abundant vegetation. These same technical documents indicate that UTS are not distributed uniformly throughout the river and that breeding habitat is "patchily distributed."

The County is aware of the information provided in the comment and used this information in its Draft Recirculated Analysis and the prior 2011 Final EIR. Because the comment does not raise any issue as to the adequacy of the Draft Recirculated Analysis, no further response is required.

Comment No. E14-29:

As demonstrated in the photos taken, flow measurements recorded, and velocity measurements recorded by Wishtoyo Foundation and its Ventura Coastkeeper Program's Watershed Monitoring Program, all of which are provided in Appendix A to this letter⁴, and as demonstrated by the monitoring data recorded by the Valencia WTP⁵, the discharge of up to 21.6 million gallons per day of effluent from the Valencia WTP drastically increases the velocity of the Santa Clara River downstream of the confluence of the Valencia WTP effluent discharge and the

Santa Clara River, thereby degrading UTS habitat by eliminating slow gentle moving water, standing water, and pools all the way to the Dry Gap.

⁴ Wishtoyo Foundation and its Ventura Coastkeeper Program monitor in accordance with a Quality Assurance Quality Control Plan approved by the State Water Resources Control Board (see attached CD), use the Ventura Coastkeeper - River Flow Measurement Method to record and determine flow and velocity (see VCK Flow Method in attached CD).

⁵ See attached CD for 2010 – 2014 flow data for the discharge and for the Santa Clara River upstream and downstream of the confluence of the Valencia WTP and the Santa Clara River; The Los Angeles Regional Water Quality Control Board and Los Angeles County have this information readily available for 2014 to the present.)

Specifically, as can be demonstrated simply by looking at the photos in Appendix A, but also by examining the velocity and flow measurements in Appendix A, the high velocity flows in the Santa Clara River created by the Valencia WTP discharge, and the Proposed Newhall POTW discharge of millions of gallons per day of effluent during the wet season that will contribute to and increase the velocity of flows, will:

- 1.) substantially reduce and or eliminate slow flow of water necessary for UTS breeding and nest building downstream of the Proposed Newhall POTW discharge, thereby degrading UTS breeding and nesting habitat;
- 2.) substantially reduce and or eliminate slow flow of clear water necessary for the proper development of UTS eggs downstream of the Proposed Newhall POTW discharge;
- 3.) substantially reduce and or eliminate slow-moving and standing water the UTS desire to reside and reproduce in within the Santa Clara River downstream of the Proposed Newhall POTW discharge;
and

4.) create River migration barriers downstream of the Proposed Newhall POTW discharge precluding the UTS from repopulating and accessing their habitat and maintaining their gene pools.

Response No. E14-29:

The comment states that photos taken by Wishtoyo (and attached to the comment letter), along with velocity flow measurements made by Wishtoyo and its Ventura Coast Keeper's Watershed Monitoring Program, show that discharges from the Valencia WRP "drastically increased the velocity of the Santa Clara River" downstream, "thereby degrading UTS habitat by eliminating slow gentle moving water, standing water, and pools all the way to the Dry Gap."

As an initial matter, the comment raises issues beyond the scope of the Draft Recirculated Analysis and addresses WRP discharges that are regulated by existing NPDES. In short, the comment relates to ongoing activities of an existing, fully permitted water treatment facility that is not part of the proposed Project. Consequently, no further response is required.

Nevertheless, the County notes that the photographs attached to the comment letter do not support the claims made in the comment. For example, the photographs are limited to only three of the seven recording events; and from the photographs, it appears that these three flow velocity measurements were taken only in the center of the channel. It is unknown if velocity measurements were taken along the edges or margins of the stream flow.

As to future flows from the Newhall Ranch WRP, it should be noted that the Santa Clara River is "flashy," with highly-variable flows in response to winter storm events. The amount of water within the river during these periods, and the velocity of the flows, can increase rapidly and overwhelm existing UTS habitat, forcing the species to move to provisional areas of protection, known as "refugia." When the flood flows recede, the UTS habitat that existed prior to the storm may be gone; however, new habitat areas may have formed. In other words, the morphology of the river – and thus the location of UTS habitat – can change substantially in response to natural weather events that have nothing to do with WRP discharges. In fact, the future Newhall Ranch WRP winter season discharges are marginal when compared to the overall volume of water in the river during the wet season and/or during storm events. The Newhall Ranch WRP discharge rate and timing of discharge are vastly different than that of the Valencia WTP. See **Response to Comment No. E14-22** for discussion of the Newhall Ranch WRP discharge.

The Newhall Ranch WRP, when it becomes operational, will only discharge to the river when reclaimed water demand is low, which will be during wet conditions when flows are elevated above natural base

flow conditions precluding any effects to the reproductive development, behavior and success to UTS because UTS do not typically spawn under these conditions (elevated base flows and colder water temperatures). UTS that do reproduce during these months (approximately December through February) do so during low base flow conditions when water temperatures start to increase (dry, low flow year). During dry, low flow years, the demand for reclaimed water is high, precluding the need to discharge water to the Santa Clara River during these conditions.

For these reasons, the data provided by Wishtoyo do not indicate that the Newhall Ranch WRP will increase the flows of the Santa Clara River in such a manner or to such an extent as to substantially affect UTS habitat.

Comment No. E14-30:

Impacts to UTS From Bridge Construction

In addition, Wishtoyo has these three concerns about the movement of the bridge columns as provided in the Draft Recirculated EIR that will result in harm, death, and other forms of take to the UTS:

Response No. E14-30:

The comment indicates that Wishtoyo has “three concerns about the movement of the bridge columns” as provided in the Draft Recirculated Analysis that “will result in harm, death, and other forms of take to the UTS.”

First, the comment is an introduction to comments that follow; accordingly, please see **Responses to Comments Nos. E14-31 through E14-33** for response to the three referenced concerns. Second, the County notes that the bridge columns have not been moved. The bridges themselves will be constructed in the same location identified previously in the 2011 Final EIR. However, the number and position of some of the bridge piers has changed to allow for wider spans, thus enabling all bridge construction to take place outside the wetted channel of the Santa Clara River. This revision to the construction method results in the number of bridge piers being reduced by 20 versus the 2011 Final EIR bridges.

Comment No. E14-31:

A.) The Draft Recirculated EIR underestimates the width of the portion of the Santa Clara River at the bridge locations that contains flows. Rivers also run just below the surface, and thus, the bridge columns/piers must be placed outside of the portions of the Santa Clara River with flows just below the surface. If this does not occur, upon excavation for and insertion of the bridge columns/piers, surface flows could be drawn to these locations when the river gradient shifts to the location of pier/column installation. This could potentially harm, kill or attract UTS, and then also result in UTS stranding in pools by the

piers/columns that are disconnected from the River's surface flows. In the areas of proposed bridge construction, the EIR must determine how far away from the River's surface flows the Santa Clara River flows just under the surface, and the EIR must redesign the bridge construction accordingly - outside of the portions of the Santa Clara River with flows just beneath the surface - to address the impacts in this subparagraph.

Response No. E14-31:

The comment states that the Draft Recirculated Analysis "underestimates the width at the bridge locations that contains flows." In response, please refer to **Response to Comment No. E14-33**, below. As explained, the Draft Recirculated Analysis does not assume a fixed or "given" location and width of the Santa Clara River's wetted channel. The Recirculated Analysis describes the wetted channel as variable and prone to fluctuation in response to seasonal changes in precipitation. Flow data were used to estimate the maximum historical width of the wetted channel (sometimes referred to as the inundation zone) at the two permanent bridge locations during the dry season (i.e., when bridge construction is proposed to occur). This analysis was performed to demonstrate the feasibility of installing the bridge piers pursuant to the "no water contact" construction approach. It was not, however, intended to determine the precise location of the bridge piers. That determination will take place at the time of construction when the exact width and alignment of the wetted channel is known. Importantly, the County will condition the Project so that under no circumstances may bridge construction activity, including pier installation, take place in the wetted channel or result in contact with the wetted channel.

The comment also states that rivers "run just below the surface, and thus, the bridge columns/piers must be placed outside of the portions of the Santa Clara River with flows just below the surface." According to the comment, if this is not done, "upon excavation for and insertion of bridge columns/piers, surface flows could be drawn to these locations when the river gradient shifts to the location of pier/column location," resulting in harm to UTS. The comment contends that UTS could become attracted to and stranded within pools near the piers that are disconnected from the river's surface flows. The comment states that the Recirculated Analysis must determine "how far away from the River's surface flows the Santa Clara River flows just under the surface," and must "redesign the bridge construction accordingly"

The County is aware that the Santa Clara River, like most rivers, rests upon groundwater aquifers, which have their own flow gradients, and that there are certain points in the bed of the river – known as hyporheic zones – where groundwater from these large aquifers may enter and mix with surface water. or surface water can be lost to groundwater. The hyporheic zone is defined as a subsurface volume of sediment and porous space adjacent to a stream through which stream water readily exchanges.

The pile supports and bridge columns would be installed outside of the wetted channel using a Cast-in-Drilled Hole (CIDH) method (see Draft Additional Analysis, pages 2.21-17 through 2.21-21 for more details). Under the proposed CIDH method the bridge pile holes would be fitted with a steel casing that isolates the bore hole from the immediately adjacent groundwater table, and would prevent the ground water table from seeping laterally into the bore hole. This would also prevent any surface water from seeping into the bore hole if it were in a hyporheic zone where groundwater and surface water interact. The casing will remain in place while the rebar and concrete for the bridge pier are inserted. No dewatering of the groundwater will occur and no draw-down of adjacent surface water would occur. The steel casing provides a stable bore hole, precluding any surface depression at the pile location during construction. For this reason, no pools of water will develop at the bridge pier locations during installation. Nor will the pier holes hydraulically pull UTS into areas where they could become stranded. Simply put, no evidence supports such a theory.

Comment No. E14-32:

B.) Clearing riparian vegetation close to the wetted boundary will harm UTS and UTS refuge habitat. The EIR must provide sufficient riparian buffers between the flowing Santa Clara River and the places where excavation will occur for bridge pier/column construction and insertion. The EIR must demonstrate that this buffer is sufficient to protect the UTS from harm, habitat degradation, or any type of temporary or permanent take.

Response No. E14-32:

The comments indicate that “[c]learing riparian vegetation close to the wetted channel will harm UTS and UTS refuge habitat,” and requests that the County require “sufficient riparian buffers between the flowing Santa Clara River and the places where excavation will occur for bridge/column construction and insertion.” The comment states that the Recirculated Analysis “must demonstrate that this buffer is sufficient to protect the UTS from harm, habitat degradation, or any type of temporary or permanent take.”

The comment does not explain how the clearing of riparian vegetation outside the wetted channel will harm UTS or UTS refuge habitat. Nor does the comment provide any evidence that such harm would occur. To gain access to the bridge construction area, the applicant or its agent will have to clear vegetation within the entirety of the bridge construction work zone defined in the 2011 Final EIR. However, vegetative clearing will not take place in the wetted channel. Vegetation that could impede the completion of the overhead bridge decks would be trimmed or removed as necessary to provide a safe work zone. Further, as described in the Draft Recirculated Analysis, the bridge construction areas will be separated from the

wetted channel by k-rail barriers, thus ensuring that no equipment, debris, or personnel make contact with the surface water where UTS may be located.

Comment No. E14-33:

C.) The EIR assumes a given location and width of the portion of the Santa Clara River that contains surface flows. However, it appears this assumption underestimates the potential width of the River after and during a wet year with above average precipitation, and does not account for either a braided river or a river that changes course after a wet year with above average precipitation. Thus, the EIR provides an insufficient guarantee to ensure the bridge columns / piers are placed outside of UTS habitat and far enough away from the flowing portion of the Santa Clara River.

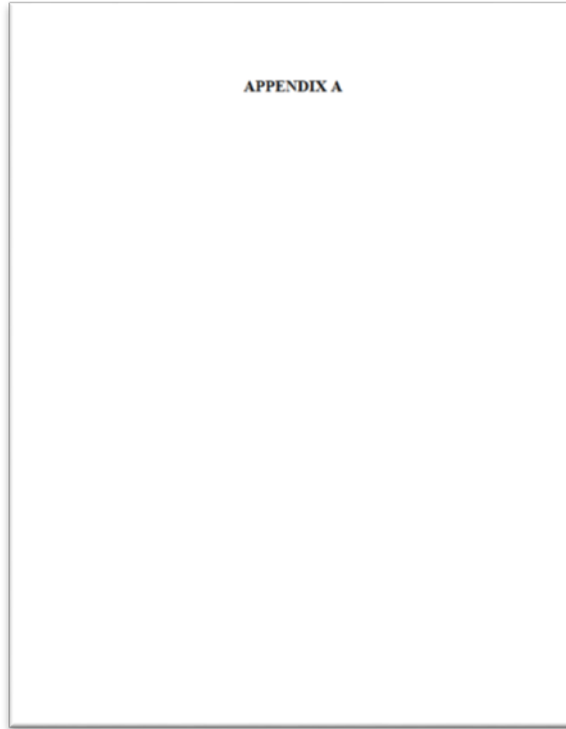
Thank you for considering our comments. Please feel free to contact Wishtoyo with any questions.

Response No. E14-33:

The comment contends that the Draft Recirculated Analysis “assumes a given location and width of the portion of the Santa Clara River that contains surface flows.” The comment claims that “this assumption underestimates the potential width of the River after and during a wet year with above average precipitation, and does not account for either a braided river or a river that changes course after a wet year with above average precipitation.” According to the comment, the Draft Recirculated Analysis “provides an insufficient guarantee to ensure the bridge columns/piers are placed outside the UTS habitat and far enough away from the flowing portions of the Santa Clara River.”

The County does not concur that the Draft Recirculated Analysis assumes a fixed or “given” location and width of the Santa Clara River’s wetted channel. The Recirculated Analysis describes the wetted channel as variable and prone to fluctuation in response to seasonal changes in precipitation. As explained in the Draft Recirculated Analysis, flow data were used to estimate the maximum historical width of the wetted channel (sometimes referred to as the inundation zone) at the two permanent bridge locations during the summer dry season (i.e., when bridge construction is proposed to occur). This analysis was performed to demonstrate the feasibility of installing the bridge piers pursuant to the “no water contact” construction approach. It was not, however, intended to determine the precise location of the bridge piers. That determination will take place at the time of construction when the exact width and alignment of the wetted channel is known. Importantly, the County has conditioned the proposed Project so that under no circumstances may bridge construction activity, including pier installation, take place in the wetted channel or result in contact with the wetted channel. Thus, regardless of the actual width and/or alignment of the wetted channel, the Project Applicant must avoid it or defer construction until such time that the bridge work can be conducted in compliance with this fundamental avoidance condition. The County specifies that the Project construction will not intrude upon, encroach into, or otherwise damage UTS habitat.

Comment No. E14-34:



5/27/14 Santa Clara River Flow Approximately 300 Feet Upstream of Confluence of Valencia WTP effluent discharge and Santa Clara River



A-1

5/27/14 Santa Clara River Flow Approximately 300 Feet Downstream of Confluence of Valencia WTP effluent discharge and Santa Clara River



A-2

Santa Clara River Flow Approximately 300 Feet Upstream of Confluence of Valencia WTP effluent discharge and Santa Clara River on 6/2/14



..

6/2/14 Santa Clara River Flow Approximately 300 Feet Downstream of Confluence of Valencia WTP effluent discharge and Santa Clara River



..

6/23/14 Santa Clara River Flow Approximately 300 Feet Downstream of Confluence of Valencia WTP effluent discharge and Santa Clara River



A-5

Santa Clara River Flow Just Upstream of Confluence of Valencia WTP effluent discharge and Santa Clara River on 6/23/14



A-6

Santa Clara River Flow Approximately 300 Feet Upstream of Confluence of Valencia WTP effluent discharge and Santa Clara River on 6/23/14

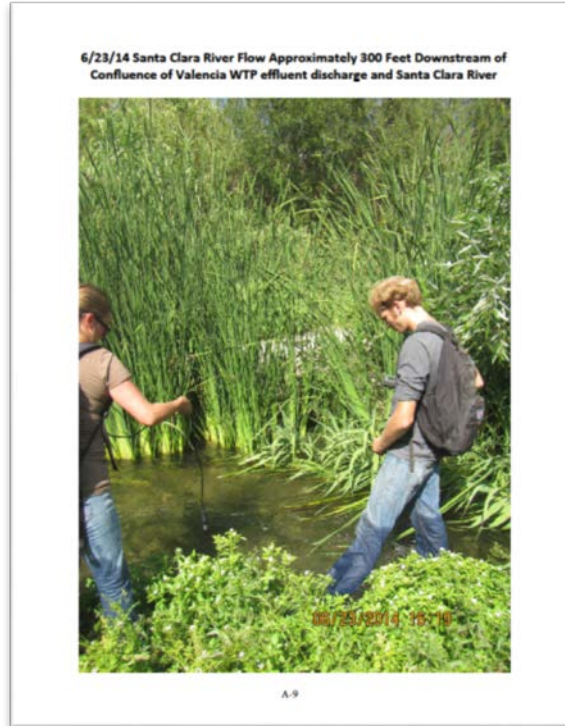


A-7

6/23/14 Valencia WTP Effluent Discharge before Confluence with the Santa Clara River



A-8



Response No. E14-34:

These comments consist of various dated photographs which, according to Wishtoyo, depict individuals taking flow velocity readings at various locations in the Santa Clara River. The County has reviewed the photographs and matched them to those portions of the comment letter that refer to them. The photographs themselves do not raise any issue as to the adequacy of the Draft Recirculated Analysis. Therefore, no further response is required.

Comment No. E14-35:

Flow and Velocity Data Collected by Wishtoyo Foundation and its Ventura Coastkeeper Program's Watershed Monitoring Program

Date	Location	Velocity Range in Cross Section (ft/sec) *	Flow (CFS)	Location	Velocity Range in Cross Section	Flow (CFS)	Change Flow (CFS)
3/20/14	RU1	.65 - 1.6	1.21	RD1	n.a.	n.a.	n.a.
5/27/14	RU1	.34 - 1.8	1.22	RD1	.5 - 2.95	23.43	22.2
6/2/14	RU1	1.35 - 1.45	0.91	RD1	.4 - 2.76	20.31	19.4
6/23/14	RU1	n.a.	n.a.	RD1	1.09 - 2.5	20.92	n.a.
8/22/14	RU1	.2-.34	0.16	RD1	1 - 3.5	15.45	15.3
11/22/14	RU1	.37 - 1.01	0.63	RD1	.7 - 1.42	13.22	12.6
5/26/15	RU1	n.a	n.a.	RD1	.63 - 2.85	23.03	n.a.

n.a. indicates no measurement available

RU1 is located 300 feet Upstream of confluence of Santa Clara River with the Valencia WTP Effluent Discharge RD1 is located 300 feet Downstream of confluence of Santa Clara River with the Valencia WTP Effluent Discharge

* Velocity [sic] Range measurements are the lowest and highest average [sic] velocities measured at points within a cross section, and at the point in the cross section where the measurement was taken, the velocity is the average velocity from the top to bottom of the water column

Response No. E14-35:

This comment provides a table titled, “Flow and Velocity Data Collected by Wishtoyo Foundation and its Ventura Coastkeeper Program’s Watershed Monitoring Program.” The table provides flow and velocity data for the Santa Clara River, gathered on seven different days from one location upstream of the Valencia WRP and one location downstream of the Valencia WRP. The data table itself does not raise issues as to the adequacy of the Draft Recirculated Analysis and thus requires no substantive response. The County, however, has reviewed the data in the table as it relates to comments made elsewhere in Wishtoyo’s letter.

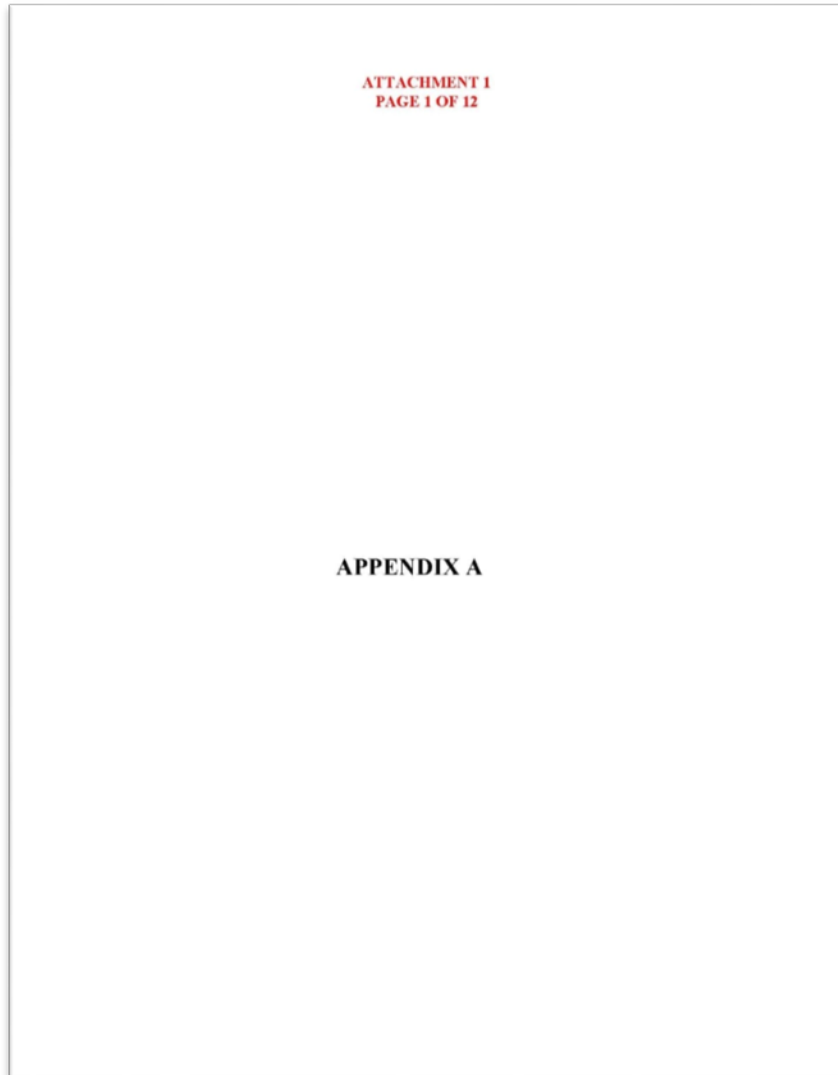
As to the data themselves, the key factor is velocity. And the velocity ranges Wishtoyo recorded at the upstream location (RU1) are not substantially different from those recorded at the downstream locations (RD1). More importantly, the velocity ranges recorded at RD1 (i.e., downstream of the WRP) are largely within the 2 feet per second (fps) threshold necessary to support UTS. For example:

- The RD1 velocities for May 27, 2014 ranged from 0.5 fps to 2.95 fps
- The RD1 velocities for June 2, 2014 ranged from 0.4 fps to 2.76 fps
- The RD1 velocities for June 23, 2014 ranged from 1.09 fps to 2.5 fps
- The RD1 velocities for August 22, 2014 ranged from 1 to 3.5 fps
- The RD1 velocities for November 22, 2014 ranged from 0.7 to 1.42 fps
- The RD1 velocities for May 26, 2015 ranged from 0.63 to 2.85

Thus, Wishtoyo's data indicate that downstream of the Valencia WRP discharge point, the river's velocity was low enough in parts of the RD1 cross-section to support UTS; and even the velocities at the upper end of the recorded ranges were not substantially higher than 2 fps. Given that UTS typically reside in the slow-moving water at the river's edges and not in the middle of the wetted channel where velocities tend to be highest, the ranges that Wishtoyo recorded at RD1 suggest that the WRP's discharges are not causing river velocities to increase in a manner or to an extent that would harm UTS or eliminate large areas of UTS habitat.

Comment No. E14-36:

Provided below is the first page of Attachment 1 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

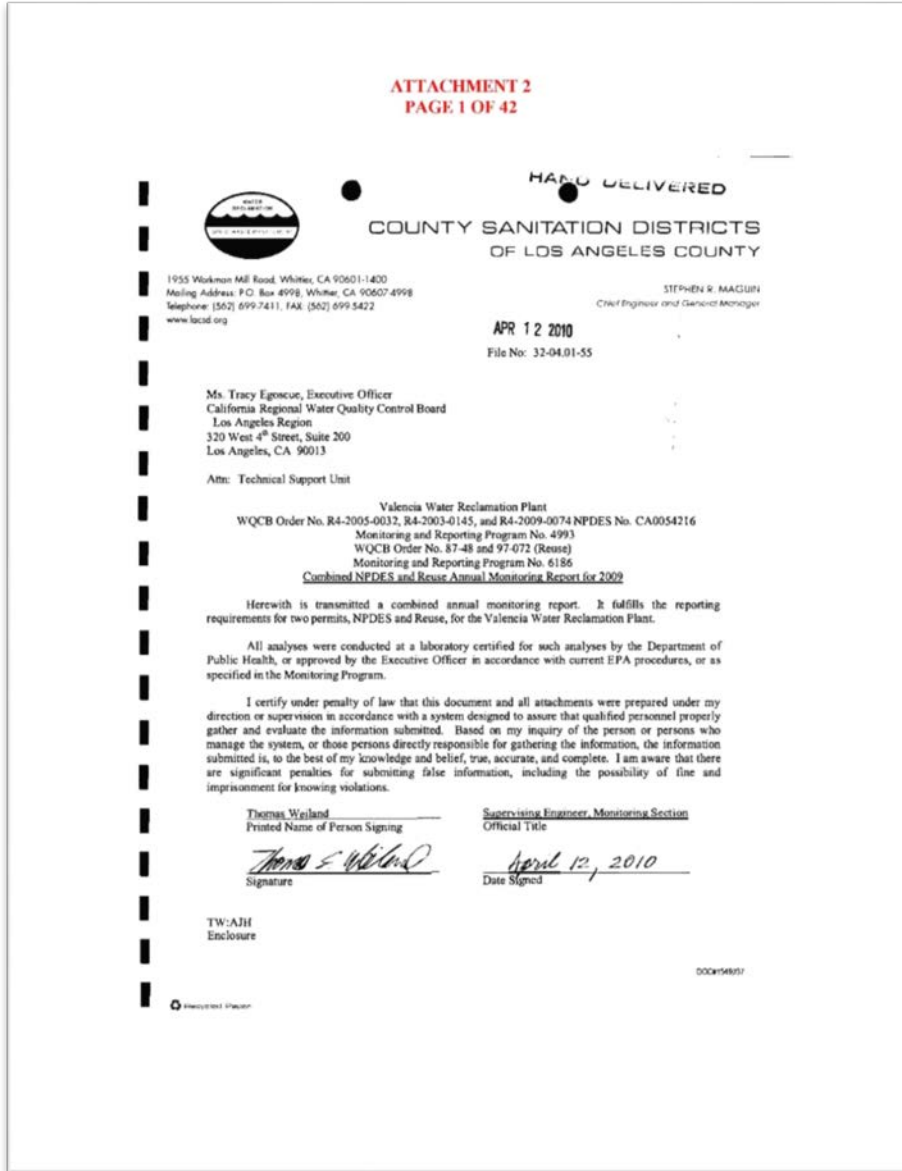


Response No. E14-36:

The commenter cited these photographs to support statements regarding water flow velocities and measurements. Please see **Response to Comment No. E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-37:

Provided below is the first page of Attachment 2 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

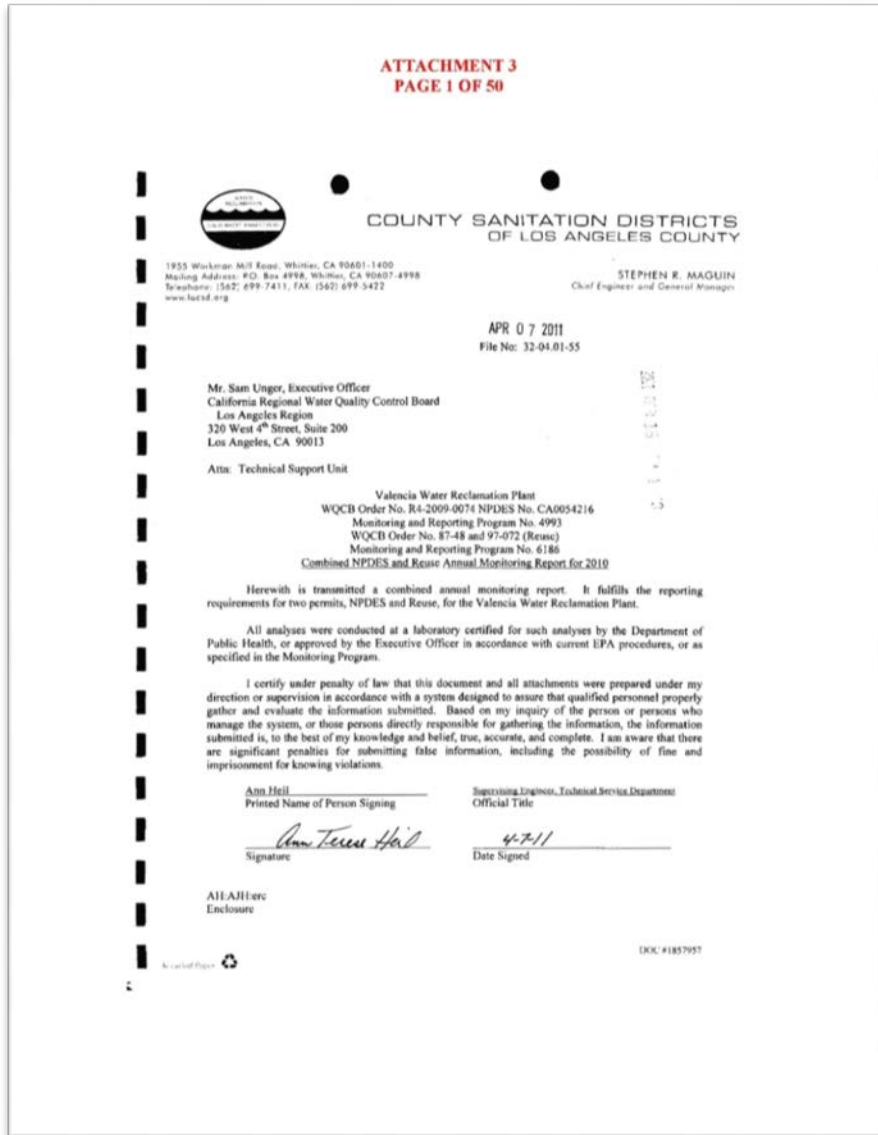


Response No. E14-37:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-38:

Provided below is the first page of Attachment 3 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-38:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-39:

Provided below is the first page of Attachment 4 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-39:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-40:

Provided below is the first page of Attachment 5 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 5
PAGE 1 OF 349
eSMR PDF Report

Summary: Monthly SMR (MONNPDFES) report for November 2010
Summary: Monthly SMR (MONNPDFES) report for November 2010 submitted by Ann Heil(Supervising Engineer) on 02/15/2011.

Facility Name: Valencia Water Treatment Plant Order Number: B-1-2009-0071
Waterboard Office: Region 5 - Los Angeles Case Worker: Krystal Kay, Valencia Oerum-Alexis, Tracy Yuen

Report Effective Dates: 11/01/2010 - 11/30/2010

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	11/01/2010 - 11/30/2010	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Uploaded Date
D:\E:\01\55524-1-Valencia-F-10		02/08/2011
D:\E:\1173030-1-Valencia-2010-1101-1101		02/08/2011
D:\E:\1177900-1-Valencia-3010-1101-1101		02/08/2011
D:\E:\01\55524-1-Valencia-WRP-1101-1101-1101		02/08/2011
D:\E:\1170208-1-Valencia-WRP-1101-1101-1101		02/08/2011
D:\E:\117125-1-VA\N\01\1101-1101	Locality Report	02/11/2011
D:\E:\117130-1-VA\N\01\1101-1101	Locality Report	02/11/2011
D:\E:\01\00000-1-Valencia-3010-1101-1101		02/08/2011
D:\E:\117130-1-Valencia-WRP-1101-1101-1101		02/15/2011
D:\E:\01\00000-1-Valencia-3010-1101-1101		02/08/2011

Cover Letter (Uploaded File)

File	Date Uploaded	File Size
7467-1-November 2010 Valencia Monthly SMR Output 07-02-11	11/02/2010	109K bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Code	Comments	Data Source
EFF-001	Ammonia, Total (as N)	1-CUSPNS-Standard Methods (2000-4500-NH3) O-N (Ammoniacal) Auto Analyzer	11/08/2010 06:00:00	11/09/2010	-	0.00 mg/L	0.2	1	1	1	No			2-11/09/2010 VAL.ep
EFF-001	Ammonia, Total (as ammonia)	2-2008-Industry/Comp/Plant/Ammonia Spectrophotometry	11/05/2010 11:45:00	11/15/2010	D092	8 mg/L	0.5	1	1	1	No			2-11/09/2010 VAL.ep
EFF-001	Ammoniacal Nitrogen	2-2008-Industry/Comp/Plant/Ammonia Spectrophotometry	11/06/2010	11/11/2010	R03	mg/L	1	1	1	1	No			2-11/09/2010 VAL.ep

Response No. E14-40:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-41:

Provided below is the first page of Attachment 6 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 6
PAGE 1 OF 285
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for December 2010
Summary: Monthly SMR (MONNPDES) report for December 2010 submitted by Ann Hoil/Supervising Engineer on 03/15/2011.

Facility Name: Valencia Water Reclamation Plant Order Number: E4-2009-0774
Watershed Office: Region 1 - Los Angeles Case Worker: Kristin Kao, Valencia-Covina-Alhambra, Pomona
Report Effective Dates: 12/01/2010 - 12/31/2010 Title

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	12/01/2010 - 12/31/2010	No discharge in 2010 during December 2010.

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
07101010	Valencia Report	08/14/2011
07101010	Valencia WRP Combined NPDES and Flow Monitoring Report for December 2010.pdf	03/06/2011
07101010	07101010-Valencia.pdf	03/06/2011
07101010	07101010-Valencia WRP - 2010 Discharge, events, and monitoring Water Unit	03/06/2011
07101010	07101010-Valencia WRP - Run.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 2.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 3.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 4.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 5.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 6.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 7.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 8.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 9.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 10.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 11.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 12.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 13.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 14.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 15.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 16.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 17.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 18.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 19.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 20.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 21.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 22.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 23.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 24.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 25.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 26.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 27.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 28.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 29.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 30.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 31.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 32.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 33.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 34.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 35.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 36.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 37.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 38.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 39.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 40.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 41.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 42.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 43.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 44.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 45.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 46.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 47.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 48.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 49.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 50.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 51.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 52.pdf	03/06/2011
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07101010	07101010-Valencia WRP - Run 55.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 56.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 57.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 58.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 59.pdf	03/06/2011
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07101010	07101010-Valencia WRP - Run 64.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 65.pdf	03/06/2011
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07101010	07101010-Valencia WRP - Run 68.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 69.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 70.pdf	03/06/2011
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07101010	07101010-Valencia WRP - Run 72.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 73.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 74.pdf	03/06/2011
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07101010	07101010-Valencia WRP - Run 83.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 84.pdf	03/06/2011
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07101010	07101010-Valencia WRP - Run 86.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 87.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 88.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 89.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 90.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 91.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 92.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 93.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 94.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 95.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 96.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 97.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 98.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 99.pdf	03/06/2011
07101010	07101010-Valencia WRP - Run 100.pdf	03/06/2011

Cover Letter (Uploaded File)

File	Date Uploaded	File Size
07101010	07101010-Valencia WRP - Cover Letter.pdf	27.44 KB

Data Summary

Analytical Results

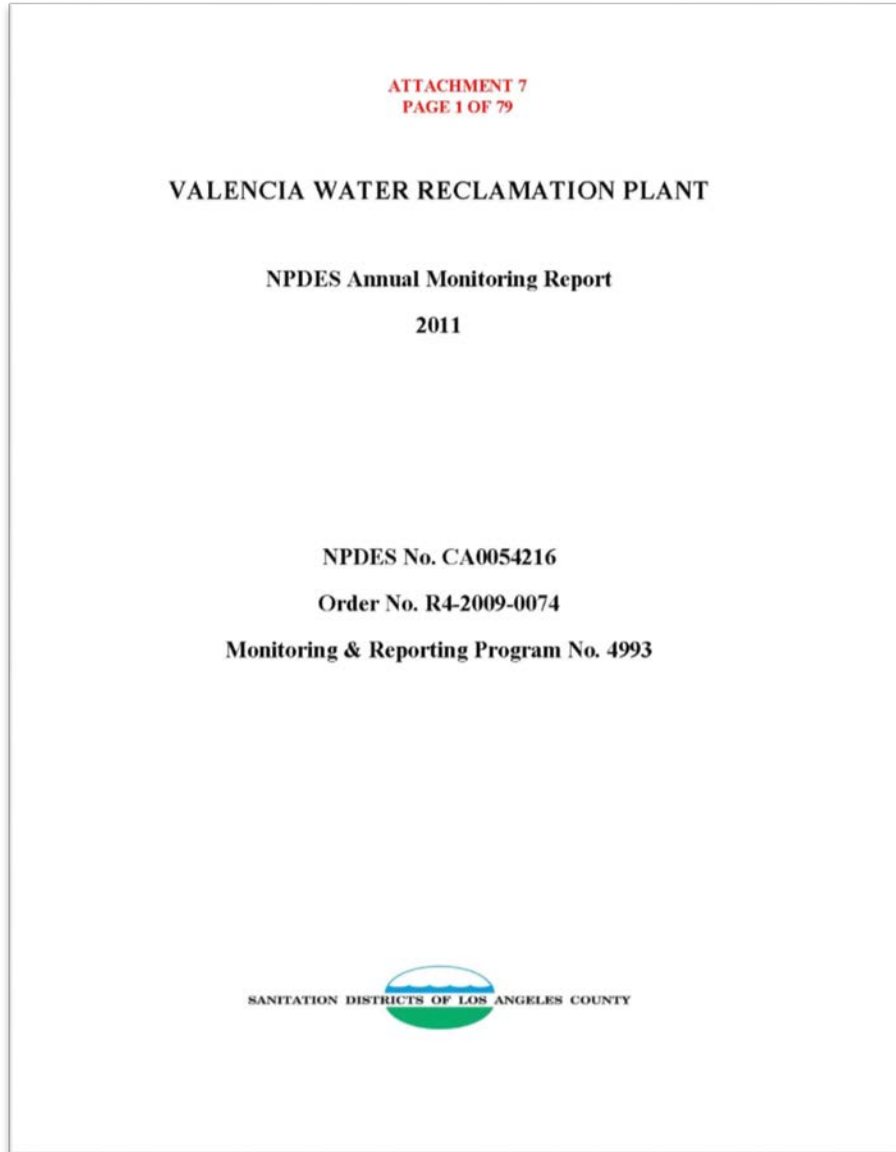
Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Status	Comments	Data Source
117-001	Ammonia, Total (as N)	APHA 4500-NH ₃ Standard Method (90.10) (as N) - Nitrogen (Ammonia)	12/06/2010 06:00:00	12/06/2010	-	88.5	mg/L	0.4	1	1	4a			1-3-11-BAS-C30-2010.12.VAL.dp
117-001	Amoxicillin, Total Recoverable	US EPA 8210-5 (Amoxicillin) (Standard Method)	12/06/2010 06:38:00	12/17/2010	-	1.65	ug/L	0.5	1	1	4a			1-3-11-BAS-C30-2010.12.VAL.dp
117-001	Residual Chlorine Demand (RCD) (3-day @ 20 Deg. C)	APHA 4500-Cl ₂ Standard Method (90.10) (MB A. 198)	12/06/2010 06:00:00	12/06/2010	N3		mg/L	1	1	1	4a			1-3-11-BAS-C30-2010.12.VAL.dp

Response No. E14-41:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25** and **E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-42:

Provided below is the first page of Attachment 7 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-42:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-43:

Provided below is the first page of Attachment 8 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 8
PAGE 1 OF 698
eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for January 2011
Summary: Monthly SMR (MONNPDES) report for January 2011 submitted by Ann Heick/Supervising Engineer on 04/14/2011.

Facility Name: Valencia Water Reclamation Plant Order Number: E4-2009-0074
Watershed Office: Region 1 - Los Angeles Case Worker: Kristie Kao, Veronica Cuevas-Alpardo, Penny Tom
Report Effective Dates: 01/01/2011 - 01/31/2011

No Discharge Periods

Name	Description	Dates	Comments
003	Discharge point 003 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	01/01/2011 - 01/31/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Indured			

Attachments

File Name	File Description	Upload Date
TRKF41628211-Valencia_WRP_01.pdf	DOC	04/14/2011
TRKF41628211-Valencia_WRP_01_2.pdf	DOC	04/04/2011
TRKF41628211-Valencia_WRP_01_3.pdf	Val 201101 WRP	04/04/2011
TRKF41628211-Valencia_WRP_01_4.pdf	Val 201101 WRP	04/04/2011
TRKF41628211-Valencia_WRP_01_5.pdf	Summary of Trailing Zero Errors in Calculated Data in CWP/28 Database	04/13/2011
TRKF41628211-Valencia_WRP_01_6.pdf	Summary of Trailing Zero Errors in Calculated Data in CWP/28 Database	04/13/2011
Valencia WRP Effluent Discharge Points and Receiving Waterbodies.pdf		04/04/2011

Cover Letter (Uploaded File)

File Name	File Uploaded	File Size
2011 Valencia Monthly WRP_01_2.pdf	04/14/2011 10:15:13.0	1080 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Status	Comments	Data Source
117-001	U37-Turbidity-effluent	624 - Valencia Organic Composite EPA Method 624	01/24/2011 12:45:00	01/25/2011	ND		op/L	0.7	3	3	No			E-13_e14ch3 DW 2011 01 VAL_L1
117-001	U33-3-Turbidity-Intake	624 - Valencia Organic Composite EPA Method 624	01/24/2011 12:45:00	01/25/2011	ND		op/L	1	3	3	No			E-13_e14ch3 DW 2011 01 VAL_L1
117-001	U37-Turbidity-effluent	624 - Valencia Organic Composite EPA Method 624	01/24/2011 12:45:00	01/25/2011	ND		op/L	1	3	3	No			E-13_e14ch3 DW 2011 01 VAL_L1
117-001	U34-3-Turbidity-Intake	624 - Valencia Organic Composite EPA Method 624	01/24/2011 12:45:00	01/25/2011	ND		op/L	0.7	3	3	No			E-13_e14ch3 DW 2011 01 VAL_L1

Response No. E14-43:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25** and **E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-44:

Provided below is the first page of Attachment 9 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 9
PAGE 1 OF 324
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for February 2011
Summary: Monthly SMR (MONNPDES) report for February 2011 submitted by Ann Heil (Supervising Engineer) on 05/13/2011.

Facility Name: Valencia Water Reclamation Plant Order Number: E4-2009-0074
Watershed Office: Region 1 - Los Angeles Case Worker: Kristie Kao, Vanessa Cuevas-Alpardo, Penny Yoon
Report Effective Dates: 02/01/2011 - 02/28/2011

No Discharge Periods

Violation	Description	Dates	Comments
001	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	02/02/2011 - 02/26/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
D:\CA\1056761-e14-Valencia_WRP_Febuary_2011_Violations.pdf	Viol_Cand_Status_Monitoring_R	05/13/2011
Val 2011-02 COC01.pdf	Effluent flow rate data of custody from for VAWRP February 2011	05/12/2011
Val 2011-02 COC02.pdf	Effluent flow rate data of custody from for VAWRP February 2011	05/12/2011
Val 2011-02 Flow.pdf	Flow summary for VAWRP February 2011	05/12/2011
Val 2011-02 ToolReport COC03.pdf	Flow summary of custody from for VAWRP February 2011	05/12/2011
Val 2011-02 ToolReport.pdf	Flow summary for VAWRP February 2011	05/12/2011
Valencia WRP Effluent Loading Points and Reporting Worksheet	Reporting summary for VAWRP	05/12/2011

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
Febuary 2011 Valencia Monthly WRP-up.pdf	05/13/2011 1:52:13 P	1278 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority	QA Indicator	Comments	Data Source
EPP-001	Ammonia, Total (as N)	AUG008H Standard Method (180) AP00-NH3 nitrogen (Ammonia)	02/07/2011 06:00:00	02/08/2011	-	0.00	mg/L	0.2	1	1	0			okdml 5/12/2011 - 1_CTR 11_02_Val_2011
EPP-001	Ammonia, Total Recoverable	LS008 Inductively Coupled Plasma Mass Spectrometry	02/02/2011 11:31:00	03/09/2011	DSQ	0.07	mg/L	0.5	1	1	0			okdml 5/12/2011 - 1_CTR 11_02_Val_2011
EPP-001	Biochemical Oxygen Demand (BOD) (5-day)	522.192 Standard Method	02/06/2011 06:30:00	02/06/2011	ND		mg/L	1	0	0	0			okdml 5/12/2011 - 1_CTR

Response No. E14-44:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-45:

Provided below is the first page of Attachment 10 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 10
PAGE 1 OF 331
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for March 2011
Summary: Monthly SMR (MONNPDES) report for March 2011 submitted by Ann Hall/Supervising Engineer on 06/14/2011.

Facility Name: Valencia Water Reclamation Plant Order Number: E4-2009-0774
Watershed Office: Region 1 - Los Angeles Case Worker: Kristie Kao, Valencia CWSA-Ajuda, Tracy
Report Effective Dates: 03/01/2011 - 03/31/2011 Title

No Discharge Periods

Name	Description	Date	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	03/01/2011 - 03/31/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
DRES4193433-1-VA2011030101.pdf	Monthly Report for VAWRP March 2011	05/24/2011
DRES4193189-1-VA20110301020005.pdf	Priority claim of custody form for VAWRP March 2011	05/24/2011
DRES4193089-1-Valencia_CFR02.pdf	Claim of custody form 1 for VAWRP March 2011	05/24/2011
DRES4193086-1-Valencia_CFR03_2.pdf	Claim of custody form 2 for VAWRP March 2011	05/24/2011
DRES4193085-1-Valencia_CFR03_3.pdf	Claim of custody form 3 for VAWRP March 2011	05/24/2011
DRES4193292-1-Valencia_Ever Run 2.pdf	Claim of custody form 1 for VAWRP March 2011	05/24/2011
DRES4193088-1-Valencia_WRP_Main_2011_Nonharm_SOPforQuality_Improvement_Monitoring_Report.pdf		06/15/2011
VA 2011-03 flow.pdf	Flow summary VAWRP March 2011	05/20/2011
Valencia WRP Effluent Studies - Evening Water Samples - Monitoring Instructions for VAWRP		05/24/2011

Cover Letter (Uploaded File)

File	File Upload Date	File Size
020101-1-March 2011 Valencia Monthly Monitoring 2011-03-01	05/24/2011	1743 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Status	Comments	Date Source
1117-001	Ammonia, Total (as N)	AAPHA11 Standard Method (700.0100-N); Nitrogen (Ammonia)	03/07/2011 08:00:00	03/08/2011	-	0.910	mg/L	0.2	1	1				06/04/05-24-2011_CDF_2011_03_01
1117-001	Ammonia, Total Recoverable	7200-8 In-house Method	03/08/2011 11:51:00	03/15/2011	135Q	0.37	mg/L	0.5	1	1	4a			06/04/05-24-2011_CDF_2011_03_01

Response No. E14-45:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-46:

Provided below is the first page of Attachment 11 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 11
PAGE 1 OF 318
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for April 2011
Summary: Monthly SMR (MONNPDES) report for April 2011 submitted by Ann Holt(Supervising Engineer) on 06/30/2011.

Facility Name: Valencia Water Reclamation Plant Order Number: E4-2009-0754
Waterboard Office: Region 1 - Los Angeles Case Worker: Kristie Kao, Valencia Cienega-Aljande, Penny Tom

Report Effective Dates: 04/01/2011 - 04/30/2011

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	04/01/2011 - 04/30/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
DRS-4192803-1-VA201104P001.PDF	Chain of custody forms 1 for VAWRF April 2011	06/22/2011
DRS-4193258-1-VA201104P002.PDF	Chain of custody forms 2 for VAWRF April 2011	06/22/2011
DRS-4197020-1-VA201104P003.pdf	Chain of custody forms 3 for VAWRF April 2011	06/22/2011
DRS-4192975-1-VA-2011-04-SP003.pdf	Flow data summary for VAWRF April 2011	06/22/2011
DRS-4193258-1-VA201104P00X.PDF	Tanistry Report for VAWRF April 2011	06/28/2011
DRS-4193258-1-VA201104P00X_C0005-16.pdf	Emergency chain of custody forms for VAWRF April 2011	06/22/2011
DRS-4193258-1-VA201104P00X_C0005-16.pdf	Tanistry chain of custody forms for VAWRF April 2011	06/22/2011
DRS-4193258-1-VA201104P00X_C0005.PDF	Tanistry chain of custody forms for VAWRF April 2011	06/28/2011
Valencia WRP Effluent, Sewerage Fees and Revenue WorksheetTemplate.xlsx for VAWRF		06/22/2011

Cover Letter (Uploaded File)

File	File Upload Date	File Size
Valencia Monthly Writre-act (VA201104)001-1110	06/17/2011	1143 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Status	Comments	Data Source
TFP-001	Ammonia, Total	007 Data Unavailable	04/04/2011 06:30:00	04/05/2011	-	nd	%	nd	0	0	nd		AN: T2000.0	eRad (6-30-2011)030-#184 0220-14-CDW_2011_0 zip
TFP-001	Ammonia, Total (as N)	NH3/NH4 Strassler Method (184) 4306-NH3 Strassler	04/04/2011 06:30:00	04/05/2011	-	1.01	mg/L	nd	1	1	nd		AN: T2000.0	eRad (6-30-2011)030-#184 0220-14-CDW_2011_0 zip

Response No. E14-46:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-47:

Provided below is the first page of Attachment 12 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 12
PAGE 1 OF 286
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for May 2011
Summary: Monthly SMR (MONNPDES) report for May 2011 submitted by Ann Hill(Supervising Engineer) on 08/10/2011.

Facility Name: Valencia Water Reclamation Plant Order Number: RA-20080074
Waterboard Office: Region 1 - Los Angeles Case Worker: Krista Kaa, Victoria Castro-Alvarez, Penny Yoon
Report Effective Dates: 05/01/2011 - 05/31/2011

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 012 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 012 to the Santa Clara River for Valencia Water Reclamation Plant.	05/01/2011 - 05/31/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
D:\S-01\31175-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 1 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 2 for VAWRP May 2011	05/15/2011
D:\S-01\31175-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 3 for VAWRP May 2011	05/15/2011
D:\S-01\31175-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 4 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 5 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 6 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 7 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 8 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 9 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 10 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 11 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 12 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 13 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 14 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 15 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 16 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 17 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 18 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 19 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 20 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 21 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 22 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 23 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 24 for VAWRP May 2011	05/15/2011
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D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 27 for VAWRP May 2011	05/15/2011
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D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 87 for VAWRP May 2011	05/15/2011
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D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 90 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 91 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 92 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 93 for VAWRP May 2011	05/15/2011
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D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 95 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 96 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 97 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 98 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_3.pdf	Photo of custody Form 99 for VAWRP May 2011	05/15/2011
D:\S-01\31176-1\Valencia_Water_Smr_2.pdf	Photo of custody Form 100 for VAWRP May 2011	05/15/2011

Cover Letter (if provided File)

Title	Date Uploaded	File Size
05_2011_Valencia_Monthly_MONNPDES_Report_0511151211	05/15/2011	11,621,100 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority	QA Indicator	Comments	Data Source
PPF-001	Ammonia, Total (as N)	CL5507011 Standard Method (DME-450A-NH4-Nitrogen (Ammonia))	05/02/2011 06:00:00	05/02/2011	-	0.00 mg/L	02				No			w:\hcl\8-4-2011_CDF_2011_05_Va2.ep
PPF-001	Ammonia, Total (as ammonia)	CL5507011 Standard Method (DME-450A-NH4-Nitrogen (Ammonia))	05/02/2011 12:00:00	05/02/2011	TRQ	0.03 mg/L	03				No			w:\hcl\8-4-2011_CDF_2011

Response No. E14-47:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-50:

Provided below is the first page of Attachment 15 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 15
PAGE 1 OF 234

eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for August 2011
Summary: Monthly SMR (MONNPDES) report for August 2011 submitted by Ann Heil(Supervising Engineer) on 11/09/2011.

Facility Name: Valencia Water Reclamation Plant Order Number: R4-2009-0074
Waterboard Office: Region 4 - Los Angeles Case Worker: Kristie Kuo, Veronica Cuevas-Alpho, Tazzy Yuen
Report Effective Dates: 08/01/2011 - 08/31/2011

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	08/01/2011 - 08/31/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
DMS-#201295469-e1-Valencia_August_11081611443.pdf	Chain of custody forms 4 for VAWRP August 2011	10/25/2011
DMS-#20129555-e1-Valencia_CIWQS_PDF	Chain of custody forms 1 for VAWRP August 2011	10/25/2011
DMS-#2012960-e1-Valencia_CIWQS_2.pdf	Chain of custody forms 2 for VAWRP August 2011	10/25/2011
DMS-#2042963-e1-Valencia_CIWQS_3.PDF	Chain of custody forms 3 for VAWRP August 2011	10/25/2011
DMS-#2064060-e1-VA201108TCC.PDF	TCC report for VAWRP August 2011	11/01/2011
DMS-#2064061-e1-VA201108TCC_COCC.PDF	TCC report COCC for VAWRP August 2011	11/01/2011
Val 2011-08 Flow.pdf	Flow data summary for VAWRP August 2011	10/25/2011
Valencia WRF Effluent Discharge Points and Receiving Watershed Location map for VAWRP	Location map for VAWRP	10/25/2011

Cover Letter (Uploaded File)

File	Date Uploaded	File Size
August 2011 Valencia Monthly Write-up CIWQS.pdf	2011-11-09 15:00:57.0	71363 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
1295-001	Amonia, Total (as N)	A4500-NL Standard Method (19h) 4500-NH Nitrogen (Ammonia)	08/01/2011 06:09:00	08/03/2011	=	0.96	mg/L	.02		.1	No			edrad 11-2-2011_CID 1_08.stp 201
1295-001	Amonia, Total Recoverable	2891-N Inductively Coupled Plasma/Vis Spectrometry	08/17/2011 07:56:00	08/22/2011	DRQ	0.69	mg/L	.03		1	No			edrad 11-2-2011_CID 1_08.stp 201
E99-001	Biochemical Oxygen	A5210B	08/07/2011	08/12/2011	ND		mg/L	.6		3	No			edrad

Response No. E14-50:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-51:

Provided below is the first page of Attachment 16 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 16
PAGE 1 OF 218

eSMR PDF Report
Summary: Monthly SMR (MONNPDFS) report for September 2011
Summary: Monthly SMR (MONNPDFS) report for September 2011 submitted by Ann T. Hall(Supervising Engineer) on 12/09/2011.

Facility Name: Valencia Water Reclamation Plant **Order Number:** E-1-2009-007
Wastewater Office: Inglewood, Los Angeles **Case Worker:** Kristin Aoki, Valencia District Alameda, Perry
Year: **Report Effective Dates:** 09/01/2011 - 09/30/2011

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 002 to the South Class River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the South Class River for Valencia Water Reclamation Plant.	09/01/2011 - 09/30/2011	

Self Detected Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Uploaded Date
DMS-20090904-1-Valencia_CoverLetter.pdf	Chain of custody forms 1 for VAWRP September 2011	11/30/2011
DMS-20090904-1-Valencia_CoverLetter.pdf	Chain of custody forms 2 for VAWRP September 2011	11/30/2011
DMS-20090904-1-Valencia_CoverLetter.pdf	Vendor Report for VAWRP September 2011	11/30/2011
DMS-20090904-1-Valencia_CoverLetter.pdf	Vendor chain of custody forms for VAWRP September 2011	11/30/2011
Val 2011-09 Flow.pdf	Flow data summary for VAWRP September 2011	11/30/2011
Valencia WRP 1 Month Discharge Periods and Reporting Week/Working Calendar for VAWRP		11/30/2011

Cover Letter (Unsaved File)

File Name	Date Uploaded	File Size
September 2011 Valencia Monthly Watsamp_CoverLetter.pdf	2011-12-08 09:40:33.5	77562 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Code	QA Indicator	Comments	Data Source
074-000	Ammonia, Total (as N)	NH3-NH4 Standard Method (1980) 4500-NH3 Nitrogen (mercurimetric)	09/02/2011 06:00:00	09/02/2011	--	1.03	mg/L	0.2		1	0			added 12-08-2011 07:00 Val 2011
074-000	Ammonia, Total (as N)	INDUCTIVELY COUPLED PLASMA/MASS SPECTROMETRY	09/07/2011 09:07:00	11/06/2011	09/02	0.00	mg/L	0.03		1	0			added 12-08-2011 07:00 Val 2011
074-000	Biochemical Oxygen Demand (BOD) 5-day @ 20 Deg. C	5MBL 8.1903	09/04/2011 08:00:00	09/03/2011	003		mg/L	0		3	0			added 12-08-2011 07:00 Val 2011

Response No. E14-51:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-52:

Provided below is the first page of Attachment 17 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 17
PAGE 1 OF 292
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for October 2011
Summary: Monthly SMR (MONNPDES) report for October 2011 submitted by Ann Hill(Supervising Engineer) on 01/12/2012.

Facility Name: Valencia Water Reclamation Plant **Order Number:** 04-2009-0074
Waterbody Office: Region 1 - Los Angeles **Case Worker:** Estela Kuo, Veronica Cuevas-Alpardo, Patsy Yim
Report Effective Dates: 10/01/2011 - 10/31/2011

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	10/01/2011 - 10/31/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
DRS-#2103082-41-Valencia_CWQI_1.PDF	Scan of custody form 1 for VAWRF October 2011	01/04/2012
DRS-#2103082-41-Valencia_CWQI_2.PDF	Scan of custody form 2 for VAWRF October 2011	01/04/2012
DRS-#2103082-41-Valencia_CWQI_3.PDF	Scan of custody form 3 for VAWRF October 2011	01/04/2012
DRS-#2110118-41-VA(2011)MFOC.PDF	Monthly Report for VAWRF October 2011	01/04/2012
DRS-#2110119-41-VA(2011)MFOC_COCS.PDF	Custody check of custody forms for VAWRF October 2011	01/04/2012
Val 2011-10 Flow.pdf	Flow data summary for VAWRF October 2011	01/04/2012
Valencia_WRP -Event Discharge Points and Receiving Water Bodies.dwg	Flow data summary for VAWRF October 2011	01/04/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
October 2011 Valencia Monthly Writ-up CWQI.pdf	2012-01-12 11:35:11.9	1389 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
EPP-001	Acute Toxicity	DQ Data	10/01/2011 06:00:00	10/01/2011	--	100%	ns/vis	0		0	ns		AN: E2000.0	01/04/2012 1:4:26:12, CDF 1_10_Val.dsp.rpt
EPP-001	Ammonia, Total (as N)	A-0008-N Standard Method (1993) 4500-NH1 Nitrogen (Ammoniac)	10/01/2011 06:00:00	10/01/2011	--	1.12	mg/L	0.02		1	ns			01/04/2012 1:4:26:12, CDF 1_10_Val.dsp.rpt
UP-001	Oxygen, Total Dissolved	D2013 Inductively Coupled Plasma/MS	10/25/2011 01:36:00	11/02/2011	DRQ	6.92	mg/L	0.0		1	ns			01/04/2012 1:4:26:12, CDF 1_10_Val.dsp.rpt

Response No. E14-52:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-53:

Provided below is the first page of Attachment 18 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 18
PAGE 1 OF 224
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for November 2011
Summary: Monthly SMR (MONNPDES) report for November 2011 submitted by Ann Hall(Supervising Engineer) on 02/10/2012.

Facility Name: Valencia Water Reclamation Plant **Order Number:** 04-2009-0074
Waterbody Office: Region 1 - Los Angeles **Case Worker:** Edite Kao, Veronica Cuevas-Alpardo, Patsy Yim
Report Effective Dates: 11/01/2011 - 11/30/2011

No Discharge Periods

Name	Description	Date	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant	11/01/2011 - 11/30/2011	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violation Entered			

Attachments

File Name	File Description	Upload Date
DMIS-0211044-41713-01_K2919.pdf	Chain of custody form 2 for VAWRF November 2011	02/06/2012
DMIS-0913121-41742571111103.pdf	Monthly Report for VAWRF November 2011	02/06/2012
DMIS-2010985-41742571111103_C0000.pdf	Monthly chain of custody forms for VAWRF November 2011	02/06/2012
DMIS-02143088-41-Valencia_CWQS_3.pdf	Chain of custody form 3 for VAWRF November 2011	02/06/2012
DMIS-02142119-41-Valencia_CWQS_3.pdf	Chain of custody form 3 for VAWRF November 2011	02/06/2012
Val 2011-11 NPDES Flow Sheet.pdf	Flow data summary for VAWRF November 2011	02/06/2012
Valencia_WRF_-_Effluent_Discharge_Points_and_Recycling_WaterTreatmentEffluentMapForVAWRF		02/06/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMIS-2110043-41-November_2011_Valencia_Monthly_Web-up.pdf	2012-02-10 14:46:10.9	1507 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
U14-001	Amoniac, Total (as N)	AAS/GR-11 Standard Method (Title 2405-NH) Nitrogen (Ammonia)	11/02/2011 06:00:00	11/02/2011	=	1.15	mg/L	0.2		1	Pass			2012-02-10 09:53 -01-CDF_2011_01_V2
U14-001	Amoniac, Total (as nitrogen)	22003 Laboratory (Original Valencia VWS Worksheet)	11/02/2011 10:07:00	02/02/2012		0.40	mg/L	0.3		1	Pass			2012-02-10 09:53 -01-CDF_2011_01_V2
09F-001	Biological Oxygen Demand	AS2/5B	11/11/2011	11/11/2011	MD		mg/L	0		3	Pass			2012-02-10 09:53

Response No. E14-53:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-54:

Provided below is the first page of Attachment 19 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 19
PAGE 1 OF 211
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for December 2011
Summary: Monthly SMR (MONNPDES) report for December 2011 submitted by Ana Hail/Superising Engineer on 03/12/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: 04-2009-0074
 Watershed Office: Region 1 - Los Angeles Case Worker: Veronica Cuevas-Alpiche, Pasty Yuan
 Report Effective Dates: 12/01/2011 - 12/31/2011

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 011 to the Santa Ana River for Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Ana River for Valencia Water Reclamation Plant		

Self Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
TRG-9164105-e1-VAWRP-112110_VAWRP	Locality Report for VAWRP December 2011	03/02/2012
DMS-2164105-e1-VAWRP-112110_VAWRP	Locality data at entry forms for VAWRP December 2011	03/02/2012
DMS-9138441-e1-Valencia_VAWRP_1_PDF	State of locality form 1 for VAWRP December 2011	03/02/2012
DMS-9138436-e1-Valencia_VAWRP_2_PDF	State of locality form 2 for VAWRP December 2011	03/02/2012
DMS-9138435-e1-Valencia_VAWRP_3_PDF	State of locality form 3 for VAWRP December 2011	03/02/2012
Val 2011-12 Flow sheet.pdf	Flow sheet summary for VAWRP December 2011	03/02/2012
Valencia_WRP_01-Event Discharge Points and Receiving Water Bodies.dwg	Photograph location map for VAWRP	03/02/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
December 2011 Valencia Monthly Report.pdf	2012-03-12 11:02:18.9	265.9 Kbytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
E14-001	Ammonia, Total (as N)	AASOR-N Branched Method (1990-4500-NH) Nitrogen (Automated)	12/05/2011 06:00:00	12/07/2011	-	1.0	mg/L	0.1		2	Yes			2012-02-160332 +1-4310_2011_e1_V
E14-001	Acronia, Total (Acroninole)	USP 8 radioactively Coupled Phanta's Virus Spectrometry	12/05/2011 01:32:00	12/07/2011	DRQ	0.52	mg/L	0.0		1	Yes			2012-02-160333 +1-4310_2011_e1_V
E14-001	Dissolved Oxygen Demand (BOD) (5-Day)	LAZFB Branched Method	12/04/2011 06:00:00	12/07/2011	ND		mg/L	0		3	Yes			2012-02-160333 +1-4310_2011_e1_V

Response No. E14-54:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-55:

Provided below is the first page of Attachment 20 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 20
PAGE 1 OF 665
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for January 2012
Summary: Monthly SMR (MONNPDES) report for January 2012 submitted by Ann Heil (Supervising Engineer) on 04/09/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: 84-20080274
Waterboard Office: Region 4 - Los Angeles Case Worker: Veronica Cuevas-Alpuche, Fairy Yuen
Report Effective Dates: 01/01/2012 - 01/31/2012

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.		

Self-Determined Violation

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Reported			

Attachments

File Name	File Description	Upload Date
DRS-20120105-01-VA-20120105-F30	Summary Report for VAWRF February 2012	04/05/2012
DRS-20120105-01-VA-20120105-000A-F30	compley status of monthly items for VAWRF February 2012	04/05/2012
DRS-220008-01-Valencia CWQS-F30	Chart of monthly items 1 for VAWRF February 2012	04/05/2012
DRS-220008-01-Valencia CWQS-2-F30	Chart of monthly items2 for VAWRF February 2012	04/05/2012
DRS-220008-01-Valencia CWQS-3-F30	Chart of monthly items 3 for VAWRF February 2012	04/05/2012
DRS-220008-01-Valencia CWQS-4-F30	Chart of monthly items 4 for VAWRF February 2012	04/05/2012
DRS-220008-01-Valencia Dsc 000a-cp.pdf	Chart of monthly items 5 for VAWRF February 2012	04/05/2012
Val 2012-01 Flow.pdf	Flow data summary for VAWRF February 2012	04/05/2012
Valencia WRP Effluent Discharge Points and Receiving Waterbody Monitoring Locations map for VAWRF		04/05/2012
Summary CWQS-F30	Chart of monthly items 6 for VAWRF February 2012	04/05/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DRS-822008-01-2012 Valencia Monthly Writ-up January.pdf	2012-01-11 12:17:0	2.137 MB

Data Summary

Analytical Results

Location	Parameter	Anal Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Code	Comments	Data Source
001-F-001	0.1-1 meters above	INST: Variable Organic Compounds EPA Method 6641	01/07/2012 12:30:00	01/05/2012	ND		ug/L	18		5	No			colord-4-0-2012_CRP_2012_01_VAL.F
001-F-001	0.1-2.5 fench	INST: Variable	01/07/2012	01/05/2012	ND		ug/L	18		5	No			colord-4-0-2012

Response No. E14-55:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-56:

Provided below is the first page of Attachment 21 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 21
PAGE 1 OF 187
eSMR PDF Report
Summary: Monthly SMR (MONNPDDES) report for February 2012
Summary: Monthly SMR (MONNPDDES) report for February 2012 submitted by Ana Hsieh(Supervising Engineer) on 05/14/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: 04-2009-0074
Waterboard Office: Region 1 - Los Angeles Case Worker: Yvonne Ochoa-Alpuche, Tazay Viam
Report Effective Dates: 02/01/2012 - 02/29/2012

No Discharge Periods

ID	Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant			
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant		02/01/2012 - 02/29/2012	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
VAN2012010303	Locality Report for VANWRP February 2012	04/24/2012
VAN2012020303_CCA's EIR	Locality claim of consistency forms for VANWRP February 2012	04/24/2012
Val 2012-02 flow sheet.pdf	Flow data summary for VANWRP February 2012	04/24/2012
Valencia_CWQS_1_PDF	Claims of consistency forms 1 for VANWRP February 2012	04/24/2012
Valencia_CWQS_2_PDF	Claims of consistency forms 2 for VANWRP February 2012	04/24/2012
Valencia WRP Effluent Discharge Permit and Receiving Water Quality Limitation map for VANWRP		04/24/2012

Cover Letter (Uploaded File)

File Name	Title	Date Uploaded	File Size
2012_Valencia_Monthly_Wrap-up_February.pdf		2012-05-10 08:17:45.0	15824 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
EFF-001	Arsenic, Total (in %)	AS-MS-311 Standard Method (EPA 8330-NH)	02/13/2012 06:00:00	02/13/2012	--	1.0	mg/L	ND		1	No			Val 2012-02_CWQS DataFile.rpt
EFF-001	Arsenic, Total (inorganic)	AS-MS-311 Inductively Coupled Plasma Mass Spectrometry	02/09/2012 02:00:00	02/28/2012	DR-2	0.05	ug/L	ND		1	No			Val 2012-02_CWQS DataFile.rpt
EFF-001	Ammoniacal Nitrogen (as N)	NH3-N Standard Method (EPA 1800-NH3)	02/09/2012 06:00:00	02/10/2012	ND		mg/L	5		1	No			Val 2012-02_CWQS DataFile.rpt

Response No. E14-56:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-57:

Provided below is the first page of Attachment 22 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 22
PAGE 1 OF 221
eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for March 2012
Summary: Monthly SMR (MONNPDES) report for March 2012 submitted by Ann Hill(Supervising Engineer) on 06/08/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: 04-2009-0074
Waterboard Office: Region 1 - Los Angeles Case Worker: Vanessa Ochoa-Alpharo, Tracy Vain
Report Effective Dates: 03/01/2012 - 03/31/2012

No Discharge Periods

ID	Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant			
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant		03/01/2012 - 03/31/2012	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
D03-4227724-01-Valencia_CWRQ1_PDF	1 page of monthly form 1 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ2_PDF	2 page of monthly form 2 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ3_PDF	3 page of monthly form 3 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ4_PDF	4 page of monthly form 4 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ5_PDF	5 page of monthly form 5 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ6_PDF	6 page of monthly form 6 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ7_PDF	7 page of monthly form 7 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ8_PDF	8 page of monthly form 8 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ9_PDF	9 page of monthly form 9 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ10_PDF	10 page of monthly form 10 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ11_PDF	11 page of monthly form 11 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ12_PDF	12 page of monthly form 12 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ13_PDF	13 page of monthly form 13 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ14_PDF	14 page of monthly form 14 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ15_PDF	15 page of monthly form 15 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ16_PDF	16 page of monthly form 16 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ17_PDF	17 page of monthly form 17 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ18_PDF	18 page of monthly form 18 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ19_PDF	19 page of monthly form 19 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ20_PDF	20 page of monthly form 20 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ21_PDF	21 page of monthly form 21 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ22_PDF	22 page of monthly form 22 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ23_PDF	23 page of monthly form 23 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ24_PDF	24 page of monthly form 24 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ25_PDF	25 page of monthly form 25 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ26_PDF	26 page of monthly form 26 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ27_PDF	27 page of monthly form 27 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ28_PDF	28 page of monthly form 28 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ29_PDF	29 page of monthly form 29 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ30_PDF	30 page of monthly form 30 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ31_PDF	31 page of monthly form 31 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ32_PDF	32 page of monthly form 32 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ33_PDF	33 page of monthly form 33 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ34_PDF	34 page of monthly form 34 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ35_PDF	35 page of monthly form 35 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ36_PDF	36 page of monthly form 36 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ37_PDF	37 page of monthly form 37 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ38_PDF	38 page of monthly form 38 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ39_PDF	39 page of monthly form 39 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ40_PDF	40 page of monthly form 40 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ41_PDF	41 page of monthly form 41 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ42_PDF	42 page of monthly form 42 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ43_PDF	43 page of monthly form 43 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ44_PDF	44 page of monthly form 44 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ45_PDF	45 page of monthly form 45 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ46_PDF	46 page of monthly form 46 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ47_PDF	47 page of monthly form 47 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ48_PDF	48 page of monthly form 48 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ49_PDF	49 page of monthly form 49 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ50_PDF	50 page of monthly form 50 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ51_PDF	51 page of monthly form 51 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ52_PDF	52 page of monthly form 52 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ53_PDF	53 page of monthly form 53 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ54_PDF	54 page of monthly form 54 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ55_PDF	55 page of monthly form 55 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ56_PDF	56 page of monthly form 56 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ57_PDF	57 page of monthly form 57 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ58_PDF	58 page of monthly form 58 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ59_PDF	59 page of monthly form 59 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ60_PDF	60 page of monthly form 60 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ61_PDF	61 page of monthly form 61 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ62_PDF	62 page of monthly form 62 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ63_PDF	63 page of monthly form 63 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ64_PDF	64 page of monthly form 64 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ65_PDF	65 page of monthly form 65 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ66_PDF	66 page of monthly form 66 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ67_PDF	67 page of monthly form 67 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ68_PDF	68 page of monthly form 68 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ69_PDF	69 page of monthly form 69 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ70_PDF	70 page of monthly form 70 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ71_PDF	71 page of monthly form 71 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ72_PDF	72 page of monthly form 72 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ73_PDF	73 page of monthly form 73 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ74_PDF	74 page of monthly form 74 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ75_PDF	75 page of monthly form 75 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ76_PDF	76 page of monthly form 76 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ77_PDF	77 page of monthly form 77 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ78_PDF	78 page of monthly form 78 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ79_PDF	79 page of monthly form 79 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ80_PDF	80 page of monthly form 80 for VAWRF March 2012	05/28/2012
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D03-4227724-01-Valencia_CWRQ84_PDF	84 page of monthly form 84 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ85_PDF	85 page of monthly form 85 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ86_PDF	86 page of monthly form 86 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ87_PDF	87 page of monthly form 87 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ88_PDF	88 page of monthly form 88 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ89_PDF	89 page of monthly form 89 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ90_PDF	90 page of monthly form 90 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ91_PDF	91 page of monthly form 91 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ92_PDF	92 page of monthly form 92 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ93_PDF	93 page of monthly form 93 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ94_PDF	94 page of monthly form 94 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ95_PDF	95 page of monthly form 95 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ96_PDF	96 page of monthly form 96 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ97_PDF	97 page of monthly form 97 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ98_PDF	98 page of monthly form 98 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ99_PDF	99 page of monthly form 99 for VAWRF March 2012	05/28/2012
D03-4227724-01-Valencia_CWRQ100_PDF	100 page of monthly form 100 for VAWRF March 2012	05/28/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
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Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority	QA Status	Comments	Data Source
EPP-001	Ammonia, Total (as N)	LA 500411: Standard Method 1800.4.650-NH3-Nitrogen (Ammonia)	03/05/2012 06:00:00	03/05/2012	-	1.05	mg/L	0.2		1	Pass			EWQ/3 Datafile.rpt
EPP-001	Ammonia, Total Recoverable	LA 500411: Inductively Coupled Plasma-Atom Fluorescence Spectrometry	03/13/2012 10:07:00	04/03/2012	EQQ	4.40	mg/L	0.0		1	Pass			EWQ/3 Datafile.rpt
EPP-001	Residual Organic Demand (BOD5) (5-day @ 20 Deg. C)	LA 500411: Standard Method 5210.5 (BOD5 & 19th)	03/04/2012 06:00:00	03/05/2012	NB		mg/L	0.5		1	Pass			EWQ/3 Datafile.rpt

Response No. E14-57:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-58:

Provided below is the first page of Attachment 23 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 23
PAGE 1 OF 248
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for April 2012
Summary: Monthly SMR (MONNPDES) report for April 2012 submitted by Ann Hai(No Title) on 07/11/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: EA-20080074
Waterboard Office: Region 4 - Los Angeles Case Worker: Veronica Chavez-Alpuche, Peicy Yuan
Report Effective Dates: 04/01/2012 - 04/30/2012

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River Est. Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River Est. Valencia Water Reclamation Plant.	04/01/2012 - 04/30/2012	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
DRS-2217171-1-Valencia April 2012 River Run PDF	State of custody form 1 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 1 PDF	State of custody form 2 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 2 PDF	State of custody form 3 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 3 PDF	State of custody form 4 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 4 PDF	State of custody form 5 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 5 PDF	State of custody form 6 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 6 PDF	State of custody form 7 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 7 PDF	State of custody form 8 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 8 PDF	State of custody form 9 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 9 PDF	State of custody form 10 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 10 PDF	State of custody form 11 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 11 PDF	State of custody form 12 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 12 PDF	State of custody form 13 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 13 PDF	State of custody form 14 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 14 PDF	State of custody form 15 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 15 PDF	State of custody form 16 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 16 PDF	State of custody form 17 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 17 PDF	State of custody form 18 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 18 PDF	State of custody form 19 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 19 PDF	State of custody form 20 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 20 PDF	State of custody form 21 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 21 PDF	State of custody form 22 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 22 PDF	State of custody form 23 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 23 PDF	State of custody form 24 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 24 PDF	State of custody form 25 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 25 PDF	State of custody form 26 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 26 PDF	State of custody form 27 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 27 PDF	State of custody form 28 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 28 PDF	State of custody form 29 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 29 PDF	State of custody form 30 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 30 PDF	State of custody form 31 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 31 PDF	State of custody form 32 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 32 PDF	State of custody form 33 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 33 PDF	State of custody form 34 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 34 PDF	State of custody form 35 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 35 PDF	State of custody form 36 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 36 PDF	State of custody form 37 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 37 PDF	State of custody form 38 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 38 PDF	State of custody form 39 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 39 PDF	State of custody form 40 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 40 PDF	State of custody form 41 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 41 PDF	State of custody form 42 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 42 PDF	State of custody form 43 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 43 PDF	State of custody form 44 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 44 PDF	State of custody form 45 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 45 PDF	State of custody form 46 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 46 PDF	State of custody form 47 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 47 PDF	State of custody form 48 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 48 PDF	State of custody form 49 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 49 PDF	State of custody form 50 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 50 PDF	State of custody form 51 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 51 PDF	State of custody form 52 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 52 PDF	State of custody form 53 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 53 PDF	State of custody form 54 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 54 PDF	State of custody form 55 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 55 PDF	State of custody form 56 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 56 PDF	State of custody form 57 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 57 PDF	State of custody form 58 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 58 PDF	State of custody form 59 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 59 PDF	State of custody form 60 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 60 PDF	State of custody form 61 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 61 PDF	State of custody form 62 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 62 PDF	State of custody form 63 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 63 PDF	State of custody form 64 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 64 PDF	State of custody form 65 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 65 PDF	State of custody form 66 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 66 PDF	State of custody form 67 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 67 PDF	State of custody form 68 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 68 PDF	State of custody form 69 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 69 PDF	State of custody form 70 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 70 PDF	State of custody form 71 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 71 PDF	State of custody form 72 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 72 PDF	State of custody form 73 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 73 PDF	State of custody form 74 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 74 PDF	State of custody form 75 for VAWRP April 2012	06/26/2012
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DRS-2257755-1-Valencia CWQIS 76 PDF	State of custody form 77 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 77 PDF	State of custody form 78 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 78 PDF	State of custody form 79 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 79 PDF	State of custody form 80 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 80 PDF	State of custody form 81 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 81 PDF	State of custody form 82 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 82 PDF	State of custody form 83 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 83 PDF	State of custody form 84 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 84 PDF	State of custody form 85 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 85 PDF	State of custody form 86 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 86 PDF	State of custody form 87 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 87 PDF	State of custody form 88 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 88 PDF	State of custody form 89 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 89 PDF	State of custody form 90 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 90 PDF	State of custody form 91 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 91 PDF	State of custody form 92 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 92 PDF	State of custody form 93 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 93 PDF	State of custody form 94 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 94 PDF	State of custody form 95 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 95 PDF	State of custody form 96 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 96 PDF	State of custody form 97 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 97 PDF	State of custody form 98 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 98 PDF	State of custody form 99 for VAWRP April 2012	06/26/2012
DRS-2257755-1-Valencia CWQIS 99 PDF	State of custody form 100 for VAWRP April 2012	06/26/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
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Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
107-001	Acid Ionizability	DL Data Unavailable	04/11/2012 06:00:00	04/12/2012	--	17.2%	neutral			0	Dr			Val 2012-04 CWQIS Final Results
107-001	Ammonia, Total (as N)	AAS/BNH Standard Method (1991) 8304-B-1E	04/02/2012 06:00:00	04/03/2012	--	0.03	mg/L	0.01		2	Dr			Val 2012-04 CWQIS Data/02.mxd

Response No. E14-58:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-59:

Provided below is the first page of Attachment 24 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 24
PAGE 1 OF 246
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for May 2012
Summary: Monthly SMR (MONNPDES) report for May 2012 submitted by Ann Hall(Monitoring Station Supervising Engineer) on 07/30/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: EA-20080074
Waterboard Office: Region 4 - Los Angeles Case Worker: Victoria Chern-Akpahe, Percy Yuan
Report Effective Dates: 05/01/2012 - 05/31/2012

No Discharge Periods:

Name	Description	Dates	Comment
001	Discharge point 09 to the Santa Clara River for Valencia Water Reclamation Plant		
002	Discharge point 09 to the Santa Clara River for Valencia Water Reclamation Plant	05/01/2012 - 05/31/2012	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Listed			

Attachments

File Name	File Description	Upload Date
05monrpt001.pdf	Sheet of custody forms 1 for VAWRP May 2012	05/18/2012
05monrpt002.pdf	Sheet of custody forms 2 for VAWRP May 2012	05/18/2012
DMS-02870661-Valencia_CTR02_3TDF	Sheet of custody forms 3 for VAWRP May 2012	05/18/2012
DMS-02870661-Valencia_CTR02_2TDF	Sheet of custody forms 4 for VAWRP May 2012	05/18/2012
DMS-02870661-Valencia_CTR02_3TDF	Sheet of custody forms 5 for VAWRP May 2012	05/18/2012
DMS-02870661-VAWRSMP0101.PDF	Facility Report for VAWRP May 2012	05/25/2012
DMS-02870661-VAWRSMP0102.PDF	Facility Report of custody forms for VAWRP May 2012	05/25/2012
05201205FlowSheet.pdf	Flow sheet summary for VAWRP May 2012	05/18/2012
Valencia WRP Effluent Discharge Point and Receiving WaterbodyMap.mxd for VAWRP	Map data summary for VAWRP May 2012	05/18/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
2012 Valencia Monthly Write-up May.pdf	2012-07-25 09:33:00	25250 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
01F-001	1,1,1-trichloro ethane	8241: Valence Organic Compounds EPA Method 8210	05/17/2012 11:55:00	05/17/2012	ND		ug/L	10		5	Pass			Val201205_CTR02_3TDF 01a.sig
01F-001	1,1,1,2-tetrachloro ethane	8241: Valence Organic Compounds EPA Method 8210	05/17/2012 11:55:00	05/17/2012	ND		ug/L	1		5	Pass			Val201205_CTR02_3TDF 01a.sig

Response No. E14-59:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-60:

Provided below is the first page of Attachment 25 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 25
PAGE 1 OF 202
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for June 2012
Summary: Monthly SMR (MONNPDES) report for June 2012 submitted by Ann Hill/Monitoring Section Supervising Engineer on 09/12/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: 01-2009-0074
Waterboard Office: Region 1 - Los Angeles Case Worker: Kaitie Kac, Veronica Cuevas-Alpade
Report Effective Dates: 06/01/2012 - 06/30/2012

No Discharge Periods

Index	Name	Description	Dates	Comment
001		Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002		Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	06/01/2012 - 06/30/2012	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
D:\S-42311745-1-Valencia_VAWRF-PDF	Plans of study Form 1 for VAWRF June 2012	06/26/2012
D:\S-42311750-1-Valencia_VAWRF-2-PDF	Plans of study Form 2 for VAWRF June 2012	06/26/2012
D:\S-42311842-1-VAWRF-2012-PDF	Summary Report for VAWRF June 2012	06/26/2012
D:\S-42311843-1-VAWRF-2012-PDF	Summary Report for VAWRF June 2012	06/26/2012
Val 2012-06 Flow sheet.pdf	Flow data summary for VAWRF June 2012	06/26/2012
Valence WRF Effluent Discharge Points and Receiving Waterbody/Receiving map for VAWRF		06/26/2012

Cover Letter (Uploaded File)

File Name	Date Uploaded	File Size
0912_VaValencia_Monthly_Wrap-up_June.pdf	2012-06-12 11:31:30.9	25101 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Code	Comments	Data Source
E14-001	Ammonia, Total (as N)	LA500-NI Standard Method (2011) 4500-NH ₃ Nitrogen (Ammonia)	06/04/2012 06:00:00	06/05/2012	--	0.000	mg/L	0.4		2	Yes			Copy of C:\WQS DataFile.sip
E14-001	Ammonia, Total	LA500-NI Inductively Coupled Plasma/Mass Spectrometry	06/05/2012 11:59:00	06/05/2012	EQ4	0.12	mg/L	0.0		1	Yes			Copy of C:\WQS DataFile.sip
E14-001	Acetaminophen (PP-00)	LA520-01 Standard Method (2005.0) 8210-B-5-Day BOD Test	06/08/2012 06:00:00	06/08/2012	ND		mg/L	0.5		3	No			Copy of C:\WQS DataFile.sip

Response No. E14-60:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-61:

Provided below is the first page of Attachment 26 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 26
PAGE 1 OF 502
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for July 2012

Summary: Monthly SMR (MONNPDES) report for July 2012 submitted by Ann Hill/Monitoring Section Supervising Engineer on 10/15/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: E14-2009-0074
Waterboard Office: Region 4 - Los Angeles Case Worker: Krista Kas, Veronica Chavez-Alpiche
Report Effective Dates: 07/01/2012 - 07/31/2012

No Discharge Periods

ID	Name	Description	Dates	Comment
001		Discharge period 001 to the Santa Clara River for Valencia Water Reclamation Plant		
002		Discharge period 002 to the Santa Clara River for Valencia Water Reclamation Plant	07/01/2012 - 07/31/2012	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
DRB-2266486-1-VAWR20120701.pdf	Monthly Report for VAWR July 2012	08/27/2012
DRB-2266486-1-VAWR20120701-COAG.PDF	Monthly state or county report for VAWR July 2012	08/27/2012
Val 2012-07-2.pdf	Plan of monthly items 2 for VAWR July 2012	08/27/2012
Val 2012-07-0003.pdf	Plan of monthly items 3 for VAWR July 2012	08/27/2012
Val 2012-07-0004.pdf	Plan of monthly items 4 for VAWR July 2012	08/27/2012
Valence WRP Utilize Discharge Allow and Recovery Water/Outflows/Inflows.msp for VAWR	Water data summary for VAWR July 2012	08/27/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
001-Valencia Monthly Writ-up July.pdf	2012-10-14 10:33:14.6	2.031.92kb

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicated	QA Status	Comments	Data Source
EFF-001	1,1,1-Trichloro ethane	8024 - Volatile Organic Compounds (PA Method 62)	07/17/2012 11:00:00	07/18/2012	K13		mg/L	18		5	No		edit	10-5-2012 Val 2012-07-CWQ6 Data/for app
EFF-001	1,1,2,2-Tetrachloroethane	8024 - Volatile Organic Compounds (PA Method 62)	07/17/2012 11:00:00	07/18/2012	K13		mg/L	18		5	No		edit	10-5-2012 Val 2012-07-CWQ6 Data/for app
EFF-001	1,1,1-Trichloro ethane	8024 - Volatile Organic Compounds (PA Method 62)	07/17/2012 11:00:00	07/18/2012	K13		mg/L	18		5	No		edit	10-5-2012 Val 2012-07-CWQ6 Data/for app
EFF-001	1,1-Dichloro ethene	8024 - Volatile Organic Compounds (PA Method 62)	07/17/2012 11:00:00	07/18/2012	K13		mg/L	14		5	No		edit	10-5-2012 Val 2012-07-CWQ6 Data/for app

Response No. E14-61:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-62:

Provided below is the first page of Attachment 27 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 27
PAGE 1 OF 244
eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for August 2012
Summary: Monthly SMR (MONNPDES) report for August 2012 submitted by Ann Hill/Monitoring Section Supervising Engineer on 11/06/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: 04-2009-0074
Waterboard Office: Region 1 - Los Angeles Case Worker: Estela Kuo, Veronica Cuevas-Aguado
Report Effective Dates: 08/01/2012 - 08/31/2012

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.	08/01/2012 - 08/31/2012	
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.		

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
D:\01-PR12\001-Valencia_WRP\1_PDF	1. List of monthly forms 1 for VAWRP August 2012	10/25/2012
D:\01-PR12\001-Valencia_WRP\2_PDF	2. List of monthly forms 2 for VAWRP August 2012	10/25/2012
D:\01-PR12\001-Valencia_WRP\3_PDF	3. Monthly Report for VAWRP August 2012	10/25/2012
D:\01-PR12\001-Valencia_WRP\4_PDF	4. Monthly data of monthly forms for VAWRP August 2012	10/25/2012
V:\01-2012-08 flow sheet.pdf	Flow data summary for VAWRP August 2012	10/25/2012
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_Bodies_Location_Map_for_VAWRP		10/25/2012

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
2012_VaValencia_Monthly_Write-up_August.pdf	2012-11-07 06:32:21.0	3.0711 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority	QA Code/Inspector	Comments	Data Source
E14-001	Amonia, Total (as N)	AAS/UV	08/09/2012 06:00:00	08/17/2012	--	0.03	mg/L	0.2		1	No			V:\01-2012-08\K70624 DataList.rpt
E14-001	Amonia, Total (as N)	Standard Method (18A) 4500-NH ₂ Chloramine	08/16/2012 11:59:00	08/11/2012	DRQ	0.52	mg/L	0.5		1	No			V:\01-2012-08\K70624 DataList.rpt
E14-001	Biological Oxygen Demand (BOD ₅) (5-day @ 20 deg. C)	AS20R Standard Method (180.0 & 190.0) 5210 B 5-Day BOD Test	08/07/2012 06:00:00	08/10/2012	MD		mg/L	0.6		3	No			V:\01-2012-08\K70624 DataList.rpt

Response No. E14-62:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-63:

Provided below is the first page of Attachment 28 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 28
PAGE 1 OF 207
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for September 2012
Summary: Monthly SMR (MONNPDES) report for September 2012 submitted by Ann Hill/Monitoring Section (Supervising Engineer) on 12/10/2012.

Facility Name: Valencia Water Reclamation Plant Order Number: E14-2009-0074
Waterboard Office: Region 4 - Los Angeles Case Worker: Krato Kas, Veronica Casas-Alpuche
Report Effective Dates: 09/01/2012 - 09/30/2012

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	09/01/2012 - 09/30/2012	

Self Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
DRMS-242-001-1-VA-WATER-RECL-PLANT-SEP-2012	Monthly Report for VA WRP September 2012	11/26/2012
DRMS-242-15064-1-VA-201209-PCB_COASN.PDF	Monthly state of custody report for VA WRP September 2012	11/26/2012
DRMS-242-1154-1-Valencia_CTR02_PDF	Plans of custody form 1 for VA WRP September 2012	11/26/2012
DRMS-242-2403-1-Valencia_CTR02_PDF	Plans of custody form 2 for VA WRP September 2012	11/26/2012
Val 2012-09 CTR02 Flow table.pdf	Flow data summary for VA WRP September 2012	11/30/2012
Valencia WRP Effluent Discharge Points and Receiving Waterbody Locations map for VA WRP		11/29/2012

Cover Letter (Uploaded Files)

Link	Date Uploaded	File Size
2012 Valencia Monthly Writesp September.pdf	2012-12-09 09:19:43	33028 bytes

Data Summary

Analytical Results

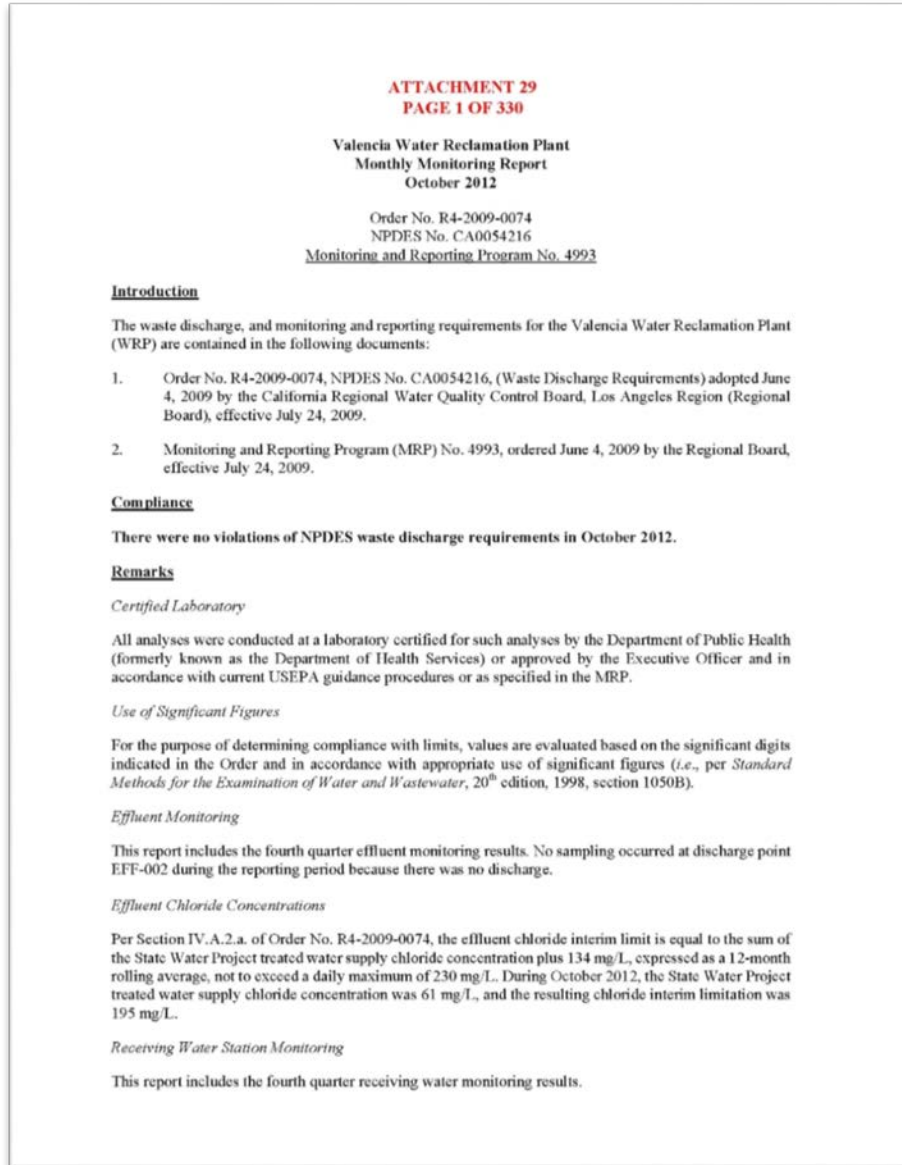
Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
11F-001	Ammonia, Total (as N)	8407041 Standard Method (198) & 1560-07E Nitrogen (Ammonia)	09/27/2012 06:00:00	09/17/2012	-	0.00	mg/L	0.02		1	No			sd1001 12-5-2012 Val 2012-09 CTR02 DataFile.sp
EFF-001	Ammonia, Total (as ammonia)	8200087 Inductively Coupled Plasma-Mass Spectrometry	09/12/2012 10:02:00	09/20/2012	RP02	0.77	mg/L	0.03		1	No			sd1001 12-5-2012 Val 2012-09 CTR02 DataFile.sp
11F-001	Dissolved Oxygen (Demand) (DO) (5 day @ 20 Deg. C)	8327043 Standard Method (188) & 194b; 8210 B, 5-Day	09/27/2012 06:00:00	09/17/2012	R03		mg/L	6		3	No			sd1001 12-5-2012 Val 2012-09 CTR02 DataFile.sp

Response No. E14-63:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-64:

Provided below is the first page of Attachment 29 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**Response No. E14-64:**

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-65:

Provided below is the first page of Attachment 30 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 30
PAGE 1 OF 206
eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for November 2012
Summary: Monthly SMR (MONNPDES) report for November 2012 submitted by Ann Hill/Monitoring Section (Supervising Engineer) on 02/11/2013.

Facility Name: Valencia Water Reclamation Plant Order Number: E14-2009-0074
Waterboard Office: Region 4 - Los Angeles Case Worker: Ezziah Kas, Veronica Cuevas-Alyssa
Report Effective Dates: 11/01/2012 - 11/30/2012

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.	11/01/2012 - 11/30/2012	
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.		

Self Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Upload Date
TRMS-24482074-1-VA-201211101X.PDF	Inventory Report for VAWRP November 2012	01/17/2013
TRMS-24482074-1-VA-201211101X-COCS.PDF	Inventory Report of on-site tanks for VAWRP November 2012	01/17/2013
TRMS-24482074-1-Valencia_CTRQC_PDF	Class of on-site tanks for VAWRP November 2012	01/17/2013
TRMS-24482074-1-Valencia_CTRQC_PDF	Class of on-site tanks 2 for VAWRP November 2012	01/17/2013
Val 2012-11 Flow Sheet.pdf	Flow data summary for VAWRP November 2012	01/17/2013
Valencia WRP Effluent Discharge Permit and Receiving Waterbody Identification map for VAWRP		01/17/2013

Cover Letter (Uploaded File)

Link	Date Uploaded	File Size
2012 Valencia Monthly Wras-up November.pdf	2013-02-11 06:51:22.0	11118 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analyte Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Status	Comments	Data Source
E11-001	Ammonia, Total (as N)	4420-011 Standard Method (198) 4500-NH ₃ Nitrogen (Ammonia)	11/05/2012 06:00:00	11/06/2012	-	1.02	mg/L	0.2		1	No			ed and 11-2013 Val 2012-11 CTRQC DataFile.zip
E11-001	Alkalinity, Total (as CaCO ₃)	4200-F Inductively Coupled Plasma-Atomic Absorption Spectroscopy	11/06/2012 09:42:00	11/06/2012	MRQ	0.08	mg/L	0.06		1	No			ed and 11-2013 Val 2012-11 CTRQC DataFile.zip
E11-001	Dissolved Oxygen (Demand) (DO) (mg/l @ 20 Deg. C)	4320-011 Standard Method (198) 4 1902 5210 B-5-Disp	11/05/2012 06:00:00	11/06/2012	RII		mg/L	6		3	No			ed and 11-2013 Val 2012-11 CTRQC DataFile.zip

Response No. E14-65:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-66:

Provided below is the first page of Attachment 31 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 31
PAGE 1 OF 186
eSMR PDF Report

Summary: Monthly SMR (MONNPDFS) report for December 2012
Summary: Monthly SMR (MONNPDFS) report for December 2012 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 03/13/2013.

Facility Name: Valencia Water Reclamation Plant Order Number: E14-2005-0071
Waterboard Office: Region 4 - Los Angeles Case Worker: Katala Kay, Valencia-Cuervo-Alpade
Report Effective Dates: 12/01/2012 - 12/31/2012

No Discharge Periods

ID	Name	Description	Dates	Comment
001	Downage per 01-001 to the South Creek River for Valencia Water Reclamation Plant			
002	Downage per 01-001 to the Santa Ana River for Valencia Water Reclamation Plant		12/01/2012 - 12/31/2012	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Date Uploaded	File Size
D44E-95431719-e1-VA20121213CONC PDF	Monthly Report for VAWWR December 2012	03/13/2013	1154999 bytes
D44E-95431719-e1-VA20121213CONC PDF	Monthly table of monthly forms for VAWWR December 2012	03/13/2013	793548 bytes
D44E-95431719-e1-Valencia_C1WQ2_1.pdf	Chart of custody items 1 for VAWWR December 2012	03/13/2013	16099267 bytes
D44E-95431719-e1-Valencia_C1WQ2_2.pdf	Chart of custody items 2 for VAWWR December 2012	03/13/2013	3000718 bytes
Val 2012-12 C1WQ2 DataFile.pdf	Flow data summary for VAWWR December 2012	03/13/2013	6863 bytes
Valencia WRP Effluent Discharge Points and Monitoring Workstation/Station map for VAWWR		03/13/2013	339613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
2013_Valencia_Monthly_Wrap-up_03monrpt.pdf	2013-03-13 14:32:25.0	1837 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Data Source
E11-001	Ammonia, Total (as N)	U-300-NH ₄ Residual Method (1980-1500-NH ₄ -N) nitrogen	12/03/2012 08:00:00	12/03/2012	-	0.015	mg/L	0.2		1	Pass			Val 2012-12 C1WQ2 DataFile.asp
E11-001	Amoxicillin	E200.8 Residually Coupled Plasma/Mass Spectrometry	12/06/2012 11:59:00	12/06/2012	75N	0.08	ug/L	1e		1	Fail			Val 2012-12 C1WQ2 DataFile.asp
E11-001	Ammonical Oxygen Demand (BOD ₅) (5-day @ 20 C/deg. F)	U-3210B Residual Method (1980.8-1980.1210 B 3-Day BOD Test)	12/03/2012 05:00:00	12/03/2012	ND		mg/L	5		3	Pass			Val 2012-12 C1WQ2 DataFile.asp

Response No. E14-66:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-67:

Provided below is the first page of Attachment 32 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 32
PAGE 1 OF 493
eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for January 2013
Summary: Monthly SMR (MONNPDES) report for January 2013 submitted by Ann Hill (Monitoring Section Supervising Engineer) on 04/11/2013.

Facility Name: Valencia Water Reclamation Plant Order Number: RA-2009-0071
Waterboard Office Region: Los Angeles Case Worker: Kristin Eas, Veronica Correa-Alvarez
Report Effective Dates: 01/01/2013 - 01/31/2013

No Discharge Periods

Name	Description	Dates	Comment
001	Discharge point 001 to the Santa Clara River at Valencia Water Reclamation Plant		
002	Discharge point 002 to the Santa Clara River at Valencia Water Reclamation Plant	2013/2013 - 2013/2013	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
No Violations Entered			

Attachments

File Name	File Description	Date Uploaded	File Size
00001310100003_01.pdf	State of monthly Issues 3 for VAWRP January 2013	04/09/2013	81132 bytes
DRS-425362141-VAWR1301YON.PDF	Monthly Report for VAWRP January 2013	04/09/2013	587504 bytes
DRS-425482941-VAWR1301YON_0105.PDF	Monthly sheet of monthly Issues for VAWRP January 2013	04/04/2013	2678817 bytes
DRS-4254841041-Valencia_CSWQS.PDF	State of monthly Issues 1 for VAWRP January 2013	04/04/2013	1646124 bytes
DRS-425508141-Valencia_CSWQS_2.PDF	State of monthly Issues 2 for VAWRP January 2013	04/09/2013	1185141 bytes
DRS-425508141-Valencia_CSWQS_3.PDF	State of monthly Issues 3 for VAWRP January 2013	04/09/2013	1378187 bytes
DRS-425548141-Valencia_CSWQS_4.PDF	State of monthly Issues 4 for VAWRP January 2013	04/09/2013	825163 bytes
Val SWQS New table.pdf	Flow data necessary for VAWRP January 2013	04/11/2013	8870 bytes
Valencia WRP Effluent Discharge Point and Receiving Waterbody delineation map for VAWRP		04/09/2013	309613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
2013 Valencia Monthly Write-up January.pdf	2013-04-11 14:31:41.0	81,447 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qualifier	Result	Units	Method Detection Limit	Minimum Level	Reporting Limit	Review Priority Indicator	QA Codes	Comments	Date Source
E14-001	LL-76:diatoms chloro	8231-V:diatoms Organic	01/03/2013 12:05:00	01/01/2013	ND		ug/L	21		3	No			Val 2013-01 CWSQG Detail for slip
E14-001	LL-25:76:diatoms chloro	8231-V:diatoms Organic	01/03/2013 12:05:00	01/04/2013	ND		ug/L	11		3	No			Val 2013-01 CWSQG Detail for slip
E14-001	LL-76:diatoms chloro	8231-V:diatoms Organic	01/03/2013 12:05:00	01/01/2013	ND		ug/L	30		3	No			Val 2013-01 CWSQG

Response No. E14-67:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-68:

Provided below is the first page of Attachment 33 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 33
PAGE 1 OF 208
eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for February 2013

Summary: Monthly SMR (MONNPDES) report for February 2013 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 05/13/2013.

Facility Name: Valencia Water Reclamation Plant **Order Number:** R6-2009-0074
Waterboard Office: Region 4 - Los Angeles **Case Workers:** Kristie Kao, Veronica Cuevas-Ipuche
Report Effective Dates: 02/01/2013 - 02/28/2013

No Discharge Periods

Name	Description	Dates	Comments
D01	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
D02	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	03/01/2013 - 03/31/2013	

Self-Determined Violations

Violation Type	Description	Corrective Action	Occurrence Date
Deficient Monitoring	The monthly effluent dissolved oxygen monitoring sample was inadvertently not collected in February. A make-up sample was collected on March 4, 2013 and the result will be included in the March monthly monitoring report.	In order to prevent a recurrence of this issue, laboratory staff reviewed the site permit requirements and the Laboratory Information Management System (LIMS) sample pre-login schedules. In addition, laboratory staff will now perform a bimonthly review of the sample pre-login configuration to identify and address sample scheduling discrepancies.	02/26/2013

Attachments

File Name	File Description	Date Uploaded	File Size
DMS-#2558439-v1-Valencia_CWQS.PDF	Chain of custody forms 1 for VAWRP February 2013	04/23/2013	17978242 bytes
DMS-#2558455-v1-Valencia_CWQS_2.PDF	Chain of custody forms 2 for VAWRP February 2013	04/23/2013	20074764 bytes
DMS-#2576097-v1-VA201302TDX.PDF	Toxicity Report for VAWRP February 2013	04/26/2013	1270807 bytes
DMS-#2576098-v1-VA201302TDX_COCS.PDF	Toxicity chain of custody forms for VAWRP February 2013	04/26/2013	739982 bytes
VA 2013-02 Flow sheet.pdf	Flow data summary for VAWRP February 2013	04/23/2013	8809 bytes
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_Body.pdf	Monitoring location map for VAWRP	04/23/2013	309613 bytes

Cover Letter (Uploaded File)

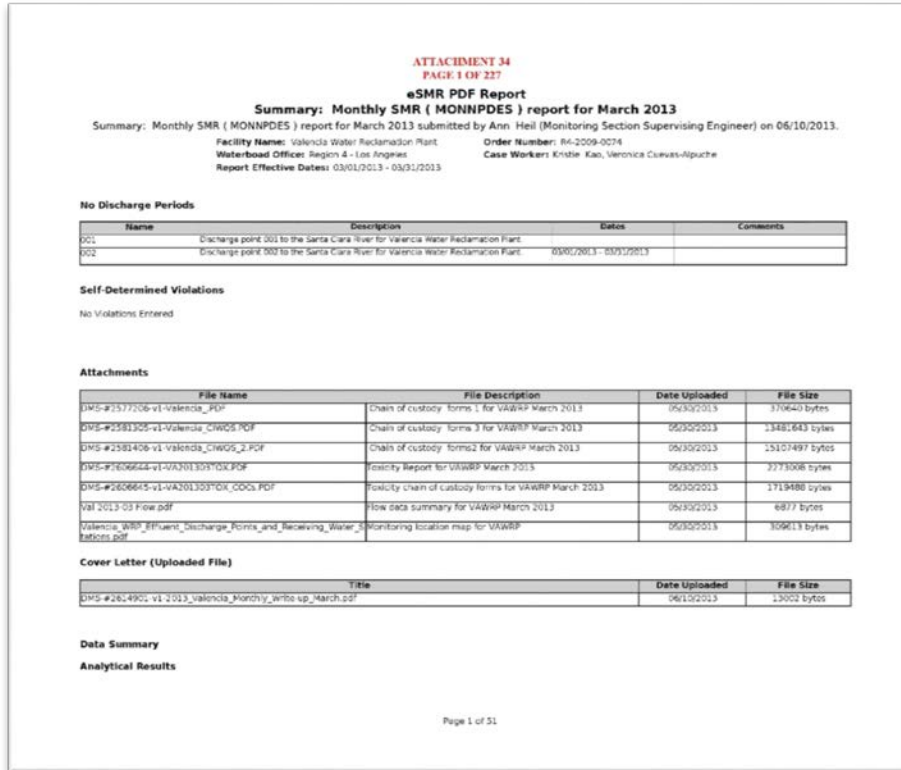
Page 1 of 48

Response No. E14-68:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-69:

Provided below is the first page of Attachment 34 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-69:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25** and **E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-70:

Provided below is the first page of Attachment 35 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 35
PAGE 1 OF 302
eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for April 2013

Summary: Monthly SMR (MONNPDES) report for April 2013 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 12/10/2013.
Facility Name: Valencia Water Reclamation Plant **Order Number:** RA-2009-0074
Waterboard Office: Region 4 - Los Angeles **Case Worker:** Kristie Kac, Veronica Cuevas-Alpache
Report Effective Dates: 04/01/2013 - 04/30/2013

No Discharge Periods

Name	Description	Dates	Comments
D01	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
D02	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	04/01/2013 - 04/30/2013	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
DHS-#2598582-v1-Valencia_CWQS.PDF	Chain of custody forms 1 for VAWRP April 2013	06/25/2013	11284450 bytes
DHS-#2598633-v1-Valencia_CWQS_2.PDF	Chain of custody forms 2 for VAWRP April 2013	06/25/2013	16818337 bytes
DHS-#2598662-v1-Valencia_CWQS_3.PDF	Chain of custody forms 3 for VAWRP April 2013	06/25/2013	5835526 bytes
DHS-#7357244-v1-VA201304TCK.PDF	Toxicity Report for VAWRP April 2013	06/25/2013	6852717 bytes
DHS-#2632445-v1-VA201304TCK_COCs.PDF	Toxicity chain of custody forms for VAWRP April 2013	06/25/2013	3085429 bytes
Valencia 2013-04 flow sheet.pdf	Flow data summary for VAWRP April 2013	06/25/2013	6869 bytes
Valencia_WRP_effluent_discharge_points_and_Receiving_Water_Monitoring_location_map_for_VAWRP_040113.pdf	Monitoring location map for VAWRP	06/25/2013	308613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DHS-#2649106-v1-2013_Valencia_Monthly_write_up_April.pdf	07/16/2013	20989 bytes

Data Summary
Analytical Results

Page 1 of 66

Response No. E14-70:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-71:

Provided below is the first page of Attachment 36 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 36
PAGE 1 OF 223

eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for May 2013

Summary: Monthly SMR (MONNPDES) report for May 2013 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 08/14/2013.

Facility Name: Valencia Water Reclamation Plant **Order Number:** R4-2009-0074
Waterboard Office: Region 4 - Los Angeles **Case Worker:** Kristie Kao, Veronica Cuevas-Alpuche
Report Effective Dates: 05/01/2013 - 05/31/2013

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	05/01/2013 - 05/31/2013	

Self-Determined Violations
No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
DMS-#2678083-v1-VA201305TOX.PDF	Toxicity Report for VAWRP May 2013	08/08/2013	2038906 bytes
DMS-#2678085-v1-VA201305TOX_COCS.PDF	Toxicity chain of custody forms for VAWRP May 2013	08/08/2013	1045967 bytes
DMS-#2679544-v1-Valencia.PDF	Chain of custody forms 1 for VAWRP May 2013	08/08/2013	119025 bytes
DMS-#2681056-v1-Valencia_OWQS.PDF	Chain of custody forms 2 for VAWRP May 2013	08/08/2013	13850161 bytes
DMS-#2681105-v1-Valencia_OWQS_2.PDF	Chain of custody forms 3 for VAWRP May 2013	08/08/2013	17099183 bytes
Via 2013-05 Flow data.pdf	Flow data summary for VAWRP May 2013	08/08/2013	6867 bytes
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_Satations.pdf	Monitoring location map for VAWRP	08/08/2013	309613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMS-#2698359-v1-2013_Valencia_Monthly_Write-up_May.pdf	08/14/2013	14373 bytes

Data Summary
Analytical Results

Page 1 of 57

Response No. E14-71:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-72:

Provided below is the first page of Attachment 37 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 37
PAGE 1 OF 229

eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for June 2013

Summary: Monthly SMR (MONNPDES) report for June 2013 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 09/05/2013.

Facility Name: Valencia Water Reclamation Plant **Order Number:** R4-2009-0074
Waterboard Office: Region 4 - Los Angeles **Case Worker:** Kristie Kao, Veronica Cuevas-Alpuche
Report Effective Dates: 06/01/2013 - 06/30/2013

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	06/01/2013 - 06/30/2013	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
Algal_biomass.pdf	Algal biomass data VAWRP June 2013	09/04/2013	8478 bytes
DMS-#2706559-v1-Valencia_CIWQS.PDF	Chain of custody forms 1 for VAWRP June 2013	08/26/2013	14096820 bytes
DMS-#2706584-v1-Valencia_CIWQS_2.PDF	Chain of custody forms 2 for VAWRP June 2013	08/26/2013	18603052 bytes
DMS-#2706592-v1-Valencia_CIWQS_3.PDF	Chain of custody forms 3 for VAWRP June 2013	08/26/2013	5010749 bytes
DMS-#2708380-v1-VA201306TOX.PDF	Toxicity Report for VAWRP June 2013	08/26/2013	2166361 bytes
DMS-#2708381-v1-VA201306TOX_CDs.PDF	Toxicity chain of custody forms for VAWRP June 2013	08/26/2013	995647 bytes
Val 2013-06 flow data.pdf	Flow data summary for VAWRP June 2013	08/26/2013	6891 bytes
valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_S... tations.pdf	Monitoring location map for VAWRP	08/26/2013	309613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMS-#2715517-v1-2013_Valencia_Monthly_Write-up_June.pdf	09/05/2013	17477 bytes

Data Summary

Analytical Results

Page 1 of 56

Response No. E14-72:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-73:

Provided below is the first page of Attachment 38 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 38
PAGE 1 OF 537

eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for July 2013

Summary: Monthly SMR (MONNPDES) report for July 2013 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 10/10/2013.

Facility Name: Valencia Water Reclamation Plant **Order Number:** R4-2009-0074
Waterboard Office: Region 4 - Los Angeles **Case Worker:** Kristie Kao, Veronica Cuevas-Alpuche
Report Effective Dates: 07/01/2013 - 07/31/2013

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	07/01/2013 - 07/31/2013	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
DMS-#2683069-v1-Valencia_July_2013_River_Run_1.PDF	Chain of custody forms RR1 for VAWRP July 2013	09/25/2013	32979235 bytes
DMS-#2683124-v1-Valencia_July_2013_River_Run_2.PDF	Chain of custody forms RR 2 for VAWRP July 2013	09/25/2013	13982871 bytes
DMS-#2692166-v1-Valencia_July_2013_River_Run_3.PDF	Chain of custody forms RR3 for VAWRP July 2013	09/25/2013	22709531 bytes
DMS-#2692169-v1-Valencia_July_2013_River_Run_4.PDF	Chain of custody forms RR4 for VAWRP July 2013	09/25/2013	13883839 bytes
DMS-#2708161-v1-Valencia.PDF	Chain of custody forms 1 for VAWRP July 2013	09/25/2013	938514 bytes
DMS-#2729916-v2-VA201307TOX.PDF	Toxicity Report for VAWRP July 2013	09/26/2013	5754746 bytes
DMS-#2729917-v1-VA201307TOX_COCs.PDF	Toxicity chain of custody forms for VAWRP July 2013	09/25/2013	2797763 bytes
val 2013-07 Flow data.pdf	Flow data summary for VAWRP July 2013	09/25/2013	6874 bytes
Val 2013-07 comm lab COC.pdf	Chain of custody forms 2 for VAWRP July 2013	09/25/2013	1513419 bytes
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_Satations.pdf	Monitoring location map for VAWRP	09/25/2013	297966 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMS-#2739292-v1-2013_Valencia_Monthly_Write-up_July.pdf	10/10/2013	18325 bytes

Data Summary

Page 1 of 130

Response No. E14-73:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-74:

Provided below is the first page of Attachment 39 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 39
PAGE 1 OF 213**

eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for August 2013

Summary: Monthly SMR (MONNPDES) report for August 2013 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 11/13/2013.

Facility Name: Valencia Water Reclamation Plant **Order Number:** R4-2009-0074
Waterboard Office: Region 4 - Los Angeles **Case Worker:** Kristie Kao, Veronica Cuevas-Alpuche
Report Effective Dates: 08/01/2013 - 08/31/2013

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	08/01/2013 - 08/31/2013	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
DMS-#2761422-v1-Valencia_CIWQS.PDF	Chain of custody forms 1 for VAWRP August 2013	11/05/2013	14040060 bytes
DMS-#2761452-v1-Valencia_CIWQS_2.PDF	Chain of custody forms 2 for VAWRP August 2013	11/05/2013	16435728 bytes
DMS-#2763481-v1-VA201308TOX.PDF	Toxicity Report for VAWRP August 2013	11/05/2013	277775 bytes
DMS-#2763482-v1-VA201308TOX_COCS.PDF	Toxicity chain of custody forms for VAWRP August 2013	11/05/2013	326756 bytes
Val 2013-08 Flow data.pdf	Flow data summary for VAWRP August 2013	10/18/2013	6879 bytes
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_Stations.pdf	Monitoring location map for VAWRP	10/18/2013	297966 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMS-#2783288-v1-2013_Valencia_Monthly_Write-up_August.pdf	11/08/2013	16951 bytes

Data Summary

Analytical Results

Page 1 of 51

Response No. E14-74:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-75:

Provided below is the first page of Attachment 40 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 40
PAGE 1 OF 243

eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for September 2013

Summary: Monthly SMR (MONNPDES) report for September 2013 submitted by Ann Heil (Monitoring Section Supervising Engineer) on

Facility Name: Valencia Water Reclamation Plant **Order Number:** R4-2009-0074
Waterboard Office: Region 4 - Los Angeles **Case Worker:** Kristie Kao, Veronica Cuevas-Alpuche
Report Effective Dates: 09/01/2013 - 09/30/2013

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	09/01/2013 - 09/30/2013	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
DMS-#2789586-v1-Valencia_CIWQS.PDF	Chain of custody forms 1 for VAWRP September 2013	12/03/2013	3336756 bytes
DMS-#2789593-v1-Valencia_CIWQS_2.PDF	Chain of custody forms 2 for VAWRP September 2013	12/03/2013	2089583 bytes
DMS-#2796895-v1-VA201309TOX.PDF	Toxicity Report for VAWRP September 2013	12/03/2013	374251 bytes
DMS-#2796896-v1-VA201309TOX_CDCs.PDF	Toxicity chain of custody forms for VAWRP September 2013	12/03/2013	945274 bytes
Val 2013-09 Flow data.pdf	Flow data summary for VAWRP September 2013	12/03/2013	6869 bytes
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_S tations.pdf	Monitoring location map for VAWRP	12/03/2013	309613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMS-#2812089-v1-2013_Valencia_Monthly_Write-up_September.pdf	12/11/2013	17948 bytes

Data Summary

Analytical Results

Page 1 of 57

Response No. E14-75:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-76:

Provided below is the first page of Attachment 41 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 41
PAGE 1 OF 319**

**San Jose Creek Water Quality Laboratory
Chain of Custody/Login Sheet**

Collect Date: 10/03/2013		BU: 3213001	UID: B664
Profile: 72-CTTerSR		Project Manager: Troy Po	Ext. 3087
Collector: Steven Lajkovicz			

Prelogin #	Location / Sample ID / WO	Matrix / Receive Temp	Collect Time	Containers / Preservative	Acodes
13100300456-3 Val_Ci_Tertiary Q Comp /NOCONT/None	Val_Ci_Tertiary Val_Ci_Tertiary Q Comp SAUG_VAL_WRP_Q	Water 4.4°C	12:03	1-AG1LW(Na2S2O3); 1-AG4LN(Na2S2O3); 1-NOCONT(None);	162; EPA608;
13100300457-4 Val_Ci_Tertiary Q Radio Comp /NOCONT/None	Val_Ci_Tertiary Val_Ci_Tertiary Q Radio Comp SAUG_VAL_WRP_Q	Water 4.4°C	12:03	2-AG500ML(None); 1-NOCONT(None); 1- F230ML(None); 1- F21W-1(HNO3); 1- F21W-2(HNO3); 1- F21W-3(HNO3);	SUB_E900 0; SUB_E903 1; SUB_S904 0; SUB_S905 0; SUB_E906 0; SUB_S908 0; SUB_RADSUM;
13100300458-6 Val_Ci_Tertiary Q Grab /NOCONT/None	Val_Ci_Tertiary Val_Ci_Tertiary Q Grab SAUG_VAL_WRP_Q	Water 4.4°C	13:15	6- CG40MLP(Na2S2O3); 1-NOCONT(None);	E04; Test_THMs;
13100300459-7 Val_Trip_Blank Q SAU/VAL /NOCONT/None	Val_Trip_Blank Val_Trip_Blank Q SAU/VAL SAUG_VAL_WRP_Q	Water 4.4°C	08:45	6- CG40MLP(PPE)(HCL); 1-NOCONT(None);	E04; Test_THMs;

Sample Inspection: (If "No" selected for any parameter, enter comment on sample after log-in and notify PM)

All Containers Intact?	Yes	No	N/A	NOTES:	
Containers labeled correctly (match COC)?	Yes	No	N/A		
Proper containers for requested analyses?	Yes	No	N/A		
Containers preserved properly?	Yes	No	N/A		
VQA vial(s) free of headspace?	Yes	No	N/A		
Metals sample preserved with HNO3?	Yes	No	N/A		If No, report to bench analyst immediately
Special Handling Instructions?	Yes	No	N/A		If Yes, report to bench analyst
Relinquished by sample collector?	Yes	No	N/A		
Does receipt temperature meet requirements (0-6° C)?	Yes	No	N/A	If No, use TMP code if applicable.	

TMP: Sample was preserved on ice during collection but had not yet reached the required temperature range at the time of delivery to Sample Receiving.

10-03-13P03:55 RCVD

Relinquished by: *[Signature]* Date: 10-03-13P03:43 RCV Received by: *[Signature]*

Relinquished by: _____ Date: _____ Received by: _____ Date: _____

Response No. E14-76:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-77:

Provided below is the first page of Attachment 42 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 42
PAGE 1 OF 246**

**San Jose Creek Water Quality Laboratory
Chain of Custody/Login Sheet**

Collect Date: 11/07/2013	BU: 3213001	UID: B664
Profile: 72-CITestSR	Project Manager: Syjohn Estil	Ext.
Collector: Nguyen Dang		



Protocol #	Location / Sample ID / WO	Matrix / Receive Temp	Collect Time	Containers / Preservative	Acodes
13110700473-2	Val_Cl_Tertiary Val_Cl_Tertiary M CHDH Comp SAUG_VAL_WRP_M	Water 15.4°C	12:03	1-CG2L(W/None); 1- NOCONT(None)	E290 S_W; HARD208_W;
13110700472-2	Val_Cl_Tertiary Val_Cl_Tertiary M CHDH Hg SAUG_VAL_WRP_M	Water 21.5°C	12:03	1-CG2L(W/None); 1- NOCONT(None)	SUB_E1431;

Sample Inspection: (If "No" selected for any parameter, enter comment on sample after log-in and notify PM)

Question	Yes	No	N/A	NOTES:
All Containers Intact?	Yes	No	N/A	<i>Metel group needs to preserve the sample.</i>
Containers labeled correctly (match COC)?	Yes	No	N/A	
Proper containers for requested analyses?	Yes	No	N/A	
Containers preserved properly?	Yes	No	N/A	
VQA vials free of headspace?	Yes	No	N/A	
Metals sample preserved with HNO3?	Yes	No	N/A	
Special Handling Instructions?	Yes	No	N/A	<i>If No, report to bench analyst</i>
Relinquished by sample collector?	Yes	No	N/A	<i>If No, use TMP code if applicable.</i>
Does receipt temperature meet requirements (0-6° C)?	Yes	No	N/A	

TMP - Sample was preserved on ice during collection but had not yet reached the required temperature range at the time of delivery to Sample Receiving.

11-07-13P03:44 RCVB

	Prepared By: <u>Nguyen Dang</u>	Date/Time: <u>11/7/13 15:53</u>		Received By: <u>AP</u>
	Post Name: <u>Nguyen Dang</u>			Post Name: <u>AP</u>

Response No. E14-77:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-78:

Provided below is the first page of Attachment 43 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 43
PAGE 1 OF 264**

**San Jose Creek Water Quality Laboratory
Chain of Custody/Login Sheet**


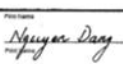


Collect Date: 12/05/2013	BU: 3213001	UID: B664	Ext.
Profile: 72-CITertSR	Project Manager: Sy John Estil		
Collector: Nguyen Dang			

Prelogin #	Location / Sample ID / WO	Matrix / Receive Temp	Collect Time	Containers / Preservative	Accodes
13120500461-6 Val_C1_Tertiary M Grab /NOCONT/None	Val_C1_Tertiary Val_C1_Tertiary M Grab SAUG_VAL_WRP_M	Water 3.2 °C	12:15	6-CG40ML(Na2S2O3) ; 1-NOCONT(None)	E624; Tertiary_THSM;
13120500462-7 Val_Trip_Blank M SAUG/VAL /NOCONT/None	Val_Trip_Blank Val_Trip_Blank M SAUG/VAL SAUG_VAL_WRP_M	Water 3.2 °C	10:24	6-CG40ML(Na2S2O3) ; 1-NOCONT(None)	E624.

Sample Inspection: (If "No" selected for any parameter, enter comment on sample after log-in and notify PM)

All Containers Intact?	Yes	No	N/A	NOTES:	
Containers labeled correctly (match COC)?	Yes	No	N/A		
Proper containers for requested analyses?	Yes	No	N/A		
Containers preserved properly?	Yes	No	N/A		
VDA vial(s) free of headspace?	Yes	No	N/A		
Metals sample preserved with HNO3?	Yes	No	N/A		If No, report to bench analyst immediately
Special Handling Instructions?	Yes	No	N/A		If Yes, report to bench analyst
Reinspected by sample collector?	Yes	No	N/A		
Does receipt temperature meet requirements (0-6° C)?	Yes	No	N/A		If No, use TMP code if applicable.
TMP - Sample was preserved on ice during collection but had not yet reached the required temperature range at the time of delivery to Sample Receiving.					

12-05-13 10:10 2013

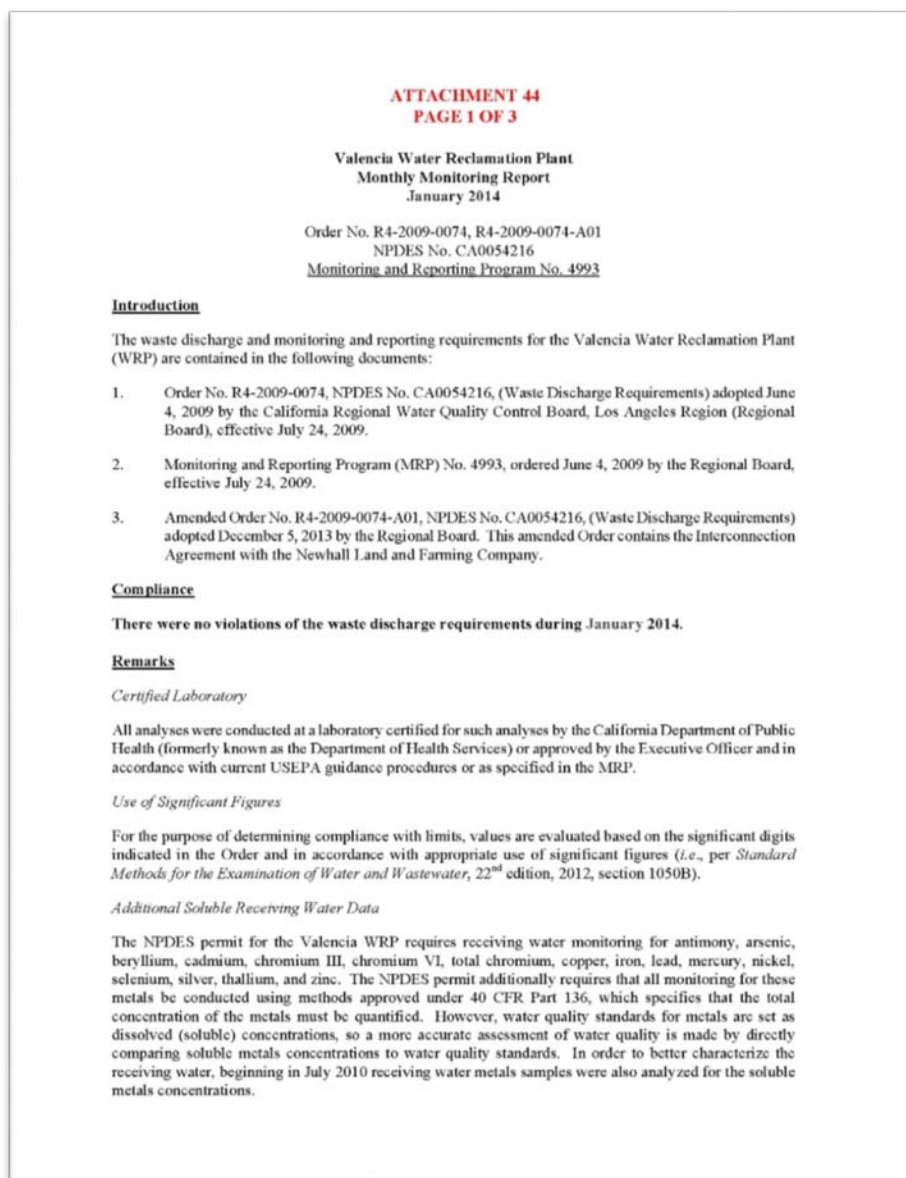
			
Prelogin #	Prelogin #	Collect Date	Prelogin #
		12/5/13	
		15:01	

Response No. E14-78:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-79:

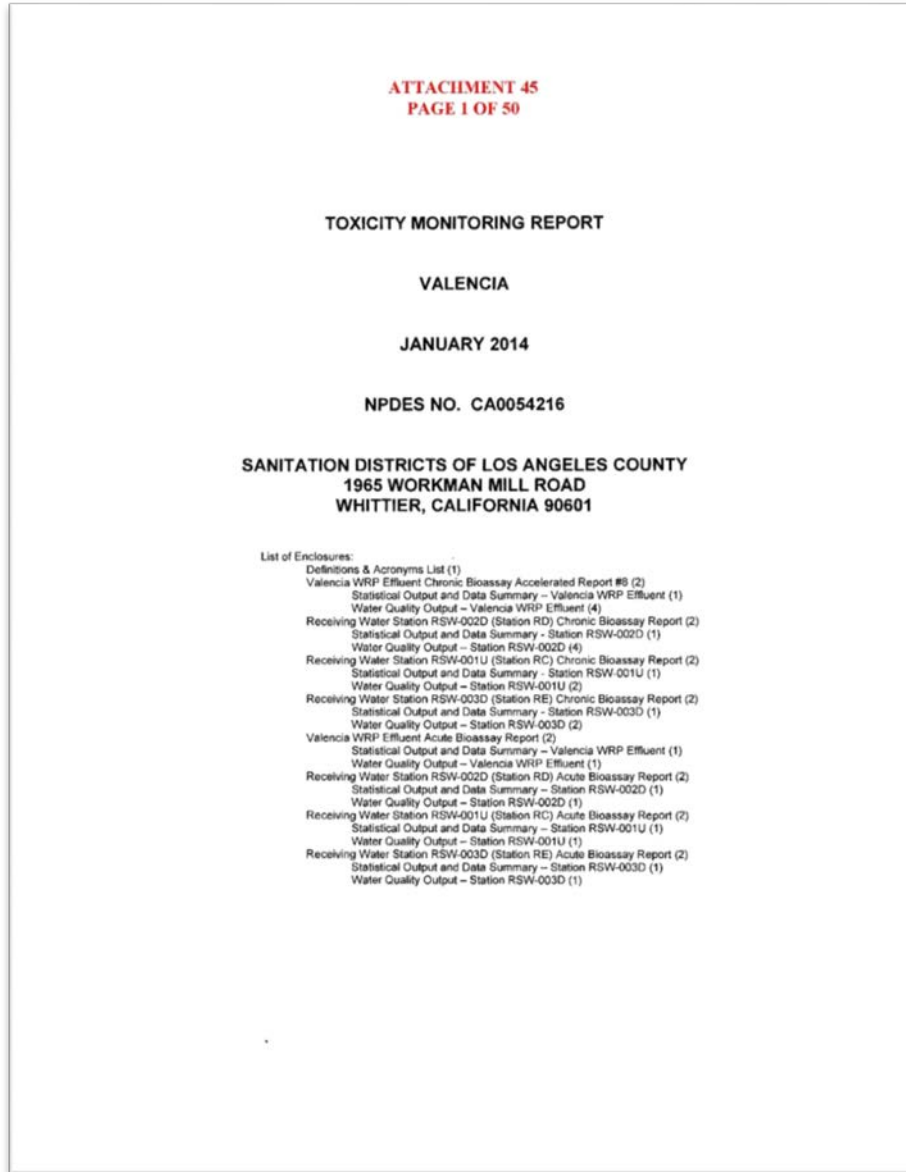
Provided below is the first page of Attachment 44 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**Response No. E14-79:**

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-80:

Provided below is the first page of Attachment 45 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

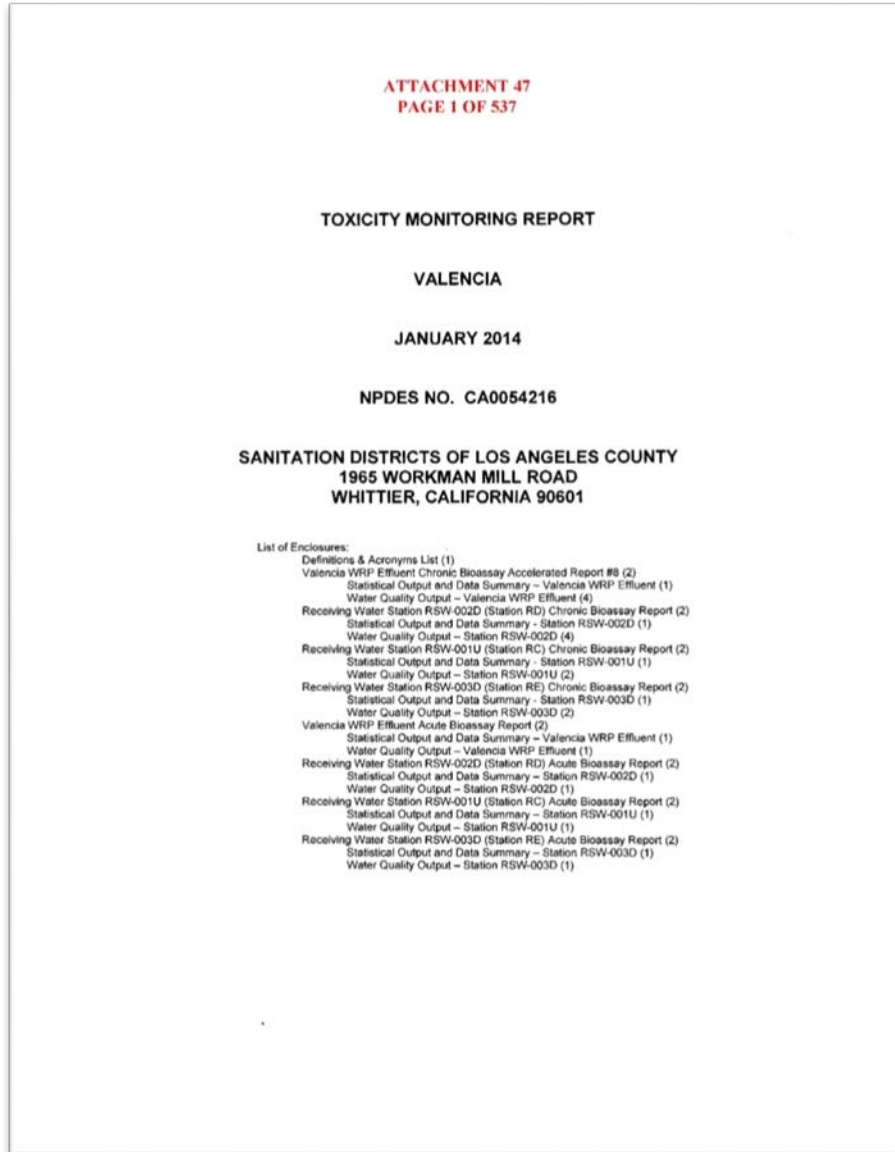


Response No. E14-80:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-82:

Provided below is the first page of Attachment 47 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-82:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-83:

Provided below is the first page of Attachment 48 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 48
PAGE 1 OF 48

eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for February 2014

Summary: Monthly SMR (MONNPDES) report for February 2014 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 05/13/2014.

Facility Name: Valencia WRP Order Number: RA-2009-0074
Waterboard Office: Region 4 - Los Angeles Case Worker: K1956 Cao, Veronica Cuevas-Alpuche
Report Effective Dates: 02/01/2014 - 02/28/2014

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	02/01/2014 - 02/28/2014	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
CHS-#2963818-v1-Valencia_pc1	Chain of custody forms 1 for VAWRP February 2014	05/02/2014	211262 bytes
CHS-#2963931-v1-Valencia_CW05.PDF	Chain of custody forms 2 for VAWRP February 2014	05/02/2014	1903156 bytes
CHS-#2963961-v1-Valencia_CW05_2.PDF	Chain of custody forms 3 for VAWRP February 2014	05/02/2014	982431 bytes
Val 2014 02 flow data.pdf	Flow data summary for VAWRP February 2014	05/01/2014	6896 bytes
Valencia_WRP_Eluent_Discharge_points_and_Receiving_Water_Sites.mxd	Monitoring location map for VAWRP	05/01/2014	309613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
CHS-#2965816-v1-2014_Valencia_Monthly_Write-up_February.pdf	05/08/2014	18400 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qual	Result	Units	MDL	ML	RL	Review Priority Indicator	QA Codes	Comments	Data Source
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Page 1 of 48

Response No. E14-83:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-84:

Provided below is the first page of Attachment 49 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 49
PAGE 1 OF 182

San Jose Creek Water Quality Laboratory
Chain of Custody/Login Sheet

Collect Date: 02/11/2014	BU: 3213001	UID: B664
Profile: 72-C/TertSR	Project Manager: SyJohns Ball	Ext.
Collector: Nguyen Dang		

Protogin #	Location / Sample ID / WO	Matrix / Receive Temp	Collect Time	Containers / Preservative	Acodes
14021100465-2	Val_CI_Tertiary Val_CI_Tertiary M CHDH Comp SAUG_VAL_WRP_M	Water 12.7 °C	11:43	1-CO2LW(NONE), 1-NOCONT(NONE)	2200 E W, HARD2008_W
14021100464-2	Val_CI_Tertiary Val_CI_Tertiary M CHDH Hg SAUG_VAL_WRP_M	Water 18.1 °C	11:43	1-CO2LW(NONE), 1-NOCONT(NONE)	SUB 21631

Sample Inspection: (If "No" selected for any parameter, enter comment on sample after log-in and notify PM)

All Containers intact?	Yes	No	N/A	NOTES:
Containers labeled correctly (match COC)?	Yes	No	N/A	<i>Metal group needs to preserve the sample.</i>
Proper containers for requested analyses?	Yes	No	N/A	
Containers preserved properly?	Yes	No	N/A	
VOA vial(s) free of headspace?	Yes	No	N/A	
Metals sample preserved with HNO3?	Yes	No	N/A	If No, report to bench analyst immediately
Special Handling Instructions?	Yes	No	N/A	If Yes, report to bench analyst
Relinquished by sample collector?	Yes	No	N/A	
Does receipt temperature meet requirements (0-6 °C)?	Yes	No	N/A	If No, use TMP code if applicable.

TMP - Sample was preserved on ice during collection but had not yet reached the required temperature range at the time of delivery to Sample Receiving

02-11-14 15:57 RCVD

Submitter: <i>Nguyen Dang</i>	Field Name: <i>Nguyen Dang</i>	Date/Time: <i>2/11/14 15:57</i>	Received By: <i>S. Chenh</i>	File Name: <i>S.Kella</i>
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Response No. E14-84:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-85:

Provided below is the first page of Attachment 50 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 50
PAGE 1 OF 51

eSMR PDF Report
Summary: Monthly SMR (MONNPDES) report for March 2014

Summary: Monthly SMR (MONNPDES) report for March 2014 submitted by Ann Heil (Monitoring Section Supervising Engineer) on 06/10/2014.

Facility Name: Valencia WRP Order Number: RA-2009-0074
Waterboard Office: Region 4 - Los Angeles Case Worker: Kristie Kao, Veronica Cuevas-Alpuche
Report Effective Dates: 03/01/2014 - 03/31/2014

No Discharge Periods

Name	Description	Dates	Comments
001	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
002	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	03/01/2014 - 03/31/2014	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
DMS-#2971713-v1-Valencia_March_2014_CIWQS.PDF	Chain of custody forms 1 for VAWRP March 2014	05/28/2014	1077570 bytes
DMS-#2971718-v1-Valencia_March_2014_CIWQS_2.PDF	Chain of custody forms 2 for VAWRP March 2014	05/29/2014	2355987 bytes
vai 2014-03 Flow data.pdf	Flow data summary for VAWRP March 2014	05/29/2014	6875 bytes
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_Sampling_Locations.pdf	Monitoring location map for VAWRP	05/29/2014	309613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMS-#2993028-v1-2014_Valencia_Monthly_Write-up_March.pdf	06/09/2014	17683 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qual	Result	Units	MDL	ML	RL	Review Priority Indicator	QA Codes	Comments	Data Source
EFF-001	Ammonia (Total as N)	435036 Standard Method (APHA 4500-NH ₃ Nitrogen (colorimetric))	03/03/2014 06:00:00	03/05/2014	=	0.354	mg/L	0.2		1	No			Via 2014-03 CIWQS Datafile.zip

Page 1 of 51

Response No. E14-85:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-86:

Provided below is the first page of Attachment 51 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 51
PAGE 1 OF 191
eSMR PDF Report

Summary: Monthly SMR (MONNPDES) report for March 2014

Summary: Monthly SMR (MONNPDES) report for March 2014 submitted by Ann Hail (Monitoring Section Supervising Engineer) on 06/10/2014.

Facility Name: Valencia WRP Order Number: RA-009-0074
Waterbody Office: Region 4 - Los Angeles Case Worker: Kristie Kao, Veronica Cuevas-Alpiche
Report Effective Dates: 03/01/2014 - 03/31/2014

No Discharge Periods

Name	Description	Dates	Comments
K01	Discharge point 001 to the Santa Clara River for Valencia Water Reclamation Plant.		
K02	Discharge point 002 to the Santa Clara River for Valencia Water Reclamation Plant.	03/01/2014 - 03/31/2014	

Self-Determined Violations

No Violations Entered

Attachments

File Name	File Description	Date Uploaded	File Size
DMS-#2971713-v1-Valencia_March_2014_CWQS.PDF	Chain of custody forms 1 for VAWRP March 2014	05/29/2014	2677570 bytes
DMS-#2971718-v1-Valencia_March_2014_CWQS_2.PDF	Chain of custody forms 2 for VAWRP March 2014	05/29/2014	2355987 bytes
va_2014-03_Flow_data.pdf	Flow data summary for VAWRP March 2014	05/29/2014	6875 bytes
Valencia_WRP_Effluent_Discharge_Points_and_Receiving_Water_Satellite.jpg	Monitoring location map for VAWRP	05/29/2014	359613 bytes

Cover Letter (Uploaded File)

Title	Date Uploaded	File Size
DMS-#2993028-v1-2014_Valencia_Monthly_Write-up_March.pdf	06/09/2014	17683 bytes

Data Summary

Analytical Results

Location	Parameter	Anal. Method	Sample Date/Time	Analysis Date	Qual	Result	Units	MDL	HL	RL	Review Priority Indicator	QA Codes	Comments	Data Source
077-001	Ammonia, total (NH3)	443028P Standard Method 1991-4500-NH3 Nitrogen Electrode	03/03/2014 06:00:00	03/03/2014	=	0.960	mg/L	0.0		1	no			03/2014-03 CWQS Datafile pp

Page 1 of 51

Response No. E14-86:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-25 and E14-27**, above, for relevant information that responds to this issue.

Comment No. E14-87:



Provided below is the first page of Attachment 52 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

ATTACHMENT 52
PAGE 1 OF 557

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION

BOUQUET CANYON CREEK RESTORATION PROJECT

Public Works proposes to implement the Bouquet Canyon Creek Restoration project. The project site is located within an unincorporated area of northern Los Angeles County and within the southern part of the Santa Clara portion of the United States Forest Service Santa Clara/Mojave Rivers Ranger District of the Angeles National Forest.

The proposed project involves five predefined reaches of Bouquet Canyon Creek where restoration activities would occur (from downstream to upstream, labeled as Sites 1 through 5), and a sixth site in the abandoned Zuni Campground where a fish preserve would be constructed. The primary purpose of this project is to restore in-stream and riparian habitat by reestablishing creek flows along sections of the Bouquet Canyon Creek that currently are dry.

Public Works has prepared an environmental document referred to as a Mitigated Negative Declaration (MND) and Initial Study to assess the impact of the proposed project to the environment and the community. Significant environmental impacts can be addressed through mitigation. The draft MND and Initial Study are being circulated for a 30-day public review. The review period will begin August 5, 2016, and will end September 4, 2016. The document is available for review at the following URL: <http://dpw.lacounty.gov/boccrproject>. A copy of the document is available for review at the following locations:


<p>Canyon Country Jo Anne Darcy Library 18601 Soledad Canyon Road Santa Clarita, CA 91351</p>	<p>County of Los Angeles Department of Public Works Programs Development Division, 11th Floor 900 South Fremont Avenue Alhambra, CA 91803-1331</p>
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Interested parties may submit their comments to:

County of Los Angeles Department of Public Works
Programs Development Division, 11th Floor
Attention Mr. Ed Dingman
P.O. Box 1460
Alhambra, CA 91802-1460

The final MND will incorporate responses to written comments received during the public review period. The final document will be considered by the County Board of Supervisors for approval. Questions regarding this notice should be directed to Mr. Ed Dingman, Programs Development Division, Environmental Planning and Assessments Section, at (626) 458-3933 or edingman@dpw.lacounty.gov.

Si necesita asistencia con la traducción al español, por favor comuníquese con el representante del departamento de Obras Públicas del Condado de Los Angeles, Sr. Art Correa al (626) 458-3948.



Individuals requiring reasonable accessibility accommodations may request written materials in alternate formats, physical accessibility accommodations, sign language interpreters or other reasonable accommodations by contacting our departmental Americans with Disabilities Act Coordinator at (626) 458-4081, from 7:30 a.m. to 5 p.m., Monday through Thursday (excluding holidays). Persons who are deaf or hard of hearing may make contact by first dialing the California Relay Service at 7-1-1. Requests should be made at least 1 week in advance to ensure availability. When making a reasonable accommodation request, please reference PD-3.

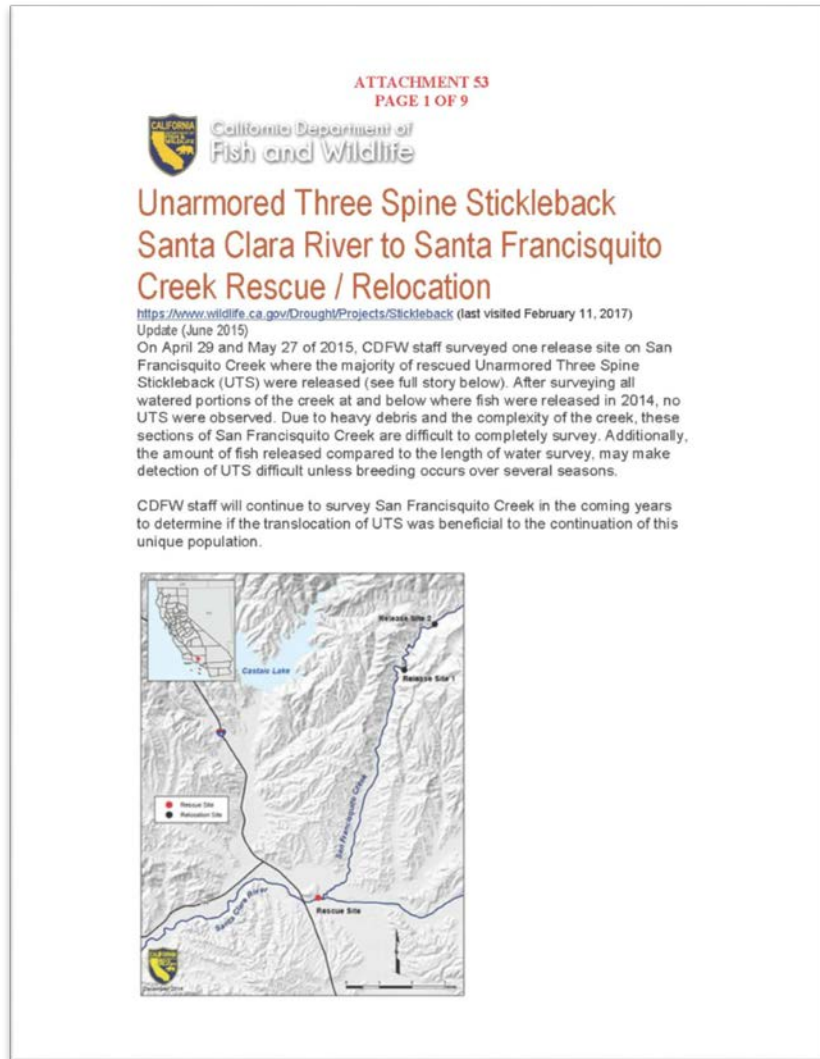
PREPARED BY THE
COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
FOLLOW US ON TWITTER @LAPublicWorks @LACoGoModal
WEBSITE: dpw.lacounty.gov
August 2016

Response No. E14-87:

The commenter cited this publication to support statements regarding the status of the unarmored threespine stickleback population in Bouquet Canyon. Please see **Response to Comment No. E14-19**, above, for relevant information that responds to this issue.”

Comment No. E14-88:

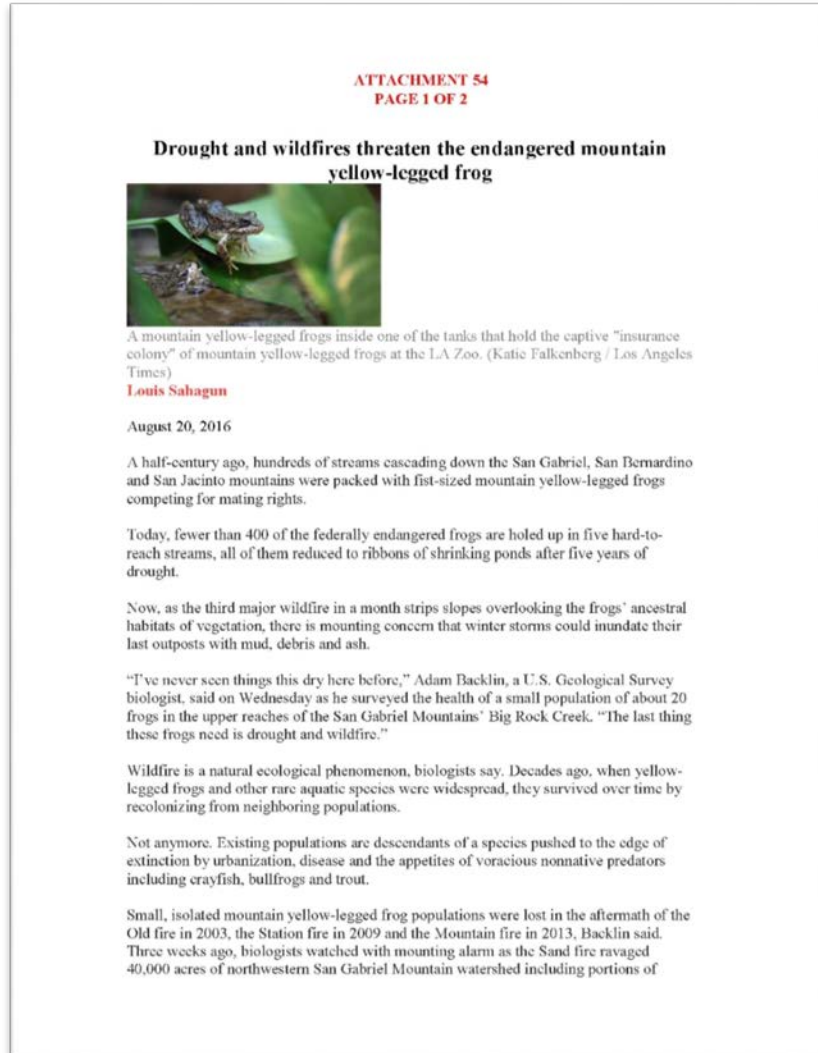
Provided below is the first page of Attachment 53 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**Response No. E14-88:**

The commenter cited this publication to support statements regarding the status of unarmored threespine stickleback populations in the Upper Santa Clara River, Bouquet Creek, Soledad Canyon Creek, and San Francisquito Creek. Please see **Response to Comment No. E14-19**, above, for relevant information that responds to this issue.

Comment No. E14-89:

Provided below is the first page of Attachment 54 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-89:

The commenter cited this publication to support statements regarding the 2016 Sand Fire in the Upper Santa Clara River watershed. Please see **Response to Comment No. E14-19**, above, for relevant information that responds to this issue.

Comment No. E14-90:

Provided below is the first page of Attachment 55 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

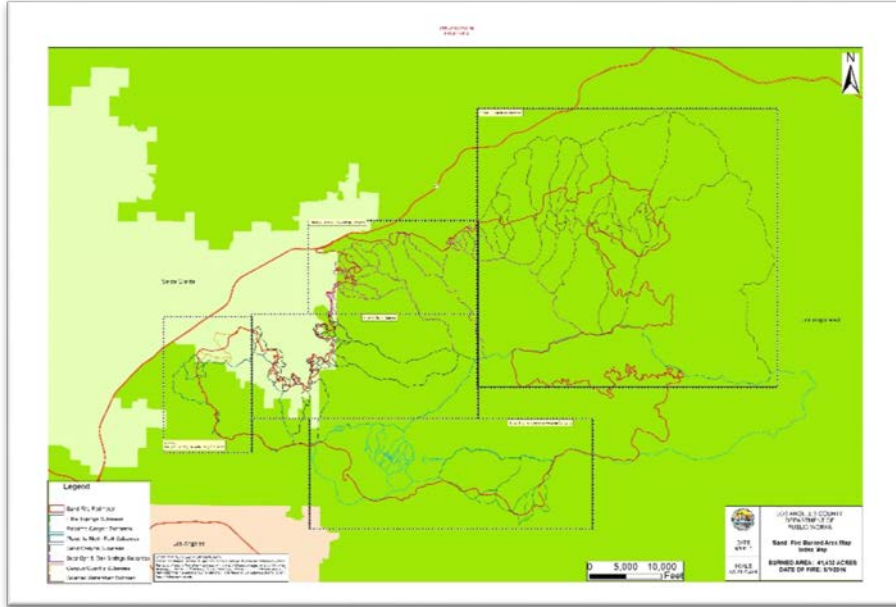


Response No. E14-90:

The commenter cited this publication to support statements regarding the 2016 Sand Fire in the Upper Santa Clara River watershed. Please see **Response to Comment No. E14-19**, above, for relevant information that responds to this issue.

Comment No. E14-91:

Provided below is the first page of Attachment 56 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

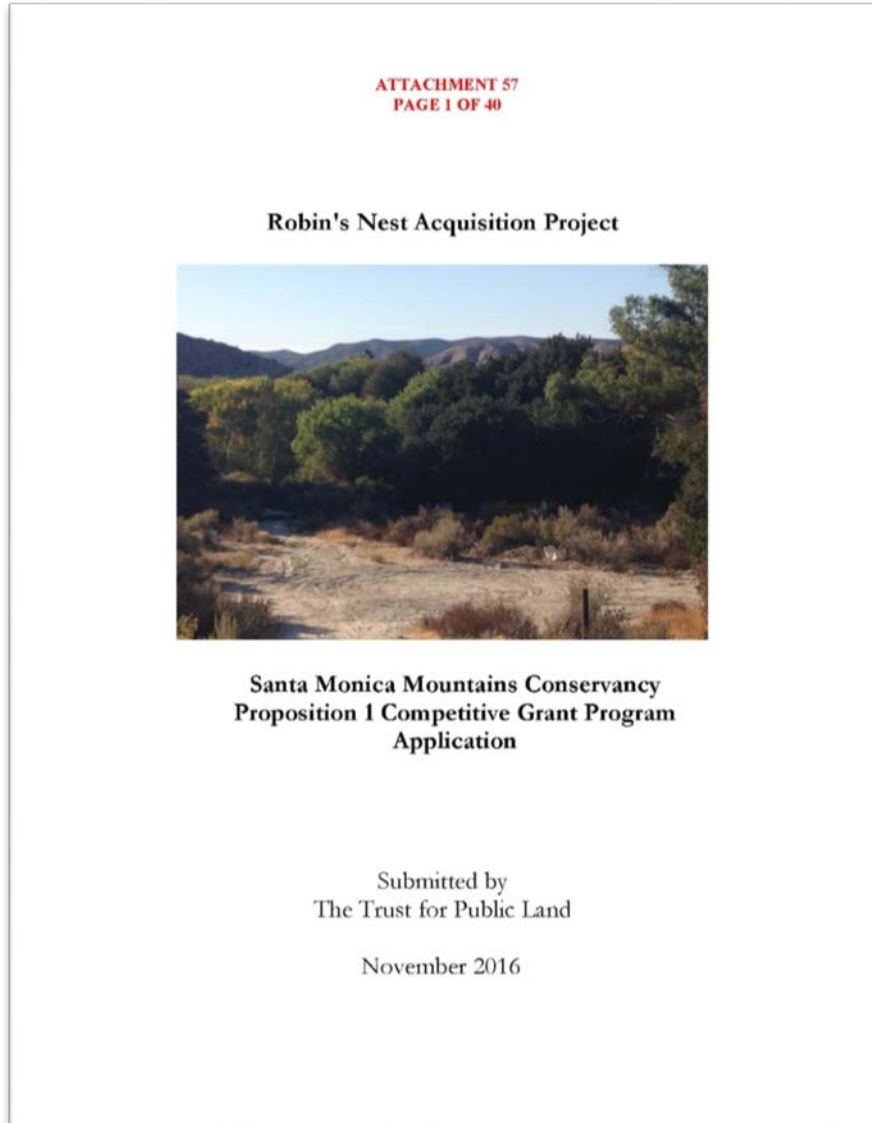


Response No. E14-91:

The commenter cited this publication to support statements regarding the 2016 Sand Fire in the Upper Santa Clara River watershed. Please see **Response to Comment No. E14-19**, above, for relevant information that responds to this issue.

Comment No. E14-92:

Provided below is the first page of Attachment 57 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

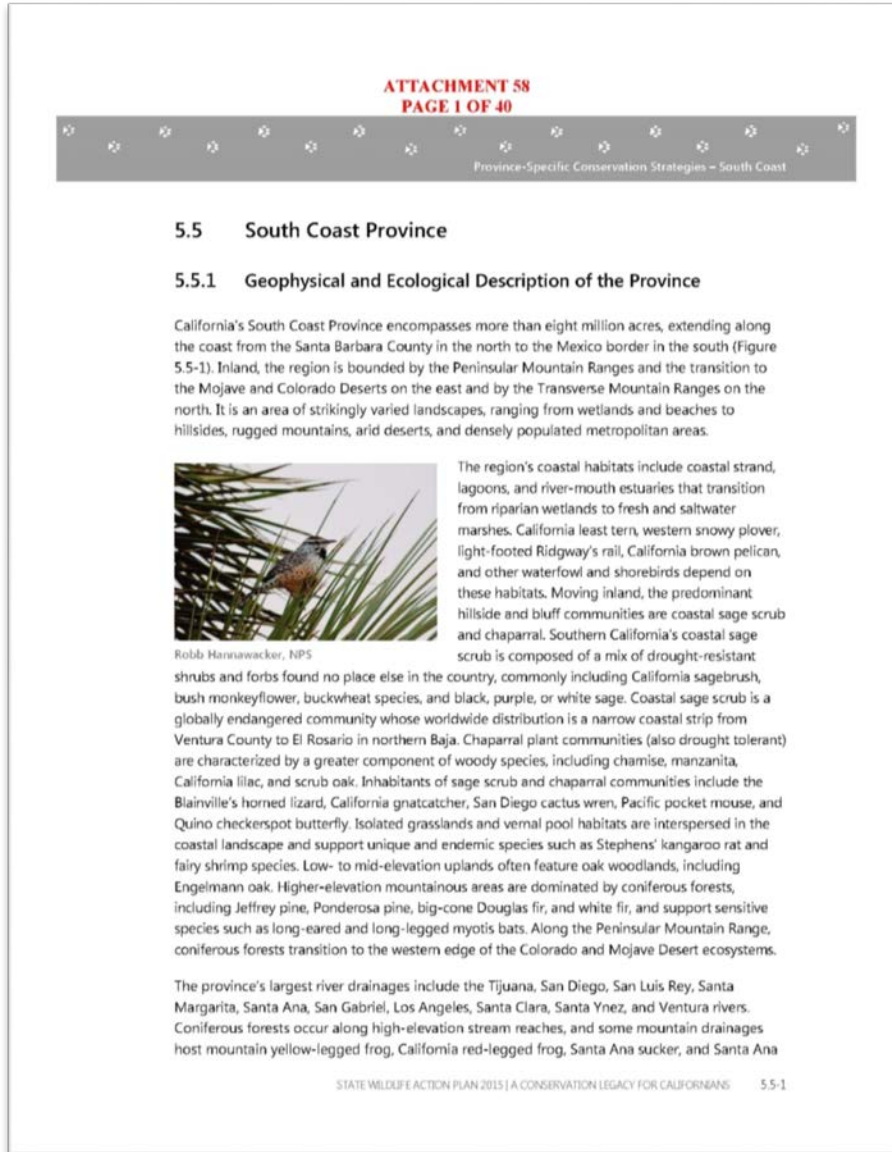


Response No. E14-92:

The commenter included this document among the attachments to its comment letter, but did not cite to the document or indicate which comment the document supported.

Comment No. E14-93:

Provided below is the first page of Attachment 58 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

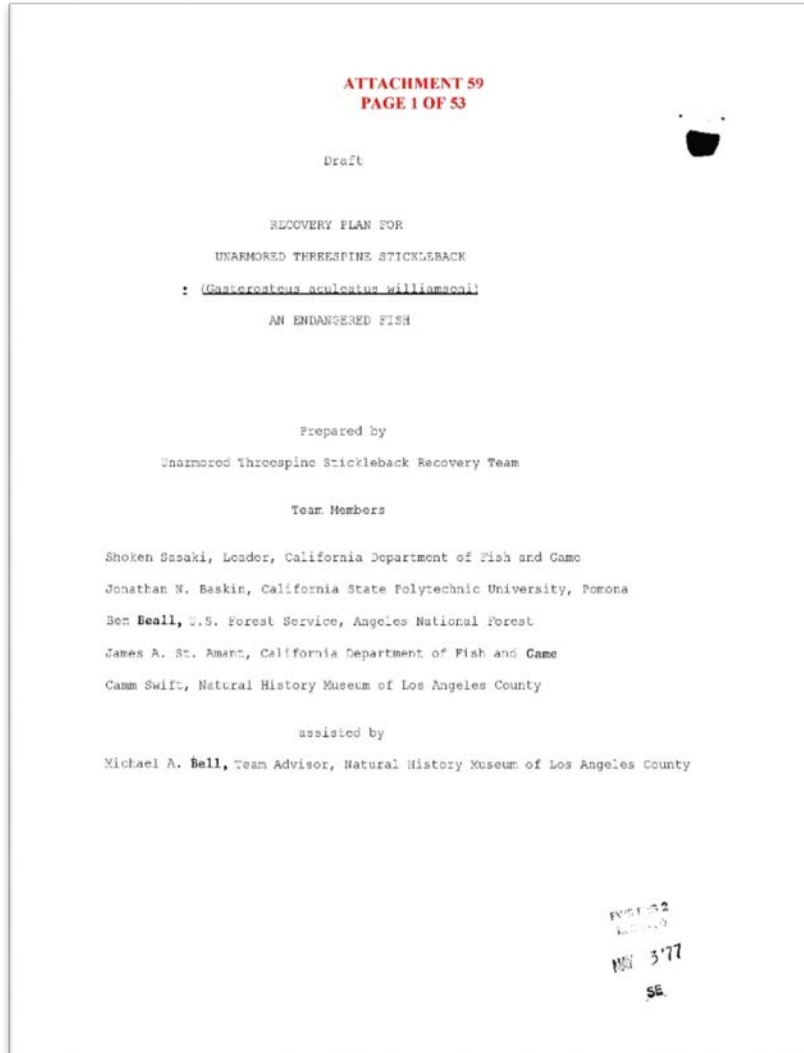


Response No. E14-93:

The commenter included this document among the attachments to its comment letter, but did not cite to the document or indicate which comment the document supported.

Comment No. E14-94:

Provided below is the first page of Attachment 59 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

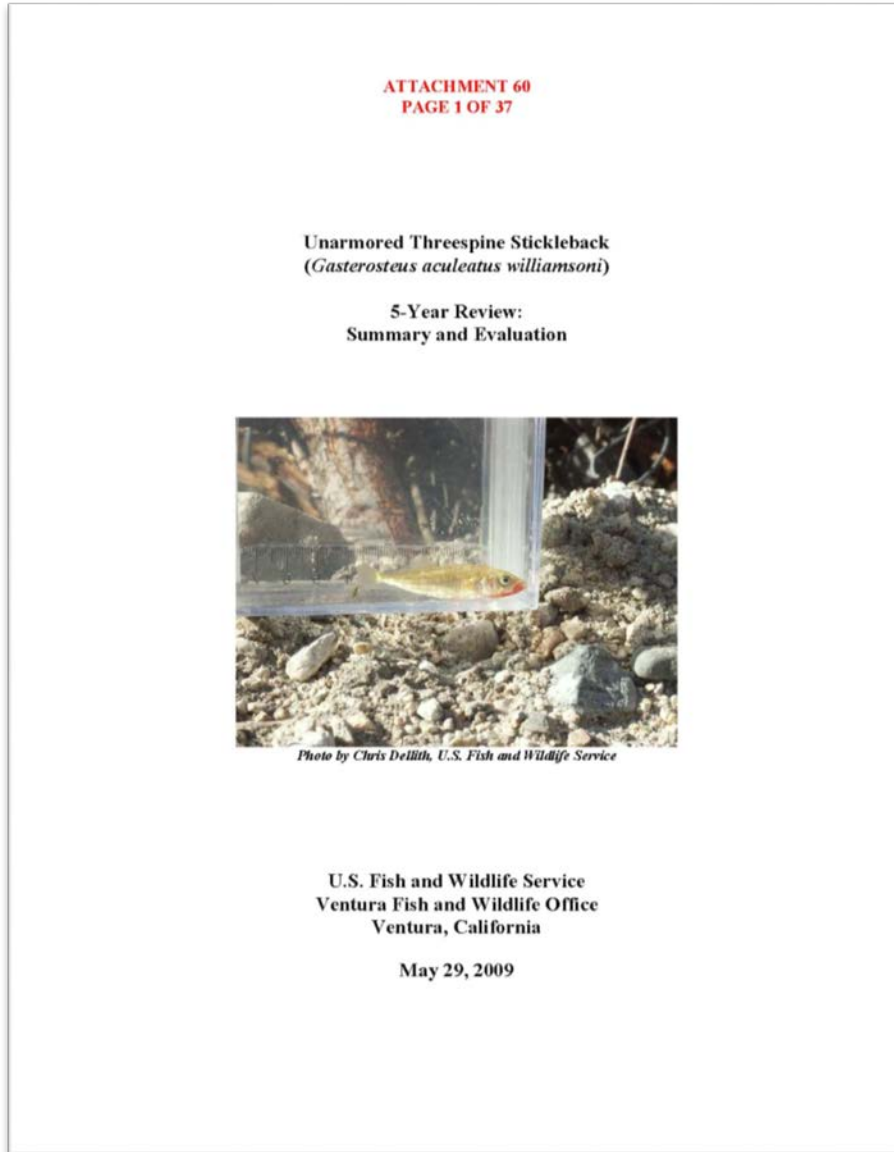


Response No. E14-94:

The commenter cited this publication to support statements regarding the nesting behavior of unarmored threespine stickleback. Please see **Response to Comment Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-95:

Provided below is the first page of Attachment 60 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

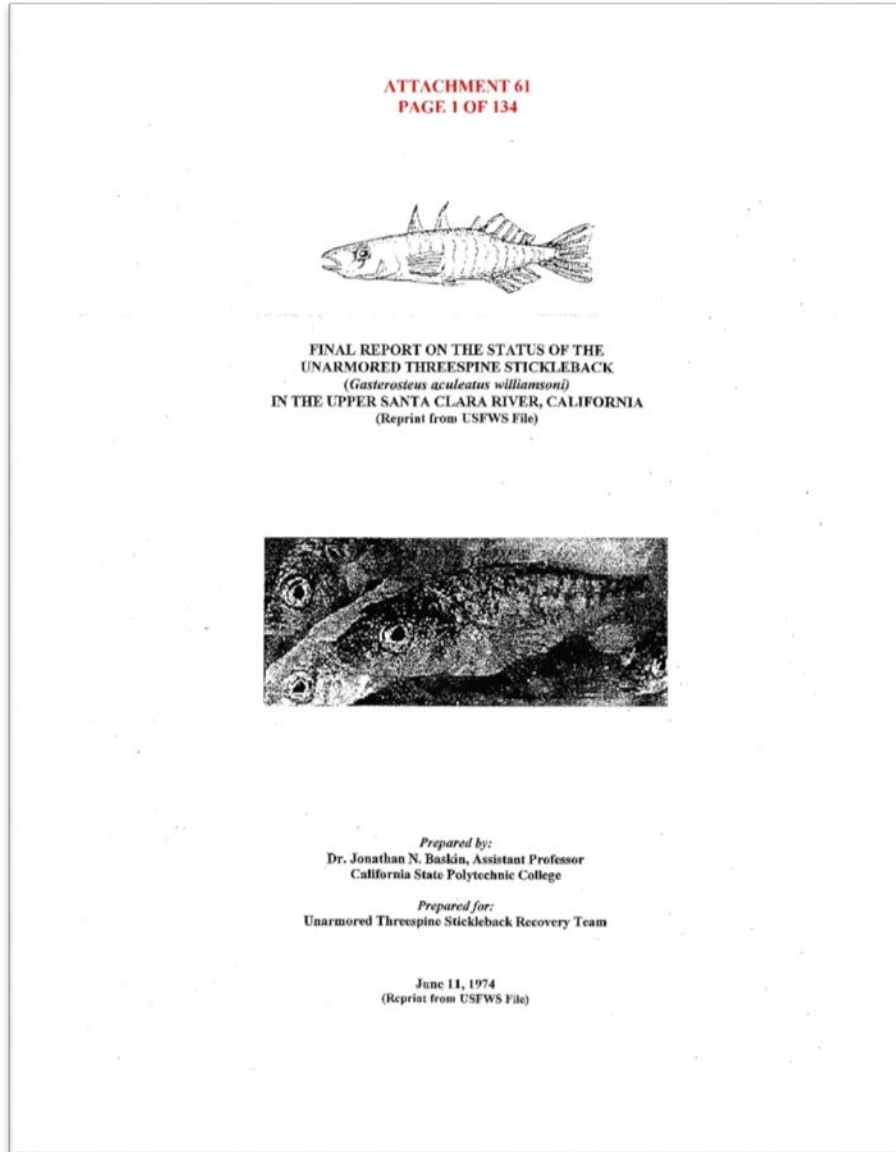


Response No. E14-95:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures on unarmored threespine stickleback population. Please see **Response to Comment Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-96:

Provided below is the first page of Attachment 61 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

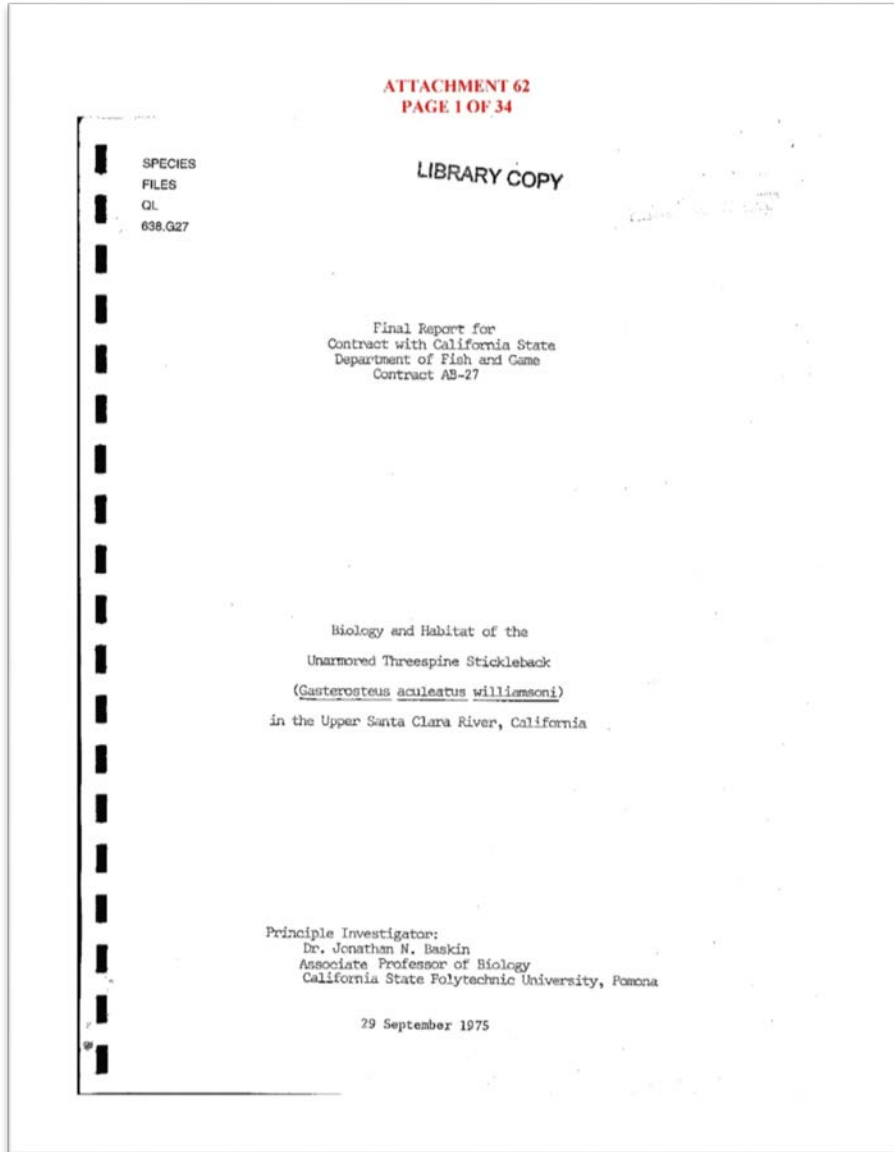


Response No. E14-96:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-97:

Provided below is the first page of Attachment 62 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

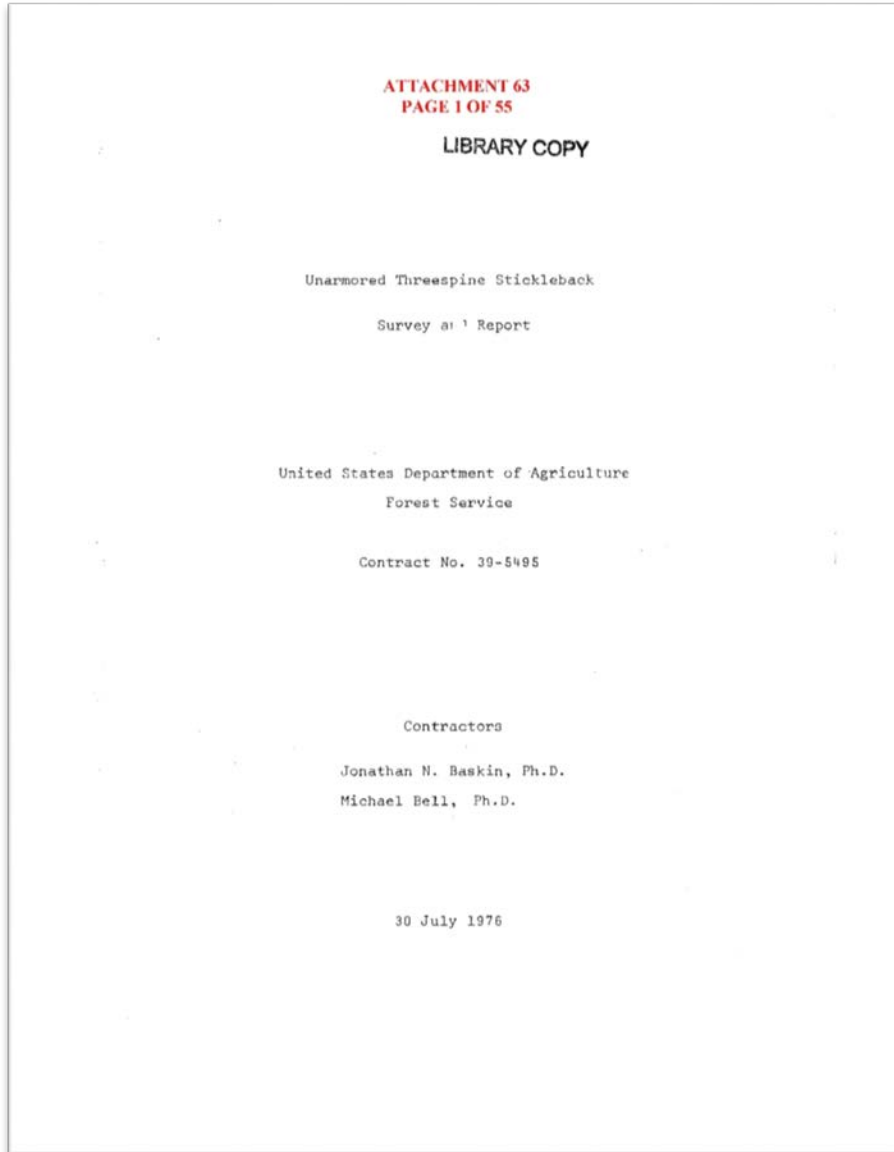


Response No. E14-97:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-98:

Provided below is the first page of Attachment 63 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-98:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-99:

Provided below is the first page of Attachment 64 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

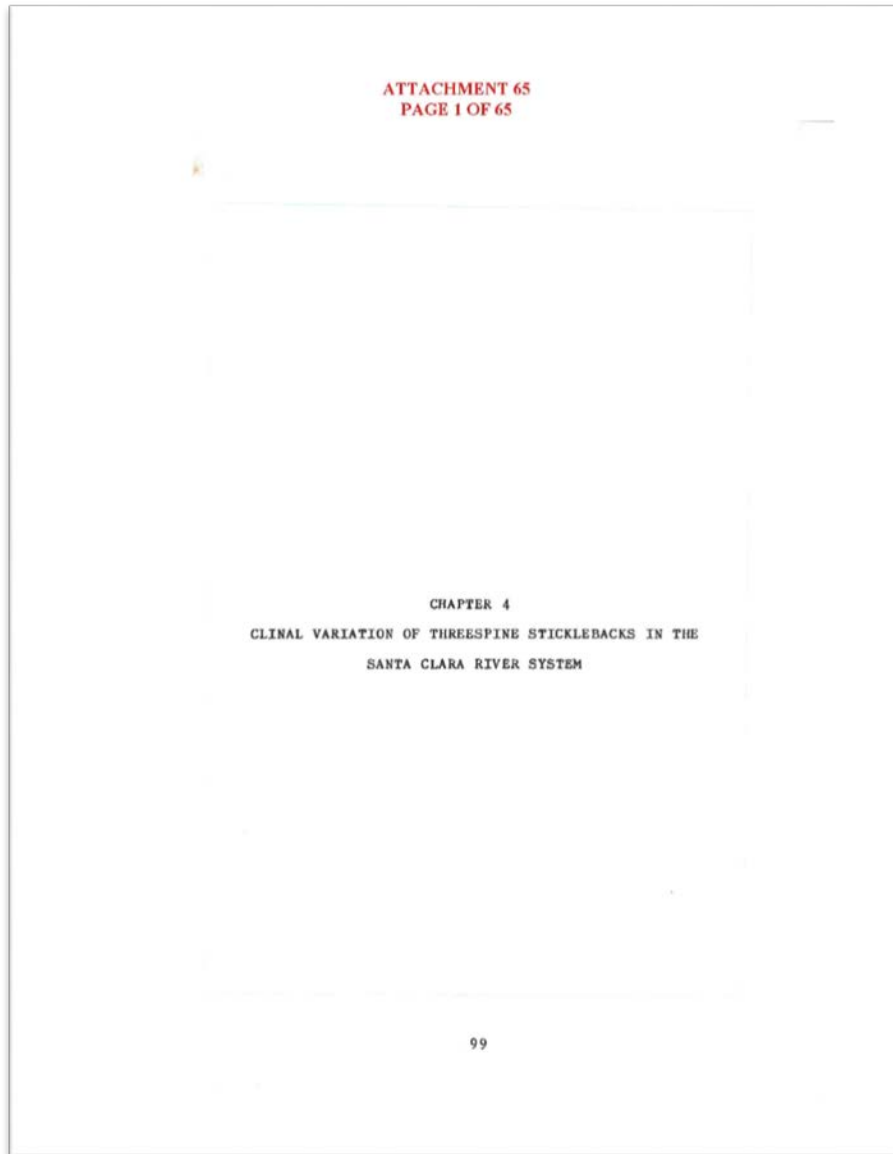


Response No. E14-99:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-100:

Provided below is the first page of Attachment 65 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

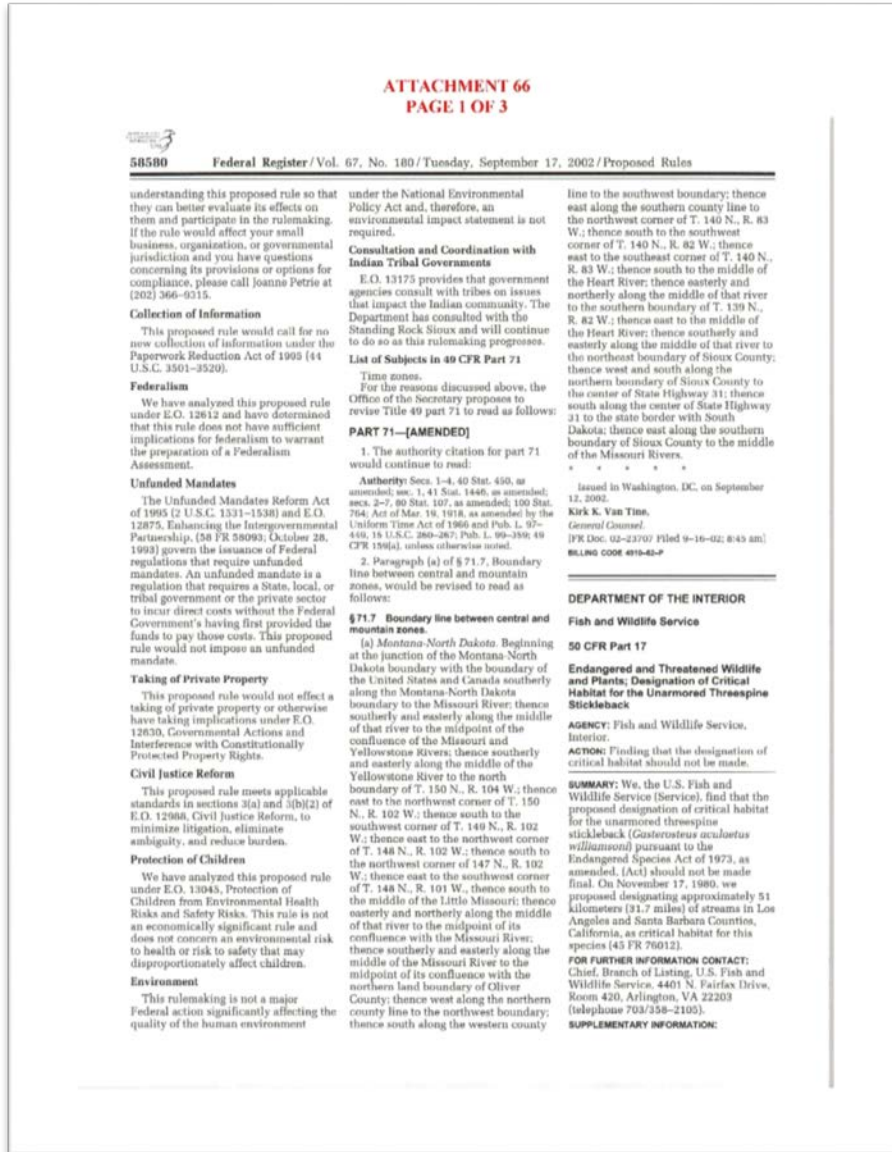


Response No. E14-100:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-101:

Provided below is the first page of Attachment 66 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

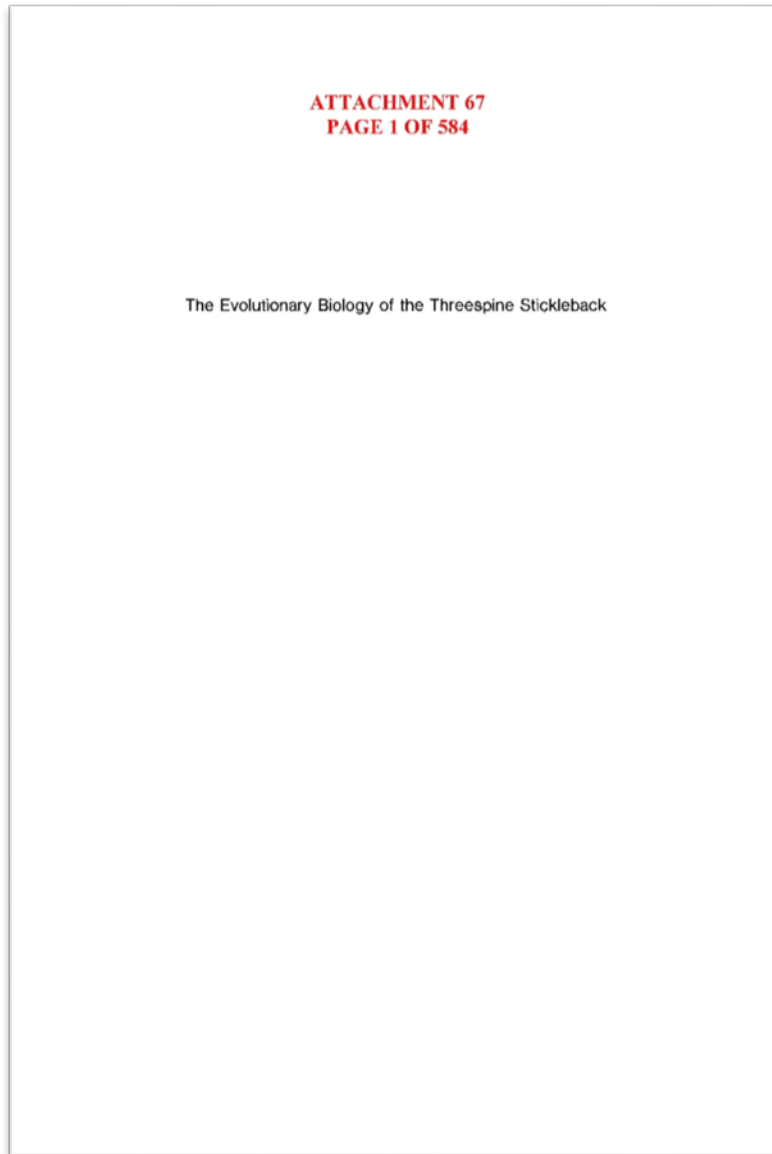


Response No. E14-101:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-102:

Provided below is the first page of Attachment 67 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

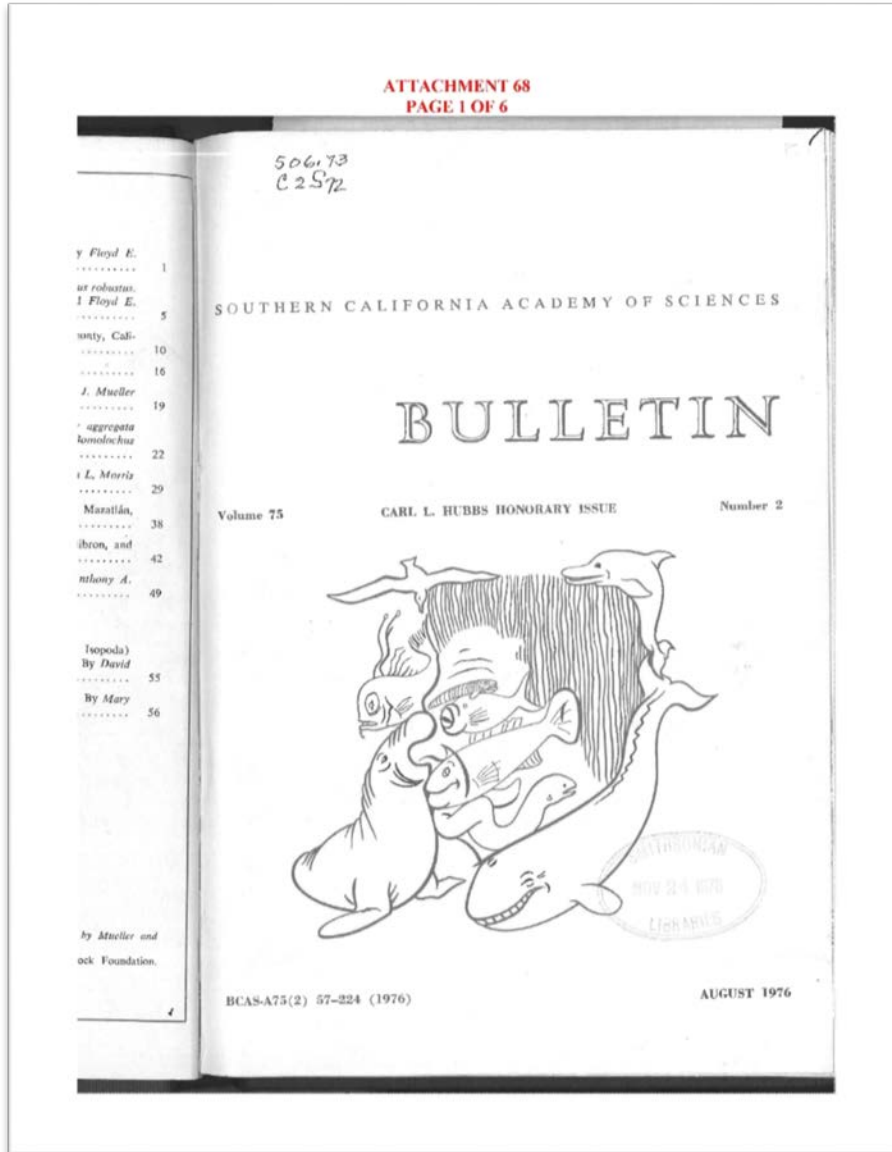


Response No. E14-102:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-103:

Provided below is the first page of Attachment 68 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-103:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-104:

Provided below is the first page of Attachment 69 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-104:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-105:

Provided below is the first page of Attachment 70 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

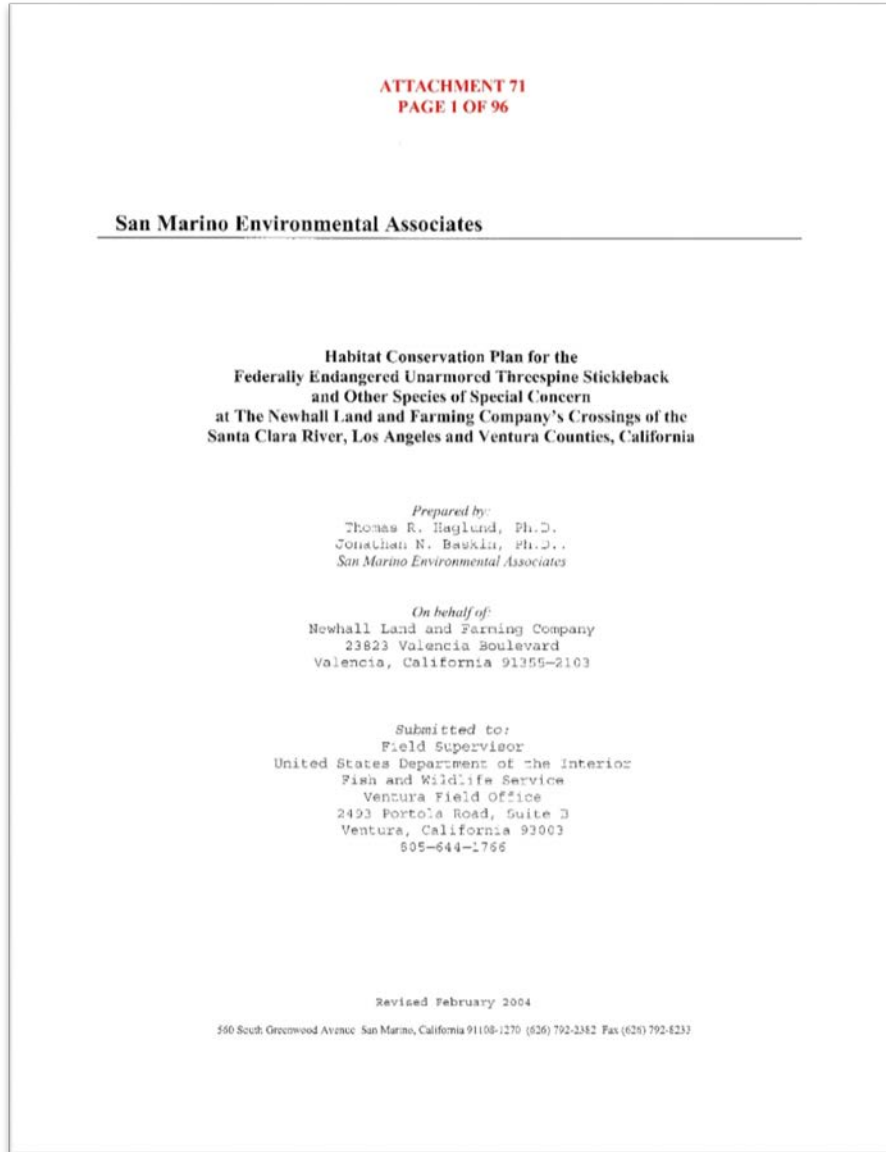
ATTACHMENT 70	
PAGE 1 OF 3	
Federal Register / Vol. 61, No. 132 / Tuesday, July 9, 1996 / Proposed Rules	36021
<p>1995, and prevented the Service from making a final decision on these proposals by the August 1995 administrative deadline. The moratorium was lifted on April 26, 1996, when the appropriation for the Department of the Interior for the remainder of fiscal year 1996 was enacted into law. In a Federal Register document published on May 16, 1996 (61 FR 24722), the Service outlined in detail the history of the moratorium and indicated the priorities it would follow in eliminating the listing program backlog resulting from the moratorium. Preparation of final rules for these proposed species is considered a Tier 2 priority—processing final decisions on proposed listings. For more information on the moratorium and the priority for backlogged listing actions, refer to the May 15, 1996, Federal Register notice.</p> <p>The Service hereby announces another reopening of the comment period until July 25, 1996. Reopening of the comment period will allow the Service to accept information on scientific studies conducted since the comment period last closed on May 5, 1995. Any other comments from the interested public will also be solicited concerning these proposals.</p> <p>Author</p> <p>The primary author of this notice is Robert S. Butler, Jacksonville Field Office, U.S. Fish and Wildlife Service, 6620 Southpoint Drive South, Suite 310, Jacksonville, Florida 32216 (904/232-2380 or fax 904/232-2404).</p> <p>Authority: The authority for this action is the Endangered Species Act (16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500, unless otherwise noted).</p> <p>Dated: July 1, 1996.</p> <p>Noreen K. Clough, Regional Director, Southeast Region, Fish and Wildlife Service. [FR Doc. 96-17222 Filed 7-8-96; 8:45 am] BILLING CODE 4310-66-P</p>	<p>finding on a petition to list three fish as endangered, pursuant to the Endangered Species Act of 1973, as amended. The Service finds that the petition did not present substantial scientific or commercial information indicating the petitioned action may be warranted for two of the three species because it does not substantiate that the Santa Ana speckled dace and Shay Creek threespine stickleback are described subspecies or distinct vertebrate population segments as described in the Service's vertebrate population policy. Furthermore, the Service presently regards the Shay Creek threespine stickleback as a population of the unarmored threespine stickleback (<i>Gasterosteus aculeatus williamsoni</i>), a species that is already listed as endangered. Regarding the third fish species, the Service finds that substantial information exists to support a decision that listing may be warranted for the Santa Ana sucker.</p> <p>DATES: The finding announced in this notice was made on June 28, 1996. Comments and materials may be submitted until further notice.</p> <p>ADDRESSES: Data, information, comments, or questions concerning the finding should be submitted to the Field Supervisor, Carlsbad Field Office, U.S. Fish and Wildlife Service, 2730 Laker Avenue West, Carlsbad, California 92008. The petition, finding, and supporting data are available for public inspection, by appointment, during normal business hours at the above address.</p> <p>FOR FURTHER INFORMATION CONTACT: Paul J. Barrett (see ADDRESSES above), telephone (619) 431-9440.</p> <p>SUPPLEMENTARY INFORMATION:</p> <p>Background</p> <p>Section 4(b)(9)(A) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 <i>et seq.</i>) requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, and the finding is to be published promptly in the Federal Register. This finding is based on information contained in the petition, supporting information submitted with the petition, and otherwise available to the Service at the time the finding is made. If the Service determines that the petitioned action may be warranted, the Service will commence a review of the status of the involved species. Status reviews will be</p>
<p>50 CFR Part 17</p> <p>Endangered and Threatened Wildlife and Plants: 90-day Finding on a Petition to List the Santa Ana Speckled Dace, Santa Ana Sucker, and the Shay Creek Threespine Stickleback as Endangered</p> <p>AGENCY: Fish and Wildlife Service, Interior.</p> <p>ACTION: Notice of 90-day petition finding.</p> <p>SUMMARY: The U. S. Fish and Wildlife Service (Service) announces a 90-day</p>	<p>commenced in accordance with priorities established by the Service pursuant to the May 16, 1996, Final Listing Priority Guidance (61 Fed Reg 24722).</p> <p>On September 6, 1994, the Service received a petition dated September 2, 1994, to list the Santa Ana speckled dace (<i>Rhinichthys osculus</i> spp.), Santa Ana sucker (<i>Catostomus santaanae</i>), and the Shay Creek threespine stickleback (<i>Gasterosteus aculeatus</i> spp.) as endangered species. The petition was submitted by the Sierra Club Legal Defense Fund, Inc., on behalf of seven groups. The seven groups are the California-Nevada Chapter of the American Fisheries Society, The Nature School, The California Sportfishing Protection Alliance, Friends of the River, Izaak Walton League of America, California Trout, and Trout Unlimited. The letter clearly identified itself as a petition and contained the names, signatures, and addresses of the petitioners. Accompanying the petition was supporting information relating to taxonomy, ecology, and past and present distribution of all three species.</p> <p>The petition, supporting documentation, and other information available in the Service files has been reviewed to determine if substantial information is available to indicate that the requested actions may be warranted. On the basis of the best scientific and commercial information available, the Service finds the petitioned action may be warranted for the Santa Ana sucker because of the threats to low population numbers, and is not warranted for the Santa Ana speckled dace based on taxonomic uncertainty. While the petitioners failed to present substantial information indicating that the Shay Creek threespine stickleback should be listed as a subspecies or distinct vertebrate population segment, the Shay Creek threespine stickleback is presently regarded as a population of the unarmored threespine stickleback and already receives the protections of the Act. A status review will be commenced in accordance with the Final Listing Priority Guidance for the Santa Ana sucker.</p> <p>Santa Ana Sucker</p> <p>The Santa Ana sucker (<i>Catostomus santaanae</i>) is a member of the sucker family (Catostomidae). The Santa Ana sucker was originally described as <i>Pantosteus santaanae</i> by Snyder (1908, as in Moyle 1976). The genus <i>Pantosteus</i> was reduced to a subgenus of <i>Catostomus</i> and the hyphen omitted from the specific name in a subsequent revision of the nomenclature (Smith 1966). The American Fisheries Society</p>

Response No. E14-105:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-106:

Provided below is the first page of Attachment 71 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

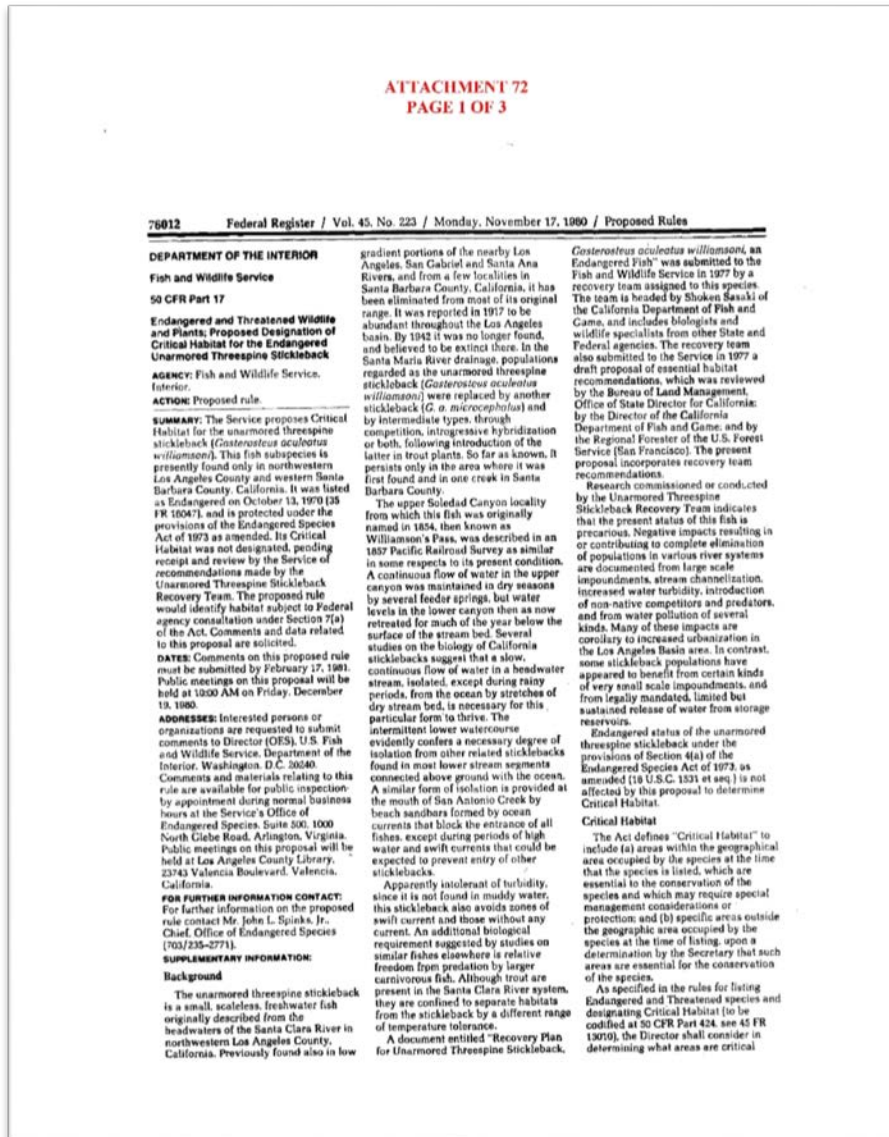


Response No. E14-106:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-107:

Provided below is the first page of Attachment 72 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

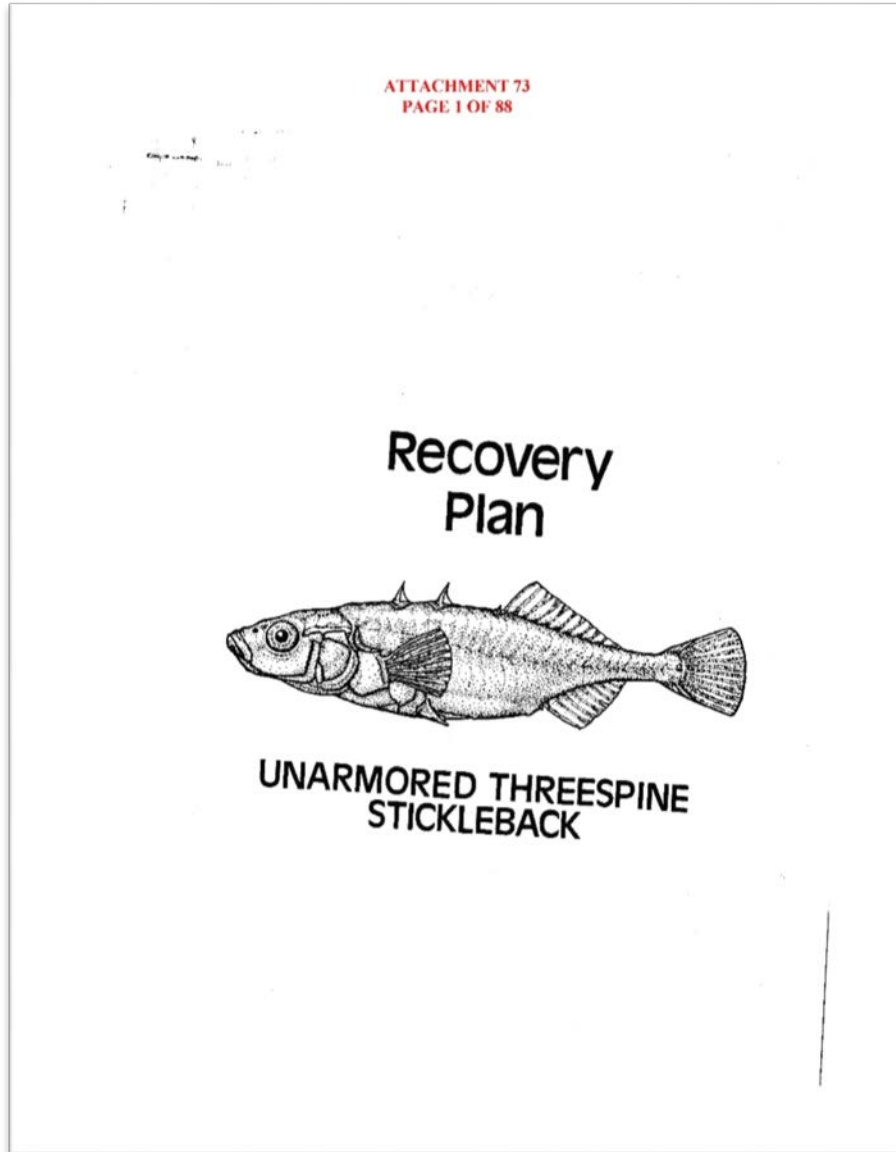


Response No. E14-107:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see Responses to Comments Nos. E14-25, E14-26, and E14-28, above, for relevant information that responds to this issue.

Comment No. E14-108:

Provided below is the first page of Attachment 73 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

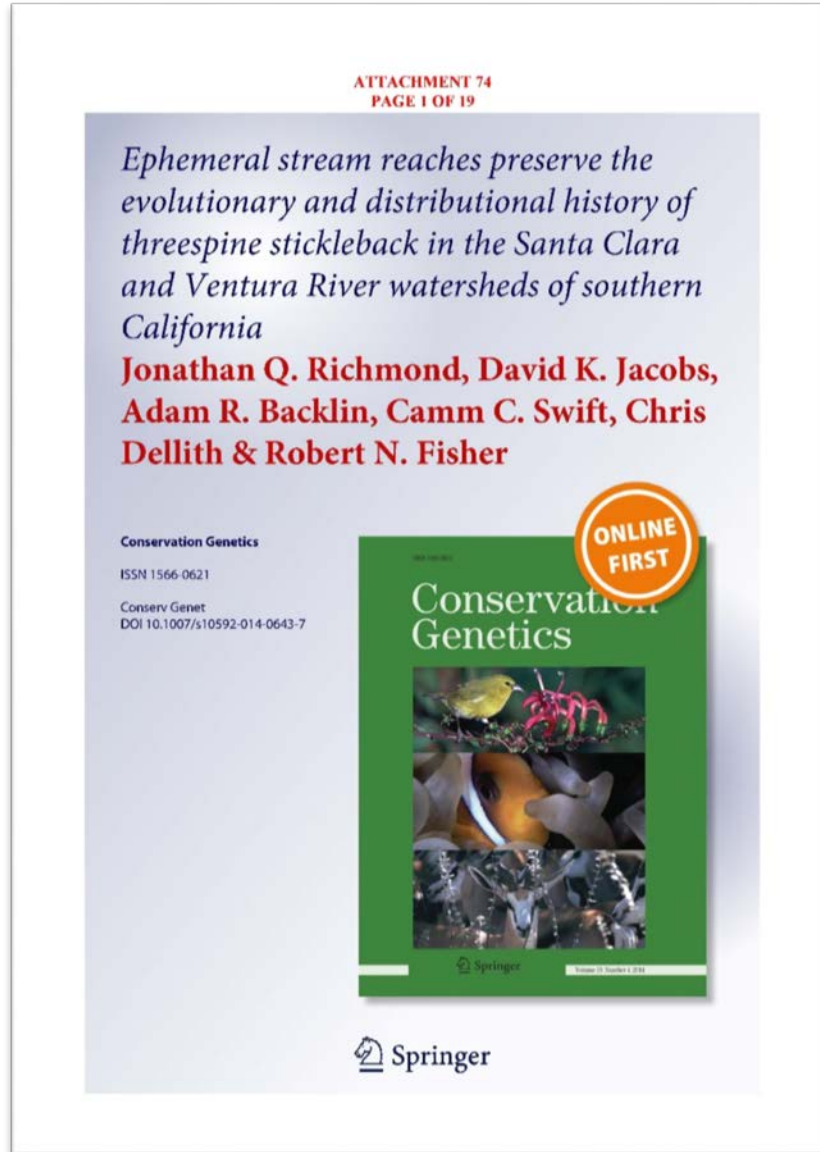


Response No. E14-108:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-109:

Provided below is the first page of Attachment 74 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

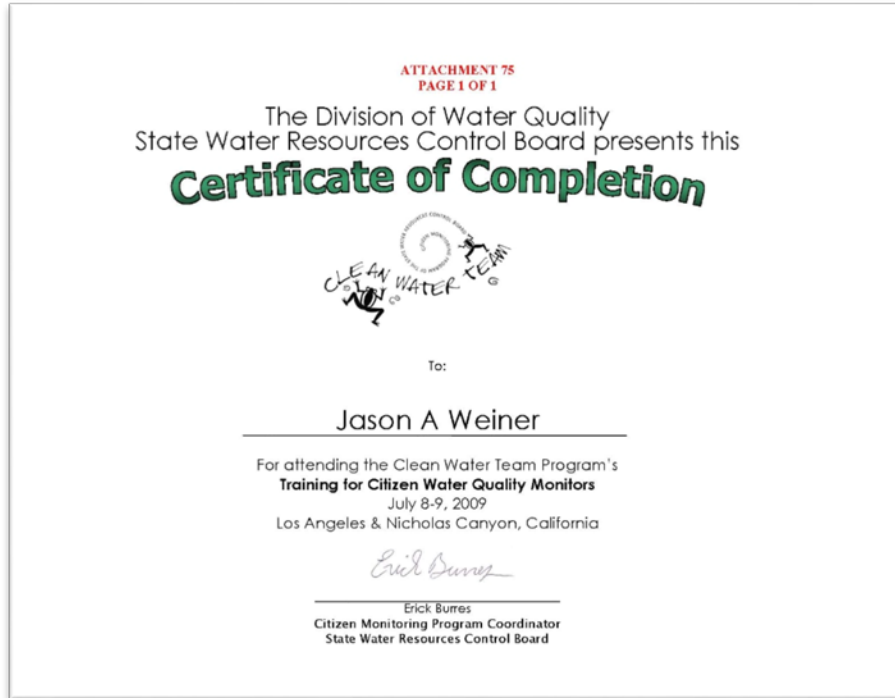


Response No. E14-109:

The commenter cited this publication to support statements regarding the adverse effects of high water temperatures and high water velocities on unarmored threespine stickleback population. Please see **Responses to Comments Nos. E14-25, E14-26, and E14-28**, above, for relevant information that responds to this issue.

Comment No. E14-110:

Provided below is the first page of Attachment 75 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

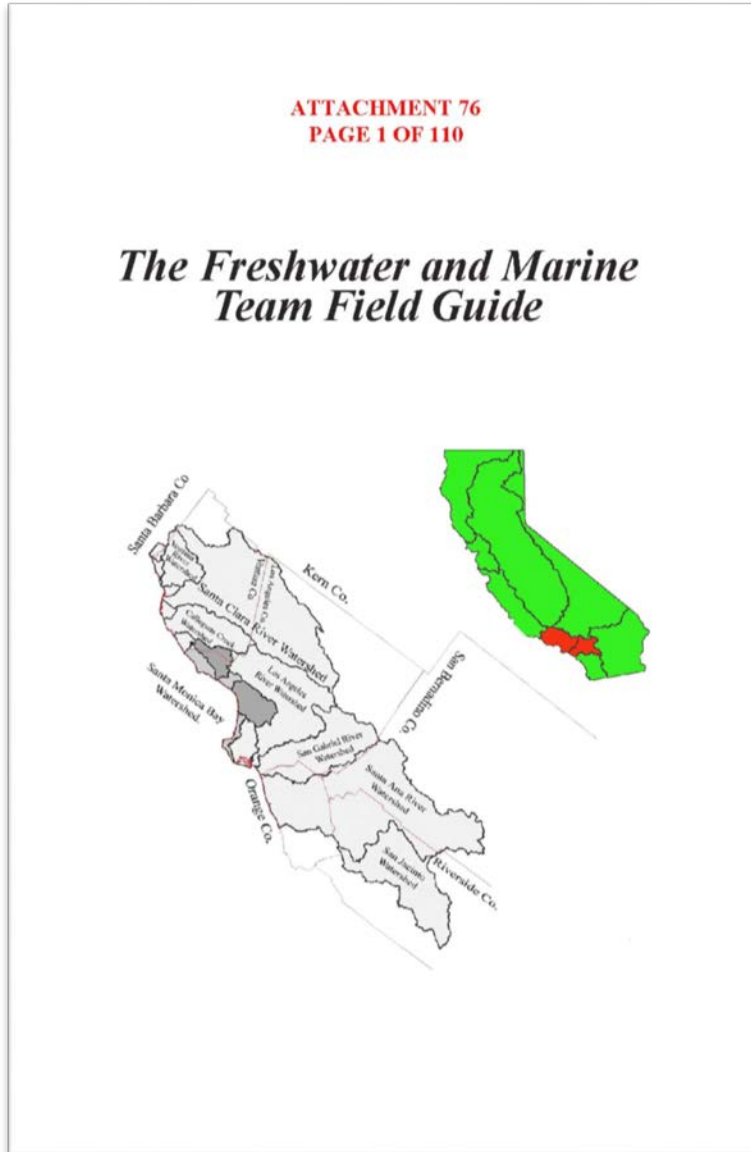


Response No. E14-110:

The commenter cited this publication to support statements regarding Wishtoyo's Ventura Coastkeeper Program and its monitoring of water temperature and velocity in the Santa Clara River. Please see **Responses to Comments Nos. E14-27 and E14-29**, above, for relevant information that responds to this issue.

Comment No. E14-111:

Provided below is the first page of Attachment 76 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

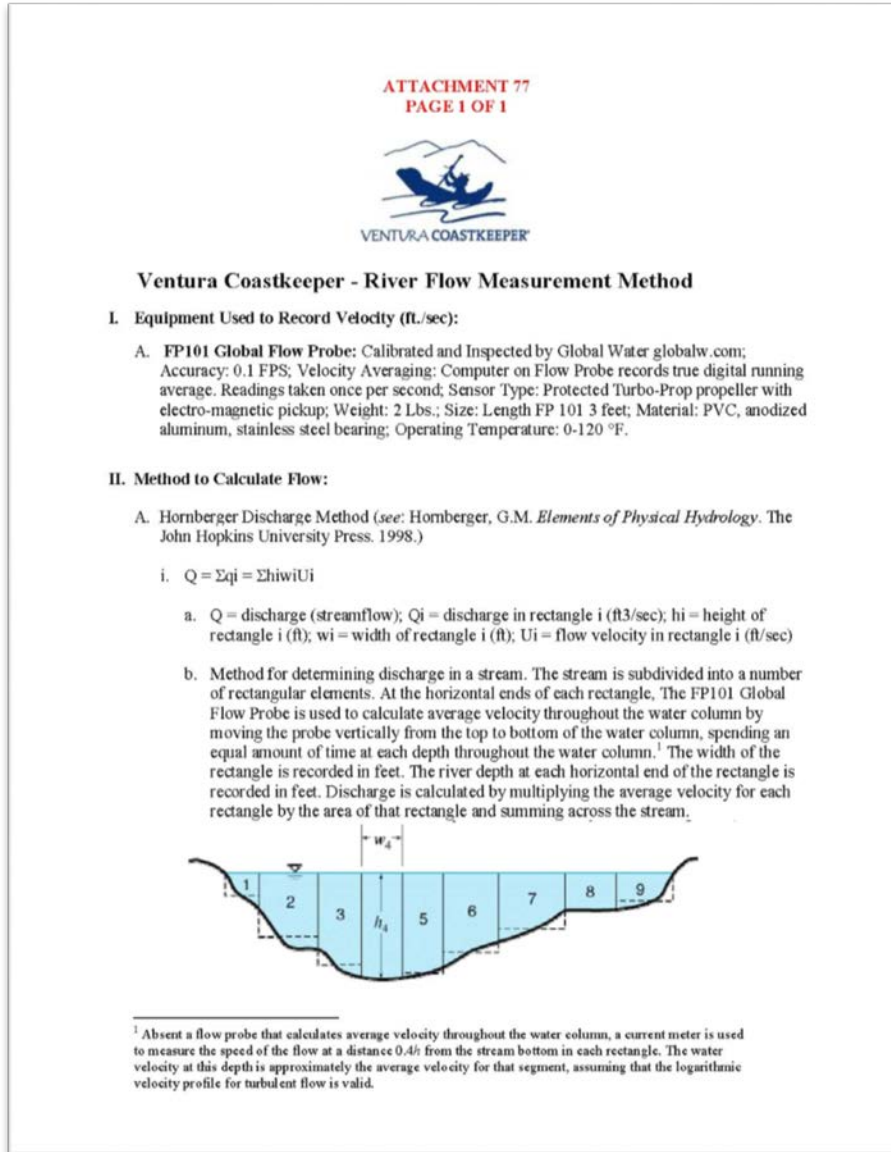


Response No. E14-111:

The commenter cited this publication to support statements regarding Wishtoyo's Ventura Coastkeeper Program and its monitoring of water temperature and velocity in the Santa Clara River. Please see **Responses to Comments Nos. E14-27 and E14-29**, above, for relevant information that responds to this issue.

Comment No. E14-112:

Provided below is the first page of Attachment 77 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

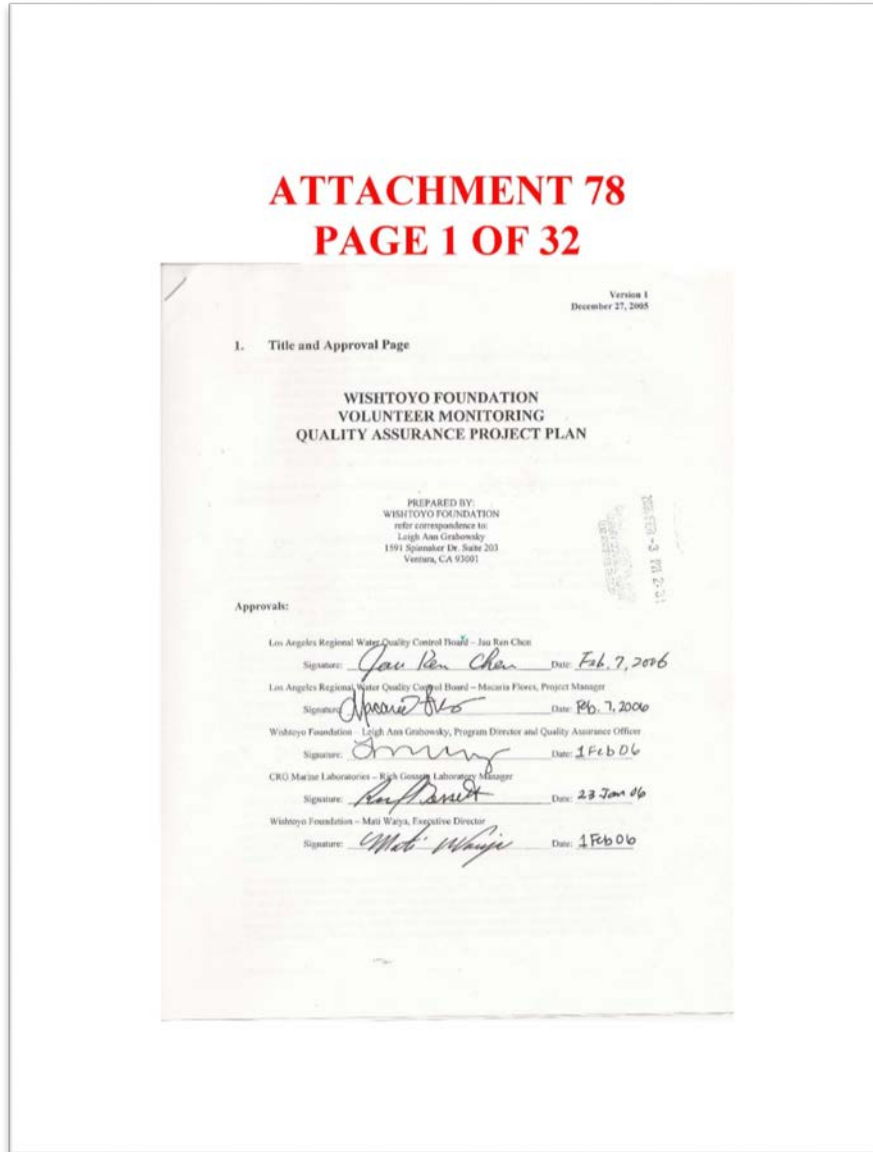


Response No. E14-112:

The commenter cited this publication to support statements regarding Wishtoyo’s Ventura Coastkeeper Program and its monitoring of water velocity in the Santa Clara River. Please see **Responses to Comments E14-27** and **E14-29**, above, for relevant information that responds to this issue.

Comment No. E14-113:

Provided below is the first page of Attachment 78 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

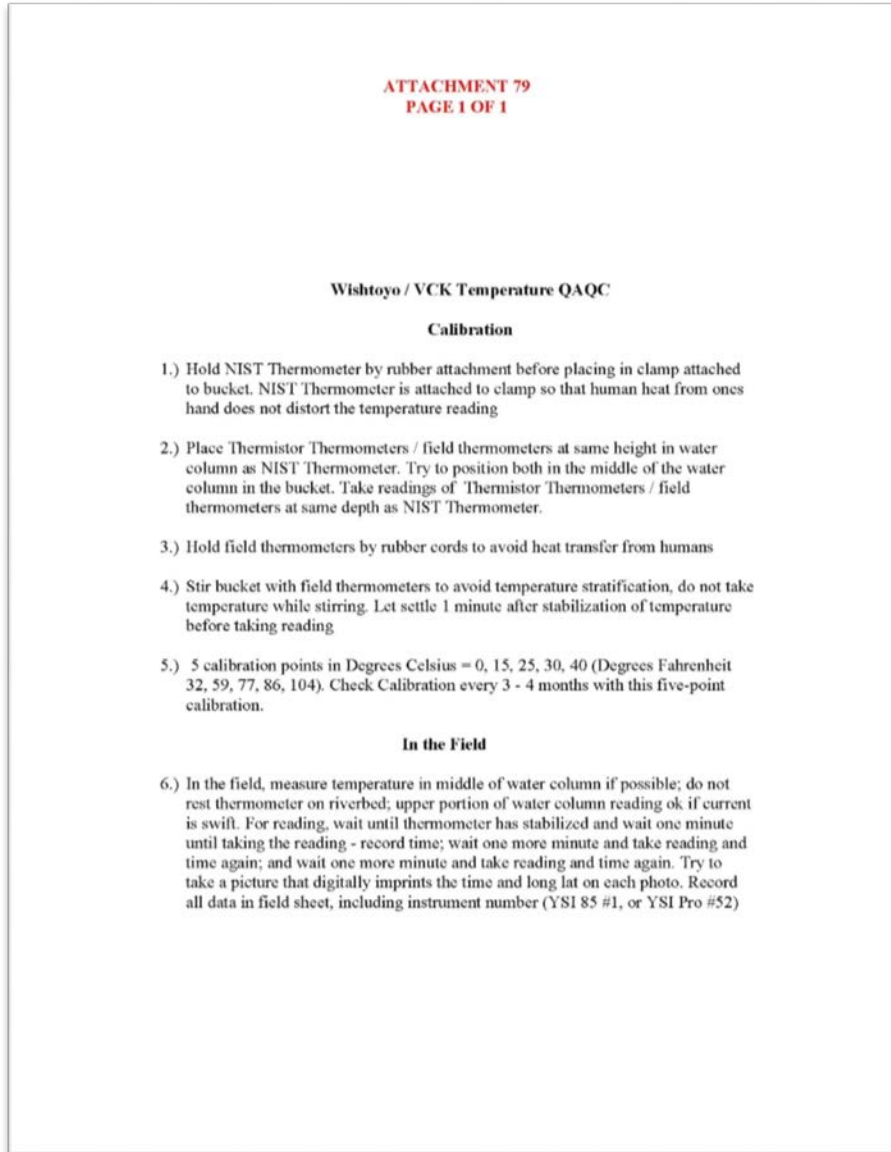


Response No. E14-113:

The commenter cited this publication to support statements regarding Wishtoyo's Ventura Coastkeeper Program and its monitoring of water temperature and velocity in the Santa Clara River. Please see **Responses to Comments Nos. E14-27** and **E14-29**, above, for relevant information that responds to this issue.

Comment No. E14-114:

Provided below is the first page of Attachment 79 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-114:

The commenter cited this publication to support statements regarding Wishtoyo's Ventura Coastkeeper Program and its monitoring of water temperature in the Santa Clara River. Please see **Responses to Comments Nos. E14-27 and E14-29**, above, for relevant information that responds to this issue.

Comment No. E14-115:

Provided below is the first page of Attachment 80 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E14-115:

The commenter cited this publication to support statements regarding Wishtoyo’s Ventura Coastkeeper Program and its monitoring of water temperature in the Santa Clara River. Please see **Responses to Comments Nos. E14-27 and E14-29**, above, for relevant information that responds to this issue.

Comment No. E14-116:

Provided below is the first page of Attachment 81 to Letter No. E14. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 81
PAGE 1 OF 142**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

320 West 4th Street, Suite 200, Los Angeles, CA 90013
(213)576-6600 • Fax (213)576-6660
<http://www.waterboards.ca.gov/losangeles/>

**ORDER NO. R4-2009-0074
NPDES NO. CA0054216**

**WASTE DISCHARGE REQUIREMENTS
FOR THE SANTA CLARITA VALLEY SANITATION DISTRICT OF LOS ANGELES COUNTY,
VALENCIA WATER RECLAMATION PLANT
DISCHARGE TO SANTA CLARA RIVER**

The following Discharger is subject to waste discharge requirements as set forth in this Order:

Table 1. Discharger Information

Discharger	Santa Clarita Valley Sanitation District of Los Angeles County
Name of Facility	Valencia Water Reclamation Plant
Facility Address	28185 The Old Road
	Santa Clarita, CA 91355
	Los Angeles County

The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board (Regional Water Board) have classified this discharge as a major discharge.

The discharge by the Santa Clarita Valley Sanitation District of Los Angeles County from the discharge points identified below is subject to waste discharge requirements as set forth in this Order:

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Tertiary treated effluent	34 °, 25', 49.6" N	118°, 35', 33.37" W	Santa Clara River
002	Tertiary treated effluent	34 °, 25', 48.27" N	118°, 35', 31.95" W	Santa Clara River

February 25, 2009
Revised: 04/07/09, 4/20/09, 5/14/09, and 6/4/09

Response No. E14-116:

The commenter cited this publication to support statements regarding water temperature and water flow velocities upstream and downstream of the Valencia WRP. Please see **Responses to Comment Nos. E14-27 and E14-29**, above, for relevant information that responds to this issue.

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COMMENT LETTER NO. E15

Jason Weiner, General Counsel
Wishtoyo Foundation
9452 Telephone Road, #432
Ventura, CA 93004

Comment No. E15-1:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 1 of 2.

Response No. E15-1:

The Los Angeles County Department of Regional Planning (County) acknowledges the comment and confirms receipt of the comments submitted by the Wishtoyo Foundation ("Wishtoyo"). No further response is required.

Comment No. E15-2:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E15-2:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis).

Comment No. E15-3:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E15-3:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E15-4:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 2 of 2, and contains only attachments for Wishtoyo's cultural resources comments.

Response No. E15-4:

The County confirms receipt of Wishtoyo's comments; however, the attachments provided by Wishtoyo are comprised of an array of documents that often are not connected to any particular Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond with regard to the attachments. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E15-5:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E15-5:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E15-6:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E15-6:

The County acknowledges receipt of two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E15-7:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 1 of 2.

Response No. E15-7:

The County acknowledges the comment and confirms receipt of the comments submitted by Wishtoyo. No further response is required.

Comment No. E15-8:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E15-8:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E15-9:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E15-9:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E15-10:

Thanks Diane. Will you be able to inform us when the CD arrives and if you received all of its contents?

Response No. E15-10:

The County received the CD; however, the above comment does not raise an environmental issue with regard to the adequacy of the County's Draft Recirculated Analysis. Thus, no further response is required.

Comment No. E15-11:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 2 of 2, and contains only attachments for Wishtoyo's cultural resources comments.

Response No. E15-11:

The County acknowledges receipt of the two attachments, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E15-12:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E15-12:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E15-13:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E15-13:

The County acknowledges receipt of two attachments to Wishtoyo's supplemental email, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E15-14:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 1 of 2.

Response No. E15-14:

The County acknowledges the comment and confirms receipt of the comments submitted by Wishtoyo. No further response is required.

Comment No. E15-15:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E15-15:

The County acknowledges that attachments were sent by mail. No further response is required because the comment does not raise an issue regarding the adequacy of the County's Draft Recirculated Analysis.

Comment No. E15-16:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E15-16:

The County acknowledges receipt of two attachments to Wishtoyo's supplemental email, but notes that the attachments often are not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific

attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E15-17:

Thank you for providing Wishtoyo Foundation (“Wishtoyo”) with the opportunity to submit comments on the Draft Recirculated EIR. Wishtoyo is a Chumash Native American non-profit organization that protects Chumash culture, and the natural resources all Peoples depend upon. Amongst our members are Chumash Peoples, and Los Angeles and Ventura County residents adversely affected by the EIR.

Response No. E15-17:

The comment identifies Wishtoyo as a “Chumash Native American non-profit organization that protects Chumash culture, and the natural resources all Peoples depend upon.” The comment indicates that Wishtoyo’s members include Chumash Peoples, as well as residents of Los Angeles County and Ventura County “adversely affected by the EIR.”

The County acknowledges Wishtoyo Foundation and its description. The comment does not address the adequacy of the Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). Nor does it raise any issue pertaining to the proposed Project. Thus, no further response is required.

Comment No. E15-18:

These comments are specifically in regards to the impacts to Chumash tribal cultural resources, including burials and natural cultural resources, that are likely to occur during construction of the bridges as designed in the Draft Recirculated EIR and that are likely to occur if the project is modified to reduce greenhouse gas emissions.

Response No. E15-18:

The comment is an introduction to comments that follow concerning potential impacts to Chumash tribal cultural resources if the project is modified to reduce greenhouse gas (GHG) emissions. The comment does not identify any impact to Chumash tribal cultural resources. Thus, there can be no further response to this comment.

Nonetheless, for information purposes, the Project’s land use plan was not changed or modified as a result of the new GHG analysis or mitigation measures, or the modified construction of the bridges and bank stabilization. There has been no new housing, roads, or commercial uses within the Project site, since completion of the Project’s 2011 Final EIR. The Project footprint has not changed as a result of the GHG analysis/mitigation strategy or the modified bridge/bank stabilization construction methods evaluated in the Recirculated Analysis, when compared to the Project’s 2011 EIR. Specific to the

modified construction of the bridges and bank stabilization, there is no change in or modification to the location, size, or purpose of the bridges or bank stabilization, and no change or modification with regard to footprint except that the two permanent bridges will have fewer bridge piles, reducing impacts.

Comment No. E15-19:

We hereby incorporate Wishtoyo's and Mati Waiya's prior submitted comments on the EIR's deficiencies, including the content of those comments regarding the EIR's deficiencies as to the identification of, analysis of, and mitigation for Chumash tribal cultural resources at CA- LAN-2133, 2233, 2235, and throughout the project site.

Response No. E15-19:

The comment attempts to incorporate by reference the comments that Wishtoyo and Mati Waiya submitted on the Project's 2011 Final EIR, including comments "regarding the EIR's deficiencies as to the identification of, analysis of, and mitigation for Chumash tribal resources at CA-LAN-2133, 2233, 2235, and throughout the project site."

The Project's impacts on cultural resources and associated mitigation measures were fully evaluated in the Project's 2011 Final EIR. Please refer to the Los Angeles County Department of Regional Planning's website for the Project, which contains the 2011 Draft and Final EIR and other Project documents (<http://planning.lacounty.gov/mission-village/>, last accessed May 5, 2017). Following certification of the 2011 Final EIR, litigation ensued over the adequacy of the EIR and Project approvals (see *California Native Plant Society v. County of Los Angeles* (Sept. 29, 2015, B258090 [nonpub. opn.]; and *California Native Plant Society v. County of Los Angeles* (Dec. 1, 2016, B258090 [nonpub. opn.]). In the Project litigation, petitioners did not challenge the 2011 Final EIR's cultural resources analysis or mitigation measures, and the petitioners included the Wishtoyo Foundation and its Ventura Coastkeeper Program. All issues that were raised or could have been raised in the prior litigation are now final, including the adequacy of the 2011 Final EIR's cultural resources impact analysis and mitigation.

In addition, all cultural resources impact and mitigation issues pertaining to the related Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP project), which includes the Mission Village project site, were litigated (or waived) in the lawsuit titled, *Center for Biological Diversity v. California Department of Fish and Wildlife* (1 Cal.App. 5th 452), to which the Wishtoyo Foundation and its Ventura Coastkeeper Program were and remain parties. In that case, the Court of Appeal rejected all claims that the EIR's assessment of project-related cultural resources impacts and mitigation were inadequate under the California Environmental Quality Act (CEQA). The Court of Appeal in that related case also rejected claims of insufficient consultation. That 2010 Final EIR, prepared by the California Department of Fish and Wildlife (CDFW), determined that avoidance,

preservation, and minimization of impacts to known cultural sites and the adoption of mitigation measures that specify avoidance, treatment, monitoring and data recovery to be carried out by a qualified archaeologist and Native American monitors (Tataviam) reduced any impacts to less-than-significant levels. (2011 Final EIR, Section 4.20.) Consequently, those issues have been resolved and cannot be raised a second time here, particularly when the Recirculated Analysis demonstrates that there are no new or more severe impacts resulting from the new GHG analysis/mitigation and the modified construction methods for the project's bridges and bank stabilization (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

In addition, none of the three cultural sites identified in the comment CA-LAN-2133, 2233, or 2235 – is located near the proposed bridge locations. Nor is any of the three sites located within the Mission Village project area. Further, the comment does not demonstrate any connection between these sites and the proposed No Water Contact bridge construction approach addressed in the Recirculated Analysis. Nor does the comment explain how the proposed Project's approach to mitigate for GHG emissions affects these three sites or any others. Importantly, as reflected in the Recirculated Analysis, the location and disturbance footprint of the bridges and bank stabilization features have not changed since they were assessed in the 2011 Final EIR (except that there are now fewer bridge piles than shown in the 2011 Final EIR, which reduces impacts. (Draft Recirculated Analysis, p. 2.2-1.)

Lastly, because the comments previously submitted by Wishtoyo and Mati Waiya address the 2011 Final EIR and not the Draft Recirculated Analysis, there is no need to address the comments again, as the County previously responded to the comments in the 2011 Final EIR. (2011 Final EIR, Letter F27 and RTC-F27-1—7.) Nonetheless, the County incorporates by reference its responses to comments, which are available for public review and inspection on the County's website referenced above.

Comment No. E15-20:

In regards to the re-circulated greenhouse gas analysis in the Draft Recirculated EIR, if any of the project changes result in new or different ground disturbance within the Project site, because this ground disturbance would likely impact the ancient Chumash burials, villages, and natural cultural resources located all along the Santa Clara River and its tributaries within and in addition to the sites the EIR has already identified, Wishtoyo requests that Los Angeles County amend the EIR to:

1.) Consult with Wishtoyo Foundation and the Chumash Peoples, including the federally recognized Santa Ynez Band of Chumash Mission Indians, in regards to impacts to and mitigation for impacts to tribal cultural resources, including usable natural cultural resources such as arroyo willow, juncus, and tule. (See Attached Declaration from Chairman Armenta in regards to requested analysis to identify tribal cultural resources, requested mitigation, and the Chumash Peoples interest in the Project site; See attached Cal Trans 1999 Report providing more information about the Chumash Peoples' historic presence in the project site);

Response No. E15-20:

The comment states that if the proposed Project's GHG mitigation measures, as analyzed in the Draft Recirculated Analysis, "result in new or different ground disturbance within the Project site," such disturbance would "likely impact" ancient Chumash cultural resources. The comment then states that, in the event of such "new or different ground disturbance," the County should consult with Wishtoyo and Chumash Peoples, "including the federally recognized Santa Ynez Band of Chumash Mission Indians, in regards to impacts to and mitigation for impacts to tribal cultural resources." The comment cites a Declaration from Daniel Armenta, Chairman of the Santa Ynez Band.

As noted in **Response to Comment No. E15-18**, above, the proposed mitigation measures for the Project's GHG emissions will not result in any ground disturbance on the Project site beyond that analyzed and disclosed in the 2011 Final EIR. Further, Ramboll Environ evaluated the potential environmental effects of implementing the GHG mitigation measures related to achieving Net Zero Energy compliance (Mitigation Measures MV 4.23-1/2-1 and MV 4.23-2/2-2) and installing electric vehicle charging stations (Mitigation Measures MV 4.23-4/2-4, MV 4.23-5/2-5, and MV 4.23-12/2-12), and concluded the implementation of such measures would not result in any new or more severe significant environmental impacts, which includes cultural resources.

The comment does not provide any evidence that there will be a change in potential ground disturbance that could impact cultural resources relative to what was already analyzed in the 2011 Final EIR. (See 2011 Final EIR, Section 4.20.) In short, the 2011 Final EIR thoroughly analyzed impacts to cultural resources and included adopted mitigation measures. The 2011 EIR's analysis, mitigation, and consultation efforts were never challenged in the project litigation (see **Response to Comment No. E15-19**, above); and, thus, such claims are waived and beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

In short, the comment does not address any environmental issue discussed in the Draft Recirculated Analysis; nor does it raise any environmental issue or identify any deficiency in the analysis or mitigation presented in the Draft Recirculated Analysis. In short, the proposed Project's potential cultural impacts analysis, mitigation, and consultation already have been evaluated, disclosed, mitigated, and litigated as to this project or the related RMDP/SCP project. The Draft Recirculated Analysis does not address these issues, as they are beyond the scope of Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). In addition, the comment does not connect the proposed GHG mitigation measures to any cultural resources impacts or mitigation, and the County's independent evaluation did not result in any such connection, nor any new or more severe significant impacts to

already-assessed cultural resources within the project site. As discussed in **Response to Comment No. E15-19** above, the courts have resolved issues related to cultural resources impacts, mitigation, and consultation, and these issues are beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Thus, no further response is required.

Comment No. E15-21:

2.) Identify the presence of tribal cultural resources, village sites, and natural cultural resources with assistance from the Chumash and Tataviam Peoples;

Response No. E15-21:

The comment states that if the proposed Project's greenhouse gas mitigation measures, as analyzed in the Draft AEA, "result in new or different ground disturbance within the Project site," such disturbance would "likely impact" ancient Chumash cultural resources. The comment then states that, in the event of such "new or different ground disturbance," CDFW should identify the presence of tribal cultural resources, village sites, and natural cultural resources with assistance from the Chumash and Tataviam Peoples.

As discussed in **Response to Comment Nos. E15-18** through **E15-20**, the proposed mitigation measures for the Project's greenhouse gas emissions will not result in any ground disturbance beyond that analyzed and disclosed in the 2011 Final EIR, as discussed in **Response to Comment No. E15-20**. Thus, there will be no reason to conduct additional investigations to locate tribal cultural resources, village sites, or natural cultural resources. Nor will there be any need to seek assistance from the Chumash and Tataviam Peoples to identify such resources. Moreover, these resources have already been identified in the 2011 Final EIR, which the Court of Appeal determined was adequate with respect to its cultural resource analysis.

Comment No. E15-22:

3.) Use best available methods such as ground penetrating radar and canine forensics to locate the village remains and burials of the Chumash peoples (see attachments for examples and descriptions of these methods¹);

¹ Wishtoyo requests that specially trained forensic canines alone or in combination with ground penetrating radar are utilized (just like they were in Santa Cruz to identify Ohlone Native American burials for the KB Home development) to identify these tribal cultural resources. The use of specially trained canine forensics alone, or in combination with ground penetrating radar, represents the best available technology and most reliable means for the identification of Native American burials, villages, and remains, and thus should be used to identify potential impacts to Native American cultural / historic resources and to mitigate those impacts to a less than significant effect. As discussed by Mati Waiya in his August 2, 2010 letter, moving Native American burials

from their original resting place upon discovery during construction, or disturbing and destroying Native American burials with construction equipment, harms Native American cultural historic resources and does not mitigate the impacts to the Native American cultural / historic resources. By utilizing highly trained forensic canines alone or in combination with ground penetrating radar to identify with more reasonable certainty all or almost all of the Native American burials at issue, mitigation measures can be developed in coordination with the local Tribes to achieve preservation in place for impacted burials and tribal cultural resources.

Response No. E15-22:

The comment states that if the proposed Project's GHG mitigation measures, as analyzed in the Recirculated Analysis, "result in new or different ground disturbance within the Project site," such disturbance would "likely impact" ancient Chumash cultural resources. The comment then states that, in the event of such "new or different ground disturbance," CDFW should use "best available methods such as ground penetrating radar and canine forensics to locate the village remains and burials of the Chumash peoples (see attachments for examples and descriptions of these methods.)"

As stated in **Response to Comment Nos. E15-18 through E15-20**, the proposed mitigation measures for the Project's GHG emissions will not result in any ground disturbance beyond that analyzed and disclosed in the 2011 Final EIR. The commenter is referred to Section 4.20 of the 2011 Final EIR, which addresses potential impacts and mitigation measures related to this issue. Thus, there is no need for additional surveys or the use of ground penetrating radar or canine forensics to locate village remains or human burials. Further, the information set forth in the comment or the comment footnote has no bearing on any issue within the scope of the Draft Recirculated Analysis.

The comment includes a footnote requesting "that specially trained forensic canines alone or in combination with ground penetrating radar are utilized (just like they were in Santa Cruz to identify Ohlone Native American burials for the KB Home development) to identify these tribal cultural resources." The comment does not provide any evidence that there will be a change in potential ground disturbance that could impact cultural resources relative to what was already analyzed in the 2011 Final EIR; thus, the Recirculated Analysis is not required to evaluate potential impacts to cultural resources. Because the 2011 Final EIR thoroughly analyzed cultural resources, impacts, and mitigation; and because the cultural resources analysis and mitigation were litigated (or waived) in the judicial review for the project and related RMDP/SCP project (see **Response to Comment No. E15-19**), there is no need for additional surveys to identify the presence of tribal cultural resources, village sites, or natural resources (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

Comment No. E15-23:

4.) If Chumash villages, remains, or burials are found:

- a. Follow CEQA's requirements to fully analyze from the Chumash and Tataviam Peoples' perspective what constitutes avoidances and preservation in place (See Madera Oversight (2011) 199 Cal.App.4th 48 for requisite analysis and EIR discussion); and

Response No. E15-23:

The comment states that if the proposed Project's GHG mitigation measures, as analyzed in the Recirculated Analysis, "result in new or different ground disturbance within the Project site," such disturbance would "likely impact" ancient Chumash cultural resources. The comment then states that, in the event Chumash villages, remains, or burials are found, CDFW should "fully analyze from the Chumash and Tataviam Peoples' perspective what constitutes avoidance and preservation in place."

As stated in **Response to Comment Nos. E15-18 through E15-20**, the proposed mitigation measures for the Project's greenhouse gas emissions will not result in any ground disturbance beyond that analyzed and disclosed in the 2011 Final EIR. The commenter is referred to Section 4.20 of the 2011 Final EIR, which addresses potential impacts and mitigation measures related to cultural resources. In addition, as discussed in **Response to Comment No. E15-19** above, the courts have resolved issues related to cultural resources, impacts, mitigation, and consultation; and those issues are beyond the scope of Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

The comment does not address any environmental issue discussed in the Draft Recirculated Analysis; nor does it raise any environmental issue or identify any impact analyzed in the Draft Recirculated Analysis. In short, the proposed Project's potential impacts on cultural impacts and mitigation already has been evaluated, disclosed, mitigated, and upheld following judicial review (see **Response to Comment No. E15-19**, above). The Draft Recirculated Analysis does not further address these issues, as they are beyond the scope of the analysis of the issues presented in the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**), and the comment makes no connection between the proposed greenhouse gas mitigation measures and impacts to cultural resources.

Comment No. E15-24:

- b. Commit to avoidance of impacts if feasible, then preservation in place for the resources if feasible, and only if avoidance and preservation in place are not feasible as defined by adequate feasibility criteria articulated in the EIR, then provide for careful data recovery and re-entry as a last resort. It is impermissible under CEQA to leave it up to Newhall's discretion as to whether to avoid or preserve tribal cultural resources in place.

Response No. E15-24:

The comment states that if the proposed Project’s greenhouse gas mitigation measures, as analyzed in the Recirculated Analysis, “result in new or different ground disturbance within the Project site,” such disturbance would “likely impact” ancient Chumash cultural resources. The comment states that, in the event Chumash villages, remains, or burials are found, CDFW should “Commit to avoidance of impacts if feasible, then preservation in place for the resources if feasible, and only if avoidance and preservation in place are not feasible as defined by adequate feasibility criteria articulated in the EIR, then provide for careful data recovery and re-entry as a last resort.” The comment then states that “it is impermissible under CEQA to leave it up to Newhall’s discretion as to whether to avoid or preserve tribal cultural resources in place.”

As stated in **Response to Comment Nos. E15-18 through E15-20**, the proposed mitigation measures for the Project’s GHG emissions will not result in any ground disturbance beyond that analyzed and disclosed in the 2011 Final EIR. The commenter is referred to Section 4.20 of the 2011 Final EIR, which addresses potential impacts and mitigation measures related to cultural resources. The comment is beyond the scope of the Draft Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**), and does not draw any connection between the proposed Project’s greenhouse impacts and cultural resources – issues thoroughly evaluated in the 2011 Final EIR, record, and litigation with regard to the Project and the related RMDP/SCP project.

Comment No. E15-25:

In regards to the movement of the bridge columns in the Santa Clara River and its floodplain as provided in the Draft Recirculated EIR, the movement of these columns to areas known to contain Chumash burials (the Chumash buried their dead within the project site for thousands of years along the Santa Clara River)² surely requires a comprehensive investigation of the presence of Chumash burials and other associated remains and tribal cultural resources using the best available methods in the area of bridge construction.³ This is because the deep and extensive excavation into the Santa Clara River and its floodplain needed to insert the columns will surely destroy Chumash burials and tribal cultural resources if these sacred tribal cultural resources lie in the new locations for the columns. These best available methods to identify burials and other significant cultural resources that can inform whether the columns should be moved so as to avoid these cultural resources include ground penetrating radar and canine forensics to locate the village remains and burials of the Chumash peoples (see attachments for examples and descriptions of these methods).

² In addition to Wishtoyo’s and Mati Waiya previously submitted comment letters, see also attached Declaration from Chairman Armenta in regards to requested analysis to identify tribal cultural resources, requested mitigation, and the Chumash Peoples interest in the Project site; See attached Cal Trans 1999 Report providing more information about the Chumash Peoples’ historic presence in the project site.

³ For example, the bridge at Long Canyon crossing the river near Chiquito Canyon will likely impact the Chumash burial grounds and ancient village remains at around and connected to CA-LAN-2233 and or 2235, which are located near the confluence of the Santa Clara River and Chiquito Canyon on both sides of Highway 126 extending all the way down to the Santa Clara River through the proposed Long Canyon bridge crossing.

Response No. E15-25:

The comment states that by widening the span of the permanent bridge columns (and thereby reduce the number of bridge columns) to prevent contact with the wetted channel of the Santa Clara River, the proposed Project will penetrate and disturb Chumash burials.

First, the County has independently reviewed the proposed modified construction methods for the bridges and bank stabilization, and has determined that both the No Water Contact construction approach and the reduction in bridge columns/spans result in fewer impacts than analyzed in the 2011 Final EIR; and such methods avoid or minimize impacts, including cultural resources impacts – they do not create new or more severe impacts than analyzed in the 2011 Final EIR.

Second, the comment does not offer any information or evidence that the ground disturbance associated with the modified bridge construction methods will result in greater impacts than already analyzed in the 2011 Final EIR. In fact, the bridge locations have not changed since the 2011 Final EIR and the modified bridge construction methods will result in No Water contact with the wetted channel of the Santa Clara River and fewer bridge piling, reducing overall impacts from this aspect of the Project construction. (Draft Recirculated Analysis, p. 2.2-1)

Because this comment does not identify any impacts associated with the Recirculated Analysis that exceed the analysis contemplated by the 2011 Final EIR, the comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Nonetheless, for informational purposes, the following further response is provided.

There is no evidence that the areas where the bridge columns will be installed contain any significant cultural resources that were not already analyzed and considered in the 2011 Final EIR. The comment asserts that such resources exist, but no data or information is provided in support for this statement. The 2011 Final EIR included extensive assessments of the cultural resources on the Project site. (See 2011 Final EIR, Section 4.20; see also RTC-F27-1-7 for a detailed summary of cultural resources associated with the Project site.) Neither document identified any such resources at or near the locations of the proposed bridges. (See 2011 Final EIR, Section 4.20, which identifies significant cultural resources, with no such resources located in the area impacted by the modified bridge construction

methods.) Moreover, neither the Wishtoyo Foundation nor any other party challenged the 2011 Final EIR's analysis of Project-related impacts on cultural resources. No such challenge can be brought now (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The 2011 Final EIR determined that avoidance, preservation and minimization of impacts to known cultural sites and the adoption of mitigation measures that specify avoidance, treatment, monitoring and data recovery to be carried out by a qualified archaeologist and Native Americans reduced any impacts to less-than-significant levels. Consequently, those issues have been resolved and are beyond the scope of the Recirculated Analysis.

With regard to footnote 2, the County has reviewed the Declaration from Mr. Armenta. It does not address the Draft Recirculated Analysis, either directly or indirectly, and, thus, is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR and Response to Comment Nos. E15-18 through E15-20**, above); consequently, no further response is needed.

Further, the County is aware of the 1999 Caltrans report and it also has no bearing on any environmental issue addressed in the Draft Recirculated Analysis, either directly or indirectly, and, thus, is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR and Response to Comment Nos. E15-18 through E15-20**, above). The 1999 Caltrans report is not applicable because it addresses the data recovery at CA-LAN-2233 that took place in 1998, which is not an issue material to either GHG emissions or take avoidance of unarmored threespine stickleback. Moreover, site 2233 is not located within the Mission Village project area.

With regard to footnote 3, which claims that CA-LAN-2233 and CA-LAN-2235 are located near the confluence of the Santa Clara River and Chiquito Canyon and thus would be affected by construction of the Long Canyon Drive Bridge, there is no evidence that either of these sites extends anywhere near the bridge pier locations. They are in fact not affected by any of the proposed bridge construction work. Note also that the Long Canyon Drive Bridge is not part of the Mission Village project. In addition, as stated above, neither site 2233 nor site 2235 is located within the Mission Village project area.

Comment No. E15-26:

In addition, consultation with Wishtoyo and the Chumash Peoples, including the federally recognized Santa Ynez Band of Chumash Mission Indians, is required to help identify the locations of these burial grounds and other cultural resources in this area. This consultation includes provision of the confidential maps to the Chumash Peoples of the exact locations all cultural resources have been found to date to fully inform and aid the Chumash Peoples in identifying their resources and their locations in relation to

the new locations for the bridge columns. If during these investigations, Chumash villages, remains, or burials are found, Los Angeles County must:

Response No. E15-26:

The comment states that the County must consult with the Wishtoyo Foundation, the Chumash, and the Santa Ynez Band of Chumash Mission Indians in Santa Barbara County to help identify the location of burial grounds and cultural resources in the Mission Village project area, and to include in the consultation effort the provision of confidential maps from the County's prior tiered cultural resources evaluation in the 2011 Final EIR and the earlier certified Final Newhall Ranch Specific Plan Program/Project EIR and additional analysis.

In response, the County already has complied with all applicable CEQA notification procedures applicable to this Project, and nothing in the Recirculated Analysis causes the need for the County to re-open the prior cultural resources analysis, mitigation, or consultation efforts (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). In addition, the County's prior May 15, 2012 responses to the Wishtoyo Foundation comments, and specifically, the staff responses for the prior Consent Calendar hearing for the Mission Village project (and the Landmark Village project), responded to consultation issues and there was no litigation brought challenging the sufficiency of the 2011 Final EIR cultural resources analysis, mitigation, or consultation efforts, and those claims are now beyond the scope of the 2011 Final EIR (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Further, the Recirculated Analysis does not trigger the need to re-open the 2011 Final EIR as to cultural resources impacts, mitigation, or consultation because that analysis addresses only the project's new GHG analysis/mitigation and the modified bridge and bank construction methods, which do not implicate new or more severe impacts to cultural resources. Moreover, as for the Mission Village project area, the 2011 Final EIR, Section 4.20, Cultural/Paleontological Resources, disclosed that no cultural/archaeological sites would be adversely impacted by the project because all extant artifacts have been removed from the one site within the project area – CA-LAN-2236. (See Mission Village Draft EIR, (Oct. 2010), pp. 4.20-1, 4.20-7.) Lastly, the Mission Village EIR Notice of Preparation was circulated in 2004 and no new notice was required for the Recirculated Analysis, and, thus, newer consultation requirements (e.g., AB 52) are inapplicable. In addition, other consultation requirements (e.g., SB 18) likewise are inapplicable because the Mission Village project approvals do not involve a general plan, a specific plan, or amendments to either type of plan.

Comment No. E15-27:

- a. Follow CEQA's requirements to fully analyze from the Chumash and Tataviam Peoples' perspective what constitutes avoidances and preservation in place, and

Response No. E15-27:

The comment calls for analysis from the Chumash and Tataviam Band of Mission Indians with regard to their perspective on what constitutes avoidance and preservation in place. Such issues were evaluated in County staff May 15, 2012 responses submitted in response to Wishtoyo comments for the Project's consent calendar hearing and ultimate approval in May 2012. The County relies upon those responses and points out the litigation challenging the 2011 Final EIR and Mission Village project approvals did not challenge the adequacy of the EIR's cultural resources, mitigation, or consultation efforts. Please refer to **Response to Comments No. E15-18 through E15-26** and **Topical Response 1: Scope of the Recirculated Portions of the EIR** for responsive information.

Comment No. E15-28:

- b. Commit to avoidance of impacts if feasible, then preservation in place for the resources if feasible, and only if avoidance and preservation in place are not feasible as defined by adequate feasibility criteria articulated in the EIR, then call for data recovery. It is impermissible under CEQA to leave it up to Newhall's discretion as to whether to avoid or preserve tribal cultural resources in place.

Response No. E15-28:

The comment states that it is impermissible to allow Newhall, the Project Applicant, to determine the circumstances under which preservation in place is feasible or infeasible.

See **Response to Comment Nos. E15-19, E15-20, E15-25 and E15-26**. As stated in these responses, the County completed a comprehensive analysis and mitigation of cultural resources impacts in the 2011 Final EIR, which was upheld following judicial review. The proposed modifications analyzed in the Recirculated Analysis will not result in increased disturbance that could impact cultural resources. The comment does not provide information or evidence of any specific deficiency with the Recirculated Analysis. No further response is required. In addition, this claim was litigated and rejected by the courts in *CBD v. California Department of Fish and Wildlife* case and the County incorporates by reference the court cases from that related litigation. Further, as stated above, the litigation over the adequacy of the 2011 Final EIR and Mission Village project approvals did not raise any claims as to the adequacy of the EIR's cultural resources impacts analysis, mitigation, or consultation.

Comment No. E15-29:

Furthermore, in regards to the movement of the bridge columns out of the wetted channel of the Santa Clara River and onto the Santa Clara River banks and floodplain as provided in the Draft Recirculated EIR, it is apparent that the movement of the columns will result in the clearing and permanent removal of

“usable” healthy native riparian vegetation such as tule, juncus, and arroyo willow that are vital natural tribal cultural resources to the Chumash Peoples.

Response No. E15-29:

The need to clear vegetation for bridge construction was analyzed in the 2011 Final EIR. Nothing about the proposed No Water Contact approach to bridge construction adds to or changes that impact. Further, CEQA does not require that lead agencies study project impacts on vegetation that may be used by members of Indian tribes. And even if CEQA imposed such an obligation, Wishtoyo should have raised the issue during the County’s review of the 2011 Final EIR. Consequently, as discussed in **Response to Comment No. E15-25** above, those issues have been resolved and are beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

In addition, the amount of vegetation to be removed is negligible when compared to the amount of riparian vegetation – including tule, juncus, and arroyo willow – that exists elsewhere along the Santa Clara River and its tributaries. Thus, there is ample riparian vegetation for use by Chumash and other Indian tribes in the region.

Comment No. E15-30:



Chumash Ap (traditional dwelling unit) made from usable willow and tule

Response No. E15-30:

The comment consists of a photograph which, according to its caption, depicts a Chumash Ap (traditional dwelling unit) made from willow and tule. The photograph and caption do not address any environmental issue or identify any inadequacy in the Draft Recirculated Analysis. Thus, no further response is required.

Comment No. E15-31:

Healthy tule and arroyo willow that are used for instance to construct Chumash dwelling units (aps), for medicinal purposes, and for other cultural purposes; healthy juncus that is used for instance for the world

renowned Chumash basketry and for other Chumash cultural practices; and other healthy strands of native riparian vegetation used for Chumash cultural practices, are all rapidly disappearing in the Santa Clara River watershed due to a variety of reasons. These reasons include drought, water diversions (ie: United Water Conservation District's diversion at the Vern Freeman Diversion Dam of all of the Santa Clara River's flow outside of large storm events at River mile 10.5 that dewater the Santa Clara River from River mile 10.5 to the estuary), channelization, and development in the floodplain and along the banks of the Santa Clara River.

Response No. E15-31:

The comment states that tule and arroyo willow are used for constructing Chumash dwellings and for other cultural purposes. The comment also states that healthy stands of native riparian vegetation used by Chumash are rapidly disappearing from the Santa Clara River watershed "due to a variety of reasons," including drought, water diversions, and development.

The comment does not address any environmental issue covered in the Draft Recirculated Analysis. Nor does the comment indicate that the proposed No Water Contact approach to bridge construction is responsible for any perceived loss of tule and arroyo willow. The comment provides no information or evidence in support of its claim that tule and arroyo and other riparian vegetation is "rapidly disappearing" from the Project reach of the Santa Clara River or any other location within the river's watershed.

Please refer to **Response to Comment Nos. E15-19, E15-20, E15-25 and E15-26**. As stated in these responses, the County completed a comprehensive analysis and mitigation of cultural resources impacts in the 2011 Final EIR, which EIR was upheld following judicial review (except as to GHG emissions). The proposed modifications analyzed in the Recirculated Analysis will not result in increased disturbance that could impact cultural resources. The comment does not provide information or evidence of any deficiency with the Recirculated Analysis. No further response is required.

Comment No. E15-32:

We thus request that the EIR survey and document the usable native riparian vegetation that will be impacted by the change in location of the bridge columns/piers, and conduct a cumulative impact analysis as to the cumulative impacts of the project and placement of the bridge columns on the loss of "usable" healthy native riparian vegetation in the Santa Clara River watershed that are suitable for cultural utilization by the Chumash Peoples.

Response No. E15-32:

The comment requests that the Recirculated Analysis "survey and document the usable native riparian vegetation that will be impacted by the change in location of the bridge columns/piers," and then analyze the cumulative loss of such vegetation within the Santa Clara River watershed.

Please refer to **Response to Comment Nos. E15-19, E15-20, E15-29, E15-30, and E15-31**. As stated in these responses, the County completed a comprehensive analysis and mitigation of cultural resources impacts in the 2011 Final EIR, which EIR was upheld following judicial review (except as to GHG emissions). The proposed modifications analyzed in the Recirculated Analysis will not result in increased disturbance that could impact cultural resources. The comment does not provide information or evidence of any deficiency with the Recirculated Analysis. No further response is required.

Comment No. E15-33:



Tima Link Lotah, a Shmuwich Chumash weaver and cultural educator, weaving Chumash baskets with usable juncus from the Santa Clara River.

Response No. E15-33:

The comment consists of a photograph which, according to its caption, depicts a “Shmuwich Chumash weaver and cultural educator, weaving Chumash baskets with usable juncus from the Santa Clara River.” The photograph and caption do not address any environmental issue or identify any inadequacy in the Draft Recirculated Analysis. Thus, no further response is required.

Comment No. E15-34:

If the County does not have the expertise to identify the native riparian vegetation used for Chumash cultural purposes or to determine which native riparian vegetation is “usable” for Chumash cultural purposes, we ask that you consult with the various Chumash bands, clans, and tribes, and the Wishtoyo Foundation who has members from various Chumash bands, clans, and tribes, whom can assist the Department in these identification efforts.

Response No. E15-34:

Please refer to **Response to Comment Nos. E15-19, E15-25, E15-29, E15-30, and E15-31**. As there is no need to study further the proposed Project’s impacts on riparian vegetation, the County respectfully declines the invitation to consult with Wishtoyo and other Chumash organizations on this issue. As stated in these responses, the County completed a comprehensive analysis and mitigation of cultural

resources impacts in the 2011 Final EIR, which EIR was upheld following judicial review (except for GHG emissions). The proposed modifications analyzed in the Recirculated Analysis will not result in increased disturbance that could impact cultural resources. The comment does not provide information or evidence of any deficiency with the Recirculated Analysis. No further response is required.

Comment No. E15-35:

Wishtoyo and our Chumash members that have expertise in basket weaving; Ap construction; native plant harvesting; native plants used for Chumash cultural, medicinal, and religious purposes; and the “usable” native riparian vegetation of the Santa Clara River that are utilized for Chumash cultural practices, would be happy to take you on a tour of the Santa Clara River, the Newhall project sight, and the location where the Draft Recirculated EIR indicates the bridge columns and infrastructure will be moved to in order to share Chumash traditional knowledge to inform the County of the presence “usable” native riparian vegetation essential to the cultural practices and life ways of the Chumash Peoples.

Response No. E15-35:

Please refer to **Response to Comment Nos. E15-19, E15-25, E15-29, E15-30, and E15-31**. As there is no need to study further the proposed Project’s impacts on riparian vegetation, the County respectfully declines the invitation to consult with Wishtoyo and other Chumash organizations on this issue. As stated in these responses, the County completed a comprehensive analysis and mitigation of cultural resources impacts in the 2011 Final EIR, which EIR was upheld following judicial review (except for GHG emissions). The proposed modifications analyzed in the Recirculated Analysis will not result in increased disturbance that could impact cultural resources. The comment does not provide information or evidence of any deficiency with the Recirculated Analysis. No further response is required.

Comment No. E15-36:

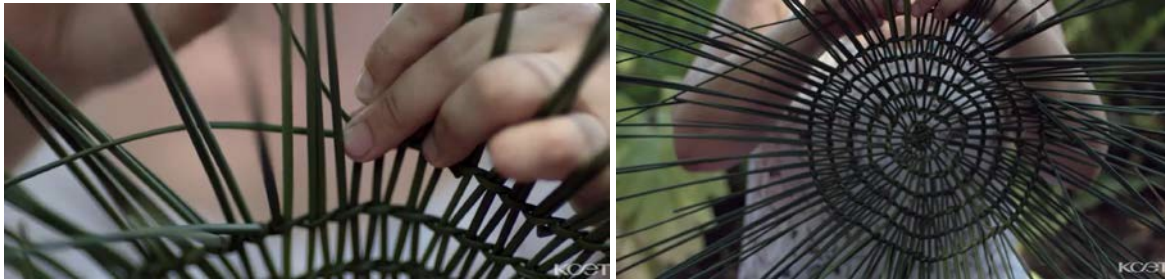
Once the usable native riparian vegetation is identified, the County must adhere to CEQA’s requirements to avoid as a first priority and preserve in place the usable native riparian vegetation, as it is a sacred and vital natural tribal cultural resource. This means moving the bridge columns, the bridge entirely, or not building a bridge, or taking other measures to avoid impacts to these rapidly disappearing natural tribal cultural resources.

Response No. E15-36:

Please refer to **Response to Comment Nos. E15-19, E15-25, E15-29, E15-30, and E15-31**. As stated in these responses, the County completed a comprehensive analysis and mitigation of cultural resources impacts in the 2011 Final EIR, which EIR was upheld following judicial review (except for GHG emissions). As the proposed No Water Contact approach to bridge construction will not result in vegetation impacts beyond those already assessed in the 2011 Final EIR, no additional analysis or mitigation is required. Moreover, vegetation does not qualify as a cultural resource under CEQA and thus impacts to such

vegetation are not subject to CEQA's standard mitigation measures for cultural resources. The comment does not provide information or evidence of any deficiency with the Recirculated Analysis. No further response is required.

Comment No. E15-37:



Tima Link Lotah weaving Chumash baskets with usable juncus from the Santa Clara River.

Response No. E15-37:

The comment consists of a photograph which, according to its caption, shows Tima Link Lotah weaving Chumash baskets with usable juncus from the Santa Clara River." The photograph and caption do not address any environmental issue or identify any inadequacy in the Draft Recirculated Analysis. Thus, no further response is required.

Comment No. E15-38:

Usable native riparian vegetation, including, but not limited to tule, arroyo willow, and juncus, are rapidly disappearing in the watershed, and are tribal cultural resources essential to sustaining the culture and cultural practices, and life ways of the Chumash Peoples.

Response No. E15-38:

The comment states that usable native riparian vegetation is rapidly disappearing in the Santa Clara River watershed. The comment states that such vegetation are tribal cultural resources essential to sustaining the cultural and cultural practices, as well as the life ways, of the Chumash Peoples.

Please refer to **Response to Comment No. E15-31**. In addition, there is no evidence that the riparian vegetation identified in the comment meets the definition of "tribal cultural resource" set forth in Public Resources Code Section 21074.

Comment No. E15-39:



A finished Chumash Basket. Usable Juncus is Essential for Chumash Basketry and the Chumash Cultural Practice of Basket Weaving.

Response No. E15-39:

The comment consists of a photograph of a basket made of “usable juncus,” which, according to the photograph’s caption, is essential for Chumash Basketry. The photograph and caption do not address any environmental issue or identify any inadequacy in the Draft Recirculated Analysis. Thus, no further response is required.

Comment No. E15-40:

Thank you for considering our comments. Please feel free to contact Wishtoyo with questions, for additional information, or to schedule consultation and a site visit.

Response No. E15-40:

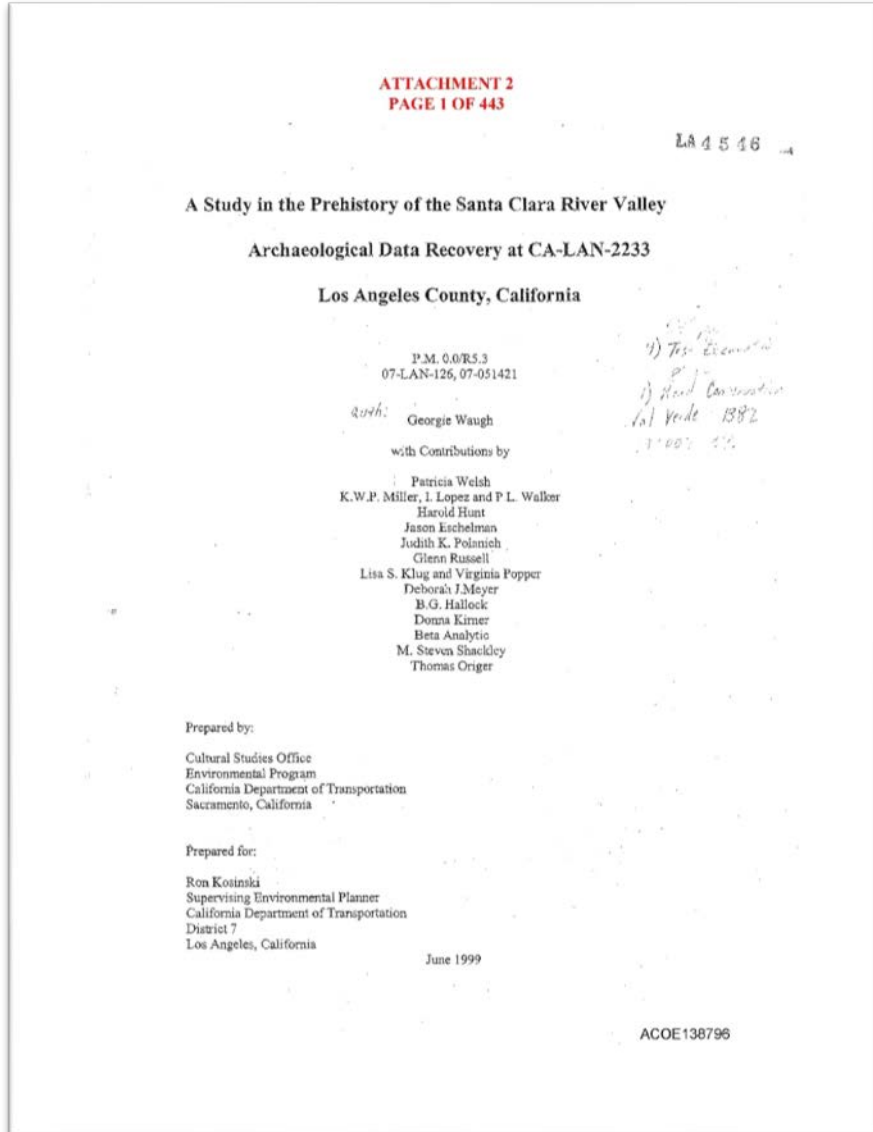
The comment does not raise any issue as to the adequacy of the Draft Recirculated Analysis; thus, no further response is required.

Response No. E15-41:

The comment consists of the declaration of Vincent Armenta, former Chairman of the Santa Ynez Band of Chumash Mission Indians (“the Santa Ynez Band”). It does not address the Draft Recirculated Analysis or its adequacy. Rather, it was prepared for and filed in the federal court litigation brought by the Center for Biological Diversity, Wishtoyo and the Santa Ynez Band against the U.S. Army Corps of Engineers. For this reason, no further response is required.

Comment No. E15-42:

Provided below is the first page of Attachment 2 to Letter No. E15. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E15-42:

The comment consists of Caltrans' 1999 report on the Archaeological Data Recovery at CA-LAN-2233. The report does not address the Draft Recirculated Analysis. The County has reviewed the report and discussed it in the 2011 Final EIR and earlier, certified Newhall Ranch Specific Plan Program/Project EIR. It does not provide any new information regarding project impacts on cultural resources. No further response is required.

Comment No. E15-43:

Provided below is the first page of Attachment 3 to Letter No. E15. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final AEA.

**ATTACHMENT 3
PAGE 1 OF 6**

Articles Discussing How Forensic Dogs can be and have been successfully used to identify and locate Native American human remains (last visited October 21, 2011)

1.) <http://www.ohloneation.org/?p=264>

By charlene on September 20th, 2011

[Forensic Dogs Successful in Identifying Ancient Human Remains for Ohlone](#)

Category: *Uncategorized*. Tags: *burial site, forensic dog, kb homes, ohlone, santa cruz*

Native Americans are always concerned when there exists the potential of unearthing human remains during construction projects. During a time when regular protocol would dictate the use of drills and tedious ground penetrating strategies that might harm or destroy findings, two alternatives have been incorporated during a recent project.

This fall the remains of an Ohlone boy were discovered during a KB home building project in Santa Cruz, CA. During negotiation meetings between the home builder, the City of Santa Cruz, CA and the Ohlone all parties agreed to respect and accept the results from two alternative proven methods of ground investigation. The two methods include ground penetrating radar or (GPR) and specially trained forensic dogs.



In this case, Ohlone descendant Chuck Strickland recommended [the GPR](#) method. A trained GPR technician came to the building site and scanned surface of the earth to see if additional buried remains could be detected. Unfortunately, due to layers of sediment and rock would not allow proper functioning of this method. While this did meet the Ohlone requirement of a non-invasive method for predicting the likelihood of findings, it would not be a good match for this project.

Response No. E15-43:

The comment consists of an article about forensic dogs that search for and identify human remains. The article does not address any environmental issue in the Draft Recirculated Analysis. Thus, no further response is required.

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COMMENT LETTER NO. E16

Jason Weiner, General Counsel
Wishtoyo Foundation
9452 Telephone Road, #432
Ventura, CA 93004

Comment No. E16-1:

Wishtoyo Foundation hereby supplements its 2/13/17 comments on the Mission Village Draft Recirculated County-EIR regarding the Unarmored Threespine Stickleback ("UTS") with the following content that we request be attached to and included in our 2/13/17 UTS letter:

Based on the scientific literature regarding Unarmored Threespine Stickleback ("UTS") habitat and water quality requirements and sensitivities, the Valencia WTP monitoring data of its effluent discharge and the Santa Clara River upstream and downstream of its discharge, and Wishtoyo Foundation monitoring data of the Santa Clara River upstream and downstream of the Valencia WTP effluent discharge, it is apparent that the Valencia WTP effluent discharge is impairing UTS habitat and causing adverse survival and reproductive impacts to the UTS in the Santa Clara River from the confluence of the Valencia WTP effluent discharge to the Dry Gap also due to:

Pollutants, including, but not limited to metals, chlorides, excessive nutrients causing oxygen starved conditions, and CECs (Contaminants of Emerging Concern such as caffeine, fire retardants, and pharmaceuticals) contained in the Valencia WTP effluent discharge. (see attachments in CD to Wishtoyo 2/13/17 letter).

Response No. E16-1:

The comment states that the comments to follow “supplements [Wishtoyo’s] 2/13/17 comments on the Mission Village Draft Recirculated County-EIR regarding the unarmored threespine stickleback (UTS),” and requests that these supplemental comments be included in the 2/13/17 UTS letter. The comment then states that based on scientific literature and effluent monitoring data, “it is apparent that the Valencia WTP effluent discharge is impairing UTS habitat and causing adverse survival and reproductive impacts to the UTS in the Santa Clara River from the confluence of the Valencia WTP effluent discharge to the Dry Gap” due to pollutants, “including but not limited to metals, chlorides, excessive nutrients causing oxygen starved conditions, and CECs (Contaminants of Concern such as caffeine, fire retardants, and pharmaceuticals)” contained in the Valencia Water Reclamation Plan (WRP) effluent.

As stated in the County’s **Response to Comment No. E14-21** to Wishtoyo Foundation’s Comments Regarding UTS (Comment Letter dated 2/13/17), the Valencia WRP is an existing facility that has been operating for many years pursuant to Waste Discharge Requirements (WDRs) and a National Pollution Discharge Elimination System (NPDES) permit issued by the Los Angeles Regional Water Quality Control

Board. It is not part of the proposed Project and thus is not within the scope of the Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). In addition, the County has no jurisdiction over the Valencia WRP's NPDES permit or WDRs nor does it have jurisdiction over the WRP's discharges. Nonetheless, for information purposes, please refer to **Response to Comment No. E14-21** to Wishtoyo Foundation's Comments Regarding UTS (Comment Letter dated 2/13/17) for additional information responsive to the comment.

Moreover, the discharges from the Valencia WRP are not generated by any aspect of the proposed Project's modifications evaluated in the County's Draft Recirculated Analysis. Said differently, the Valencia WRP discharges are not generated by the Project's modified design and construction approach to the bridges and bank stabilization, which approach is required by, and in response to, the corrective action required by the Supreme Court's decision with regard to UTS. In addition, the discharges are not generated by the Project's GHG analysis, nor the new mitigation measures reducing the Project's greenhouse gas (GHG) impacts to net zero in response to the Supreme Court's decision. In short, the Project's modified approaches evaluated in the Recirculated Analysis with regard to the bridges, bank stabilization, and GHG analysis do not generate any discharge, nor impact Valencia WRP operations. Thus, the issues concerning the Valencia WRP discharges are issues that were raised or could have been raised in response to the County's 2011 Final EIR and no further response is required. For further responsive information, please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR**.

Comment No. E16-2:

Baskin 2000 (see attachments in CD to Wishtoyo 2/13/17 letter) provides:

Two features of the stickleback's habitat appear to be essential for the survival of the young. First a slow flow of clear water is necessary for the proper development of the eggs. Any form of pollution or even small amounts of turbidity may interfere with normal development.

Because of the presence of the Valencia WTP effluent discharge containing CECs, excessive nutrients, chlorides, metals, and other pollutants that dominates the amount of flow in the Santa Clara River from its confluence with the Santa Clara River to the Dry Gap, and because the EIR has now revealed that UTS are not present in this stretch, the EIR must prevent any discharge of effluent from the Proposed Newhall POTW, as doing so would expose the UTS to additional CECs, chlorides, metals, excessive nutrients and other pollutants that would interfere with normal UTS egg and juvenile development, and UTS survival. Unless, the EIR can demonstrate that the pollutants in the proposed Newhall POTW will not harm UTS, because of the new information that UTS are no longer present downstream of the Valencia WTP, the EIR must prohibit any discharges of effluent from the proposed Newhall POTW containing

levels of CECs, chlorides, nutrients, metals, and other pollutants that are greater than the levels naturally found in an unimpaired Santa Clara River.

Response No. E16-2:

The comment states that, because the Valencia WRP effluent contains pollutants such as those listed in Comment No. E16-1, and “because the EIR [sic] has now revealed that UTS are not present” in that portion of the Santa Clara River between the WRP and the Dry Gap, the Recirculated Analysis must prevent any discharge of effluent from the Proposed Newhall WRP to protect UTS from exposure “to additional CECs, chlorides, metal, excessive nutrients and other pollutants that would interfere with normal UTS egg and juvenile development, and UTS survival.” The comment then states that, due to the “new information that UTS are no longer present downstream” of the Valencia WRP, the Recirculated Analysis “must prohibit any discharges of effluent from the proposed Newhall [WRP] containing levels of CECs, chlorides, nutrients, metals, and other pollutants that are greater than the levels naturally found in an unimpaired Santa Clara River.”

In response, the County makes the following five points:

First, as stated in **Response to Comment No. E14-21** to Wishtoyo Foundation’s Comments Regarding UTS (Comment Letter dated 2/13/17) and in **Response to Comment No. E16-1**, the Valencia WRP is not part of the proposed Project and, in fact, is an existing facility that operates pursuant to existing permits that regulate its effluent discharges. Thus, any issue pertaining to the Valencia WRP is beyond the scope of the Recirculated Analysis.

Second, the comment asserts that the Valencia WRP’s discharges contain pollutants that adversely affect UTS, disrupt its reproductive behaviors, and impair its survival; however, the comment provides no evidence in support of this assertion.

Third, as explained in **Response to Comment No. E14-17**, the fact that recent surveys did not detect UTS in the Project reach of the Santa Clara River does not mean that the species does not exist there or has been extirpated. To the contrary, surveys going back many years indicate that UTS presence is variable at any given location. For this reason, the Recirculated Analysis assumes UTS presence in the Project reach of the river and, more particularly, assumes presence at the proposed bridge and bank stabilization locations. Simply put, none of the data that CDFW has received and reviewed indicates that UTS have been extirpated from the Project reach of the river. For further responsive information, please refer to **Response to Comment No. E14-21** to Wishtoyo Foundation’s Comments Regarding UTS (Comment Letter dated 2/13/17).

Fourth, the Newhall Ranch WRP is not part of the Project's proposed modifications evaluated in the County's Draft Recirculated Analysis. The Newhall Ranch WRP was approved in 2003 by the County of Los Angeles, pursuant to a certified project-level EIR. Although it has not yet been constructed, it is nevertheless subject to an existing NPDES permit and WDRs issued by the Los Angeles Regional Water Quality Control Board (RWQCB). The County has no jurisdiction over the NPDES permit or WDRs; nor does it have jurisdiction over discharges made pursuant to those entitlements. For further responsive information, please refer to **Response to Comment No. E14-22** to Wishtoyo Foundation's Comments Regarding UTS (Comment Letter dated 2/13/17).

Fifth, the comment provides no evidence that effluent from the Newhall Ranch WRP will contain any pollutant at concentrations high enough to adversely affect UTS. In any case, the Newhall Ranch WRP NPDES permit and related waste discharge requirements impose restrictions on pollutant concentrations protective of beneficial uses within the Santa Clara River.

Lastly, as stated in **Response to Comment No. E14-17**, above, the Project's modified approaches evaluated in the Recirculated Analysis with regard to the bridges, bank stabilization, and greenhouse gas analysis do not generate any discharge, nor impact the Valencia WRP or the Newhall Ranch WRP operations. Thus, the issues concerning the Valencia WRP and the Newhall Ranch WRP discharges are issues that were raised or could have been raised in response to the County's 2011 Final Environmental Impact Report (EIR) and no further response is required. For further responsive information, please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR**.

Comment No. E16-3:

Thank you for considering our supplemental comments.

Response No. E16-3:

The comment thanks the County for considering Wishtoyo's supplemental comments.

The County has considered the supplemental comments and will include them in the record prior to any decision with regard to the Project as modified. No further response is required.

Comment No. E16-4:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 2 of 2, and contains only attachments for Wishtoyo's cultural resources comments.

Response No. E16-4:

The County confirms receipt of Wishtoyo's supplemental comments; however, the attachments provided by Wishtoyo are comprised of an array of documents that are not organized or connected to any particular Wishtoyo comment, making it extremely difficult for the County to meaningfully respond with regard to the attachments.

Comment No. E16-5:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E16-5:

The County acknowledges that Wishtoyo's attachments were not provided by email by the close of the public review/comment period.

Comment No. E16-6:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E16-6:

The County acknowledges receipt of two attachments to Wishtoyo's supplemental email, but notes that the attachments are often not connected to any Wishtoyo comment, thus making it extremely difficult for the County to meaningfully respond. However, in those cases where a direct connection to a specific attachment can be made, the content of the attachment was addressed in the response to the comment that references the attachment.

Comment No. E16-7:

Please accept and confirm receipt of Wishtoyo Foundation's Comments on the Mission Village Recirculated County-EIR. This is email 1 of 2.

Response No. E16-7:

The County confirms receipt of Wishtoyo's supplemental email comments.

Comment No. E16-8:

Please note that Wishtoyo's full comments, with all attachments included that were too large to email, were mailed today via the US Postal Service.

Response No. E16-8:

The comment essentially repeats the issues and questions set forth previously in Comment No. E16-5. According, please refer to **Response to Comment No. E16-5**.

Comment No. E16-9:

If you could confirm receipt of the two attachments in this email it would be much appreciated.

Response No. E16-9:

The comment essentially repeats the issues and questions set forth previously in Comment No. E16-6. According, please refer to **Response to Comment No. E16-6**.

COMMENT LETTER NO. E17

Steven S. Schuyler
Executive Vice President
Government Affairs
Building Industry Association of Southern California
24 Executive Park
Suite 100
Irvine, CA 92614

Comment No. E17-1:

Please accept these prepared comments regarding Net Zero Newhall- Landmark Village and Mission Village projects.

Response No. E17-1:

This comment introduces the attached comment letter. The comments set forth in the attached letter are addressed below (see Comment Nos. E17-2 through E17-5 and their corresponding responses). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E17-2:

On behalf of the Building Industry Association of Southern California, BIASC Inc., I am writing to express our support for the tremendous effort that FivePoint has put into the Net Zero Newhall project in achieving a Zero Net Energy master planned community at Newhall Ranch.

Response No. E17-2:

This comment expresses support for the proposed Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E17-3:

BIASC is a regional trade association that represents more than 1,100 member companies within a six-county region and is comprised of Chapters in Orange, Los Angeles/Ventura, Riverside/Imperial and San Bernardino counties. Together, BIASC's members build most of the new home communities throughout the same six-county region.

Response No. E17-3:

This comment provides information regarding the organization that authored Letter No. E17. No further response is required.

Comment No. E17-4:

According to the Southern California Association of Governments, as documented in the adopted 2016 Regional Transportation Plan and Sustainable Communities Strategy RTP/SCS, Southern California's population is expected to grow from 39M to 50M by 2050. Today, our region is already faced with an extreme shortfall of housing for our current population. Indeed, the recent Statewide Housing Assessment released by the State of California Department of Housing & Community Development indicates that we are short by over 100,00 units annually, with 180,000 per year needed between 2015-2025 to meet current minimum demand.

One third of renters in the State are paying more than 50% of their income toward housing costs and over- all ownership levels are at the lowest since the 1940's. The Assessment goes on to indicate that the housing shortage results in a negative economic impact of \$238 billion, reducing our GDP by 6%. These facts not only hurt the business community and overall employment in the Region, they generate significant consequences in terms of public health, poverty rates, and long distance commutes for people to find attainable housing.

Response No. E17-4:

The comment discusses the growth forecasted to occur in Southern California and the need for additional housing to support the forecasted population growth. Information is also provided regarding housing costs and housing ownership levels and how these circumstances adversely affect people. This comment does not address an issue specific to the Draft Recirculated Portions for Mission Village Project (Recirculated Analysis). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E17-5:

We provide this information as background context for consideration of the proposed Net Zero Newhall. The full community plan will create 21,500 additional homes in Los Angeles County, our State's largest population center, which is severely underserved for new housing. It will also generate over 60,000 permanent jobs in the Region.

Equally notable, this proposed sustainable community will create 10,000 acres of permanent open space and 50 miles of new public trails. In addition, FivePoint has voluntarily and uniquely proposed a plan that exceeds California's rigorous Title 24 and Cal Green Code requirements for energy conservation. While we applaud FivePoint's leadership in this arena, the reality is that there are construction cost impacts from such an ambitious sustainability plan. As an industry, we remain deeply concerned about the regulatory cost burden impact upon housing affordability in our Region.

The Net Zero Newhall project is unique due to several re-enforcing factors making it perfect for Net Zero attainment including; the existence of a single owner and it is comprised of a large swath of contiguous land uniquely situated. These unique attributes among others also makes replication of this project difficult if not impossible in other locations, simply put, one size does not fit all.

With that said, BIASC strongly supports the approval and build out of this innovative and collaborative project as an example of what can be achieved when the dynamics of market innovation and collaboration combine with appropriate project scale, allowing a project like Net Zero Newhall to come to fruition.

Response No. E17-5:

The comment expresses support for the proposed Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions, as well as the new housing, employment generation, the preservation of open space, and the new public trails resulting from development associated with the proposed Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. E18

Louinda V. Lacey
Policy Advocate
California Chamber of Commerce
1215 K Street
14th Floor
Sacramento, CA 95814

Comment No. E18-1:

Attached is our comment letter re Landmark Village and Mission Village. If you have any questions or would like to discuss this letter further, please do not hesitate to contact me. Thank you.

Response No. E18-1:

This comment introduces the attached comment letter, which is addressed in the following comment and response, and indicates to contact the author of the letter to discuss these comments. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E18-2:

The California Chamber of Commerce (Chamber) respectfully submits the following letter in support of approval of the Draft Recirculated Portions of the Landmark Village Environmental Impact Report, Project No. 00-196-(5), and the Draft Recirculated Portions of the Mission Village Environmental Impact Report, Project No. 04-181(5).

While the Chamber does not express an opinion as to any specific element of the environmental impact reports, it believes the overall proposed project, the Newhall Ranch Specific Plan, furthers California's policies and priorities relating to, among others, housing and job creation. The project would supply approximately 21,500 homes to meet the demands of California's residents, assisting to alleviate the State's housing crisis. Approximately 1,444 of these residential units will be located in Landmark Village, and approximately 4,055 of these units will be located in Mission Village. The overall project would further add more than 2,000 much needed affordable housing units to California's pipeline and is expected to create approximately 60,000 permanent jobs. In total, the proposed project, including the developments in Landmark Village and Mission Village, will have positive economic impacts at the local and regional levels, and on California as a whole.

The Chamber urges the Los Angeles County Department of Regional Planning to approve the recirculated portions of the environmental impact reports for the Landmark Village and Mission Village projects.

Response No. E18-2:

This comment expresses support for the Mission Village Project. The comment also expresses specific support for the housing, including affordable housing, and employment generation resulting from the development associated with the proposed Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E19

Marie Rumsey
Managing Director of Legal Affairs and Government Relations
Central City Association of Los Angeles
626 Wilshire Boulevard
Suite 200
Los Angeles, CA 90017

Comment No. E19-1:

Please see attached letter of support. Thank you, Marie

Response No. E19-1:

This comment introduces the attached comment letter, which is addressed in the following comment and response. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E19-2:

Established in 1924, the Central City Association is Los Angeles' premier advocacy organization comprised of 400 members who employ over 300,000 people in the region. We recognize the critical role of new housing to promote our economy and strongly support Landmark Village and Mission Village at Newhall Ranch.

As California's population grows and our economy rebounds, housing is not keeping pace. California is facing a housing crisis. We continue to have the second lowest homeownership rate in the nation. Five of the eight metropolitan areas with the lowest rates of homeownership are located here in our state. 50% of moderate- income and 100% of low-income families struggle to afford the cost of living in their local communities. The most vulnerable of them risk joining the 134,000+ Californians who are already homeless on any given night.

This crisis affects more than just residents: the state loses \$140 billion per year in output (or 6 percent of state GDP) due to the lack of affordable housing. Rents and mortgages within the reach of working families are critical to maintaining California's business competitiveness. CCA believes that California needs to increase the supply of housing options affordable to workers, so companies can compete for the talent that drives California's economy.

Newhall Ranch is a sustainable and net zero development and will deliver on California's unmet housing needs, building 21,500 new housing units at buildout. This much-needed housing will include a wide variety of prices and sizes, including affordable housing. Additionally, Newhall Ranch is an incredible investment in our region. It will create 60,000 new jobs, 11.5 million square feet of job generating uses and represents \$12.7 billion total development investment.

We are proud to strongly support Newhall Ranch and appreciate your consideration.

Response No. E19-2:

This comment provides information regarding the organization that authored Letter No. E19 and expresses support for the Mission Village Project. The comment expresses specific support for the housing, including affordable housing, and employment generation resulting from the development associated with the proposed Project. The comment also expresses support for the programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E20

Cristy Stiles
Administrative Director
Climate Resolve
525 S. Hewitt Street
Los Angeles, CA 90013

Comment No. E20-1:

Attached please find two comment letters on County Project No. 04-181-(5), County Project No. 00-196-(5), and SCH No. 2000011025. Copies are also in the mail. Please let me know if this will work and if you'll need anything else.

Response No. E20-1:

This comment introduces the attached comment letter, which is addressed in the following comment and response. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E20-2:

I am writing on behalf of Climate Resolve, Los Angeles' climate change organization.

Our organization enthusiastically supports Newhall Ranch Project's unprecedented commitment to reduce to net zero its construction and operational greenhouse gas emissions. This project's climate mitigation effort breaks new ground in combating climate change.

Climate Resolve is dedicated to creating real, practical solutions to meet the climate challenge in the Los Angeles area by implementing practical means of reducing greenhouse gas emissions and local air pollution, as well as preparing for climate change impacts.

As part of Newhall's effort to achieve this landmark net zero goal, Climate Resolve is partnering with FivePoint to implement energy efficiency building retrofit programs at locations across Los Angeles County. And we're happy to report that we are focusing the mitigation projects to take place in communities designated as disadvantaged by CalEPA's CalEnviroScreen. This work is central to our mission, and we're very pleased to have FivePoint standing beside us in our efforts.

Bringing greenhouse gas emissions to zero is a landmark moment for development in California and the United States. Climate Resolve appreciates this opportunity to create climate solutions that benefit low-income communities, the very communities most at risk from climate impacts.

Given the recent changes in federal government, we view the best way to address the climate crisis right now is with local projects that directly reduce our dependence on fossil fuels and prepare the region to become more climate-resilient into the future.

It is our sincere hope that the County of Los Angeles Department of Regional Planning approves of Newhall's exemplary net zero plan.

Response No. E20-2:

The comment expresses support for the proposed Project. This comment provides information regarding the organization that authored Letter No. E20. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E21

William E. Flederbach, Jr.
ClimeCo Corporation
1 East Philadelphia Avenue
Boverton, PA 19512

Comment No. E21-1:

Please see attached for your review.

Should you have any concerns, please do not hesitate contacting me.

Response No. E21-1:

This comment introduces the attached comment letter. The comments set forth in the attached letter are addressed below (see Comment Nos. E21-2 through E21-4 and their corresponding responses). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E21-2:

On behalf of ClimeCo, I am writing in support of the Newhall Ranch project commitment to fully mitigate the project's net GHG emissions. We are excited to partner with Newhall and its parent FivePoint to explore options for developing methane capture programs at dairy farms in California. Methane capture has been recognized as an important element leading to achievement of the state's GHG reduction objectives.

Response No. E21-2:

This comment expresses support for the proposed Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs, specifically development of methane capture programs at dairy farms in California, to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E21-3:

At ClimeCo, we work with our corporate and investor partners to develop and implement carbon reduction measures both at our partners' facilities and at remote sites, amplifying our mission to achieve meaningful reductions in emissions and helping to achieve the state's goals in addressing climate change. We also develop emission reduction credit strategies that help organizations realize the maximum value of their environmental assets, as well as provide a variety of compliance services regarding AB 32, including auction strategy and implementation, risk management, site-specific evaluations to mitigate CO2 emissions and various transaction services.

ClimeCo holds a diverse portfolio of voluntary carbon offsets, including GHG emissions abatement system projects, commodity brokering of voluntary offsets and identification of internal reduction opportunities. For example, ClimeCo recently partnered with Chevrolet and CF Industries to reduce Chevrolet's carbon footprint and benefit future farmers in partnership with the National Future Farmers of America Foundation.

In addition, in 2015 alone, ClimeCo transacted over 5 million offsets. In total, over 15 million carbon credits have been issued by emissions abatement projects directly under ClimeCo's management. ClimeCo's current projects generate approximately 3 million offsets annually, positioning ClimeCo as the United States' leading voluntary offset producer.

Response No. E21-3:

This comment provides information regarding the organization that authored Letter No. E21. No further response is required.

Comment No. E21-4:

We look forward to the approval of the Net Zero Newhall program and the Mission Village project.

Response No. E21-4:

The comment expresses support for the Mission Village Project, as well as the Net Zero Newhall plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E22

Dianne G. Van Hook
Chancellor
College of the Canyons
26455 Rockwell Canyon Road
Santa Clarita, CA 91355

Comment No. E22-1:

Please see attached letter of support.

Response No. E22-1:

This comment introduces the attached comment letter. The comments set forth in the attached letter are addressed below (see Comment Nos. E22-2 through E22-4 and their corresponding responses). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E22-2:

College of the Canyons is a two-year community college that has served the Santa Clarita Valley for more than 45 years by helping students transfer to four-year universities, teaching the skills needed for successful careers in the workforce, and collaborating with local business and industry to enhance the economic development of the region.

Our dynamic community has grown over the years, and we have worked to keep pace in meeting its evolving needs. As the local population increased, we expanded our staff and facilities to match the growing demand for access to higher education. At the same time, we partnered with local companies to provide employee training and development to ensure they remained competitive in their respective fields.

We enjoy an outstanding quality of life in Santa Clarita that is matched by few other communities in Southern California. College of the Canyons is committed to promoting the sustainable practices that ensure our community remains a desirable place to live and work for decades to come.

Our focus on sustainability is reflected in our operations, as well as our educational focus. In recent years, we have retrofitted campus lighting to use less energy, updated our heating and air conditioning systems to operate more efficiently, and added biodiversity elements to our facilities master plans that will guide future landscaping and development as we continue building and remodeling facilities on both campuses.

Response No. E22-2:

This comment provides information regarding the organization that authored Letter No. E22. No further response is required.

Comment No. E22-3:

The plans that we have seen for Newhall Ranch match our institution's commitment to sustainability and environmental stewardship. The Net Zero Newhall initiative commits to eliminate all net greenhouse gas emissions, an impressive goal that will no doubt inspire other organizations to evaluate and enhance their own environmental practices.

Response No. E22-3:

This comment expresses support for the proposed Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E22-4:

As the project is developed, we look forward to learning more about it, as well as exploring partnership opportunities between Newhall Ranch and the Santa Clarita Environmental Education Consortium (SCEEC). College of the Canyons is a founding member of SCEECE, which was established to provide resources for educators and students to promote environmental literacy in the Santa Clarita Valley. Our students would benefit from learning more about the specific features included in the Net Zero Newhall Plan, including energy efficient building standards, electric vehicle charging stations, bike share programs and the planned retrofitting of public buildings in underserved parts of Los Angeles County.

We appreciate the opportunity to provide on our perspective on this project, which will mark a major step forward in the continued development of our community.

Response No. E22-4:

The comment expresses support for the proposed Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions, as well as future educational opportunities that may be available with the implementation of the Net Zero Newhall plan. This comment is noted for the record and is included for review and consideration by the decision-makers.

COMMENT LETTER NO. E23

Gary Toebben
President & CEO
Los Angeles Area Chamber of Commerce
350 S. Bixel Street
Los Angeles, CA 90017

Comment No. E23-1:

Please see attached for the letter of support for Landmark Village and Mission Village from the Los Angeles Area Chamber of Commerce.

Response No. E23-1:

The comment introduces the attached comment letter, which is addressed in Comment No. E23-2 and its corresponding response. The comment also expresses support for the Mission Village Project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E23-2:

On behalf of the Los Angeles Area Chamber of Commerce, which represents more than 1,650 organizations and 650,000 employees in the region, I am writing to express our thoughts and support for the Landmark Village and Mission Village developments.

Landmark Village and Mission Village, as part of Newhall Ranch, will be an asset to our community through economic development and housing for the community while working to lower greenhouse gas emissions for the region. The Newhall Ranch Community, at buildout, will create 60,000 new and permanent jobs, generate \$388 million in property taxes, and \$410 million in income taxes. Newhall Ranch will also create 11.5 million square feet of job generating uses, which will help the region thrive economically.

Housing is an ongoing issue in Los Angeles and in the state, especially housing that is affordable and conveniently located for residents. With this new development, residents can enjoy living and working in the same community, eliminating the need for long commutes which leads to higher quality of life.

The Newhall Ranch Community is focused on preserving open spaces and lowering greenhouse gas emissions through the use of sustainability-friendly materials and state of the art energy efficient designs. With this in mind, 10,000 acres of the 15,000 acres of the community will be designated as open space for the community to enjoy, which will be preserved by the \$13 million endowment made by Net Zero Newhall. Only one third of the entire property will be developed. In addition, this community embrace sustainability by including solar panels and electrical charging stations in the residences.

Newhall Ranch's ambitious plan to build a community of this size while fostering economic growth and promoting sustainability is the first of its kind and will serve as a model for years to come. The Chamber supports the development and believes this is a great opportunity to create economic growth and housing while making a positive impact on our environment.

Response No. E23-2:

This comment provides information regarding the organization that authored Letter No. E23, and also expresses support for the Mission Village Project. The comment also expresses specific support for the employment generation, housing, including affordable housing, and additional tax revenue resulting from the development associated with the Project. The comment also expresses specific support for the preservation of open space and the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E24

Peter Herzog
Assistant Director of Legislative Affairs
NAIOP
Commercial Real Estate Development Association
SoCAL Chapter
25241 Paseo de Alicia
Suite 120
Laguna Hills, CA 92653

Comment No. E24-1:

Attached are comments NAIOP SoCal wants to introduce into the record regarding the Newhall Net Zero project. Thank you for considering our comments.

Response No. E24-1:

The comment introduces the attached comment letter. The comments set forth in the attached letter are addressed below (see Comment Nos. E24-2 through E24-4 and their corresponding responses). The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E24-2:

NAIOP, the Commercial Real Estate Development Association, is the leading national organization of developers, owners, and related professionals in office, industrial and mixed-use real estate. NAIOP advances responsible commercial real estate development, researches trends and innovations, and advocates for effective public policy. The NAIOP SoCal Chapter serves Los Angeles and Orange Counties and is the third largest chapter in the United States with a membership of over 1,000 members.

Response No. E24-2:

This comment provides information regarding the organization that authored Letter No. E24. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E24-3:

Newhall Ranch is a mere eight miles from the City of Los Angeles boundary, the Santa Clarita Valley is an economic engine in its own right. The area is home to 90,000 jobs - with 3,000 jobs created just in 2015 - in diverse sectors including biotech, technology, entertainment, healthcare and aerospace. Having more than 30 million square feet of job-generating space, it also falls within the entertainment studios' Thirty-Mile Zone, fostering film and television production in the area with 17 sound stages in Valencia alone.

Response No. E24-3:

The comment provides information regarding the employment opportunities that currently exist in the Santa Clarita Valley. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E24-4:

FivePoint's Newhall Ranch development will create 11.5 million square feet of job generating uses at buildout and generate thousands of permanent jobs, as well as temporary construction jobs, helping the Santa Clarita Valley continue to thrive economically and allowing families to live close to their work.

The lack of housing in the Los Angeles region is well known. There is no question a substantial increase in the amount of quality housing is vitally important to the future of Los Angeles and the quality of life of its people. The Net Zero Newhall project will clearly assist in addressing the need for more housing.

Building a master-planned community of this size and fostering economic growth - without increasing greenhouse gas emissions - represents a model for sustainable master-planned communities and a true legacy project for California and beyond. Net Zero Newhall will continue to expand business attraction and employers to the region significantly adding to the regional economy.

NAIOP SoCal supports this job creating development that will also ease the housing crisis by adding much needed supply to help meet the demand.

Response No. E24-4:

The comment expresses support for the proposed Project. The comment also expresses specific support for the generation of housing and employment associated with the proposed Project. The comment also expresses support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E25

Joel Levin, Executive Director
Plug In America
6380 Wilshire Blvd., #1010
Los Angeles, CA 90048

Comment No. E25-1:

On behalf of Plug In America, I am writing in support of the following mitigation measures which are included in the Draft Additional Environmental Analysis:

1. Mitigation Measure 2-4: Residential Electric Vehicle Chargers and Vehicle Subsidy
2. Mitigation Measure 2-5: Commercial Development Area Electric Vehicle Chargers
3. Mitigation Measure 2-12: Off-Site Electric Vehicle Chargers

These measures are consistent with Plug In America's recommendations to the general public with respect to electric vehicle charging infrastructure.

Plug In America is also in support of the plug-in electric vehicle (PEV) component of the Net Zero Newhall Initiative. A major component of Net Zero Newhall is its commitment to PEVs and the infrastructure to support their widespread adoption and use. As publicly announced, this will include:

- An electric vehicle charging station in every home;
- 2,000 electric vehicle charging stations in Newhall Ranch commercial and community areas;
- 2,000 additional offsite charging stations in strategic L.A. County locations;
- Subsidies for converting public transit buses to electric buses; and
- An electric school bus program within Newhall Ranch.

We are pleased that FivePoint has also engaged our expert advisement regarding appropriate electric vehicle infrastructure for the Newhall project, including best practices for implementing home, workplace and public charging. Installing charging infrastructure on the scale Newhall proposes would no doubt benefit PEV drivers while also driving PEV adoption community-wide. If implemented as proposed by Plug In America, this initiative would represent a deep and broad commitment to support electric vehicle use at Newhall Ranch and around Los Angeles County.

Plug In America is the leading American voice promoting the use of plug-in electric vehicles. We are a coalition of PEV drivers led by leading experts in transportation electrification. Plug In America represents the world's deepest pool of experience of actually driving and living with PEVs. We help consumers, policy-makers, auto manufacturers and others to understand the powerful benefits of driving electric. We provide practical, objective information to help consumers select the best plug-in vehicle for their lifestyles and needs. Increased use of electric vehicles is one of the best methods of reducing criteria pollutant and greenhouse gas emissions, a major driver of climate change. Our work is consonant with the stated goals and strategies of the State of California.

For all of these reasons, we applaud this effort as an important step in accelerating the state's shift to vehicles powered by clean, domestic electricity. FivePoint has publicly committed to make this the most EV-friendly development in California history – and a model for future projects. As the national consumer voice for electric vehicles, we are excited to work with them to make that a reality. Plug In America enthusiastically supports FivePoint's plans to integrate electric vehicle infrastructure into their proposed project.

Thank you for your consideration of our comments. We hope they will contribute to the Department of Regional Planning taking favorable action on the proposed project.

Response No. E25-1:

The comment provides information regarding the organization that authored Letter No. E25. The comment also expresses support for proposed Project. The comment also expresses specific support for the incorporation of Mitigation Measure MV 4.23-4, Mitigation Measure MV 4.23-5, and Mitigation Measure MV 4.23-12, which are programs of the Net Zero Newhall plan to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E26

Lois Bauccio
President and CEO
Santa Clarita Valley Chamber of Commerce
Santa Clarita City Hall
23920 Valencia Boulevard
Suite 265
Santa Clarita, CA 91355

Comment No. E26-1:

Dear Mr. Dea; please see attached letter. Thank you.

Response No. E26-1:

The comment introduces the attached comment letter. The comments set forth in the attached letter are addressed below (see Comment Nos. E26-2 through E26-3 and their corresponding responses). The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E26-2:

I write to you representing the Santa Clarita Valley Chamber of Commerce, a chamber that has recently grown to also represent the SCV Latino Business Alliance and the Castaic Chamber of Commerce comprised of 1,400 businesses representing thousands of employees.

Response No. E26-2:

This comment provides information regarding the organization that authored Letter No. E26. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E26-3:

We are excited about Newhall Ranch moving forward as this project not only generates much needed housing but also is an economic driver that will benefit the region and state tremendously.

The Newhall communities will ultimately generate thousands of permanent jobs and create millions of dollars in annual income and sales tax revenues after the build out. All of this while simultaneously working to combat climate change under the Net Zero Newhall initiative that is consistent with the recently approved climate measures SB32 and AB197, with no net greenhouse gas emissions for the development. This bold new measure is cutting edge and one that we welcome here in the Santa Clarita Valley. This, coupled with FivePoint's continued dedication to preserving open space, truly makes this the most sustainable development of our time.

The Newhall Ranch Development is an opportunity not only to address the need for much needed local jobs, but also address the housing crisis. The lack of home inventory is increasing housing costs making affordability making it more difficult for families to buy a home. With Newhall Ranch, we are pleased to see a variety of homes that will be available at various price points. This will enable many families to afford a home.

There are so many economic benefits associated with this project. In addition, knowing that the GHG and stickleback fish issues can be resolved enable the Santa Clarita Valley Chamber of Commerce to strongly support this development.

Response No. E26-3:

This comment expresses support for the Mission Village Project. The comment also expresses specific support for the housing, including affordable housing, employment generation, the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions, as well as the preservation of open space resulting from the development associated with the proposed Project. The comment also expresses specific support for the commitment being made to reduce and avoid impacts to the unarmored threespine stickleback. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E27

Holly Schroeder
President and CEO
Santa Clarita Valley
Economic Development Corporation
26455 Rockwell Canyon Road
University Center, Suite 263
Santa Clarita, CA 91355

Comment No. E27-1:

Attached please find a letter from Holly Schroeder in support of Landmark Village and Mission Village by FivePoint.

Response No. E27-1:

The comment introduces the attached comment letter, which is addressed in Comment No. E27-2 and its corresponding response. The comment also expresses support for the Mission Village Project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E27-2:

On behalf of Santa Clarita Valley Economic Development Corporation (SCVEDC) it is my pleasure to write a letter of support for the Landmark Village and Mission Village projects proposed by FivePoint in their Newhall Ranch plan. As you may know, the SCVEDC has been instrumental in establishing the greater Santa Clarita area as one of L.A. County's most business-friendly regions. We have helped to bring thousands of new jobs to the Santa Clarita Valley and have recruited prominent companies that may have otherwise taken their business out of state.

As President and CEO of SCVEDC, I believe that FivePoint's vision for Newhall Ranch, including Landmark and Mission Villages, represents an unprecedented economic development opportunity for the Santa Clarita Valley. The project will provide much needed housing for our growing population – including affordable housing – and the complete Newhall Ranch community will create 60,000 permanent new jobs for the region.

Our state leads the nation in embracing new technologies, ranging from clean energy to sustainable transportation. FivePoint is embracing state of the art technology in every aspect of its design, resulting in a community that creates zero net greenhouse gas emissions. From providing subsidies to speed the adoption of electric vehicles to embracing the use of solar energy, FivePoint's Net Zero Newhall initiative represents a new paradigm for community development in California and the nation. In addition, Net Zero Newhall will help our region develop as a hub for clean technology jobs and innovation, diversifying our local economy into dynamic and fast-growing areas.

Beginning with Valencia – a community created by the same local developers behind Newhall Ranch – the Santa Clarita Valley has a long history of creating livable neighborhoods that encourage active, outdoor lifestyles. FivePoint’s groundbreaking plan for Newhall Ranch will give us the opportunity to attract continued innovation to the Santa Clarita Valley that will advance our mission of promoting sustainable economic growth for the benefit of all residents – current and future!

Please join me in supporting FivePoint in their exciting and innovative new endeavor, Newhall Ranch - Net Zero Newhall.

Response No. E27-2:

The comment expresses support for the Mission Village Project. The comment also expresses specific support for the housing, including affordable housing, employment generation, and the preservation of open space resulting from the development associated with the proposed Project. The comment also expresses support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E28

Rudy Ortega, Jr.
Tribal President
Fernandeño Tataviam Band of Mission Indians
1019 Second Street
Box 1
San Fernando, CA 91340

Comment No. E28-1:

Please view the attached letter by the Fernandeño Tataviam Band of Mission Indians (Tribe) with comments on the Landmark Village and Mission Village Draft Recirculated EIRs.

Response No. E28-1:

This comment is an introduction to comments that follow. No further response is required.

Comment No. E28-2:

Re: Comments by the Fernandeño Tataviam Band of Mission Indians on the County's Recirculated Portions of EIRs for Landmark Village and Mission Village

Dear Mr. Dea:

We, the Fernandeño Tataviam Band of Mission Indians ("Tataviam" or "Band"), appreciate the opportunity to provide comments on the Recirculated Portions of the Landmark Village and Mission Village EIRs (County EIRs).

Response No. E28-2:

This comment is an introduction to the comments that follow. No further response is required.

Comment No. E28-3:

Today, there exists no federally recognized tribe within the jurisdiction of Los Angeles County. The Band is the only historical tribe of Los Angeles County that is currently under review by the U.S. Department of Interior for federal acknowledgment to reestablish its federal status.¹

¹ *Federally recognized tribes and non-federal recognized tribes possess certain inherent rights of self- government (tribal sovereignty). Federal Recognition status grants certain federal benefits, services, protections, and government-to-government due to the special relationship with the United States.*

The Band's distinct and autonomous community is traced to the lineages and culture that predate missionization in 1797. The demographic composition of the Indians of Mission San Fernando, or Fernandeño, includes Gabrielino, Serrano, Tataviam, and Chumash speaking peoples.² More than 70% of

the Band descends from the villages occupied by this project, and share Tataviam and Chumash ancestry through social and marital relations that pre-date Mission San Fernando. Under Mexican regime in 1834, the Secularization Act was enacted to retain Mission lands under government trust and protection. Had the secularization plan been effective, it would have supported the placement of land into trust and political sovereignty of village governments for our Fernandeano ancestors. Under American rule, Indian Agents of the Department of Interior maintained interaction with our Fernandeano ancestors. In 1885, Guilford Wiley Wells acted in an official capacity on behalf of the U.S. Department of Interior to petition on behalf of our Fernandeano ancestors for their land to prevent their eviction, which was denied in Los Angeles County Superior Court. In 1892, Special Assistant U.S. Attorney for Mission Indians Frank Lewis submitted a series of brief reports to the United States Attorney General regarding the possibility of eligible land and to establish the Indians' continued interest in the land, but to no avail.

² Johnson, John R. "The Indians of Mission San Fernando." *Southern California Quarterly* 79, no. 3 (1997): 249-290.

As the only Indian Tribe in Los Angeles County with historical and consanguineal ties to the geographical area encompassing the referenced project, the Band's involvement with the land extends to time immemorial.

Response No. E28-3:

This comment provides the historical background of the Fernandeano Tataviam Band of Mission Indians. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E28-4:

In the mid-1990s when the Newhall Land and Farming Company ("Newhall") began processing the Newhall Ranch Specific Plan, Tataviam began to work closely with Newhall and the regulatory agencies to ensure that the all components of the Newhall project were properly analyzed for potential impacts on tribal cultural resources, and that such impacts, if identified, were mitigated to the fullest extent feasible. We are proud of the service we have provided in this regard.

Response No. E28-4:

The County acknowledges the Fernandeano Tataviam Band of Mission Indians' involvement and close working relationship with the Mission Village Project applicant and regulatory agencies to ensure that all components of the Mission Village Project were properly analyzed for potential impacts to tribal cultural resources and that any such impacts were mitigated. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E28-5:

In 2007, the Band entered into an agreement with Newhall, which mandates that Newhall implement substantial measures to protect significant cultural resources on the Project site. The agreement also requires that Newhall retain Tataviam tribal monitors to oversee construction of the project as well as mitigation for project-related impacts to cultural resources. Under the agreement, the Band will act as tribal consultant for this Project and provide special expertise regarding Native American heritage and interests. The Band will also act as the primary liaison between the project applicant and the wider Native American community.

Response No. E28-5:

The County acknowledges the Fernandeano Tataviam Band of Mission Indians' agreement with regard to the protection of significant cultural resources on site, including monitoring responsibilities, specialized expertise, and role as primary liaison between the Project applicant and the wider Native American community. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E28-6:

In its role as tribal consultant, Tataviam has participated in the preparation of the Programmatic Agreement and Historic Properties Treatment Plan ("HPTP") for identified cultural sites CA-, which was adopted in 2011 by the Army Corps of Engineers pursuant to the National Historic Preservation Act. We are confident that the Project can be implemented while preserving in place these sites; but if the sites cannot be feasibly preserved in place, we are equally confident that the adopted HPTP provides the appropriate means of recovering the cultural data currently contained within these sites. We are glad to see that nothing in the County EIRs disturbs or undermines the agreements in place.

Response No. E28-6:

The County acknowledges the Fernandeano Tataviam Band of Mission Indians' participation with regard to the Programmatic Agreement and the Historic Properties Treatment Plan for the designated significant cultural sites within the Project – both of which were adopted in 2011 by the U.S. Army Corps of Engineers pursuant to the National Historic Preservation Act. The County also concurs that nothing in the Draft Recirculated Analysis "disturbs or undermines" the referenced agreements. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E28-7:

We have closely reviewed the County EIRs and find it to be thorough with respect to the two issues it addresses: (i) greenhouse gas (GHG) emissions and (ii) "take" avoidance of unarmored threespine stickleback. We are satisfied that the Project will implement the proposed reductions in GHG emissions

will benefit everyone who lives in the Santa Clarita Valley, including the Band, its citizens, and the wider Native American community.

Response No. E28-7:

The comment expresses satisfaction that the Project will implement the proposed reductions in GHG emissions, which will benefit everyone who lives in the Santa Clarita Valley. The comment is acknowledged and appreciated. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E28-8:

Likewise, we support the construction modifications for the two bridges, temporary haul crossings, and bank stabilization, as these eliminate contact with the wetted channel of the Santa Clara River and avoid impacts on the unarmored threespine stickleback. This “no water contact” approach benefits all resources that use or depend upon the river, which is consistent with the lifeways of the Tataviam and the wider Native American community.

Response No. E28-8:

The comment expresses support for the proposed construction modifications with regard to the Project bridges and bank stabilization. The comment also supports the “no water contact” construction approach because it benefits the resources that use and depend upon the Santa Clara River. County further acknowledges the Fernandeano Tataviam Band of Mission Indians’ statement that the proposed construction approach is “consistent with the lifeways of the Tataviam and the wider Native American community.” This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E28-9:

Finally, we have concluded that the proposed modifications to the bridge construction methods will have no new or additional impacts on cultural sites or tribal resources. To the contrary, the changes reduce the Project’s impacts across all environmental categories to levels below those initially studied and disclosed in the prior County EIRs. We consider the project substantially improved – not just from a tribal resource perspective, but from an overall ecological perspective.

Response No. E28-9:

The comment expresses support for the Mission Village Project and provides the reasons for such support. County appreciates the comment, and it will be included as part of the record and made available to the decision makers prior to a final decision on the Mission Village Project.

Comment No. E28-10:

Thank you for your time and consideration of our comments.

Response No. E28-10:

This comment provides a conclusion to comments raised above. No further response is required.

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COMMENT LETTER NO. E29

Robert Health
Chief Executive Officer
Western Golf Properties
One Spectrum Pointe Drive
Suite 310
Lake Forest, CA 92630

Comment No. E29-1:

Western Golf Properties provides golf course management and consulting services to a variety of golf courses and private golf clubs across the nation. This includes day to day golf course management and related restaurant and banquet operations for Tournament Players Club at Valencia (a Five Point property) as well as golf course maintenance operations for Friendly Valley's golf course. Both of these golf properties are located within the Santa Clarita Valley and, in total, employ an estimated 100 Western Golf employees locally.

Response No. E29-1:

This comment provides information regarding the organization that authored Letter No. E29. No further response is required.

Comment No. E29-2:

I am familiar with the Net Zero Newhall initiative and am writing to express my full support for the entire Newhall Ranch plan, including the first two villages, Landmark Village and Mission Village.

The Net Zero Newhall plan to create Newhall Ranch as the most environmentally sustainable master planned community of its size in the nation with zero net greenhouse gas emissions is an exciting proposal worthy of our full support and is consistent with the healthy lifestyles we promote at the golf courses and private golf clubs we manage across the nation.

Furthermore, Santa Clarita would greatly benefit from the tremendous jobs created by Newhall Ranch, which would also provide much needed new housing to a very supply constrained market.

It is this kind of thoughtful, environmentally-sensitive development that Santa Clarita needs and it has our full support. We urge our elected officials to quickly approve Newhall Ranch, including Landmark Village and Mission Village.

Newhall Ranch is good for the local economy and has our full support.

Response No. E29-2:

The comment expresses support for the Mission Village Project. The comment also expresses specific support for the generation of new housing and employment, and for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E30

Lynne Plambeck, President
Santa Clarita Organization for Planning and the Environment
P.O. Box 1182
Santa Clarita, CA 91386

Comment No. E30-1:

Please find attached our comment letter and three exhibits.

Response No. E30-1:

The comment is an introduction to those that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E30-2:

We join with other groups and individuals in stating these concerns, and incorporate by reference the comments made by other conservation groups, agencies and individuals that have submitted comments expressing concerns regarding these documents.

Please note that these comments refer to both the Landmark and the Mission Villages Additional Information documents, and individually where comments to a specific project are made.

Therefore, we submit these comments for both administrative records and ask that they be entered into both processes.

Response No. E30-2:

This comment incorporates by reference the comments made by other unspecified conservation groups, agencies and individuals that have expressed concern regarding the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). The comment also states that the comment letter pertains equally to the Mission Village and Landmark Village Projects, unless otherwise specified in the comments that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Additionally, the County of Los Angeles notes that many (but not all) of the issues raised in this comment letter are substantively similar to those offered by the same commenter on the Additional Environmental Analysis (Recirculated Analysis; SCH No. 2000011025) prepared by the California Department of Fish and Wildlife (CDFW) for the Resource Management and Development Plan and Spineflower Conservation Plan Project (RMDP/SCP Project). The RMDP/SCP Project is a related, but different project that is not under the County's jurisdiction and for which the County does not act as the California Environmental

Quality Act (CEQA) lead agency.¹ Because of the overlap and similarity in comments, the County incorporates by reference and includes in Appendix 2.5 of the Final Recirculated Analysis the commenter's letter on the RMDP/SCP Project's Recirculated Analysis, as well as the responses thereto that were prepared, considered and certified by CDFW. Although the County has individually responded to each of the comments presented in this letter, as they were prepared by the commenter specifically for the Mission Village Project and its Recirculated Analysis, the County also finds that – based on its independent review of CDFW's responses to similar comments submitted by the commenter on the Recirculated Analysis – CDFW's responses provide relevant and responsive information to many of the comments set forth below.

Comment No. E30-3:

Process

We begin by asking why the County chose to not post or at least reference a link to the previous EIR documents, approved 5 years ago in 2012, on the website where newly released documents are stored. Not having a link on the document site or other way to easily locate it in the EIR, makes it difficult for the public to find, review and compare what was said in the previous document to the new document, or review the current document for missing data that was available in the previous document. This is especially the case in this instance, since much of the data that this document relies upon to calculate GHG generation is found in the old EIR, but is not readily accessible. Such critical information does not belong hidden on another website somewhere. It must at the very least be easily accessible since this data and calculations constitute crucial assumptions on which the re-circulated GHG calculations are based. We believe that this inability for the public to readily and easily access the previous documents fails to comply with past rulings on CEQA.¹ We ask that your agency post such a link prior to the final response to comments.

¹ *"It is buried in an appendix. ...It is not enough for the EIR simply to contain information submitted by the public and experts. Problems raised by the public and responsible experts require a good faith reasoned analysis in response. (Cleary v. County of Stanislaus (1981) 118 Cal. App. 3d 348, 357 [173 Cal. Rptr. 390].) The requirement of a detailed analysis in response ensures that stubborn problems or serious criticism are not "swept under the rug." (Ibid.), SCOPE v. County of Los Angeles, 106 Cal. App. 4th 715; 131 Cal. Rptr. 2d 186; 2003 Cal. App. LEXIS 291; 2003 Cal. Daily Op. Service 1767; 2003 Daily Journal DAR 2219.*

Response No. E30-3:

This comment raises questions about whether the County of Los Angeles posted or referenced a link to the 2011 Final Environmental Impact Report (EIR) for the Mission Village Project. The comment does not

¹ As discussed in Section 2.1(1)(b) of the Recirculated Analysis, the Mission Village Project site is located within the geographic boundary of the RMDP/SCP Project. In the event that CDFW certifies the RMDP/SCP Project's Recirculated Analysis, any mitigation measures in the RMDP/SCP Project's Recirculated Analysis would be applied by the County to the Mission Village Project, and the mitigation framework in the Recirculated Analysis reflects the mitigation framework established by the RMDP/SCP Project's Recirculated Analysis (see Recirculated Analysis, pages 2.1-3, 2.1-39, 2.2-33).

identify a deficiency with the Notice of Completion and Availability for the Recirculated Analysis or the information presented in the Recirculated Analysis.

Under CEQA Guidelines Sections 15088.5(d) and 15087, a notice of availability must include “[t]he address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency’s normal working hours.” (CEQA Guidelines, Section 15087(c)(5).) In addition, the lead agency must “furnish copies of draft EIRs to public library systems serving the area involved. Copies should also be available in offices of the Lead Agency.” (CEQA Guidelines, Section 15087(g).) The County fully complied with the requirements of the CEQA Guidelines in making copies of the Project’s October 2010 Draft EIR and 2011 Final EIR available for public review along with the Recirculated Analysis. As noted in the Notice of Completion and Availability (Nov. 17, 2016), the October 2010 Draft EIR and 2011 Final EIR, along with the Recirculated Analysis, were available for public review at the offices of the Department of Regional Planning throughout the public comment period for the Recirculated Analysis. As also noted in the Notice of Completion and Availability, the October 2010 Draft EIR and 2011 Final EIR, along with the Recirculated Analysis, were available at the following libraries servicing the Project area: Valencia Library, Castaic Library, Stevenson Ranch Library, Old Town Newhall Library, and Canyon Country Jo Anne Darcy Library. The County therefore fully complied with the CEQA Guidelines. In addition, though not required, the October 2010 Draft EIR and 2011 Final EIR were available (and remain available) at the County’s website: <http://planning.lacounty.gov/mission-village/> (Accessed April 28, 2017). The County complied with all requirements under CEQA pertaining to notice and the availability of documents related to the Project.

Comment No. E30-4:

It is improper to submit an Additional Environmental Analysis Document for review prior to completion of the Court process. The Court process requires that a remitter be issued to the lower Court. Parties then debate before the Judge as to what is necessary to include in the new document to fully address the Court’s finding. Newhall and the County moved forward before that process was complete. It may be that the Court will order review of more than what the County and the developer has decided inappropriately to provide. If that is the case, then a good deal of time will have been wasted, since hearings and comments will have to start again from the beginning. We find it quite unjust and a showing of favoritism towards the developer that the County would have allowed this process to proceed under such circumstances.

Response No. E30-4:

This comment criticizes the process followed by the County in preparing and releasing the Recirculated Analysis, and states that the County should have waited for the Court of Appeal to issue a remittitur and then waited for the Superior Court to hear and rule upon the parties’ arguments regarding the required

contents of the Recirculated Analysis. As explained in **Topical Response No. 1: Scope of the Recirculated Portions of the EIR**, the court decisions issued in connection with the Mission Village project and the RMDP/SCP project provide the basis for the environmental issues addressed in the Recirculated Analysis. First, as required by the California Supreme Court and the Court of Appeal in the Mission Village litigation, the Recirculated Analysis evaluates the significance of the Project's GHG emissions. Second, although not challenged in the Mission Village litigation, the Recirculated Analysis also analyzes the necessity for two mitigation measures related to construction-related river diversion necessitating the potential relocation of the unarmored threespine stickleback, a freshwater fish designated as endangered by federal and state law and fully protected under Fish and Game Code Section 5515. No other aspect of the County's 2011 EIR was re-opened and CEQA affords a strong presumption against requiring additional environmental analysis once an EIR has been prepared for a project. In addition, the County has determined after careful consideration that other environmental impacts resulting from approval and implementation of the Mission Village project have been adequately addressed in the 2011 Final EIR. Nothing in the court decisions on the Mission Village or RMDP/SCP projects provides a basis for analyzing any other environmental issues than those discussed above. Please see **Topical Response No. 1: Scope of the Recirculated Portions of the EIR** for additional discussion of this topic.

Comment No. E30-5:

The January 12th hearing was procedurally unfair in that the public was allowed to speak only for two minutes on one or the other agenda item. Since both projects were agendaized in the same hearing this was a substantial violation on the Ralph M. Brown Act. Additionally the hearing officer gave the public apparently inaccurate information in that she stated that there would be an additional hearing before the Regional Planning Commission. Now we find that the additional analysis states these documents will go directly to the Board of Supervisors. We urge the County to rectify these issues by first holding a hearing before the Regional Planning Commission.

Response No. E30-5:

This comment raises concerns about the time allotted to the public to provide oral comments on the Mission Village and Landmark Village Recirculated Analyses during the local public meeting held by the Department of Regional Planning on January 12, 2017. The comment states that the County allowed members of the public to speak on only one or the other of the projects, and alleges that a violation of the Brown Act occurred.

As an initial matter, the comment mischaracterizes the limitations placed on public comment by the County at the January 12 local public meeting. The County did limit public comment to two minutes per speaker, but did not require speakers to comment on only one or the other of the projects on the agenda. In fact, many speakers used their allotted time to provide comments on both projects. The

County asked speakers to identify the project on which they were providing comments to ease the process of responding to comments in writing, but did not require speakers to provide comments on only one project during the allotted two minute period. A transcript of the January 12 public meeting is included in the Final Recirculated Analysis in Appendix 1.7.3.

As to the two minute limitation on public comment, no violation of the Brown Act occurred. The Ralph M. Brown Act (Government Code, Sections 54950 et seq.) is a state law which guarantees the right of the public to attend and participate in meetings of local legislative bodies. It provides that members of the public must have the opportunity to address the legislative body on any matter on the agenda of a regular meeting. (Government Code, Section 54954.3(a).) However, “the legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.” (Government Code, Section 54954.3(b)(1).) At the January 12 local public meeting, there were a large number of speakers interested in providing oral comments. The County adopted a reasonable time limit of two minutes per speaker to ensure that all speakers were given the opportunity to have their comments heard. This was fully consistent with the Brown Act. In addition, all members of the public had the opportunity to submit written comments on the Mission Village project and/or the Landmark Village project during the 89-day public comment period provided on the Recirculated Analyses. Many members of the public, including the commenter, chose to submit written comments.

The comment also states that the hearing officer at the January 12 local public meeting informed the public that the Recirculated Analyses for the Mission Village and Landmark Village EIRs would be considered at a public hearing held by the Regional Planning Commission, and requests that such a hearing be held. As an initial matter, the County did not state that the Regional Planning Commission would hold a public hearing. On the contrary, the County consistently informed the public that the Board of Supervisors would hold a public hearing on the Recirculated Analysis. Please see the transcript of the January 12 public hearing, attached to the Final Recirculated Analysis as Appendix 1.7.3.

Furthermore, the Regional Planning Commission is not required to hold a public hearing on the Recirculated Analysis, and the comment does not provide any basis for why a public hearing must be held before the Regional Planning Commission. Following the litigation described more fully in **Topical Response No. 1: Scope of the Recirculated Portions of the EIR**, the Board of Supervisors retains jurisdiction over the Mission Village EIR (including the Recirculated Analysis) and all of the requested permits and entitlements.

Comment No. E30-6:

Inadequate document

Limiting the recirculation to only two chapters is not sufficient to fully address the Court order. The reason for this is that one cannot determine the extent or accuracy of the greenhouse gas production that will be created by these phases, and thus adequately develop mitigation measures without including chapters on traffic, air quality, water supply, solid waste, water service and utilities.

Response No. E30-6:

This comment questions the scope of the Recirculated Analysis. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**, which explains how the scope of this environmental analysis is pursuant to and consistent with CEQA and (i) the California Supreme Court's decision in *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204, (ii) the Second District Court of Appeal, Division Five's opinion on remand (*Center for Biological Diversity v. California Department of Fish and Wildlife*, July 11, 2016, No. B245131, slip opn.), and (iii) *California Native Plant Society v. County of Los Angeles* (No. B258090, filed Dec. 1, 2016; Mission Village litigation). The County's original and revised notices of availability for the Draft Recirculated Analysis, which limit requests for comments to the two topics addressed in the Recirculated Analysis, accord with the California Supreme Court's decision.

Further, each of the environmental topics listed in the comment (traffic, air quality, water supply, solid waste, water service and utilities) were previously studied and evaluated by the County in the 2011 Final EIR. Challenges against these analyses either were litigated and found by the courts to comply with CEQA, or could have been (but were not) litigated within the timeframe allowed under CEQA. The comment does not identify any flaws or omissions with the prior analyses of these topics.

Finally, the Recirculated Analysis analyzed the greenhouse gas (GHG) emissions from all of the Project's emissions sources and found, with the implementation of the recommended GHG mitigation measures, that the Project would achieve net zero GHG emissions. The comment does not identify any particular flaws or omissions in the GHG analysis provided in the Recirculated Analysis.

Therefore, no additional analysis was required and no further response is required.

Comment No. E30-7:

Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area, particularly on the I-5 and 14 freeways has increased substantially since these projects were circulated and reviewed in the 2010-2011 time period. The HOV lanes are not reducing traffic at peak hours as predicted, leaving motorists idling their engines even in those lanes for substantial amounts of

time. The considerable traffic generated by new commuters from these projects will add to the congestion and generate additional pollution by their impacts that slow the flow of traffic in addition to the pollution it will create from the total project's own modeled 357,000 trips per day at build out.

Residents are not remaining in the Valley to work as predicted by Newhall Land's numerous EIRs on the many projects in the Santa Clarita Valley, as well as the previous iteration of these documents. (We hereby include by reference and refer to the previous the previous EIRS for these projects which are available and held at the Agency's offices.) According to these documents, traffic modeling is still based on the Santa Clarita Valley Consolidated Traffic Model 2004 Update and Validation (March 2005).² This document is now twelve years old, and observably inaccurate. A new evaluation of traffic generation on current traffic patterns is required to rectify what was obviously an underestimate of the length and direction of commutes in the previous documents. A chapter updating the traffic analysis must be added.

² Draft Additional Environmental Analysis, page 2-19

Response No. E30-7:

The comment raises several comments about traffic congestion and the traffic model, which are beyond the scope of the Recirculated Analysis. Traffic and the traffic model were issues raised in comments on the County's 2011 Final EIR, but the subject analysis contained in Section 4.5 (Traffic/Access) was not found to be deficient by the courts. The comment does not provide any evidence that the Project modifications described in the Recirculated Analysis would result in increased traffic congestion. Based on **Topical Response 3: Traffic Impact Analysis**, the traffic analysis from the 2011 Final EIR remains valid and does not require additional analysis or updating in the Recirculated Analysis. In addition, please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional responsive information as to the scope of the Recirculated Analysis. Although this comment is beyond the scope of the Recirculated Analysis and no response is necessary, for informational purposes, the following is provided in response to this comment.

The Project's GHG emissions were estimated utilizing CalEEMod[®], the industry standard modeling platform for CEQA analysis. For purposes of the Project's mobile source-related emissions estimates, CalEEMod[®] is informed by the U.S. Environmental Protection Agency's AP-42 emission factors and the California Air Resources Board's (ARB) on-road and off-road equipment emission models, such as the Emission FACTor model (EMFAC) and the Emissions Inventory Program model (OFFROAD). Notably, the model is designed to estimate operational, on-road mobile vehicle traffic generated by a project's land uses. For purposes of the Recirculated Analysis' GHG emissions analysis, traffic information for each Project land use was provided by Stantec, a transportation engineering firm. (See Draft Recirculated Analysis, Appendix 2.1-A, Section 3.3.5, Mobile Sources.) CalEEMod[®] estimates the GHG emissions

resulting from Project-related vehicle miles travelled accrued by the proposed land uses. Using those inputs, CalEEMod[®] specifically accounts for the carbon dioxide (CO₂) emissions from running, start-up and idling vehicles.²

Comment No. E30-8:

An air quality chapter should be added to ensure that methane generation and CO₂ precursors from the added uses of these new residents is properly accounted for in the GHG inventory.

Response No. E30-8:

The comment states that additional air quality analysis is needed to properly account for the GHG emissions inventory in the Recirculated Analysis, but the comment does not provide any evidence to support this statement. Air quality issues were raised in comments on the County's 2011 Final EIR, but the analysis presented in Section 4.7 (Air Quality) was not found to be deficient by the courts. Therefore, the air quality analysis from the 2011 Final EIR remains valid and does not require additional analysis or updating in the Recirculated Analysis. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional responsive information. Although this comment is beyond the scope of the Recirculated Analysis and no response is necessary, for informational purposes, the following is provided in response to this comment.

The operational GHG emissions inventory presented in the Recirculated Analysis includes emissions of carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O) associated with area sources, energy, water and wastewater, traffic, and solid waste. As mentioned in **Response to Comment No. E30-7** above, the Project's GHG emissions were estimated utilizing CalEEMod[®], the industry standard modeling platform for CEQA analysis that accords to CEQA Guidelines Section 15064.4(a)(1). CalEEMod[®] follows the International Panel on Climate Change (IPCC) guidelines and provides a platform to calculate both construction emissions and operational emissions from a land use development project. This model was developed under the auspices of the South Coast Air Quality Management (SCAQMD), which is the air district with jurisdictional boundaries covering the Project site, and received input from other California air districts, and is currently used by numerous lead agencies when quantifying the emissions associated with development projects undergoing environmental review. CalEEMod[®] utilizes widely-accepted models for emission estimates combined with appropriate default data that can be used if site-specific information is not available.

² "Appendix A: Calculation Details for CalEEMod," prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), pp. 23-24, available at <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>. Accessed: February 17, 2017.

As described in the documentation prepared to support the application of CalEEMod³:

“The greenhouse gas (GHG) pollutants are those recognized by the state of California under Assembly Bill 32 (AB32). The most common GHGs emitted in association with land use developments include carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O). All GHGs will be reported on a common currency of carbon dioxide equivalent (CO₂e). In order to obtain the CO₂e, an individual GHG is multiplied by its global warming potential (GWP).”

Therefore, the appropriate GHG pollutants (i.e., carbon dioxide, methane and nitrous oxide emissions) that are generated by the Project are accounted for in the Recirculated Analysis’ GHG emissions estimates.

At this time, neither the State of California nor SCAQMD nor other local jurisdictions have established a methodology or protocol to incorporate what may be considered “CO₂ precursors.”

Comment No. E30-9:

Water supply and utility chapters should be included due to the creation of greenhouse gases involved with moving water, treating sewage,(including treating to remove salts where a new 2015 proposal will require trucking of wastes to an ocean outfall pipe line for the first 6000 units.³ Not only will this generate additional greenhouse gases from trucks, that must be included in the GHG inventory, but also, changing to this up gradient location will require pumping stations that run on electricity or another fossil fuel generated source to move the considerable amount of sewage uphill for treatment instead of the gravity feed system that plan initially envisioned.

If it is not derived from a clean source, production of electricity generates green house [sic] gases. Natural gas used for heating and cooking in all these future homes, will generate greenhouse gas. However, we cannot know how much or if the impacts were properly calculated because a utility chapter is not even included in the document.

³ *This is a changed circumstance. Previous EIRs relied on the Newhall Ranch Sanitation Plant. However, after the previous iteration of this EIR was completed, it came to light that Newhall Ranch will use the existing Sanitation Plant for sewage treatment of its first 6000 units. As noted above this will change energy requirements and add truck traffic. We include by reference, the FEIR for this project, which can be viewed at this link: http://www.lacsd.org/wastewater/chloridefacplaneir/final_santa_clarita_valley_sanitation_district_chloride_compliance_facilities_plan_and_eir.asp*

³ “Appendix A: Calculation Details for CalEEMod,” prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), pp. 3, available at <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>. Accessed: February 17, 2017.

Response No. E30-9:

The comment raises questions about water supply and utility analyses. Such issues were raised in comments on the County's 2011 Final EIR and not found to be deficient by the courts. The comment does not provide any evidence of a change in the water supply or utility framework that is related to the proposed modifications described in the Recirculated Analysis. The modified bridge design measures and proposed Mitigation Measures 4.23-1/2-1 through MV 4.23-13/2-13, as described in the Recirculated Analysis, would not result in any changes to the water supply or utility framework relative to the analysis presented in the 2011 Final EIR. The water supply and utility analysis from the 2011 Final EIR remains valid and does not require additional analysis or updating in the Recirculated Analysis. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional responsive information. Although this comment is beyond the scope of the Recirculated Analysis and no response is necessary, for informational purposes, the following is provided in response to this comment.

As described in **Response to Comment Nos. E30-7 and E30-8** above, the Recirculated Analysis relies upon CalEEMod[®] to estimate the GHG emissions inventory for the Project. CalEEMod[®] is a statewide program designed to calculate both criteria and GHG emissions from development projects in California. This model was developed under the auspices of the SCAQMD and received input from other California air districts and is currently supported by several lead agencies for use in quantifying the emissions associated with development projects undergoing environmental review. CalEEMod[®] utilizes widely accepted models for emission estimates combined with appropriate default data that can be used if site specific information is not available. For purposes of the Recirculated Analysis, reliance on CalEEMod[®] to estimate GHG emissions satisfies CEQA Guidelines Section 15064.4(a)(1), which allows a lead agency to select the model and methodology it considers most appropriate for the analysis, even if the model or methodology may have some limitations.

With regard to utility emissions, the comment is incorrect in stating that the Recirculated Analysis does not show the GHG emissions due to natural gas and electricity for the future homes. GHG emissions due to electricity production and natural gas combustion are presented in Draft Recirculated Analysis Table 2.1-3 (see row "Energy Use"). The methodology to calculate these emissions is described in the Appendix 2.1-A, Section 3.3.2, of the Draft Recirculated Analysis.

For wastewater-related emissions, CalEEMod[®] relies upon electricity intensity factors for water use that include the electricity required to "supply, distribute, and treat the water and wastewater," and also includes the CO₂ and methane emissions from wastewater treatment. For purposes of the Project's GHG emissions analysis, the Project's 2011 Final EIR evaluated the interim (or temporary) treatment of

wastewater for up to 6,000 Newhall Ranch dwelling units at the existing Valencia Water Reclamation Plant (WRP) until such time as the Newhall Ranch WRP is constructed and operational – all of which was part of a 2002 Interconnection Agreement with the Santa Clarita Valley Sanitation District.⁴ Further, the GHG emissions associated with any hauling of brine effluent to and from the Valencia WRP are accounted for in the additional environmental documentation prepared for Mission Village (see Draft Recirculated Analysis, Appendix 2.1-A, page 50 (fn. 105), Table 3-18a (Note 4), and Table ES-4 (Note 3)).

In summary, the Recirculated Analysis' analysis is informed by a substantiated and reasonable methodology, and incorporates emissions due to utility consumption and water and wastewater supply, treatment, and distribution.

Comment No. E30-10:

Year	LandGEM ¹ (standard cubic feet per minute)	Adjusted LandGEM ² (standard cubic feet per minute)	Actual Flow (standard cubic feet per minute) ³	Collection Efficiency (%)
2001 – 2002 ⁴	2,913	2,870	2,748	96
2002 – 2003 ⁴	3,216	3,169	3,348	106
2006 ⁴	4,133	4,071	3,955	97
2007 ⁴	4,423	4,358	3,851	88
2008 ⁴	4,710	4,640	3,631	78
2009 ⁵	4,981	4,907	3,769	77
2010 ⁴	5,049	4,974	3,784	76
2011 ⁶	5,212	5,135	3,968	77
2012 ⁶	5,431	5,351	4,161	78
2013 ⁶	5,548	5,466	4,098	75
2014 ⁶	5,688	5,603	3,983	71

Solid waste generated from these projects will be placed in a landfill, that, if it is complying with the law will still have 15% fugitive methane (now a regulated GHG) releases. If it is not, it may have even greater releases such as Chiquita Canyon has now.⁴ The methane releases from garbage generated by the future residents of these projects were not calculated and cannot be estimated since there is no solid waste chapter included in the document.

⁴ Golder Associates Report, Oct. 1, 2016, Appendix H-4, Chiquita Canyon Landfill SEIR, http://planning.lacounty.gov/assets/upl/case/project_r2004-00559_deir-appendices.pdf

Response No. E30-10:

The comment states that the “methane releases from garbage generated by the future residents of this project were not calculated.” The comment does not provide any evidence of a change in “methane releases from garbage by the future residents” that is related to the proposed modifications described in the Recirculated Analysis. The modified bridge design measures and proposed Mitigation Measures 4.23-1/2-1 through MV 4.23-13/2-13, as described in the Recirculated Analysis, would not result in any changes to waste generation relative to the analysis presented in the 2011 Final EIR. Further, this comment is not correct, as the GHG emissions analysis presented in the Recirculated Analysis calculated

⁴ Please refer to the Mission Village Draft EIR, pages 1.0-69 through 1.0-70a.

the indirect GHG emissions associated with solid waste generated by the proposed land uses using the applicable module in CalEEMod[®] and solid waste generation rates based on the City of Santa Clarita 2012 actual disposal rates. (Draft Recirculated Analysis, Appendix 2.1-A, Section 3.3.4.) As shown in Draft Recirculated Analysis Table 2.1-3, prior to implementation of the recommended mitigation framework, the Project's solid waste generation-related activities would emit 4,391 metric tons of carbon dioxide equivalents (MT CO₂e) per year.

The results of the solid waste-related GHG emissions analysis reported in the Draft Recirculated Analysis were calculated using CalEEMod[®]. As discussed in prior responses, CalEEMod[®] provides a platform to calculate both construction emissions and operational emissions from a land use development project, and estimates the indirect GHG emissions associated with waste that is disposed of at a landfill. As described in Appendix A, calculation Details for CalEEMod[®], of the CalEEMod[®] User's Guide:

“The program uses annual waste disposal rates from the California Department of Resources Recycling and Recovery (CalRecycle) data for individual land uses. If waste disposal information was not available, waste generation data was used. CalEEMod uses the overall California Waste Stream composition to generate the necessary types of different waste disposed into landfills. The program quantifies the GHG emissions associated with the decomposition of the waste which generates methane based on the total amount of degradable organic carbon.⁵³ The program will also quantify the CO₂ emissions associated with the combustion of methane, if applicable. Default landfill gas concentrations were used as reported in Section 2.4 of AP-42. The IPCC has a similar method to calculate GHG emissions from MSW in its 2006 Guidelines for National Greenhouse Gas Inventories.⁵³

Landfill gas generation is dependent upon the amount, type, age and moisture content of the disposed waste. The United States Environmental Protection Agency (USEPA) has developed emission factors for landfill gas as specified in Section 2.4 of AP-42 which are incorporated in the LANDGEM model. This model uses a first order decay equation that will vary with time. However, there is no need to use a time-varying emissions model, as we are interested in total emissions of gases that could be emitted from a ton of waste. Therefore, instead of using the LANDGEM model, the volume of landfill gas from solid waste will be based on the total amount of degradable organic carbon.”⁵

⁵ “Appendix A: Calculation Details for CalEEMod,” prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), p. 43, available at: <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>. Accessed: February 17, 2017.

In lieu of utilizing the default data provided by CalEEMod[®], the Project's GHG emissions analysis for solid waste was informed by region-specific inputs, and specifically data points collected by CalRecycle pertaining to the City of Santa Clarita. (Draft Recirculated Analysis, Appendix 2.1-A, p. 45.) Because the Project site is immediately adjacent to the City of Santa Clarita, and because the development facilitated by the Project is expected to have a similar waste generation stream profile as the City (based on the proposed mix of uses), the City's actual disposal rate was determined to be a reliable input for the analysis. For purposes of estimating Project-related emissions in 2030, the City's actual disposal rate was adjusted to reflect the anticipated attainment of the State's policy goal (as codified via Assembly Bill (AB) 341) to recycle, compost, or source reduce 75 percent of solid waste by 2020.

As explained in the Project's GHG Emissions Technical Report (Draft Recirculated Analysis, Appendix 2.1-A), the GHG emissions accounted for by CalEEMod[®] include the GHG emissions associated with the decomposition of the waste, which generates methane based on the total amount of degradable organic carbon. As such, the "Waste Disposed" inventory data presented in Draft Recirculated Analysis (e.g., Table 2.1-3) accounts for the GHG emissions from the Project-related solid waste that would be generated by future residents and workers; and, thus, the comment's conclusion is incorrect.

Comment No. E30-11:

Newhall's Claim of No Increase to GHG from their project.

Newhall claims that they will reduce greenhouse gases to net zero through mitigation and offsets. We believe this claim is patently absurd. While mitigation such as charging stations in homes, etc., are needed improvements, they will not verifiably reduce GHG generation to net zero for this huge project where no transportation other than autos and buses is available.

Response No. E30-11:

The comment raises questions about the Project's achievement of net zero GHG emissions. However, the GHG emissions analysis completed by Ramboll Environ includes detailed technical analysis and modeling that was subject to independent review and evaluation by the ARB. As memorialized in a letter from the ARB to CDFW, dated November 3, 2016 (a copy of which is included in Appendix 2.6 of the Final Recirculated Analysis):

"ARB staff consulted with Department of Fish and Wildlife staff and technical experts at Ascent Environmental, the principal consultant assisting the Department. In doing so, ARB staff reviewed the technical documentation provided for the evaluation of the project's total estimated GHG emissions and the reductions in emissions to be achieved through the mitigation measures. Based on staff's review, ARB finds the documentation

provides an adequate technical basis to determine that the project would not result in any net additional GHG emissions after the mitigation measures are fully implemented.”

The ARB’s finding that the Project’s GHG emission reduction calculations are documented by “an adequate technical basis” is part of the body of substantial evidence that supports the County’s GHG emissions analysis, particularly as the ARB is the state agency designated with the responsibility for and expertise to implement statewide policy on global climate change and the reduction of GHG emissions.

The comment raises concerns regarding the off-site GHG reductions associated with the Project. Please see **Response to Comment No. 09-32** within **Letter No. E13**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the implementation and enforcement of the off-site GHG reductions. **Response to Comment No. 09-32** within **Letter No. E13**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), provide a broad overview of the performance standards underpinning the GHG Reduction Plan that ensures all GHG reductions used for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 are consistent with CEQA Guidelines Sections 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by “[o]ff-site measures, including offsets that are not otherwise required” and “[m]easures that sequester greenhouse gases”). The appropriateness of using offsets as CEQA mitigation for GHG emissions is well established.

As required by Mitigation Measure MV 4.23-13/2-13, the Project Applicant will primarily achieve GHG reductions through the implementation or funding of Direct Reduction Activities or, if necessary, by purchasing Carbon Offsets. Section VI of the GHG Reduction Plan identifies the three compliance options permitted by Mitigation Measure MV 4.23-13/2-13 (GHG emissions associated with a 30-year Project life). Former Compliance Option No. 2 has been eliminated, which removes the option for the Applicant to provide a guarantee of compliance (see Sections 2.1, 2.2, and 2.4 of the Final Recirculated Analysis for revised Mitigation Measure MV 4.23-13/2-13, with this option deleted).

Section VII of the GHG Reduction Plan identifies the two compliance options permitted by Mitigation Measure MV 4.23-10/2-10 (GHG emissions associated with Project construction). Section VIII establishes the compliance confirmation process by the Approved Registry, with the Approved Registry providing retirement documentation in a form that can be provided by the Applicant to the County of Los Angeles to demonstrate compliance. The Project Applicant must also provide a written attestation from an Approved Registry to Los Angeles County where the attestation confirms that the retired GHG Mitigation Credits or Carbon Offsets satisfy the performance criteria established in Section IX of the GHG Reduction Plan. Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 are incorporated into the Mitigation Monitoring and Reporting Plan (MMRP) and enforced by Los Angeles County.

Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 expressly require the retirement of GHG Mitigation Credits and/or Carbon Offsets *prior to* issuance of a grading permit (for construction GHG emissions; e.g., GHG emissions resulting from the operation of construction vehicles, vegetation removal, etc.) or building permit (for 30-year Project life GHG emissions), respectively. Retiring a GHG Mitigation Credit or Carbon Offset eliminates it from further use and avoids any double counting. A GHG Mitigation Credit or Carbon Offset cannot be retired until it is first issued by an Approved Registry in accordance with the Approved Registry's protocols for the activity in question, with the Approved Registry attestation noted above. Specifically, under Mitigation Measure MV 4.23-10/2-10, prior to obtaining a grading permit, the Project Applicant must satisfy its mitigation obligation for all construction-related GHG emissions associated with the grading permit – which includes all construction-related and vegetation change GHG emissions from the start of grading through vertical construction – *before any grading begins*. Similarly, under Mitigation Measure MV 4.23-13/2-13, the Project Applicant must satisfy its mitigation obligation associated with the building permit – which includes all GHG emissions for the 30-year Project life for the portion of the Project covered by the building permit – *before building occupancy occurs*. Thus, mitigation compliance is completed before the activity in question begins and is enforced by Los Angeles County.

Accordingly, the GHG emission reductions required by Mitigation Measure MV 4.23-13/2-13 would be realized in advance of the Project's estimated operational emissions. Specifically, since the Project is required to provide evidence of the GHG emission reductions for the full 30-year lifetime of the subject residence and commercial square footage prior to the County of Los Angeles' issuance of the subject building permit, the GHG emission reductions will be provided well before the operational emissions occur. For Compliance Option No. 1, the GHG emission reductions will occur before the Project's operational emissions because the Direct Reduction Activity's emission reductions will accrue at a faster rate (due to the shorter life span of the Direct Reduction Activity) than the estimated Project emissions calculated using the 30-year Project life

As stated above, all GHG Mitigation Credits and Carbon Offsets must meet the performance standards in Section IX of the GHG Reduction Plan, as revised (see Appendix 2.7.1 of the Final Recirculated Analysis). Among other standards, this requires a Direct Reduction Activity to meet additionality requirements and to be fully implemented and confirmed by an accredited, independent third party in accordance with approved methodologies from an Approved Registry. The GHG Reduction Plan, through the implementation of direct reduction activities and the purchase of carbon offsets meets the requirements of CEQA, as discussed in this response, **Response to Comment Nos. 09-32 through 09-62** within **Letter No. E13**, and CDFW's responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis).

The comment also appears to reach its conclusion based on the assertion that the only transportation options available to the Project are autos and buses. However, the assertion is not factually supported. The Project will provide multiple travel options to its residents, employees, and visitors that are described in the Newhall Ranch Transportation Demand Management Plan (TDM Plan), a copy of which is located in Appendix E of the Draft Recirculated Analysis Appendix 2.1-A. The TDM Plan and supporting evaluation were prepared by two recognized transportation engineering firms, with demonstrated expertise in the evaluation of vehicle miles traveled (VMT) reducing strategies: Fehr & Peers and UrbanTrans. Based on that collaborative analysis, the Project includes, but is not limited to, a comprehensive travel network for pedestrians and bicyclists, transit service, subsidies to increase the use of transit and neighborhood electric vehicles (NEVs) and electric bikes (E-Bikes), a mandatory commute trip reduction program, a school bus program, bike share and car share program subsidies, and tech-enabled mobility strategies to increase participation rates in the TDM Plan's various programs.

The Project's achievement of net zero GHG emissions does not rely upon a singular strategy, such as the mode-shift objective suggested in the comment. Rather, Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13 rely on a portfolio of GHG emissions-reducing strategies that cover multiple aspects of the Project's emissions inventory attributes. Notably, consistent with State policy, the Project's transportation-related emissions are not exclusively reduced through mode-shift strategies (Mitigation Measure MV 4.23-6/2-6), but also through the electrification of the Project's vehicle fleet (see, e.g., Mitigation Measures MV 4.23-4/2-4, MV 4.23-5/2-5 and MV 4.23-12/2-12).

Comment No. E30-12:

Based on current ridership in the Santa Clarita Valley, it is highly unlikely that residents of Newhall Ranch will avail themselves of bus transportation due to the inconvenience and travel time. We believe that Newhall must produce a study showing that buses would reduce auto use in these projects, public transportation is considered in the EIR.

Response No. E30-12:

The comment, without support, states that Project residents are unlikely to utilize transit buses because of the "inconvenience and travel time." The comment requests that the Project prepare a study showing that transit buses would be utilized.

In response, please see Appendix E to the Draft Recirculated Analysis Appendix 2.1-A. As discussed on pages 6 and 7 of the Fehr & Peers technical memorandum contained in Appendix E, the TDM Plan will reduce total Project VMT by approximately 1.3 percent due to its extension of local transit service to the Project site. This percent reduction in total VMT was calculated in accordance with published guidance

from the California Air Pollution Control Officers Association (CAPCOA) titled, *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* (August 2010). More specifically, CAPCOA's published guidance (see pages 276-279) addresses the quantification of VMT reductions from Strategy TST-3: Expand Transit Network. As explained therein, Strategy TST-3 has a range of effectiveness of 0.1 to 8.2 percent reduction in total VMT. This range is based upon the observed increase in transit use as a result of transit service expansion. The greatest changes in transit use were observed in suburban settings, where there is a greater opportunity to capture increased mode share compared to urban locations which already have an established transit system. The Project-specific VMT reduction of 1.3 percent presented in Appendix E was calculated based on this elasticity of transit use and the existing mode share of 2.3% in nearby Santa Clarita. Existing Santa Clarita Valley Transportation Authority bus routes will be extended onto the Project site and will connect the Project site to major transit centers, such as the Santa Clarita or Newhall Metrolink Stations. Fehr & Peers' application of Strategy TST-3 relies on the *existing* 2.3 percent transit mode share reported by the City of Santa Clarita following the calculation method established in CAPCOA; and, as such, the analysis reasonably reflects existing transportation trends in the Project's immediate vicinity. The comment has provided no evidence that those existing transportation trends are inaccurate or will change adversely in the future. In addition to the expansion of the transit network to the Project site, it should be noted that the Project's TDM Plan will further incentive the use of transit buses by providing transit fare subsidies to employees and below market rate housing residents, and by providing additional options that make transit travel more appealing, reliable, and seamless, including car-share, the development of mobility hubs, and the inclusion of pedestrian-friendly development throughout the Project. Thus, contrary to the comment's claims, there is substantial evidence based on studies as highlighted in Appendix E to the Draft Recirculated Analysis Appendix 2.1-A.

Comment No. E30-13:

There is no guarantee that homeowners will use electric vehicles, nor could homeowners be forced to purchase them. While a small subsidy is certainly a carrot towards that outcome, it is unlikely that a \$1000 subsidy, a small percentage of the total cost of any new electric vehicle, (for 50% of the homeowners) is something of which new owners would be financially able to avail themselves.

Response No. E30-13:

After recognizing that the \$1,000 purchase subsidy for zero emission vehicles (ZEVs) required by Mitigation Measure MV 4.23-4/2-4 is a "carrot" that will facilitate the penetration of ZEVs into the vehicle fleet, the comment states that few homeowners are likely to utilize the purchase subsidy and drive ZEVs. However, the Draft Recirculated Analysis provides an extensive evaluation and analysis of this

subject in Draft Recirculated Analysis Appendix 2.1-A and Appendix H thereto. Notably, Appendix H presents the results of an economic forecast model that evaluates the effects of the Project's mitigation commitments on the purchase of ZEVs by the community's residents. The forecast model is based on economic principals of demand and relies upon numerous published studies on electric vehicle purchasing behavior. The information highlighted here is discussed further in **Topical Response 3: Zero Emission Vehicles at Newhall Ranch** as contained within Appendix 2.1.3 of the Final Recirculated Analysis. Please also see **Response to Comment Nos. O9-25 and O9-26** within **Letter No. E13**, and CDFW's responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for discussion of the evidentiary basis for the Recirculated Analysis' analysis of the GHG emissions reductions related to Mitigation Measure MV 4.23-4/2-4 and the penetration of ZEVs into the vehicle fleet. The comment offers no substantiated evidence that refutes the validity of the analysis completed in the Recirculated Analysis.

In addition, to further address the concern raised in the comment about the ZEV subsidies in Mitigation Measure MV 4.23-4/2-4, utilization of the ZEV purchase subsidy (which complements existing State rebate funding and federal tax credits for ZEV purchases) required by Mitigation Measure MV4 .23-4/2-4 would be monitored and un-used ZEV incentive dollars (if any) would be used elsewhere to achieve an equivalent level of GHG emission reductions to that identified in the Recirculated Analysis. As described in the Project's MMRP (a copy of which was circulated for public review in Section 2.3 of the Draft Recirculated Analysis and also is included in Section 2.4 of the Final Recirculated Analysis),⁶ in the event that the ZEV subsidies are not fully utilized after occupancy of the final residential dwelling unit, the Applicant or its designee, which may include the Transportation Management Organization (TMO) or its equivalent entity, is required to coordinate with the Los Angeles County Planning Director and secure the Planning Director's approval of one or more strategies that secure an equal amount of GHG emission reductions.

Comment No. E30-14:

This is not a verifiable reduction. Also, charging stations are proposed for only one space, so how will that bring GHG levels back to the required 1990 level when half or more residents will admittedly not be driving EVs, if even that many.

⁶ Please note that the equivalency value is conservative because it singularly links Mitigation Measure 2-4's emissions reduction to the use of the ZEV purchase subsidy. However, the causal factors that contribute to the uptake of ZEVs in Project households include the vehicle purchase subsidy *and* the on-site residential charging infrastructure *and* the on-site and off-site non-residential charging infrastructure.

Response No. E30-14:

The comment generally asserts that Mitigation Measure MV 4.23-4/2-4's GHG emission reductions are not "verifiable." However, implementation of Mitigation Measure MV 4.23-4/2-4 will be monitored and tracked through the CEQA-mandated MMRP, a copy of which was circulated for public review in Section 2.3 of the Draft Recirculated Analysis and also is included in Section 2.4 of the Final Recirculated Analysis. The MMRP provides mechanisms for the County of Los Angeles to track the use of Mitigation Measure MV 4.23-4/2-4's ZEV purchase subsidies (see **Response to Comment No. E30-13** above for related information), as well as the installation of ZEV charging equipment for each residence.

The comment also is critical of Mitigation Measure MV 4.23-4/2-4's provision of charging equipment for one ZEV per residence, suggesting that charging equipment for more than one ZEV per residence is needed in order for the State of California to achieve the reduction mandate of AB 32 (i.e., statewide GHG emissions to return to the 1990 level by 2020). The comment appears to incorrectly establish the Project's relationship to AB 32 through the singular parameter of its residential ZEV commitment in Mitigation Measure MV 4.23-4/2-4. However, as explained in the Recirculated Analysis, it is the combined effectiveness of the Project's suite of GHG emissions-related mitigation measures, which reduce the Project's emissions to net zero, that serve to establish the Project's consistency with AB 32 and other State climate policy. Indeed, ARB's January 20, 2017 draft of *The 2017 Climate Change Scoping Plan Update* specifically recognized the RMDP/SCP Project for its "commitment to achieve net-zero GHG emissions for a very large-scale residential and commercial specific planned development in Santa Clarita Valley."

It also should be noted that the Project would not impair the ability of Project residents to own and/or operate more than one ZEV. Such a potentiality would be supported by the "beachhead" community status of the RMDP/SCP Project, which is attributable – in part – to its proposed deployment of extensive on-site and off-site electric vehicle (EV) charging equipment, as well as the multi-faceted implementation of regulations, programs and policies from State, regional and local agencies to facilitate turnover in California's light duty and passenger vehicle fleet (see **Topical Response 3: Zero Emission Vehicles at Newhall Ranch** as contained within Appendix 2.1.3 of the Final Recirculated Analysis, as well as **Response to Comment Nos. O9-25 and O9-26** within **Letter No. E13**, and CDFW's responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for discussion regarding the GHG emissions reduction calculations for Mitigation Measure MV 4.23-4/2-4).

Comment No. E30-15:

Purchasing climate credits that will ostensibly [sic] buy solar stoves in Africa is also unverifiable and does nothing to improve our local GHG generation as required for California, far less improve our local

air quality for ozone and Nox, GHG precursors for which our area currently does not meet federal standards. This is not an acceptable mitigation. While offsets that occur in the Los Angeles air basin might be acceptable if they can be verified, (and while we concur it would help Africa to have solar stoves), the current proposal will not reduce local and statewide impacts and so is not acceptable.

Response No. E30-15:

The comment raises concern regarding the location of offsite GHG reductions associated with the Project. Please see **Response to Comment Nos. E30-9** and **09-32** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the implementation and enforcement of the offsite GHG reductions. **Response to Comment No. 09-32** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), provide an overview of the GHG Reduction Plan performance standards that underpin all GHG emissions reductions used for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13, in order to ensure that such reductions are consistent with CEQA Guidelines Section 15126.4(c)(3)-(4).

The comment also refers to local air quality, including ozone and nitrogen oxide (NOx) emissions. Issues related to air quality were raised in comments on the County's 2011 Final EIR (Section 4.7, Air Quality) and not found to be deficient by the courts. The proposed Mitigation Measures MV4.23-1/2-1 through MV4.23-13/2-13, as described in the Recirculated Analysis, would beneficially impact air quality as compared to the analysis presented in the 2011 Final EIR. In fact, the GHG mitigation measures are expected to reduce vehicle trips and VMT, which would likely benefit local air quality. In addition, the electric vehicle charging stations and zero emission vehicle purchase subsidies (complemented by existing State rebate funding and federal tax credits for ZEV purchases) will electrify a substantial amount of Project trips and VMT, which also benefits local air quality. The air quality analysis from the 2011 Final EIR remains valid and does not require additional analysis or updating in the Recirculated Analysis. Please also see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional responsive information.

Further, the Recirculated Analysis includes extensive commitments to reduce GHG emissions locally. These include Mitigation Measures MV 4.23-1/2-1 through MV 4.23-9/2-9, MV 4.23-11/2-11, and MV 4.23-12/2-12. All of these commitments are likely to provide co-benefits to local air quality. The Project's suite of mitigation measures to reduce GHG emissions has been designed in accordance with CEQA Guidelines Section 15126.4(c) and is otherwise consistent with relevant guidance from the ARB and SCAQMD. Please see **Response to Comment No. 09-60** within **Letter No. E13**, and CDFW's response to

this issue (see Appendix 2.2 of the Final Recirculated Analysis), for additional discussion regarding the Locational Performance Standards applicable to the GHG reductions.

The comment questions the benefits of achieving GHG reductions through projects located outside of the United States, such as cook stove projects. It is important to note that climate change is a global issue that is impacted by GHG emissions globally. Thus, GHG reductions anywhere in the world provide benefit to addressing global climate change concerns. The comment incorrectly suggests that GHG reductions should and need to only occur within the Los Angeles Basin or the state of California. The comment has not provided any evidence to substantiate the claim.

Further, the GHG Reduction Plan provides the necessary performance standards to ensure the implementation and enforcement of the offsite GHG reduction programs, including cook stove programs. A more detailed explanation is included in **Response to Comment Nos. 09-32 and 09-53** within **Letter No. E13**, and CDFW's responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis).

Comment No. E30-16:

The environmental document fails to provide a complete inventory of GHG generation due to missing analysis sections as cited above. As noted above, traffic patterns are presently greater than what Newhall claimed they would be in previous documents, thus causing the generation of more GHG as vehicles idle in traffic. Newhall Ranch will make this far worse, but these impacts were not included.

We suggest that a real, verifiable and acceptable mitigation would be to reduce the size of the project as well as including the proposed mitigation in this document as a requirement of approval.

Response No. E30-16:

The comment asserts that the Recirculated Analysis does not provide a complete inventory of GHG emissions. However, the comment does not provide any evidence of a deficiency in the analysis. The comment refers to traffic impacts. As described above in **Response to Comment No. E30-7**, the issue of traffic and the traffic model were raised in comments on the County's 2011 Final EIR and not found to be deficient by the courts. The comment does not provide any evidence that the Project modifications described in the Recirculated Analysis would result in increased traffic congestion. The traffic analysis from the 2011 Final EIR remains valid and does not require additional analysis or updating in the Recirculated Analysis. Please see **Topical Response 3: Traffic Impact Analysis** and **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional responsive information, as well as **Response to Comment No. 09-16** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis).

The comment also refers to the mitigation of GHG emissions but does not present any evidence of a deficiency with the mitigation. As detailed in the Recirculated Analysis and as discussed in the responses above, the Project would result in net zero GHG emissions based on the implementation of Mitigation Measures MV4.23-1/2-1 through MV4.23-13/2-13. The mitigation measures will be enforced by the County of Los Angeles through the implementation of the Mitigation Monitoring and Reporting Program.

Comment No. E30-17:

Inaccurate baseline

When the Newhall Ranch Specific Plan was approved in 2003, the approved unit number was 21,308 (Table attached as Exhibit 1). The table 1.2.1 on page 1-6 of the Fish and Wildlife Analysis⁵ includes only 19,517 units and adds another 1725 for the Entrada projects which were not included in the Specific Plan. While, it is our understanding that some units were removed from the Landmark project in the last review, to our knowledge it was NOT the nearly 2000 units indicated by this table. Please explain this discrepancy.

⁵ [https://nrm.dfg.ca.gov/documents/ContextDocs.aspx?cat=NewhallRanchDraftRecirculated Analysis](https://nrm.dfg.ca.gov/documents/ContextDocs.aspx?cat=NewhallRanchDraftRecirculated%20Analysis)

Response No. E30-17:

This comment requests further explanation of tabular data that is presented in CDFW's Recirculated Analysis regarding the total development facilitated by approval of the RMDP/SCP Project. The comment does not pertain to the Mission Village Project or its Recirculated Analysis; as such, no additional response is required. However, for informational purposes, it is noted that information regarding the Mission Village Project's residential unit count is provided in Table 1.0-1 of the Draft Recirculated Analysis.

Comment No. E30-18:

Also, it does not appear that the reduction in units agreed to by the developer in the previously approved Army Corps/CFW document is reflected in the new Landmark document. Why?

Response No. E30-18:

This comment raises an issue regarding the unit count for the Landmark Village Project. The comment does not pertain to the Mission Village Project or its Recirculated Analysis; as such, no additional response is required. Please see **Response to Comment No. E30-17** for information regarding the Mission Village Project's residential unit count.

Comment No. E30-19:

If this housing inventory is incorrect, than [sic] the GHG generation figures are also incorrect.

Response No. E30-19:

This comment is based on prior comments regarding the unit count for Landmark Village Project. As the comment does not pertain to the Mission Village Project or its Recirculated Analysis, no additional response is required. Please see **Response to Comment No. E30-17** for information regarding the Mission Village Project's residential unit count; the information presented in the referenced table was used in Appendix 2.1-A to estimate the Project's GHG emissions.

Comment No. E30-20:

The Landmark and Mission additional Analysis states that these documents will rely on the state agency's approval. While this makes sense to a certain extent, the information needed is then not disclosed in the County EIRs. Now is the State documents information readily accessible to the Public for review.

Response No. E30-20:

The comment states that the Project's Recirculated Analysis relies on CDFW's approval of the RMDP/SCP Project, and that certain related information is not disclosed. The comment does not identify what specific type of information needs to be disclosed that the commenter believes has not been disclosed. The relationship of the Recirculated Analysis to CDFW's EIR for the RMDP/SCP Project, including that Project's Additional Environmental Analysis, is discussed on pages 2.1-3, and 2.2-3 and 2.2-4 of the Recirculated Analysis, and described in appropriate portions of the analysis (see, for example, pages 2.2-1 and 2.2-2 of the Draft Recirculated Analysis, describing the County's independent review of certain data from CDFW). Further, relevant information from CDFW's Additional Environmental Analysis was attached to the published Draft Recirculated Analysis for review and comment (see, for example, Appendix 2.2-D of the Draft Recirculated Analysis (California Department of Fish and Wildlife, Additional Environmental Analysis, Appendix 4, Effects to Unarmored Threespine Stickleback, November 2016) and Appendix 2.1-E of the Draft Recirculated Analysis (California Department of Fish and Wildlife, Additional Environmental Analysis, Section 2, Global Climate Change / GHG Emissions, November 2016)).

Comment No. E30-21:

For instance, the documents do not disclose impacts from the approximately 1 million sq ft of commercial that will be included as part of the Landmark Project.

Response No. E30-21:

This comment addresses commercial square footage proposed by the Landmark Village Project. The comment does not pertain to the Mission Village Project or its Recirculated Analysis; as such, no additional response is required.

Comment No. E30-22:

Nor does it apparently include GHG generation from these uses in the inventory, stating instead that “Project-related emissions of GHGs from the non-residential energy sector (i.e., electricity and natural gas) would be substantially reduced through implementation of Mitigation Measure 2-2. Through incorporation of zero-energy technology into all non-residential development associated with the project, as prescribed by a qualified energy efficiency and design consultant, fossil fuel- related sources of GHGs associated with energy use would not occur from project-related activities.” (page 1-11 of the CA FW Additional Analysis) However the previous paragraph says that this will be accomplished by providing a Zero Net Energy Confirmation Report (ZNE Report) by a “qualified engineer”, and further states that “A ZNE Report may, but is not required to” make several conditions to the permit approvals. This highlighted language is NOT enforceable, and based on our previous experiences with the County permitting process, will result in the conditions being ignored in favor of the developer.

Response No. E30-22:

The comment states that the Project’s GHG emissions inventory does not reflect energy consumption-related emissions from non-residential buildings, and also states that Mitigation Measure MV 4.23-2/2-2 is not enforceable.

First, as discussed on page 2.1-25 of the Draft Recirculated Analysis, both natural gas combustion and electricity generation for the Project’s non-residential buildings were estimated. The unmitigated emissions associated with this development aspect of the Project are identified in Table 2.1-3 of the Draft Recirculated Analysis. The beneficial effect of Mitigation Measure MV 4.23-2/2-2 also is identified in Table 2.1-3 of the Draft Recirculated Analysis. For additional relevant information, please see Sections 3.3.2 and 5.2.2 of Appendix 2.1-A of the Draft Recirculated Analysis.

Second, Mitigation Measure MV 4.23-2/2-2 has been revised, in response to comments and in an effort to further increase the clarity of the Project’s commitment to achieve the California Energy Commission’s (CEC) Zero Net Energy (ZNE) standard. The ZNE standard is explicitly defined by the CEC as requiring “the value of the net energy produced by project renewable energy resources to equal the value of the energy consumed annually by the project using the CEC’s Time Dependent Valuation metric.” The CEC has developed modeling tools that allow a qualified energy expert to determine if buildings are designed to achieve the ZNE standard, ensuring this standard can be measured and enforced by Los Angeles County *prior to* the Project Applicant obtaining a building permit (see Appendix C to Draft Recirculated Analysis Appendix 2.1-A for description of the CEC’s CBEEC software). The Time Dependent Valuation (TDV) metric measures the value of energy based on the time of use and other factors, such as cost, climate, geography, and fuel type.

The ZNE Confirmation Report required by Mitigation Measure MV 4.23-2/2-2 must be prepared by a qualified energy expert and demonstrate that the buildings covered by the building permits are designed to achieve the ZNE standard before building permit issuance, as enforced by Los Angeles County. In other words, the Project Applicant cannot pull a non-residential building permit before complying with Mitigation Measure MV 4.23-2/2-2. As discussed further in **Response to Comment No. 09-19** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), the required contents of a ZNE Confirmation Report have been further clarified so the report "shall include, at a minimum," the following information: confirmation that development shall achieve building code standards that are operative at the time of building permit application; and identification of additional measures that shall be relied upon to achieve the ZNE standard, assuming ZNE is not already achieved by meeting the operative building standards. In sum, the ZNE Confirmation Report requires compliance with the ZNE standard prior to the issuance of a building permit, as enforced by Los Angeles County.

Comment No. E30-23:

We therefore believe that unless all such language found in the mitigation proposals is changed to "shall" and "is required to", this is not an enforceable mitigation. The word "independent" should also be included as a requirement for any consulting engineer or biologist or other consultant employed on the project. Further through a previous experience that required the County of Los Angeles to forbid confidentiality agreements with consultants, the county prohibits confidentiality agreements with project consultants. Such agreements should also be formally precluded in these project mitigations and their prohibition made clear in all mitigation measures. ***We do not believe that these mitigation measures will be enforceable without such language, based on past experience, and thus they will not serve to reduce future GHG as required.***

Response No. E30-23:

The comment requests that all mitigation requirements utilize "shall" or "is required to" in an effort to ensure that the mitigation is enforceable. In response, Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13 already utilize "shall" in the appropriate and necessary locations. Mitigation Measures MV 4.23-1/2-1 and 4.23-2/2-2 have been revised to utilize "shall" in setting forth the required contents of Zero Net Energy Confirmation Reports that must be submitted to Los Angeles County for review and approval that the development achieves the Zero Net Energy standard. Please see **Response to Comment No. 09-19** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for additional discussion of this topic.

The comment also requests that any consultant retained to assist with the implementation of the Project's mitigation commitments be "independent" and that confidentiality agreements be prohibited between the County of Los Angeles and its consultants. In response, the County necessarily will consider

the qualifications and expertise of any consultant that assists with implementation of the Project's mitigation commitments consistent with industry qualifications for energy consultants evaluating compliance with building code standards, in an effort to ensure that the consultant's efforts are adequate and consistent with the requirements of the mitigation measure. However, the use of "independent" in this instance – as requested by the comment – is subjective and presents the risk of varied, inconsistent interpretation.

It also is noted that in connection with the County of Los Angeles' 2003 approvals for the Newhall Ranch Specific Plan, the following relevant conditions were imposed:

"Consultant Disclosure Statements. Upon approval of the Specific Plan and in connection with the submittal of additional environmental documentation for the Newhall Ranch project, each consultant preparing, or participating in a study or investigation for, that additional documentation, shall provide a disclosure statement to the Director of Planning, signed under penalty of perjury, stating that they have disclosed to County staff all relevant environmental information and data obtained during their work, including, but not limited to, all information regarding the presence of any endangered, threatened or candidate species." (Adopted Newhall Ranch Specific Plan Additional Conditions of Approval, (h).)

"The permittee shall contact its consultants to advise them that specific existing provisions in the consultant contracts allow consultants to disclose to the County all environmental-related information associated with the Specific Plan and related actions. The permittee shall further amend its contracts to either eliminate such confidentiality provisions or make clear that consultants are not precluded from disclosing and, in fact, are required to disclose environmental-related information regarding Newhall Ranch to the County." (Adopted Conditions of Approval, Conditional Use Permit No. 94-087-(5), 28.)

"The permittee shall obtain disclosure statements, signed under penalty of perjury, from its consultants certifying that the consultants' reports, studies, or other environmental-related information required for the Newhall Ranch Specific Plan EIR and additional analyses have been fully disclosed in that environmental documentation." (Adopted Conditions of Approval, Conditional Use Permit No. 94-087-(5), 29.)

In light of the County's existing conditions of approval, and its role as the local land use jurisdiction charged with oversight and monitoring responsibilities in the Project's MMRP, no further revisions to the mitigation measures are required.

Comment No. E30-24:

According to the previous Mission Village EIR, there are no longer active oil wells on this property. But it is difficult to ascertain whether or not these have been included in a baseline GHG inventory. The table in Section 2.1.1, page 34 of the CA FW Additional Analysis notes a baseline of 3,790 metric tons of Co2 associated with methane from oil wells and 3,682 MT from energy use associated with oil wells. This figure is calculated according to Table A-2 (Appendix A) using 59 active wells and an average aggregate production rate of 10, 950. Which wells are they referring to? Is there still VOC and methane leakage from these closed wells? Please provide an independent source to verify active oil wells and oil production for this baseline calculation.

Response No. E30-24:

The comment refers to tabular data presented in CDFW's Recirculated Analysis for the RMDP/SCP Project, and does not refer to the Recirculated Analysis for the Mission Village Project. Therefore, no further response is required. That being said, it is noted that – as described on page 2.1-23 of the Draft Recirculated Analysis – *abandoned* oil wells are located on the Mission Village Project site. As there are no active oil wells located on the site, the existing conditions emissions inventory for the Mission Village Project (see Table 2.1-2 of the Draft Recirculated Analysis) does not estimate GHG emissions from oil well operation.

As to the comment's request that an inventory of existing oil wells and their production be conducted on the Project site, the existing conditions emissions inventory was estimated utilizing the same data parameters relied upon in the 2011 Final EIR, so as to avoid disrupting the baseline established in that EIR, which was not found to be inadequate by the California Supreme Court (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

Importantly, the Recirculated Analysis' GHG emissions analysis does not take any credit for the existing conditions emissions inventory. Thus, if today's existing conditions were calculated to result in higher or lower emissions than that presented in the Recirculated Analysis, there would be no environmental consequence, as the mitigation commitments presented in the Recirculated Analysis require the Project to reduce its GHG emissions to net zero, irrespective of the GHGs emitted by any existing sources, such as on-site oil wells. The Recirculated Analysis is conservative in this respect, as there is some amount of existing GHG emissions that could have been accounted for to reduce the GHG emissions increase reported in the Recirculated Analysis, thereby lowering the amount of GHG emissions being mitigated.

Comment No. E30-25:

We strongly oppose building housing over a closed oil field due to the major health and safety issues this would impose on future residents.

Response No. E30-25:

The comment expresses opposition to the construction of housing over a closed oil field due to health and safety concerns, but does not identify any specific concern with the Recirculated Analysis. Further, the commenter raises an issue that has not changed since the 2011 Final EIR (also referred to as the “prior EIR”). The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) in no way impact or relate to this oil field and off-gassing issue. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The Mission Village EIR (see Section 4.19, Environmental Safety, therein) provides a detailed analysis of the potential environmental safety impacts relative to development of the Mission Village Project site, including the potential impacts of former oil and gas production on the Project site. In fact, in response to comments on the Mission Village EIR submitted by the County Fire Department regarding potential impacts associated with petroleum hydrocarbon soil contamination and vapor intrusion, a Limited Soil Vapor Survey for the Mission Village Project site was prepared to test the site for potential vapor intrusion related to methane, light end petroleum hydrocarbons, and volatile organic compounds (VOCs). (Mission Village Revised Draft EIR (October 2011), p. 4.19-40b.) Based on the laboratory analysis, the vapor samples were reported not to contain detectable concentrations of methane or total petroleum hydrocarbons (TPHs) in the gasoline range. (Id. at p. 4.19-40c.) Additionally, the soil vapor samples were analyzed for VOCs and no detectable concentrations of VOCs were identified, with the exception of a sample taken at a location of a former drilling or production sump, which recorded 0.013 micrograms per liter ($\mu\text{g/l}$) of perchloroethylene (PCE). (Ibid.) This PCE concentration is below the California Human Health Screening Level (CHHSL) for PCE, and, therefore, does not pose an immediate threat to human health or the environment. (Ibid.) However, based on the recommendation in the Limited Soil Vapor Survey, Mitigation Measure MV 4.19-13 was adopted by the County to ensure that the low concentration level of PCE is remediated prior to grading. (Ibid.) The Revised Draft EIR (October 2011) concluded that, with implementation of the identified mitigation, vapor intrusion impacts resulting from residual petroleum hydrocarbons in the soil do not pose an immediate threat to human health or the environment, and would not result in a significant environmental safety impact. (See id. at p. 4.19-1.)

The comment offers no significant new information requiring additional analysis with respect to oil field and airborne VOC issues. Because the comment does not raise any specific issue regarding the analysis

provided in the Recirculated Analysis, no further response can be provided or is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed Project.

Comment No. E30-26:

We also note that Newhall did not calculate the carbon sequestration that will be lost through the destruction of existing vegetation, especially oaks and other trees. We believe this information should have been in the ADA

Response No. E30-26:

The comment incorrectly states that the Recirculated Analysis has not included a calculation for the loss in carbon sequestration due to the removal of existing vegetation. As discussed in Section 3.2.2 of Appendix 2.1-A of the Draft Recirculated Analysis, the loss in sequestered carbon was estimated in CalEEMod[®] using the vegetation module. Permanent vegetation changes would occur as a result of land use development, and such changes would constitute a one-time change in the carbon sequestration capacity of the Project site. Please see Draft Recirculated Analysis Table 2.1-3, which shows the amortized vegetation change-related emissions. Please also see Table 3-10b in Appendix 2.1-A of the Draft Recirculated Analysis, which shows the carbon released as estimated by converting the organic biomass from the existing vegetation to CO₂e emissions in accordance with guidelines from the Intergovernmental Panel on Climate Change.

Comment No. E30-27:

Changed Circumstances Requiring Further Review

Honor Rancho Gas Storage Facility and Thewlis Canyon Disaster

The recent catastrophic failure of the gas well at Aliso Canyon brought to our attention that a similar facility exists near the current project, the Honor Rancho Gas Storage Facility. To our knowledge this facility was not disclosed in the Hazards section of the previous EIR and should be disclosed now. One of the reasons for the failure at the Aliso Canyon site was a substantial increase in pressure in order to store more natural gas. Will the approval of 21,000 housing units impact gas storage in this facility? Have methane leaks from this facility been considered in the GHG inventory? How far does the underground storage area itself extend?

Response No. E30-27:

This comment raises questions about the Honor Rancho Gas Storage Facility (“Honor Rancho”), which is located northeast of the Project site and is owned and operated by SoCalGas. The comment does not provide any evidence to suggest that the Honor Rancho facility is affected by or relates to the modifications covered by the Draft Recirculated Analysis. The comment’s questions about the Honor

Rancho facility do not relate to the analysis presented in the Recirculated Analysis and the comment does not explain how the questions are pertinent to the Recirculated Analysis.

This comment does not identify any flaws with the prior analysis of hazards that require additional consideration based on the Recirculated Analysis. Further, the modified bridge design measures and proposed Mitigation Measures 4.23-1/2-1 through MV 4.23-13/2-13, as described in the Recirculated Analysis, would not result in any changes to the Project in relation to its proximity to the Honor Rancho facility. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**, which explains how the scope of this environmental analysis is consistent with CEQA and pertinent court decisions. Based on the information presented in **Topical Response 1: Scope of the Recirculated Portions of the EIR**, this comment raises an issue that is beyond the scope of the Recirculated Analysis, such that no further response is required. However, for informational purposes, please also see **Response to Comment No. E30-25** above for additional information about the analysis of environmental hazards in the Mission Village Project's 2011 Final EIR.

Comment No. E30-28:

Water Supply

In the last 6-7 years since the full EIR review of this project was completed several new impacts have occurred which must require further review. These include new developments that will severely affect water supply and water quality in the Santa Clarita Valley.

Response No. E30-28:

This comment states that new impacts have occurred since certification of the 2011 Final EIR for the Project, including impacts related to water supply and water quality, which require further review. The comment does not provide any evidence of a change in the water supply or water quality that is related to the proposed modifications described in the Recirculated Analysis. The modified bridge design measures and proposed Mitigation Measures 4.23-1/2-1 through MV 4.23-13/2-13, as described in the Recirculated Analysis, would not result in any changes to the water supply or water quality relative to the analysis presented in the 2011 Final EIR. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**, which explains how the scope of this environmental analysis is consistent with CEQA and pertinent court decisions. For the reasons set forth in **Topical Response 1: Scope of the Recirculated Portions of the EIR**, this comment is outside the scope of the Recirculated Analysis and no further response is required.

Further, both water supply and water quality were previously evaluated by the County in the 2011 Final EIR, Section 4.8, Water Service, and Section 4.22, Water Quality. In addition, 2011 Final EIR Topical

Responses 5 through 9 discussed water supply and water quality issues. Legal challenges to the 2011 Final EIR did not brief or adjudicate any water supply issues. In addition, the legal challenges that were filed did not result in the invalidation of any water supply or water quality analysis in the 2011 Final EIR. For these reasons, belated challenges to the 2011 Final EIR water supply and water quality analyses are beyond the scope of the Recirculated Analysis and time-barred. Further, the comment does not identify any particular flaw or omission in the 2011 Final EIR's water supply or water quality analyses that require additional consideration based on the Recirculated Analysis. Therefore, no further response is required.

Comment No. E30-29:

Spread of Ammonium Perchlorate Pollution to Well V201 and Well V205

Ammonium perchlorate interferes with iodine uptake by the thyroid gland, thus producing hypothyroidism. This condition especially affects sensitive populations including fetuses, infants, small children and those with impaired immune systems. It can cause retardation in infants and children. While State officials have set the Maximum Contaminant Level (MCL) level at 6, others have urged an even lower MCL for ammonium perchlorate and the Environmental Working Group urges a 0 tolerance level for children. The public in this Valley were not even informed of the closure of this drinking water well until much later, and this information did not appear in the EIRs for these projects.

These EIRs did not disclose or discuss this information. Well V201 and another well, (V205) remain closed as of today.

This is an extremely serious situation since it means that the pollution plume has moved beyond the "pump and treat" capture wells and is moving at a much faster rate of travel than previously estimated would occur. (See attached Maps for location of various water supply and monitoring wells and the extent of the plume).⁶ In 2004, the environmental community, including SCOPE, expressed alarm over the possibility of such a scenario, but the water agencies and others disregarded those concerns.

If pumping from this well continues, such pumping may draw the pollution plume further in a westerly direction, thus spreading the contamination into an even greater portion of the Saugus aquifer and possibly making that ground water source unusable.

The continued spread of the pollution plume has major implications for water supply in the Santa Clarita Valley. The Saugus Aquifer is one of the two major sources of ground water that supplies our community. It is the source that has been relied upon in case of a drought where surface flow and imported State Water Project Water may become severely curtailed or not available at all.

In 2004 the Appellate Court⁷ found for the Friends of the Santa Clara River and the Sierra Club and set aside CLWA's 2000 Urban Water Management Plan for failure to provide a timeline indicating when treatment facilities for water polluted by ammonium perchlorate would be available.

That Decision included the following testimony from Department of Toxic Substances:

“The concentration of perchlorate in the production wells probably represents the leading edge of a much larger plume of higher concentrations of perchlorate. The total area of the Saugus Aquifer contaminated by the perchlorate has yet to be fully defined. We do know that the contaminant has migrated a minimum of 2 miles through the subsurface and over land to contaminate the vital pumping areas. (Exhibit 23.) Since the groundwater gradients in the contaminated area in the Saugus are towards the west, the contaminant is likely to continue to migrate further west and northwest. Time of travel from the soil contamination sites to the deep Saugus wells implies that the contaminant has been moving between 1 to 3 feet per day within the Saugus Aquifer. This implies that the perchlorate could impact [VWC’s] well No. 201 as early as next year. Further down gradient is [VWC’s] well No. 160.”

Also, Richard D. McJunkin, a senior hydrogeologist with the California Department of Toxic Substances Control, testified that increased pumping of water from wells near the contamination site will accelerate the flow of the perchlorate contamination.”⁸

We note that Valencia Water Co. has two additional down gradient wells, V205 (also now closed) and V206 that are major drinking water supply producers, in addition to the well 160 mentioned above. Continued pumping from these wells may (and has, for V201 and V205) result in their eventual closure. This is one of the most important reasons that further modeling and evaluation are needed before an additional 21,000 units receives final approval

In light of the 2004 precedent setting legal decision involving the Agency’s failure to adequately disclose the ammonium perchlorate pollution problem, we encourage the County to review water availability for these projects before this document is certified.

⁶ AECOM maps attached showing spread of the plume and well locations, Exhibit 2

⁷ *Friends of the Santa Clara River v. Castaic Lake Water Agency* (2004) 123 Cal.App.4th

⁸ *Ibid.* Opinion at page 10

Response No. E30-29:

This comment raises a concern regarding a known environmental condition, the ammonium perchlorate contamination found in groundwater in the Santa Clarita Valley. Similar comments were raised on the Project’s 2011 Final EIR and responses were provided (see, e.g., Topical Response 9: Perchlorate Treatment Update).

Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**, which explains how the scope of this environmental analysis is pursuant to and consistent with CEQA and pertinent court decisions. The modified bridge design measures and proposed Mitigation Measures 4.23-1/2-1 through MV 4.23-13/2-13, as described in the Recirculated Analysis, would not result in any changes relative to the analysis presented in the 2011 Final EIR. Thus, comments regarding ammonium perchlorate

contamination in groundwater are outside the scope of the Recirculated Analysis and no further response is required.

Nonetheless, for informational purposes, the 2011 Final EIR for the Project provided robust analysis of this issue (see, e.g., Topical Response 9: Perchlorate Treatment Update). As explained in the 2011 Final EIR, facilities for perchlorate remediation/treatment are in place and are actively working to solve this problem, and are actively monitored by the Castaic Lake Water Agency (CLWA), local retail purveyors, and several regulatory agencies including the Department of Toxic Substances Control. This continues to be true today. All of the prior environmental analyses for the Project conclude that there is an adequate water supply available to serve the projected future needs of the Project and other existing and planned development in the Santa Clarita Valley. This conclusion has not changed.

It also is noteworthy that the 2011 Final EIR's assessment of perchlorate contamination and treatment in the Santa Clarita Valley relied on information presented in the 2010 Draft EIR and updated information provided in the Final EIR. Based on that information, the Final EIR concluded that "substantial progress continues to be made in responding to perchlorate contamination resulting from the former Whittaker-Bermite site and that the facilities needed for perchlorate remediation/treatment are in place and actively monitored by CLWA, local retail purveyors, and the regulatory agencies (e.g., DPH)." (See 2011 Final EIR, Topical Response 9: Perchlorate Treatment Update, p. 2.0-140.)

Similarly, CLWA's latest 2015 Santa Clarita Valley Urban Water Management Plan (UWMP) addresses perchlorate contamination and treatment, summarizing the work that has occurred over the last 15 years and concluding that its plans – all of which are subject to regulatory requirements – are intended to ensure that the water introduced to the potable water distribution system has no detectable concentration of perchlorate and all water currently discharged from that system complies with all applicable drinking water standards. The 2015 UWMP also makes clear that, in terms of adequacy and availability, the combined active Saugus and Alluvial aquifer groundwater source municipal well capacity is more than sufficient to meet the current and planned future urban component of the groundwater supply for the Santa Clarita Valley (even after taking into account perchlorate-impacted wells, such as Valencia Wells 201 and 205, which are planned to be returned to service by 2017).⁷

⁷ Please refer to the 2015 Santa Clarita Valley UWMP, pages 3-31 through 3-44 and 5-2 through 5-5; information that was part of its own public review/participation process and that is incorporated by reference and available for public review and inspection at <https://clwa.org/docs/publications/2015-urban-water-management-plan> (last accessed April 6, 2017).

As this comment is outside the scope of the Recirculated Analysis, no further response is required.

Comment No. E30-30:

Drought

Over the last 6-7 years California has suffered an extreme drought throughout the state, but especially in the Santa Clarita Valley. Many of our alluvial drinking water wells went dry and remained so for several years. A report on alluvial pumping (attached, Exhibit 3) indicated that we cannot withdraw as much water as previously reported during such a period. As climate change progresses, such drought periods are predicted to become even more severe. The adequacy of water supply and the effects of pumping on the river habitat need to be re-evaluated before any decision is made that allows an additional 21,000 units

Response No. E30-30:

This comment states that the adequacy of the water supply for the Project and the effects of pumping from the local alluvial aquifer system should be re-evaluated in light of the recent drought in California, and refers to an attached memorandum prepared by GSI Water Solutions, Inc.

Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**, which explains how the scope of this environmental analysis is consistent with CEQA and pertinent court decisions. The analysis of water supply in the Project's 2011 Final EIR is not among the areas for which additional environmental analysis is required. The comment does not provide any evidence of a change in the water supply that is related to the proposed modifications described in the Recirculated Analysis. The modified bridge design measures and proposed Mitigation Measures 4.23-1/2-1 through MV 4.23-13/2-13, as described in the Recirculated Analysis, would not result in any changes to the water supply relative to the analysis presented in the 2011 Final EIR. Therefore, this comment is beyond the scope of the Recirculated Analysis and no further response is required.

Although not required, the following is offered for informational purposes: As explained in the prior environmental analysis, virtually all the potable water supply for the Newhall Ranch Specific Plan including the Mission Village Project will come from converting existing local agricultural water to municipal water. There will be no net increase in groundwater use for the Newhall Ranch Specific Plan beyond the amount historically supplied to the Newhall Ranch Specific Plan site and elsewhere in Los Angeles County for agricultural purposes. In addition, existing, adopted 2011 Final EIR Mitigation Measure 4.11-15 ensures that the amount of groundwater pumped to meet the Specific Plan's potable water demand (including the demand for Mission Village) "will not result in a net increase in groundwater use in the Santa Clarita Valley." To supplement this existing source of local potable water, the Applicant has entered into a separate agreement to purchase additional potable water from a

private supplier in Kern County (Nickel Family LLC). As for non-potable water, all water supplies for irrigation and other non-potable uses within the Project will be provided by local wastewater recycled at water reclamation plants. Therefore, as explained in the earlier analysis, the Project will not have a significant impact on water resources. For further responsive water supply-related information, please refer to the 2011 Final EIR, Section 4.8, Water Service.

In addition, contrary to the statements in the comment, the Santa Clarita Valley is no longer in an extreme drought. Recent information from the U.S. Drought Monitor shows that the northern Los Angeles County region is in either “abnormally dry” or “moderate drought” conditions, not a severe, extreme, or exceptional drought.⁸ This recent improvement in the region’s drought status is due to the heavy rainfall that occurred during the winter of 2016-17. Further, the Santa Clarita Valley’s wholesale water agency, Castaic Lake Water Agency, and its retail water purveyors, closely monitor and regularly update drought conditions and related regulatory measures as part of the urban water management planning (UWMP) process. The UWMP process requires updated plans every five years. The latest updated plan is titled, Final 2015 Urban Water Management Plan for Santa Clarita Valley. The 2015 UWMP provides a regional update of the Santa Clarita Valley water demands and supplies, including plans and regulatory measures for addressing drought conditions.⁹

As this comment is beyond the scope of the Recirculated Analysis, no further response is required.

Comment No. E30-31:

Drainage/Hydrology

The Civil Engineer for the project Hydrology/Drainage studies appears to have misrepresented the 75th and 85th percentile for the area hyetograph. The permeability of the new engineered compacted fills is considerably less than reported. Such an error could affect the river flows, and thus will affect the habitat of the fully protected UTS. This data needs to be corrected and re-circulated.

⁸ U.S. Drought Monitor – California, available at: <http://droughtmonitor.unl.edu/Home/StateDroughtMonitor.aspx?CA> (visited Mar. 28, 2017). The U.S. Drought Monitor is a joint project of the National Oceanic and Atmospheric Administration, the U.S. Department of Agriculture, and the National Drought Mitigation Center at the University of Nebraska-Lincoln.

⁹ Please refer to the 2015 Santa Clarita Valley UWMP for drought-related information. (Please see, e.g., 2015 UWMP, pages 2-2 through 2-6, 2-32 through 2-35, and 7-2 through 7-3.) The 2015 UWMP was part of its own public review/participation process. The Plan is incorporated by reference and available for public review and inspection at <https://clwa.org/docs/publications/2015-urban-water-management-plan> (last accessed April 6, 2017).

Response No. E30-31:

The context of the comment is not clear. The topics of the 75th/85th storm hyetographs and infiltration rates were not used or relied upon in the Draft Recirculated Analysis. Therefore, it is assumed that the comment refers to the previously certified 2011 Final EIR and related administrative record, including 2011 Final EIR Section 4.22, Water Quality, and the Newhall Ranch Specific Plan Sub-Regional Stormwater Mitigation Plan (2010 Draft EIR, Appendix 4.4a). Because the comment questions the 2011 Final EIR, and because the referenced technical information was not utilized in the Draft Recirculated Analysis, the comment is beyond the scope of the Recirculated Analysis, which was performed pursuant to and consistent with CEQA and pertinent court decisions (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

As it relates to the comment concerning misstatements with regard to the 75th and 85th percentiles for the area hyetograph, this response assumes that the comment is referencing the 85th percentile, 24-hour storm, which was equated with a 0.75-inch storm in the 2002 Los Angeles County SUSMP Manual.

The sizing and analysis of stormwater Best Management Practices (BMPs) in the 2011 Final EIR was not based on a 85th percentile storm hyetograph or 0.75-inch storm. As stated on page 68 of the 2011 Final EIR, Appendix 4.4a, "[v]olume-based treatment control BMPs for the NRSP projects will be sized to capture and treat 80 percent of the annual runoff volume.... This methodology utilizes historical rainfall data with continuous simulation modeling to calculate the treatment volume for each treatment control BMPs...." This is reiterated in multiple locations. Inputs to this methodology are described on page B-3 through B-6 of the 2011 Final EIR, Appendix 4.4a. In summary, the analysis is based on continuous simulation utilizing 35 years of hourly rainfall measurements recorded at the nearby Newhall rain gage (COOP 046162). Given the proximity and similar elevation of this gage to Newhall Ranch, this rainfall record is considered to provide a reliable estimate of actual rainfall patterns within Newhall Ranch. The average annual depth at this gage is approximately 18 inches and there are approximately 15 events per year on average in excess of 0.1 inches. This was the basis for BMP sizing.

Any reference to a 0.75 inch storm or 85th percentile storm event that may be found in the 2011 Final EIR would likely have been in reference to a different BMP sizing option that was in use by Los Angeles County at that time. The use of real precipitation data and long-term continuous simulation was a different and equally-acceptable sizing option. It generally resulted in larger BMPs, and Los Angeles County allowed projects to use the 0.75-inch event at that time.

Since 2010, Los Angeles County has subsequently updated the 85th percentile, 24-hour storm for Newhall Ranch to be 1.1 inches. This went into effect in 2014. The current BMP sizing standards in place for the Project are described in the Newhall Ranch Waste Discharge Requirements (Order R4-2013-0139) and are consistent with the 1.1-inch sizing criteria. The current sizing standards also continue to require BMPs to be sized to treat 80 percent of long term average annual runoff as originally described in the 2011 Final EIR.

Moreover, the comment states that the permeability of the new engineered compacted fills is considerably less than (sic) reported. In response, as described on page B-9 of the 2011 Final EIR, Appendix 4.4a, adjustments have been made as part of stormwater quality modeling to account for the general effects of soil compaction in the analysis of potential water quality impacts. It is unclear what "reported values" this comment is referring to. The technical basis for this comment is similarly unclear. Nonetheless, though beyond the scope of the Recirculated Analysis, the County has utilized its best efforts to provide responsive information to this comment.

Comment No. E30-32:

Endangered Species

The County must provide protection for the now federally listed spine flower found on the Landmark and Mission Village projects. The developer seems to have completed additional grading, extensively for farming purposes in this phase. Did the grading occur in areas of spine flower habitat? There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has happened in the valley oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, oaks dying).

Response No. E30-32:

The comment states that the County must provide protection for the federally-listed San Fernando Valley spineflower on the Mission Village Project site, and recommends the provision of a 0.25-mile buffer around the spineflower preserves. The comment also states that the proposed endowment for the spineflower preserves is not sufficient. The comment also states that the Project applicant "seems" to have graded the site extensively for farming purposes. As such, the comment inquires whether the grading occurred in spineflower habitat areas.

The comment does not identify any deficiency in the Recirculated Analysis or its impact assessments. Rather, the comment raises issues pertaining to the spineflower that fall outside the scope of this Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The comment does not demonstrate any connection between: (1) the GHG emissions mitigation measures or

the proposed take avoidance measures for the unarmored threespine stickleback; and, (b) the spineflower preserves. CDFW adopted the Spineflower Conservation Plan in 2010, and CDFW's attendant EIR survived legal challenge relative to spineflower issues. Consequently, the issue is no longer subject to further review and no further response is required. Nonetheless, for informational purposes and, as illustrated in Table 1.0-1 of the Recirculated Analysis, the Mission Village Project includes 85.8 acres of spineflower preserves. Additionally, the County's 2011 Final EIR for the Mission Village Project disclosed relevant former and ongoing uses of the Project site, including the existing agriculture and grading activities. The comment presents no new information regarding those activities, and the time to raise such issues has long since passed.

Comment No. E30-33:

We also believe that the County did not investigate or disclose the existence of the Newhall Sunflower in the previous document and that it must do so now.

Posted by A Santa Claritan at 1:28 AM 1 comment: 

Saturday, August 3, 2013

Only in SCV: Our Little Amazon's Rarest Gem

We have just entered the blooming period of one of the rarest species of plants on earth. It is called the [Newhall Sunflower](#), though its scientific name is decidedly more captivating: *Helianthus inexpectatus*, “the unexpected sunflower.”^[1] Fewer than ten individuals are known to exist the world over, and all are confined to a single, spring-fed seep near the Airport Mesa of Newhall Ranch. The same seep produced another new species—the tiny [Castaic Springsnail](#) (*Pyrgulopsis castaicensis*)—just a few years ago.^[2] We might take for granted the existence of undescribed species haunting deep oceans or tangled rainforests, but who thinks of unknown life-forms lurking in Santa Clarita? Is this seep our own tiny, verdant Amazon of sorts, brimming with the undiscovered?



Anuja Parikh and Nathan Gale have shared their photos of the Newhall Sunflower in the [CalPhotos Database](#). The sunflower is known from only one location, a seep in Newhall Ranch.



Response No. E30-33:

The comment states that the County did not investigate or disclose the existence of the Newhall sunflower in the Mission Village Project's 2011 Final EIR. The comment raises an issue that is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. However, for informational purposes, the Project's impacts to the Newhall sunflower previously were studied and evaluated in Section 4.3, Biota, of the

Mission Village Project's 2011 Final EIR; and, that analysis was not found to be deficient by the courts. (Section 4.3 concluded that impacts to the Newhall sunflower would be reduced to a less-than-significant level with the implementation of Specific Plan and Mission Village-specific mitigation measures (see, e.g., 2011 Final EIR, pp. 4.3-157 to 4.3-158).) The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to the Newhall sunflower would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. E30-34:

Conclusion

SCOPE joins with other organizations and members of the community in asking that the California Fish and Wildlife not certify this Additional Information Document without addressing the issues above and including additional chapters in order to fully assess the increase to GH Gases caused by these projects.

Response No. E30-34:

This comment provides a conclusion to comments raised above. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E30-35:

DEVELOPMENT PLAN
2.3 LAND USE PLAN

TABLE 2.3-1

OVERALL LAND USE PLAN STATISTICAL TABLE
Newhall Ranch Specific Plan

LAND USES	Gross Acres	Dwelling Units	Second Units ¹	Approx. Acre Allocation		
				Land Use Overlays		
Residential:						
Estate ¹	1,324.0	423	423	10	Neighborhood Parks	50 ac
Low	744.4	671		5	Elementary Schools	35 ac
Low-Medium	1,781.7	6,000		1	Junior High School	25 ac
Medium	841.0	7,371		1	High School	45 ac
High	121.8	2,319		1	Golf Course	180 ac
Subtotal	4,812.9	16,784	423	2	Fire Stations	2 ac
Mixed-Use and Non-Residential:						
Mixed-Use ²	628.7	4101		1	Library	2 ac
Commercial	67.2			1	Water Recl. Plant	15 ac
Business Park	248.6			1	Lake	15 ac
Visitor Serving	36.7			3	Community Parks	181 ac
Subtotal	981.1	4,101	0	1	Electrical Substation	2 ac
Major Open Areas:						
High Country SMA	4,184.6				Arterial Roads	331 ac
River Corridor SMA	974.8					
Open Area	1,010.4					
Subtotal	6,169.8	0	0			
TOTAL	11,963.8	20,885	423			
(Total Units including Second Units ¹)		21,308				

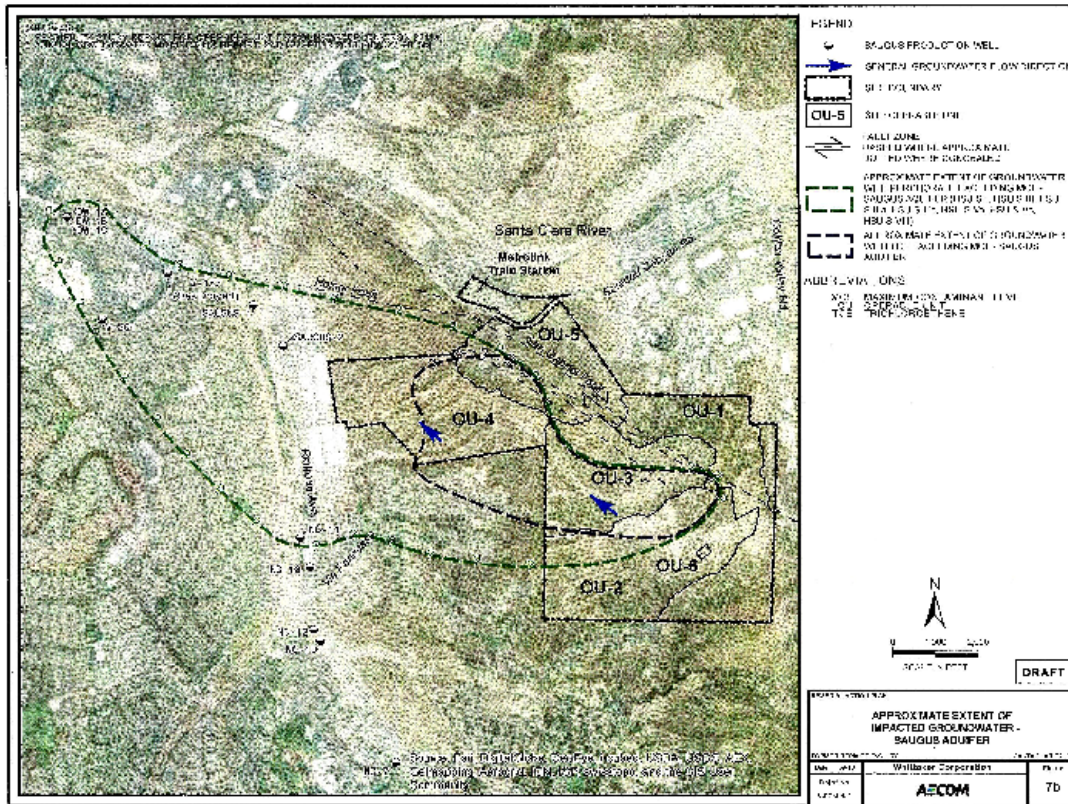
¹ Within each Estate lot one (1) Second Unit is eligible to be constructed with the approval of a CUP (see Second Units, Section 3.9). This may increase the total number of permitted dwelling units of 20,885 by 423, to a maximum total units of 21,308.

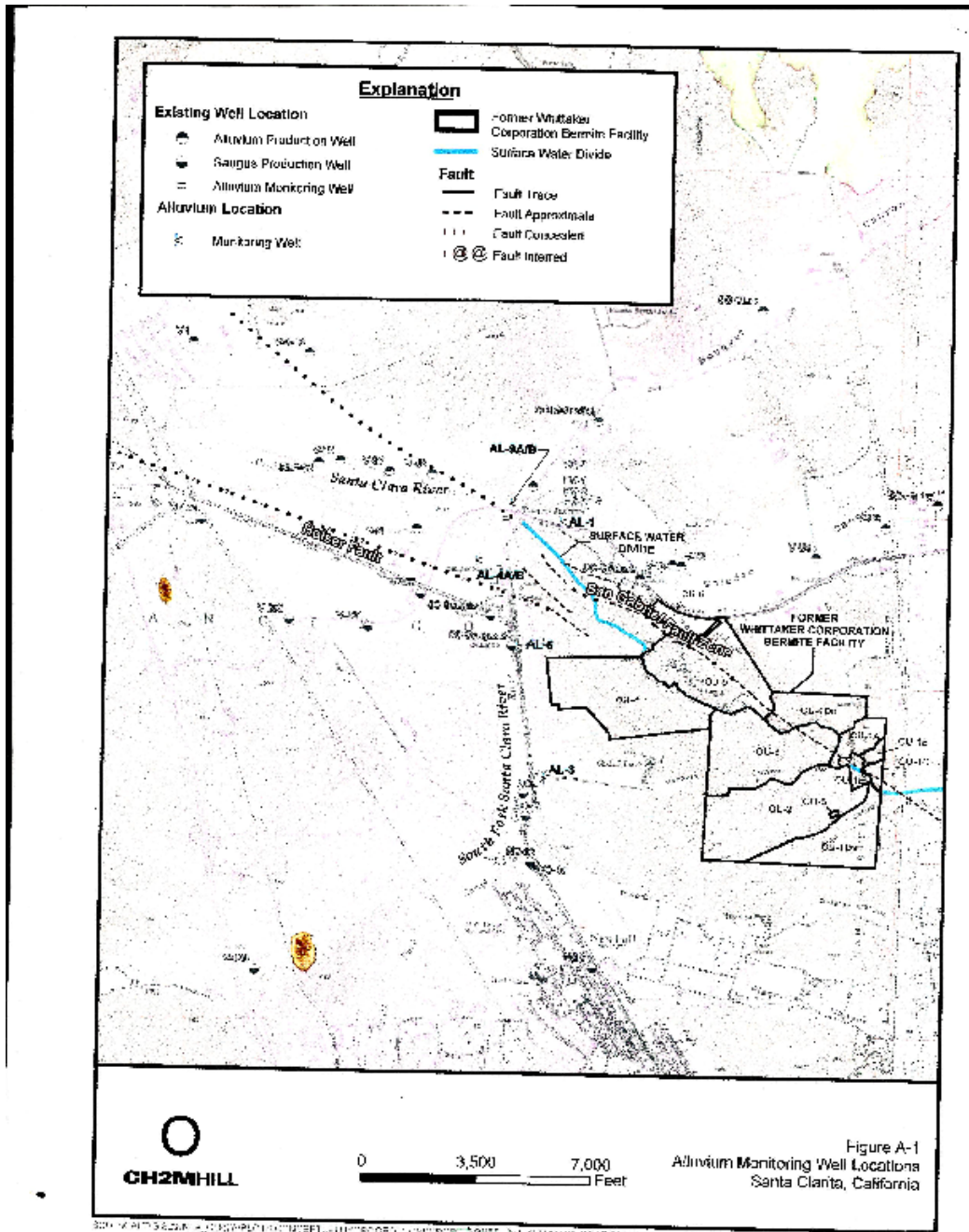
² Mixed-Use includes commercial and residential uses.

Response No. E30-35:

This is a table taken from the Newhall Ranch Specific Plan, and it is referenced in Comment No. E30-17. Please see **Response to Comment No. E30-17** for a response to this comment.

Comment No. E30-36:





Response No. E30-36:

These are maps referenced in Comment No. E30-29, which the comment cites in support of the argument that ammonium perchlorate contamination in groundwater in the Santa Clarita Valley is traveling. Please see **Response to Comment No. E30-29** for a response to this comment. This comment raises issues that are beyond the scope of the Recirculated Analysis, and no further response is required.

Comment No. E30-37:



DRAFT Technical Memorandum

To: Keith Abercrombie/Valencia Water Company
Steve Cole/Newhall County Water District
Mauricio Guardado/Santa Clarita Water Division of CLWA
Dirk Marks/Castaic Lake Water Agency (CLWA)

From: John Porcello/GSI Water Solutions, Inc.
Walt Burt/GSI Water Solutions, Inc.

Date: December 15, 2014

Subject: Evaluation of Groundwater Pumping Targets for the Alluvial Aquifer in 2015
Santa Clara River Valley East Subbasin (Santa Clarita Valley, California)

Introduction

This technical memorandum presents the results of an analysis conducted by GSI Water Solutions, Inc. (GSI), to evaluate the achievability of target production volumes identified by the local retail water purveyors for groundwater pumping during 2015 from the local Alluvial Aquifer system in the Santa Clarita Valley, California. As specified in GSI's scope of work (dated October 6, 2014), this effort evaluated whether the target production volumes from Alluvial Aquifer wells during 2014 would be achievable in 2015 if ongoing local drought conditions and curtailments of State Water Project water were to continue into 2015.

The analysis was conducted for the 33 purveyor-owned production wells that currently operate in the Alluvial Aquifer (15 wells owned and operated by Valencia Water Company [VWC]; 6 wells owned and operated by Newhall County Water District [NCWD]; and 12 wells owned and operated by the Santa Clarita Water Division [SCWD] of the Castaic Lake Water Agency [CLWA]). The purveyors' Groundwater Operating Plan calls for the Alluvial Aquifer to provide between 30,000 and 35,000 acre-feet per year (AFY) of groundwater supply during local drought years. Of this amount, approximately 27,500 AFY are specified to be pumped by the three retail water purveyors (VWC, SCWD, and NWCD). The Groundwater Operating Plan was first established for the local groundwater basin during the 2000s (CH2M HILL and LSCE,

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DECEMBER 15, 2014

PAGE 2

2005) and subsequently was updated in 2009 (LSCE and GSI, 2009) and 2014 (GSI and LSCE, 2014).

From the fall of 2013 through the fall of 2014, the three retail water purveyors together pumped approximately 25,000 AFY of Alluvial Aquifer groundwater, or about 10 percent less than the 27,500 AFY target production volume that is identified in the Groundwater Operating Plan for the Alluvial Aquifer during locally dry years. Several wells experienced difficulty achieving their target volumes during 2014, particularly wells owned by SCWD and NCWD that are located in the upper reaches of the watershed (where groundwater levels and groundwater recharge rates are highly sensitive to year-to-year variations in rainfall and streamflow). During the period from the fall of 2013 to the fall of 2014, each of three wells owned by SCWD pumped less than 100 AFY, and four wells owned by SCWD did not operate at all. Personnel from SCWD and NCWD have stated to GSI that in the absence of recharge during the winter of 2014/spring of 2015, more wells could be taken offline or used in an even more restricted manner than occurred in 2014.

Approach

GSI's study approach consisted of first developing an initial assessment of each well's recent and projected operating condition. In November 2014, GSI provided these detailed assessments to each purveyor for their review, comment, and follow-on discussion. GSI then conducted a final assessment that incorporated any new information provided by a given water purveyor, as well as any changes to the 2015 target pumping volumes that the retail water purveyor requested by analyzed.

For both the draft and final assessments, the results were derived by combining (1) groundwater modeling projections of groundwater level trends in the aquifer with (2) information on well designs, pump settings, and pumping operations at each production well. The groundwater modeling work was conducted using the water purveyors' numerical model of the local groundwater basin. GSI's analysis assumed that in 2015:

- No new wells would be drilled.
- No modifications would occur to the depths or shut-off settings at any existing well.
- No deepening, reconditioning, or other alterations would occur to the construction of any existing well.

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Conclusions

Rainfall records, groundwater level monitoring, and groundwater modeling together indicate that little to no recharge has occurred to the Alluvial Aquifer since the winter of 2010/spring of 2011 rainfall season. The groundwater level monitoring program shows that groundwater levels have declined at a fairly steady rate since that time, as has been observed in other past periods of local drought conditions (such as occurred in 1984 through 1992 and again in 1999 through 2004). The continued decline in groundwater levels that was observed in 2014 at many Alluvial Aquifer wells will continue in 2015 if little to no rainfall and streamflow recharge occurs to the local aquifer systems during the winter of 2014/spring of 2015 rainfall season.

Under this scenario, and assuming there are no new wells or modifications to existing wells and pumping systems, GSI's primary conclusions regarding the achievability of the target pumping volumes from the Alluvial Aquifer in 2015 are presented in Table 1 and are summarized as follows:

1. For the three retail water purveyors combined, the achievable yield from the Alluvial Aquifer in 2015 is likely between 17,100 and 21,800 AFY. The Groundwater Operating Plan's drought-year target of 27,400 AFY of collective production by the three retail water purveyors will not be achievable if the drought continues through the winter of 2014/spring of 2015 rainfall season.
2. The largest shortfall in yield is estimated to occur for VWC. The estimated achievable production volume for VWC wells (between 14,600 and 17,900 AFY in 2015) creates shortfalls of (a) 3,600 to 6,900 AFY compared with VWC's target production under the Groundwater Operating Plan and (b) 1,100 to 4,400 AFY compared with the 2015 target production volume that was of interest to VWC.
3. The estimated shortfalls in groundwater production from the Alluvial Aquifer are notably smaller for SCWD and NCWD than for VWC.
 - a. SCWD's wells likely can produce between 1,700 and 2,700 AFY from the Alluvial Aquifer in 2015. This represents a shortfall of 1,800 to 2,800 AFY compared with the Groundwater Operating Plan, and a shortfall of 1,500 to 2,500 AFY compared with the 2015 target production volume that was tested by GSI.
 - b. NCWD's wells likely can produce between 800 and 1,200 AFY from the Alluvial Aquifer in 2015. This represents a shortfall of 200 to 600 AFY compared with the Groundwater Operating Plan, and a shortfall of zero to 500 AFY compared with the 2015 target production volume that was tested by GSI.
4. The estimates of the achievable yield listed in Table 1 are reasonable estimates of the groundwater production capacity from the Alluvial Aquifer that the three retail water purveyors can expect to achieve in 2015 should the local drought

continue. Actual groundwater production volumes from the Alluvial Aquifer could be notably higher if there are appreciable amounts of rainfall, streamflow, and groundwater recharge during the winter of 2014/spring of 2015 rainfall season.

5. Some of the purveyors' wells currently have pump depths that pose a significant limitation on usage of the well. Higher volumes of production may be possible in 2015 if the pumps are lowered for those wells where the pumps are set notably higher than the bottom of the well. Based on GSI's analysis and conversations with representatives of each water purveyor, it appears that the right physical conditions may exist to lower the pump columns of certain wells (7 wells owned by VWC; at least 1 well, and perhaps 5 wells, owned by SCWD; and 2 or 3 wells owned by NCWD). However, any increases in 2015 groundwater production that arise from lowering the pump at a given well may prove to be only temporary if the drought continues. This in turn means that the post-modification production volumes *after* 2015 could be the same as (or lower than) the production that would have been achieved *during* 2015 without any modifications to the pumps and their shut-off settings.

References

CH2M HILL and LSCE. 2005. *Analysis of Groundwater Basin Yield, Upper Santa Clara River Groundwater Basin, East Subbasin, Los Angeles County California*. Prepared for The Upper Basin Water Purveyors (Castaic Lake Water Agency, Newhall County Water District, Santa Clarita Water Division of CLWA, and Valencia Water Company) by CH2M HILL and Luhdorff and Scalmanini Consulting Engineers (LSCE). August 2005.

LSCE and GSI. 2009. *Analysis of Groundwater Supplies and Groundwater Basin Yield, Upper Santa Clara River Groundwater Basin, East Subbasin*. Prepared for the Santa Clarita Valley Municipal Water Purveyors by Luhdorff and Scalmanini Consulting Engineers (LSCE) and GSI Water Solutions (GSI). August 2009.

GSI and LSCE. 2014. *Draft Report: Perchlorate Containment Plan for Well V201 and Saugus Formation Groundwater in the Santa Clarita Valley (Task 3 of the Well V201 Restoration Program)*. Prepared for Valencia Water Company. Prepared by GSI Water Solutions (GSI) and Luhdorff and Scalmanini Consulting Engineers (LSCE). March 2014.

Table 1
Alluvial Aquifer Pumping Analysis for 2015 - All Retail Water Purveyors
 Prepared by GSI Water Solutions, Inc.

DRAFT

Retail Water Purveyor	Drought-Year Pumping Target in Groundwater Operating Plan	2015 Pumping Target Tested by GSI	Estimated Achievable Yield in 2015 from Existing Alluvial Aquifer Wells	Potential Shortfall in Meeting the Drought-Year Pumping Target in the Groundwater Operating Plan	Potential Shortfall in Meeting the 2015 Pumping Target Tested by GSI	Retail Water Purveyor
VWC	21,500	19,000	14,600 to 17,900	-6,900 to -3,600	-4,400 to -1,100	VWC
SCWD	4,500	4,200	1,700 to 2,700	-2,800 to -1,800	-2,500 to -1,500	SCWD
NCWD	1,400	1,300	800 to 1,200	-600 to -200	-500 to -100	NCWD
TOTAL	27,400	24,500	17,100 to 21,800	-10,300 to -5,600	-7,400 to -2,700	TOTAL

All volumes are in units of acre-feet per year (AF/year).

All listed values for shortfalls and likely achievable yields are estimates and are not guaranteed.

VWC = Valencia Water Company SCWD = Santa Clara Water Division of the Central Lake Water Agency NCWD = Newhall County Water District

DRAFT Table1 2015RedistributionAnalysisSummary (12-15-2014).xlsx

Response No. E30-37:

This is a report on groundwater pumping targets for the alluvial aquifer in the Santa Clara River Valley East Subbasin and is cited in Comment No. E30-30 in support of an argument that the Project's water supply analysis should be updated. Please see **Response to Comment No. E30-30** for a response to this comment. This comment raises issues that are beyond the scope of the Recirculated Analysis, and no further response is required.

COMMENT LETTER NO. E31

Tim Piasky
Chief Executive Officer
Building Industry Association of Southern California
Los Angeles/Ventura Chapter
350 South Bixel Street
Suite 100
Los Angeles, CA 90017

Comment No. E31-1:

Please see the attached letter regarding the Landmark Village and Mission Village Communities of Newhall Ranch.

Response No. E31-1:

The comment introduces the attached comment letter and indicates that the letter pertains to both the Mission Village and Landmark Village Projects. The comment letter with regard to the Mission Village Project is addressed below (See Comment Nos. E31-2 and E31-3 and their corresponding responses). The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E31-2:

The Los Angeles-Ventura Chapter of the Building Industry Association of Southern California, Inc. (BIA-LAV) is the voice of building and development in Los Angeles and Ventura counties. We represent the thousands of men and women and their member companies who design, plan, build, and remodel homes, condominiums, and apartments throughout our region.

Response No. E31-2:

This comment provides information regarding the organization that authored Letter No. E31. No further response is required.

Comment No. E31-3:

Landmark Village, Mission Village and the entirety of the Newhall Ranch master planned community are significant undertakings that have the unique opportunity to help this region and provide major opportunity for our growing population. Thoughtful planning of the community's streets and infrastructure, schools, library, fire stations, etc. will create a well-balanced environment. As the planners of the Valencia master plan, FivePoint has the needed expertise and dedication to build one of the most innovative projects in history.

Most importantly, we are in a housing crisis. There is a lack of inventory here in Santa Clarita which is exhausting affordability and limiting move-up buyer opportunities. At full buildout, the Landmark Village and Mission Village communities will not only create much needed jobs but also create an array of housing types with various price points, expanding home ownership opportunities.

Lastly, the Building Industry Association of Southern California, Los Angeles/Ventura Chapter supports this project. Landmark Village, Mission Village and the entire Newhall Ranch community will provide incredible economic opportunities for the region and help even more people live the American Dream.

Response No. E31-3:

The comment expresses support for the Mission Village Project. The comment also expresses specific support for the development of roads, schools, libraries, fire stations, new housing, including affordable housing, and economic opportunities resulting from the development associated with the proposed Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E32

Craig Ebert, President
Climate Action Reserve
601 West 5th Street, Suite 650
Los Angeles, CA 90071

Comment No. E32-1:

Please see the attached letter regarding the Newhall Ranch Draft AEA. Thank you for the opportunity to respond.

Response No. E32-1:

This comment introduces the attached comment letter. The comments set forth in the attached letter are addressed below (see Comment Nos. E32-2 through E32-5 and their corresponding responses). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E32-2:

On behalf of the Climate Action Reserve, I am writing in support of Newhall Ranch's innovative commitment to fully mitigate the net GHG emissions from the Newhall Ranch development, making it an example for climate-friendly communities in California.

Response No. E32-2:

The comment expresses support for the proposed Project. The comment also expresses specific support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E32-3:

The Climate Action Reserve is the premier carbon offset registry for the North American carbon market. Our Governing Board members include individuals from academia, government, environmental organizations and industry, including Linda Adams, former Secretary for the

California Environmental Protection Agency; John Laird, California Secretary for Natural Resources; Tim Profeta, Director of the Nicholas Institute for Environmental Policy Solutions at Duke University; and Jeffrey Kightlinger, General Manager at the Metropolitan Water District of Southern California.

Response No. E32-3:

This comment provides information regarding the organization that authored Letter No. E32. No further response is required.

Comment No. E32-4:

As you know, Newhall Ranch will implement a variety of on-site and off-site GHG reduction measures to support its goal of net zero GHG emissions. The Climate Action Reserve is working with Newhall to develop and implement protocols for quantifying and registering GHG reductions resulting from direct investments in off-site GHG reduction projects, such as methane capture, forest preservation and clean cookstove programs. The protocols will ensure the GHG reductions meet the requirements under CEQA for GHG mitigation. And, to ensure that these activities are undertaken in a rigorous and transparent manner, the Reserve will oversee a program where independent third parties will confirm the implementation and accurate quantification of the emission reduction activities.

Response No. E32-4:

This comment provides information regarding how the author of the letter is assisting the Project Applicant to implement the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions, including implementation of methane capture, forest preservation, and clean cookstove GHG reduction programs throughout the world. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E32-5:

As the fifth largest economy in the world, California has already demonstrated that growing economically while addressing climate change is not only possible, it is a sound "win-win" investment for our future. We commend Newhall for pioneering this new greenhouse gas mitigation program and urge your support for this commitment to net zero developments.

Response No. E32-5:

The comment expresses support for the proposed Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E33

Save Our Communities SGV
c/o 8655 Landis View Avenue
Rosemead, CA 91770

Comment No. E33-1:

Thank you for considering our comments on the revised Newhall ranch proposals.

Response No. E33-1:

This comment serves an introduction to comments that follow. No further response is required.

Comment No. E33-2:

Compiled by members including 2 Geologists, a building official, a Contractor experienced in schools, hospitals and industrial/ commercial, and an inspector for Refineries (all retired)

final edit by James Flournoy

Response No. E33-2:

The comment identifies the individuals that compiled and edited the comments. Because the comment does not raise any issue as to the adequacy of the County of Los Angeles' (County) Draft Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis), no further response is required.

Comment No. E33-3:

Intro is in "Newhall Ranch Submissions" which covers the Regulatory Environment

Response No. E33-3:

The comment makes general reference to documents attached to the comment letter. One of the attachments references comments under a heading, "Regulatory Environment." The "Regulatory Environment" excerpts have been reviewed by County and its technical consultants. Please also refer to **Response to Comment No. E33-8** for further response to the referenced documents.

As explained in the Recirculated Analysis, pages 1.0-5 through 1.0-7, the scope of the court decisions issued in connection with the County's 2011 Final EIR for the Mission Village Project (hereafter referred to as the "prior EIR") for the Mission Village Project and related litigation provides the basis for the environmental issues addressed in the Recirculated Analysis. These court decisions do not require

reanalysis of all environmental impacts evaluated in the prior EIR; and, instead, limit the reanalysis to two distinct issues – the portion of County’s environmental analysis that addresses the significance of the Project’s GHG emissions and the validity of two mitigation measures for the unarmored threespine stickleback (UTS), a freshwater fish designated as endangered by federal and state law and fully protected under Fish and Game Code Section 5515. No other aspect of County’s prior EIR was re-opened and CEQA affords a strong presumption against requiring additional environmental analysis once an EIR has been prepared for a project. Thus, comments concerning the prior EIR’s seismic hazards analysis are beyond the scope of the Recirculated Analysis and related court decisions. For further responsive information, please refer to **Topical Response No. 1: Scope of the Recirculated Portions of the EIR**. Nonetheless, for informational purposes, the following additional discussion is provided.

The County’s prior EIR included Section 4.1, Geotechnical and Soil Resources. This section provided an overview of existing geologic conditions within the Project area, and evaluated the potential for the Project to result in significant direct and indirect environmental impacts related to geologic hazards and process. This section also analyzed whether the Project would have the potential to expose people or structures to significant geological hazards such as fault rupture, ground motion, liquefaction, and landslides. The analysis also evaluated the potential for the Project to result in significant erosion and sedimentation impacts.

Further, the prior EIR incorporated numerous mitigation measures to ensure compliance with all planned, regulatory, and other requirements. In addition to the adopted mitigation measures, the Project remains subject to all building code requirements with regard to seismic hazards. They are imposed by law as adopted regulatory measures, and the Project Applicant must adhere to all seismic-related adopted laws, regulations, and ordinances prior to undertaking any construction within the Project site. These adopted regulatory requirements include Project Applicant adherence to all applicable Los Angeles County Building Code requirements at the time of construction. The regulatory requirements include adherence to all applicable provisions of the Seismic Hazards Mapping Act, which was summarized in the “Regulatory Setting” section of the prior EIR.

Comment No. E33-4:

Newhall final comments Seismic also includes references which we hope are helpful

Response No. E33-4:

The County acknowledges it has received and reviewed the Seismic references. Please refer to **Response to Comment No. E33-9** for further response to the referenced document. Please also refer to **Response**

to Comment No. E33-3 for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Mission Village Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Mission Village Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required.

Comment No. E33-5:

Cybershake give an example of a computer modeled seismic study we also suggest Terrashake especially for the hazard of the distant San Andreas Fault

Response No. E33-5:

The County acknowledges it has received and reviewed the CyberShake references. Please refer to **Response to Comment No. E33-8** for further response to the referenced document. Please also refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Mission Village Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Mission Village Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required.

Comment No. E33-6:

Bibliography also contains comments

Response No. E33-6:

The County acknowledges it has received and reviewed the Bibliography references provided. Please refer to **Response to Comment No. E33-11** for further response to the referenced document. Please also refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required.

Comment No. E33-7:

Syndor is an excellent cookbook for major projects- it must [sic] updated to current CBC and CGS Note 48 checklist it is also prior to Terrashake/ Cybershake but does cover Seismograms

Response No. E33-7:

Please refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required.

Comment No. E33-8:

Provided below is the first page of Attachment 1 to Letter No. E33. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 1
PAGE 1 OF 19**

specialprojects@planning.lacounty.gov
Diane Aranda Special Projects Section
daranda@planning.lacounty.gov
Newhall Ranch submission
USF&W
newhallranch@wildlife.ca.gov.

Planning Commissioners:

Thank you for accepting our comments on the revised Newhall ranch proposal

Draft Additional Environmental Analysis for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan Environmental Impact Report (SCH No. 2000011025)

REGULATORY ENVIRONMENT

We are concerned that under CEQA 15162

(3) There is New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete

a) the lead agency MUST determine, on the basis of substantial evidence in the light of the whole record, one or more of the following:

For example the adoption of the 2016 Los Angeles County Building Code with Local amendments which substantially changes the way earthquake and liquefaction must be analyzed.

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

to wit: the Project proposes major changes in Bridges and Embankments and the construction of critical infrastructure including Schools, Fire Stations, Cell Towers, Water Tanks and water distribution used for fire fighting

AND there have been substantial recent findings on earthquake hazards which have not been considered

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
there have been substantial recent findings on earthquake hazards which have not been considered

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a).

Response No. E33-8:

The County acknowledges the attachment titled, “Newhall Ranch submission.” Please refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required. Nonetheless, for informational purposes, the County provides the following further response.

The submission contains references to seismic hazard assessment and building design to address this hazard. The information emphasizes the regulatory requirements for third party review and independent review of building designs. The information also stresses that buildings designed and constructed within the boundary of the Project must be built according to current standards for seismic analysis and design.

The Draft Recirculated Analysis does not specify any building or foundation designs for development within the Project. These will be provided to the County at the building permit stages — consistent with all applicable regulatory requirements. As with all areas in Southern California, development will be subject to seismic hazards associated with local and regional fault systems. As such, site uses will be subject to the then current building codes addressing seismic hazards enforced by the County at the time the designs and supporting analyses are presented for review.

The 2011 Final EIR described in detail the faults in the vicinity of the site, including the Holser Fault, Del Valle Fault, Santa Susana, Northridge (East Oakridge), Sierra Madre (San Fernando) reverse/thrust faults, and the San Andreas Fault system. It also thoroughly described the three common types of geologic hazards that may be produced during a seismic event (earthquake): ground rupture, ground motion, and ground failure.

The 2011 Final EIR also incorporated numerous mitigation measures related to geotechnical issues, including seismic issues, liquefaction, landslides, compaction, and required design standards. These measures specify performance criteria and building design standards that future building design and construction must meet, including requirements for third party and independent review. Implementation of the mitigation measures will ensure compliance with all regulatory and geology-related requirements. Additionally, as required by applicable adopted regulatory measures, final designs and design review must follow the building standards current at the building permit stage of the regulatory process.

Comment No. E33-9:

Provided below is the first page of Attachment 2 to Letter No. E33. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 2
PAGE 1 OF 16**

SEISMIC STUDY Final COMMENTS

Since you can't use the Seismic Hazard Map and Report to get seismic anymore and you have to do Deterministic AND Probabilistic site-specific hazard analysis and you can't use the USGS or CGS quick and dirty on line look ups and since you are doing bridge

We thought we would help by introducing you to the CalTrans ARS tool.

It gives distances to local faults- well most of them.

A couple of caveats. It is based on the old CalTrans map which uses different fault segments than the current USGS and CGS maps which are based on the SCEC Community Fault Model- citations later and it does not contain all – especially the thrust faults.

WE know Lillian Maulchin retired CalTrans Chief Seismologist who did the maps and Martha Merrimam who developed this fine tool-also retired and we do not know if CalTrans currently is budgeted for a real Seismologist- pity.

The distances given MUST be double checked as they are given to the middle of a fault segment or the middle of a thrust fault plane where a project may be near the fault tip. On thrust faults it makes a big difference if the thrust is sloping toward the project or down and under the project or sloping down and away (hanging wall footwall and all that).

The ARS tool knows nothing of basins – reflections (the "perfect storm effect") or basin depth amplification or directivity or sources or paths, or velocities from the source to the site. It does not know if the source is in or under a basin or the path comes from the outside into the basin. It knows nothing about basin excitement- the bowl of jello effect. It basically uses distance magnitude, attenuation relationships (NOT NGA-2) and VS-30.

It does not cover multiple segment breaks

It does not do Vertical

ARS still uses NGA Attenuation Relationships and not the current NGA-2 ones- it comes close on ROCK Sources and Paths and Sites but not so much as soils get softer But it's a start.

WE DO NOT CONSIDER THAT NGA or any AR or GMPE give the required site-specific ground motions required for this project The do not consider source- path and site as required.

The CalTrans uses a near fault method that is an improvement over CBC-98 see their references

We would expect the CBC 98 Near Fault Table 16 Ca and Cv to be generated for reference.

The footnote to table 16 requires that Thrust faults be considered

The consultants get to generate their own site-specific curves using all the factors mentioned above.

THE ARS app does not begin to get long period ground motion from large distant events anywhere close to right

Why not use Blake EQFAULT & FRISK? AFIK Blake still uses the CGS 2002 California Fault Model

<http://www.thomasfblake.com/images/CGSALB1-LetterAll.pdf>

Same basic problems of data adequacy, current data , transparency, and

to use it takes a lot of hand tweaking for every fault and then it's hard to tell what you have

You can run this ARS app with locations and various VS-30

BASIN DEPTH DEPTH/ MAP is required

dap3.dot.ca.gov/ARS_Online/

Technical reference is here http://dap3.dot.ca.gov/ARS_Online/technical.php

Methodology for Developing Design Response Spectrum for Use in Seismic Design Recommendations November 2012

http://dap3.dot.ca.gov/ARS_Online/Tech_Docs/Methodology%20for%20Developing%20DRS_12-5-

Response No. E33-9:

The County acknowledges the attachment titled, “Seismic Study Final Comments.” Please refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required. Nonetheless, for informational purposes, the County provides the following further response.

The discussion in “Seismic Study Final Comments” contains many useful references to seismic hazard assessment and building design to address the hazard. It contains an introduction to the seismic hazard assessment developed by Caltrans, as well as several other seismic analysis tools. The comment discusses limitations to these methods, and provides internet links to studies that seek to improve our ability to characterize seismic risk, including continued development of the physics-based 3D ground-motion simulations currently underway by the Southern California Earthquake Center model CyberShake. The comment notes that some of these approaches may be adopted by municipalities and regulatory agencies in the future. The comment stresses that buildings designed and constructed within the Project boundary must be built according to current standards for seismic analysis and design.

The Recirculated Analysis does not specify any building or foundation designs for development within the Project. These will be provided to the County at the building permit stages — consistent with all applicable regulatory requirements. Site uses will be subject to the then current building codes addressing seismic hazards enforced by the County at the time the designs and supporting analyses are presented for review.

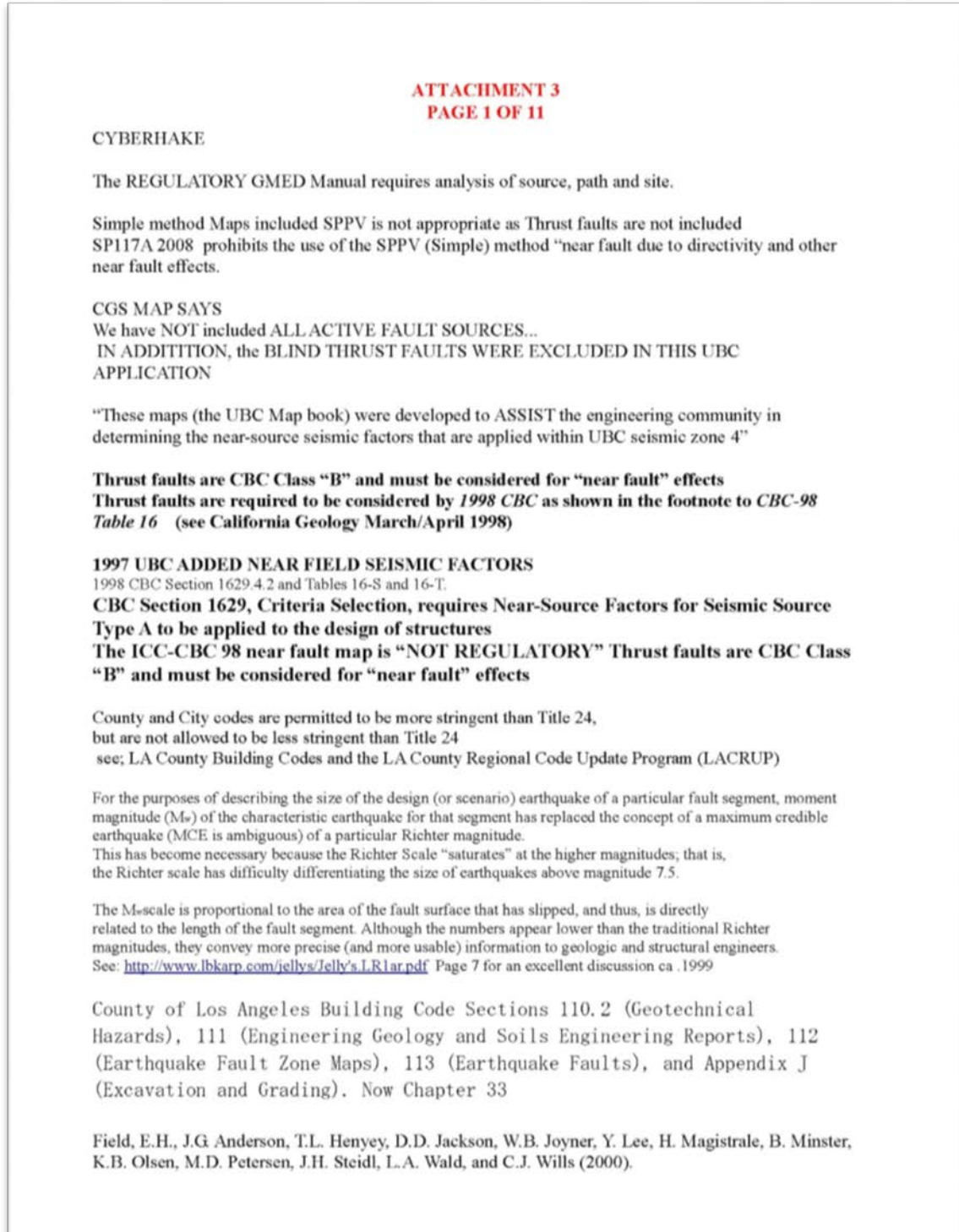
The 2011 Final EIR described in detail the faults in the vicinity of the site, including the Holser Fault, Del Valle Fault, Santa Susana, Northridge (East Oakridge), Sierra Madre (San Fernando) reverse/thrust faults, and the San Andreas Fault system. It also thoroughly described the three common types of geologic hazards that may be produced during a seismic event (earthquake): ground rupture, ground motion, and ground failure.

The 2011 Final EIR also incorporated numerous mitigation measures related to geotechnical issues, including seismic issues, liquefaction, landslides, compaction, and required design standards. These measures specify performance criteria and building design standards that future building design and

construction must meet, including requirements for third party and independent review. Implementation of the mitigation measures will ensure compliance with all regulatory and geology-related requirements. Additionally, as required by applicable adopted regulatory measures, final designs and design review must follow the building standards current at the building permit stage of the regulatory process.

Comment No. E33-10:

Provided below is the first page of Attachment 3 to Letter No. E33. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E33-10:

The County acknowledges the attachment titled, “CyberShake.” Please refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required. Nonetheless, for informational purposes, the County provides the following further response.

The discussion in “CyberShake” contains references to seismic hazard assessment tools, including use of such tools. The comment provides an example of general findings from the models CyberShake and TerraShake. The comment discusses limitations to these methods, and provides internet links to studies that seek to improve our ability to characterize seismic risk. The comment notes that some of these approaches may be adopted by municipalities and regulatory agencies in the future. The comment stresses that buildings designed and constructed within the Project boundary must be built according to current standards for seismic analysis and design.

The Draft Recirculated Analysis does not specify any building or foundation designs for development within the Project. These will be provided to the County at the building permit stages — consistent with all applicable regulatory requirements. Site uses will be subject to the then current building codes addressing seismic hazards enforced by the County at the time the designs and supporting analyses are presented for review.

The 2011 Final EIR described in detail the faults in the vicinity of the site, including the Holser Fault, Del Valle Fault, Santa Susana, Northridge (East Oakridge), Sierra Madre (San Fernando) reverse/thrust faults, and the San Andreas Fault system. It also thoroughly described the three common types of geologic hazards that may be produced during a seismic event (earthquake): ground rupture, ground motion, and ground failure.

The 2011 Final EIR also incorporated numerous mitigation measures related to geotechnical issues, including seismic issues, liquefaction, landslides, compaction, and required design standards. These measures specify performance criteria and building design standards that future building design and construction must meet, including requirements for third party and independent review. Implementation of the mitigation measures will ensure compliance with all regulatory and geology-

related requirements. Additionally, as required by applicable adopted regulatory measures, final designs and design review must follow the building standards current at the building permit stage of the regulatory process.

Comment No. E33-11:

Provided below is the first page of Attachment 4 to Letter No. E33. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.

**ATTACHMENT 4
PAGE 1 OF 14**

Newhall Bibliography

REVIEWS

These two must be used with SP-117A 2008 and the County GMED MANUAL and standards of professional practice

Guidelines for Reviewing Geologic Reports

California Geological Survey Note 41 – General Guidelines for Reviewing Geologic Reports, 1998.
www.conservation.ca.gov/cgs/information/publications/cgs_notes/note-41/
http://www.conservation.ca.gov/cgs/information/publications/cgs_notes/note_41

Guidelines for Preparing Geological Reports for Regional-Scale Environmental and Resource Management Planning CALIFORNIA DEPARTMENT OF CONSERVATION | CALIFORNIA GEOLOGICAL SURVEY NOTE 52 JANUARY 2013
http://www.conservation.ca.gov/cgs/information/publications/cgs_notes/note_52/Documents/note_52.pdf

California Board for Professional Engineers, Land Surveyors, and Geologists:
Geologic Guidelines for Earthquake and/or Fault Hazard Reports, July 1998.

California Board for Professional Engineers, Land Surveyors, and Geologists:
Guidelines for Geophysical Reports for Engineering Geology, July 1998.

California Board for Professional Engineers, Land Surveyors, and Geologists:
Guidelines for Groundwater Investigation Reports, July 1998.

California Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Geologists and Geophysicists Act (Business and Professions Code, §§ 7800-7887, Chapter 12.5) with Rules and Regulations (California Code of Regulations, Title 16, Division 29, §§ 3000-3067) and Related Sections of the Business and Professions Code, Government Code, Penal Code and Evidence Code, January 1, 2013.

Overview of 2013 CBC and CGS Note 48 for 2005 CBC
http://www.aegsc.org/chapters/inlandempire/shortcourses/2014/AEG-IE%20Short%20Course_2014-06-31_Thornburg.pdf

Citations specific to 2013 CBC and ASCE 7-10. must be updated to 2016 CBC and we recommend ASCE 7-16 and FEMA -NEHRP 2015

/Apx_4_13bDraftSewardGeotechReport(2007).pdf

PRELIMINARY GEOLOGIC AND GEOTECHNICAL REPORT Updated EIR Review for Subject Portions of Newhall Ranch Mission Village, Landmark Village, Homestead and WRP Site Newhall Ranch Los Angeles County, California

The Newhall Land and Farming Company Job No: 07-1155UE (1) October 31, 2007
nice report but no Sec 111 certification and it does not appear that they reference LACODPW MANUAL it needs to be easier to find FINAL reports and their Reviews

“Geologic hazards that may be produced by a seismic event (earthquake) include Ground Rupture, Ground Motion, and Ground Failure “

Response No. E33-11:

The County acknowledges the attachment titled, “Newhall Bibliography.” Please refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required. Nonetheless, for informational purposes, the County provides the following further response.

The “Newhall Bibliography” document contains links to internet sources and other literature references related to seismic hazard assessment and building design to address this hazard. Annotation is also provided for some of the references that indicate that buildings designed and constructed within the Project boundary must be built according to applicable and current standards for seismic analysis and design, as acknowledged by the County.

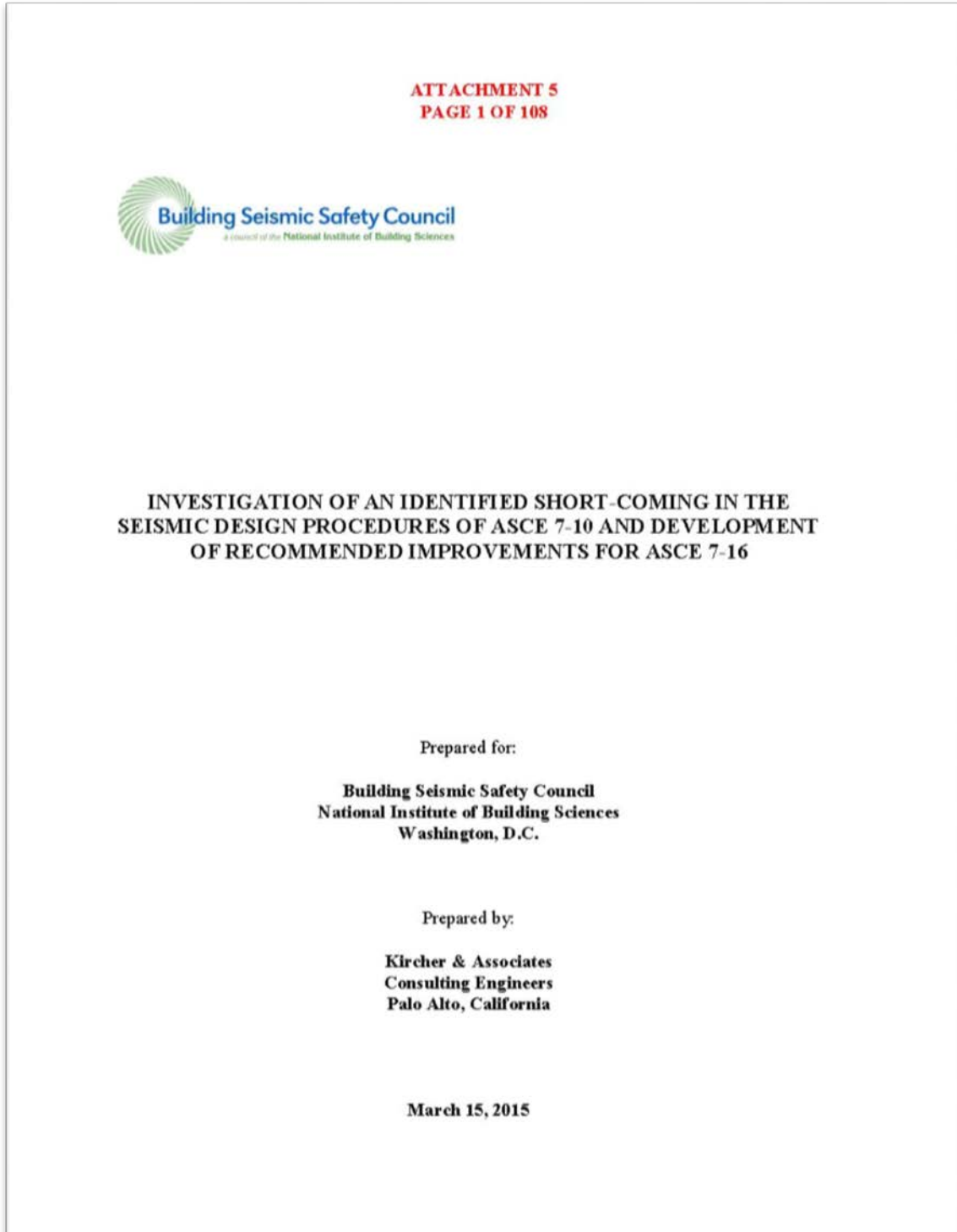
The Draft Recirculated Analysis does not specify any building or foundation designs for development within the Project. These will be provided to the County at the building permit stages — consistent with all applicable regulatory requirements. Site uses will be subject to the then current building codes addressing seismic hazards enforced by the County at the time the designs and supporting analyses are presented for review.

The 2011 Final EIR described in detail the faults in the vicinity of the site, including the Holser Fault, Del Valle Fault, Santa Susana, Northridge (East Oakridge), Sierra Madre (San Fernando) reverse/thrust faults, and the San Andreas Fault system. It also thoroughly described the three common types of geologic hazards that may be produced during a seismic event (earthquake): ground rupture, ground motion, and ground failure.

The 2011 Final EIR also incorporated numerous mitigation measures related to geotechnical issues, including seismic issues, liquefaction, landslides, compaction, and required design standards. These measures specify performance criteria and building design standards that future building design and construction must meet, including requirements for third party and independent review. Implementation of the mitigation measures will ensure compliance with all regulatory and geology-related requirements. Additionally, as required by applicable adopted regulatory measures, final designs and design review must follow the building standards current at the building permit stage of the regulatory process.

Comment No. E33-12:

Provided below is the first page of Attachment 5 to Letter No. E33. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E33-12:

The County acknowledges the attachment titled, “Investigation of an Identified Short-Coming in the Seismic Design Procedures of ASCE 7-10 and Development of Recommended Improvements for ASCE 7-16,” dated March 15, 2015. Please refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required. Nonetheless, for informational purposes, the County provides the following further response.

The referenced report summarizes a study undertaken with the following objectives:

- (1) to investigate an identified short-coming with ELF and MSRA seismic design procedures of ASCE 7 related to the use of only two response periods (0.2 s and 1.0 s) to define seismic design forces; and
- (2) to develop a technical basis and recommendations for improving the seismic design requirements of the 2015 NEHRP Provisions and ASCE 7-16 to minimize this short-coming.

The report states that recommendations developed during the course of the work were used by the Provisions Update Committee (PUC) of the Building Seismic Safety Council to develop and adopt code changes for the 2015 National Earthquake Hazards Reduction Program (NEHRP) Provisions, and, subsequently, by the Seismic Subcommittee (SSC) of American Society of Civil Engineers (ASCE) 7 Standards Committee to incorporate these changes into ASCE 7-16.

As stated, the Draft Recirculated Analysis does not specify any building or foundation designs for development within the Project. These will be provided to the County at the building permit stages — consistent with all applicable regulatory requirements. Site uses will be subject to the then current building codes addressing seismic hazards enforced by the County at the time the designs and supporting analyses are presented for review.

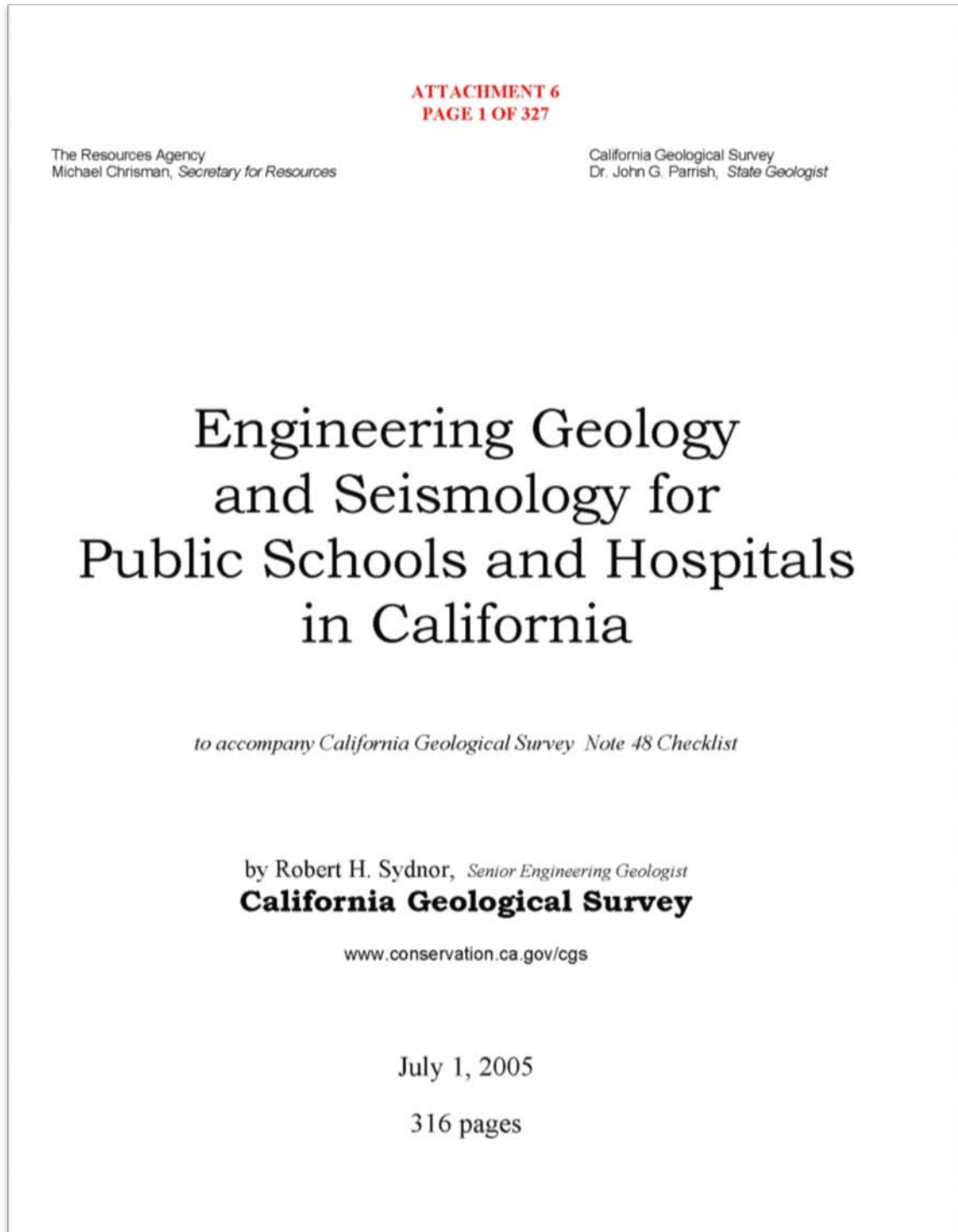
The 2011 Final EIR described in detail the faults in the vicinity of the site, including the Holser Fault, Del Valle Fault, Santa Susana, Northridge (East Oakridge), Sierra Madre (San Fernando) reverse/thrust faults,

and the San Andreas Fault system. It also thoroughly described the three common types of geologic hazards that may be produced during a seismic event (earthquake): ground rupture, ground motion, and ground failure.

The 2011 Final EIR also incorporated numerous mitigation measures related to geotechnical issues, including seismic issues, liquefaction, landslides, compaction, and required design standards. These measures specify performance criteria and building design standards that future building design and construction must meet, including requirements for third party and independent review. Implementation of the mitigation measures will ensure compliance with all regulatory and geology-related requirements. Additionally, as required by applicable adopted regulatory measures, final designs and design review must follow the building standards current at the building permit stage of the regulatory process.

Comment No. E33-13:

Provided below is the first page of Attachment 6 to Letter No. E33. A full copy of the attachment is included in Appendix 1.5 to the Final Recirculated Analysis which is available on the CD located on the inside cover of Volume 1 of the Final Recirculated Analysis.



Response No. E33-13:

The County acknowledges the attachment titled, “Engineering Geology and Seismology for Public Schools and Hospitals in California,” by Robert H. Sydnor, dated July 1, 2005. Please refer to **Response to Comment No. E33-3** for further responsive information as to both the scope of the Recirculated Analysis and the prior analysis of geology and geologic hazards in the 2011 Final EIR. As stated, the Project must adhere to all applicable laws and regulations with regard to geologic hazards prior to construction. In addition, the Project must implement already adopted mitigation measures addressing such hazards. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis; and, thus, no further response is required. Nonetheless, for informational purposes, the County provides the following further response.

The referenced report discusses methods of seismic assessment and building design related to schools and hospitals. However, in referring to this report, the other referenced attachment titled, “Newhall Bibliography,” states that “Dr. Sydnor's CGS Monograph” (i.e., the referenced report) “is dated prior to the change from the 1998 UBC to the CBC and utilizes the old version of his CGS Note 48 [but] it is still very useful.” The report has been generally reviewed, but it is not specific to the Project, nor does it raise any specific issue concerning the adequacy of the environmental analysis provided in the County Draft Recirculated Analysis.

In addition, as stated above, the Draft Recirculated Analysis does not specify any building or foundation designs for development within the Project. These will be provided to the County at the building permit stages — consistent with all applicable regulatory requirements. Site uses will be subject to the then current building codes addressing seismic hazards enforced by the County at the time the designs and supporting analyses are presented for review.

The 2011 Final EIR described in detail the faults in the vicinity of the site, including the Holser Fault, Del Valle Fault, Santa Susana, Northridge (East Oakridge), Sierra Madre (San Fernando) reverse/thrust faults, and the San Andreas Fault system. It also thoroughly described the three common types of geologic hazards that may be produced during a seismic event (earthquake): ground rupture, ground motion, and ground failure.

The 2011 Final EIR also incorporated numerous mitigation measures related to geotechnical issues, including seismic issues, liquefaction, landslides, compaction, and required design standards. These measures specify performance criteria and building design standards that future building design and construction must meet, including requirements for third party and independent review.

Implementation of the mitigation measures will ensure compliance with all regulatory and geology-related requirements. Additionally, as required by applicable adopted regulatory measures, final designs and design review must follow the building standards current at the building permit stage of the regulatory process.

COMMENT LETTER NO. E34

Larry Rasmussen
Spirit Properties, Ltd.
21070 Centre Pointe Parkway
Santa Clarita, CA 91350

Comment No. E34-1:

On behalf of Larry Rasmussen, please find letter of support for Landmark Village and Mission Village attached. Please don't hesitate to contact our offices should you have any questions or concerns.

Response No. E34-1:

The comment introduces the attached comment letter, which is addressed in Comment No. E34-2 and its corresponding response. The comment also expresses support for the development of the Project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E34-2:

I am in full and complete support of FivePoint's efforts to supply much needed housing and jobs to Los Angeles County with their proposed Landmark Village and Mission Village project.

Newhall Land (now FivePoint) has a stellar track record of building successful planned- communities such as Valencia, one of the greatest land developments in Southern California. Now, several decades later, FivePoint continues to bring innovation to our community with their new Net Zero building initiative where they are taking great strides to support California's leadership against global climate change.

As a longstanding business owner and resident of the community, with many years of land development experience, I truly believe this will be a great project for our community and SCV business in general. This project will help keep the Los Angeles County economic engine working; without proper housing, business cultivation and job creation – it inevitably will stall.

Landmark Village, Mission Village and the entire plan for Newhall Ranch is an innovative multi-billion-dollar economic investment for the Santa Clarita Valley, with its creation of approximately 60,000 permanent jobs and hundreds of millions of dollars in tax revenue.

I look forward to seeing Newhall Ranch – with its high-quality schools, recreation facilities, protected open space, and job centers – come to life!

Response No. E34-2:

The comment expresses support for the Mission Village Project. The comment also expresses specific support for the provision of housing, employment generation, and additional tax revenue resulting from

the development associated with the proposed Project. The comment also expresses support for the Net Zero Newhall plan and its programs to achieve net zero greenhouse gas emissions. The comment also expresses support for the development of schools, recreational facilities, and the preservation of open space. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E35

Frederick Sutton
Director of Government Affairs
Apartment Association of Greater Los Angeles
621 South Westmoreland Avenue
Los Angeles, CA 90005

Comment No. E35-1:

I am writing on behalf of the Apartment Association of Greater Los Angeles to give our support to the Newhall Ranch project. Not only is it environmentally friendly, as it will result in no net emissions of greenhouse gases from the development or operation of the master-planned community, it is also fulfill [sic] a desperate need for supply to the housing market.

According to a recent study done by Next IO, "from 2005 to 2015, permits for only 21.5 housing units were filed for every new 100 residents in California, less than any other state except Alaska." There is not enough housing in California to meet the demand, plain and simple. Additionally, this community will spur the development of some 60,000 jobs which are sorely needed.

The only way we can reduce the housing crisis in the state is by supporting good, smart and sustainable development. This project passes the test with flying colors and is a no brainer.

Response No. E35-1:

This comment serves as an introduction to Letter No. E35 and expresses support for the proposed Project. The comment also expresses specific support for the programs to achieve net zero greenhouse gas emissions, as well as the employment generation and new housing resulting from the development associated with the proposed Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E35-2:

As you may know, the Apartment Association of Greater Los Angeles (AAGLA) is an organization that provides industry leadership and member services to over 20,000 rental property owners and managers throughout the L.A. basin. Our members provide affordable housing for hundreds of thousands of residents in Southern California and represents over \$50 billion in property assets.

Response No. E35-2:

This comment provides information regarding the organization that authored Letter No. E35. No further response is required.

Comment No. E35-3:

We strongly support this project to help bring economic, environmental and housing relief.

Response No. E35-3:

This comment expresses support for the proposed Project. The comment also expresses specific support for the economic, environmental, and housing relief resulting from the development associated with the proposed Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. E36

Peggy Rasmussen
Spirit Properties, Ltd. – 2
21070 Centre Pointe Parkway
Santa Clarita, CA 91350

Comment No. E36-1:

On behalf of Peggy Rasmussen, please find letter of support for Landmark Village and Mission Village attached. Please don't hesitate to contact our offices should you have any questions or concerns.

Response No. E36-1:

The comment introduces the attached comment letter, which is addressed in Comment No. E36-2 and its corresponding response. The comment also expresses support for the development of the Project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. E36-2:

This letter is being sent to you in support of FivePoint's proposed Landmark Village and Mission Village project.

FivePoint (formerly Newhall Land & Farming) has a wonderful track record in building successful planned-communities such as Valencia – one of the greatest land developments in Southern California. Once again, FivePoint is poised and ready to 'deliver as promised': a new-state-of-the-art, innovative, environmentally responsible, sustainable and beautiful community to be loved and adored for generations to come.

I have personally been associated with Newhall Land for several years. Throughout the years, I have continually been impressed by their cautious and preventative approach to every project they take on. I am encouraged to see, once again, such responsible efforts in their new Net Zero building initiative which truly sets a new standard of sustainability. Their care and concern for the community and environmental stewardship is undoubtedly something to admire.

I genuinely believe that Landmark Village, Mission Village and the entire plan for Newhall Ranch will be a wonderful project for our community and I cannot wait to see it come to fruition!

Response No. E36-2:

The comment expresses support for the Mission Village Project. The comment also expresses specific support of the Project Applicant and their past development projects, as well as the proposed Net Zero Newhall plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F1

Randy Martin

Comment No. F1-1:

Please see below my comments on the Mission Village EIR.

Response No. F1-1:

The comment is an introduction to the comments that follow, which are addressed below (see Comment Nos. F1-2 through F1-10 and their corresponding responses). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F1-2:

1. Concern for Spine Flower Preserves. There needs to be more measures designed to protect this endangered flower. The proposal as currently written gives inadequate protection.

Response No. F1-2:

The comment states that there should be more measures to protect the state-listed endangered San Fernando Valley spineflower. The comment also contends that the Mission Village Project does not provide adequate protection for the species.

The comment does not identify any deficiency in the final Recirculated Portions of the EIR (Recirculated Analysis) nor address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's GHG emissions and take avoidance of the unarmored threespine stickleback. Issues pertaining to San Fernando Valley spineflower fall outside this scope (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the Mission Village Final EIR (May 2011), which was certified by the Los Angeles County Board of Supervisors on October 15, 2011 (hereafter referred to as the "prior EIR"). The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) in no way impact or relate to this issue. Because this comment is beyond the scope of the Revised Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**), no additional response is needed. However, for informational purposes, the following discussion is provided.

The Project site is located within the geographic boundary of the Mission Village Project applicant's Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) Project, which covers certain aspects of resource management and development for the Mission Village Project

and other nearby developments.¹ The California Department of Fish and Wildlife (CDFW) is the CEQA lead agency for the related RMDP/SCP Project. CDFW adopted the Spineflower Conservation Plan (SCP), and certified its attendant EIR, in December 2010. Both the SCP and the 2010 Final EIR's analysis of Project-related impacts on spineflower survived legal challenge and were upheld by the courts. Consequently, they are no longer subject to further review. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F1-3:

2. Oil Field: No homes should ever be built on top of a closed oil field. There will be off-gassing and airborne VOC.

Response No. F1-3:

The comment does not identify any specific concern with the Recirculated Analysis. Further, the commenter raises an issue that has not changed since the prior EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) in no way impact or relate to this oil field and off-gassing issue. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The Mission Village EIR (see Section 4.19, Environmental Safety, therein) provides a detailed analysis of the potential environmental safety impacts relative to development of the Mission Village project site, including the potential impacts of former oil and gas production on the project site. In fact, in response to comments on the Mission Village EIR submitted by the County Fire Department regarding potential impacts associated with petroleum hydrocarbon soil contamination and vapor intrusion, a Limited Soil Vapor Survey for the Mission Village project site was prepared to test the site for potential vapor intrusion related to methane, light end petroleum hydrocarbons, and VOCs. (Mission Village Revised Draft EIR (October 2011), p. 4.19-40b.) Based on the laboratory analysis, the vapor samples were

¹ The RMDP is a conservation, mitigation, and permitting plan for the long-term management of sensitive biological resources and development-related infrastructure in the Santa Clara River and tributary drainages within the Newhall Ranch Specific Plan area and along the extension of Magic Mountain Parkway through the Project site. The SCP is a conservation and management plan to permanently protect and manage a system of preserves designed to maximize the long-term persistence of the San Fernando Valley spineflower, a federal candidate and state-listed endangered plant species. The SCP encompasses the Specific Plan area, as well as the Valencia Commerce Center and Entrada planning areas, in order to conduct conservation planning and preserve design on the Project applicant's land holdings in Los Angeles County that contain known spineflower populations.

reported not to contain detectable concentrations of methane or total petroleum hydrocarbons (TPHs) in the gasoline range. (*Id.* at p. 4.19-40c.) Additionally, the soil vapor samples were analyzed for VOCs and no detectable concentrations of VOCs were identified, with the exception of a sample taken at a location of a former drilling or production sump, which recorded 0.013 micrograms per liter ($\mu\text{g/l}$) of perchloroethylene (PCE). (*Ibid.*) This PCE concentration is below the California Human Health Screening Level (CHHSL) for PCE, and, therefore, does not pose an immediate threat to human health or the environment. (*Ibid.*) However, based on the recommendation in the Limited Soil Vapor Survey, Mitigation Measure MV 4.19-13 was adopted by the County to ensure that the low concentration level of PCE is remediated prior to grading. (*Ibid.*) The Revised Draft EIR (October 2011) concluded that, with implementation of the identified mitigation, vapor intrusion impacts resulting from residual petroleum hydrocarbons in the soil do not pose an immediate threat to human health or the environment, and would not result in a significant environmental safety impact. (See *id.* at p. 4.19-1.) The Mission Village Revised Draft EIR (October 2011), Section 4.19, Environmental Safety, and its supporting technical appendices is hereby incorporated by reference.²

The comment offers no significant new information requiring additional analysis with respect to oil field and airborne VOC issues. Because the comment does not raise any specific issue regarding the analysis provided in the Recirculated Analysis, no further response can be provided or is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed Project.

Comment No. F1-4:

3. The EIR excludes a traffic chapter. The referral to the 2007 study is not adequate due to the changes between then and now.

Response No. F1-4:

The comment expresses general concern regarding the exclusion of a traffic chapter from the Recirculated Analysis. The comment does not provide any specific critique of the Recirculated Analysis. To the extent this comment is requesting additional traffic analysis, this comment is beyond the scope of the Recirculated Analysis. See **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional responsive information. Further, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project's 2011 Final EIR, and that analysis

² Pursuant to CEQA Guidelines Section 15150, the Mission Village Revised Draft EIR (October 2011) is available for public review and inspection upon request to the County at 320 W. Temple Street, 13th Floor, Los Angeles, CA 90012.

was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F1-5:

4. Water shortage. The SCV has inadequate water for the current residents. This issue is not adequately addressed. How could we possibly generate more water when our water table has already dropped by 70 feet and several wells are dry. This is not addressed.

Response No. F1-5:

The comment expresses general concern regarding water shortage. The comment does not identify any specific deficiency in the Recirculated Analysis or address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's GHG emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the prior EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) in no way impact or relate to water supply. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The previously certified 2011 Final EIR thoroughly evaluated water supply impacts. The prior EIR's water supply/demand assessment also extensively addressed California's drought conditions and its effect on state and local water supplies. That analysis was not found to be deficient by the courts. For further information, please refer to Section 4.8, Water Service, of the 2011 Final EIR. Based on the comment and the water supply impacts already assessed, the County has determined there are no identified substantial changes in the Mission Village Project or its circumstances that warrant any further review or analysis of the Mission Village Project's water supply impacts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to

water supply would occur based on the information and analysis presented in the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F1-6:

5. River Water Quality: Nothing in the project should be built within a hundred feet from the floodplain.

Response No. F1-6:

The comment expresses general concern regarding river water quality. The comment does not identify any deficiency in the Recirculated Analysis nor address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's GHG emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the prior EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect the level of floodplain development allowed by this project. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The comment is vague as to what aspects of the Santa Clara River's water quality would be adversely affected by the Mission Village Project's planned location. Moreover, the comment does not offer any evidence that the proposed modifications covered by the Recirculated Analysis would affect water quality.

Although this issue is beyond the scope of the Recirculated Analysis, it should be noted that the 2011 Revised Draft EIR analyzed, disclosed, and where necessary, recommended mitigation measures for the Project's water quality impacts. That portion of the 2011 Final EIR has been upheld and is no longer subject to review or challenge. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F1-7:

No fill should be placed into the existing flood plain.

Response No. F1-7:

The comment states that “no fill should be placed in the existing flood plain.”

The comment does not identify any deficiency in the Recirculated Analysis nor address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project’s GHG emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the prior EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect the level of fill placement. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The comment offers no evidence of changed circumstances or a deficiency with the prior analysis, but rather offers an opinion. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F1-8:

6. Dust pollution is already an issue in the SCV. This project as proposed would create an exacerbation of the existing problem.

Response No. F1-8:

The comment states that the Mission Village Project would exacerbate an existing dust pollution problem. Air quality was previously studied and evaluated by the County in Section 4.7, Air Quality, of the Mission Village Project’s 2011 Final EIR. No legal challenge was brought against that analysis by the author of this comment or any other party. The comment does not identify any flaws or omissions with the prior air quality analysis that require additional considerations based on the Recirculated Analysis. Further, the commenter raises an issue that has not changed since the prior EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect project-related dust compared to what was already considered in the prior EIR; therefore it is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required or can be provided. There is no evidence that new impacts or substantially more severe impacts to air quality would occur because of the information and analysis presented in the Recirculated Analysis. To the contrary, it should be noted that elements of the Mission Village Project’s mitigation framework for GHG emissions are anticipated to achieve co-benefits in the Southern

California Air Basin due to corresponding emission reductions in criteria air pollutants.

Comment No. F1-9:

7. How can the SCV accommodate the additional traffic and congestion, both within city and on the 405 and 5 freeways? Farm land should be left as farm land, and not allowed to contribute to additional LA Sprawl.

Response No. F1-9:

A portion of the comment expresses concern for traffic and congestion. As background, the 2011 Final EIR evaluated the Mission Village Project's traffic volumes and the impact of those volumes on roadway capacity. Based on that analysis and the corresponding mitigation recommendations, the Mission Village Project will mitigate all of its traffic impacts to less-than-significant levels. The comment does not provide any evidence that traffic congestion would be different than what was analyzed in the Recirculated Analysis (and in the underlying proceedings). The comment does not offer any basis for why the proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) would affect traffic and congestion compared to what was already considered in the prior EIR; therefore it is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**) and no further response is required. However, for informational purposes, the following discussion is provided.

Implementation of the Mission Village Project's GHG emissions mitigation framework (see, e.g., Mitigation Measures MV 4.23-6/2-6 and MV 4.23-7/2-7) will serve to reduce congestion and Mission Village Project-related GHG emissions. As there are no Mission Village Project changes that would increase traffic impacts relative to what was previously analyzed and upheld, no additional analysis of traffic is needed. Please also see **Topical Response 3: Traffic Impact Analysis**.

Further, Mitigation Measure MV 4.23-7/2-7 will require that traffic signals be synchronized along identified segments of Commerce Center Drive from SR-126 to Magic Mountain Parkway and Magic Mountain Parkway (within the Mission Village Project boundary) prior to the issuance of traffic signal permits for the Mission Village Project. Mitigation Measure MV 4.23-6/2-6 calls for implementation of the Newhall Ranch Transportation Demand Management Plan (TDM Plan), which serves to reduce the vehicle miles traveled by Mission Village Project residents, employees and visitors by approximately 15 percent and therefore potentially reduces congestion. Finally, Mitigation Measure MV 4.23-8/2-8 requires funding for the purchase, operation, and maintenance of a zero emission school bus program, which is to be implemented pursuant to Mitigation Measure MV 4.23-6/2-6 and which will further reduce vehicle miles traveled.

A portion of the comment also addresses the loss of farmland for sprawl. The comment does not address any particular aspect of the Recirculated Analysis. Further, the comment appears to raise issues that are beyond the scope of the Recirculated Analysis, which – as discussed in Section 1.1 of the Draft Recirculated Analysis, Introduction – was delineated to be responsive to pertinent court decisions. The comment does not offer any basis for why the proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) would affect loss of farmland. Nonetheless, for informational purposes, it is noted that Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that accords to principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. Impacts to farmland were comprehensively evaluated in the 2011 Final EIR, and the comment has identified no changed circumstances that would trigger a re-evaluation of such impacts. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F1-10:

8. I am against this project and the proposed number of units.

Response No. F1-10:

The comment expresses general opposition to the Mission Village Project and the number of units. The comment does not raise any issue concerning the adequacy of the Recirculated Analysis. As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F2

Alaric Balibrera
7609 Hannum
Culver City, CA 90230

Comment No. F2-1:

Reconsider and reject the Mission and Landmark villages.

Response No. F2-1:

This comment expresses general disapproval of the Mission Village Project. It does not comment on any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F2-2:

We must prioritize wetlands over development; we must prioritize stewarding our planet responsibly. Any human development on the last wetland in a desert is emphatically misconceived and irresponsible.

Response No. F2-2:

The comment expresses general concern regarding the preservation of wetlands. The comment does not address any particular aspect of the Recirculated Analysis. The comment also raises an issue that is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. However, for informational purposes, the Project's impacts to wetlands previously were studied and evaluated in Section 4.3, Biota, of the Mission Village Project's 2011 Final EIR (2011 Final EIR), and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. And, there is no evidence that new impacts or substantially more severe impacts to wetlands would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F2-3:

We may not endanger more wildlife. There are no safeguards in place to ensure federally protected species won't be harmed, and the wetlands are vastly more important than economic growth.

Response No. F2-3:

The comment expresses general concern regarding wildlife species and wetlands. Please see **Response to Comment No. F2-2** above for responsive information regarding wetlands. Similarly, as to wildlife species, the comment raises an issue that is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**), such that no further response is required. However, for informational purposes, the Project's impacts to wildlife species previously were studied and evaluated in Section 4.3, Biota, of the 2011 Final EIR, and that analysis was not found to be deficient by the courts, with limited exception pertaining to the mitigation framework for unarmored threespine stickleback (a subject discussed at length in Section 2.2 of the Recirculated Analysis). (As explained in the Recirculated Analysis, the No Water Contact approach to bridge construction was developed expressly to avoid impacts to sensitive fish species, including the unarmored threespine stickleback, which is a freshwater fish designated as endangered by federal and state law and fully protected under Fish and Game Code section 5515, and eliminate the need for Mitigation Measures MV 4.3-8 and MV 4.3-9.) The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to wildlife species would occur based on the information and analysis presented in the Recirculated Analysis.

COMMENT LETTER NO. F3

Owen Barry
Experian Marketing Services
841 Apollo St, Ste. 200
El Segundo, CA 90245

Comment No. F3-1:

I wanted to write in my extreme disapproval for the proposed Newhall Ranch expansion of Mission and Landmark Villages.

There are few places left with the unique setting and resources available like Santa Clarita. These developments push past the areas ability [sic] to provide those resources, and endanger the community.

Response No. F3-1:

The comment expresses general opposition to the Mission Village Project. The comment does not address any particular aspect of the Recirculated Portions of the Mission Village EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F3-2:

Traffic is already snarled along the 405 and 118. The mountainous terrain inhibits the ability of significant expansions of highways.

Response No. F3-2:

The comment states that traffic is already “snarled” in specified areas, and states the mountainous terrain inhibits the ability of significant expansions of highways. The issue raised by the comment is outside the scope of the Recirculated Analysis; as such, no further response is required. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Further, the Project’s impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project’s 2011 EIR, and that analysis was not found to be deficient by the courts. (Section 4.5 concluded that the Project’s impacts would be reduced to less-than-significant levels with implementation of the identified mitigation measures.) The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact**

Analysis, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways.

Comment No. F3-3:

Further, the Sespe Wilderness and watershed are in danger of being encroached on if this goes through.

Response No. F3-3:

The comment states that the Project would potentially encroach upon the Sespe Wilderness and watershed areas. The comment raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Further, the Project's impacts to biological resources and watershed area previously were studied and evaluated in the Mission Village Project's 2011 Final EIR (see, e.g., Section 4.2, Hydrology; Section 4.3, Biota), and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to the identified resources would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F3-4:

Last, there is significant danger to the community. If Bouquet Reservoir floods, it will run down that river just like the Francisquito dam disaster of 1928, which killed ~500. And the hillsides all around that area are basically unstable sand.

Response No. F3-4:

The comment states that, if Bouquet Reservoir floods, then the safety of downstream communities located in the floodplains would be threatened. The issue raised by the comment is outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. Nonetheless, for informational purposes, it is noted that Project-related development areas would be elevated out of the 100-year and 50-year capital floodplains. Further, the issue referenced was evaluated and studied in the Project's 2011 Final EIR (see, e.g., Section 4.2, Hydrology, Section 4.21, Floodplain Modification, and Section 4.19, Environmental Safety), and the subject analysis was not determined to be inadequate by the courts. This comment offers no significant new information requiring additional analysis with respect to floodplain issues.

Comment No. F3-5:

Look, everyone has a right to live somewhere. But it'd be much safer and easier to build higher- density communities in existing community footprints, than to expand further laterally.

This isn't about just the stickleback. It's about every animal and historical site in the area of the proposed development, as well as the surrounding communities.

Response No. F3-5:

The comment states that it is "easier to build higher-density community in existing footprints, than to expand further laterally." This comment, which does not raise an environmental issue regarding the adequacy of the Recirculated Analysis, is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

The comment also expresses general concern regarding the unarmored threespine stickleback, wildlife, and historical sites within the site. In response, as discussed in Section 2.2 of the Recirculated Analysis, the Mission Village Project will be fully compliant with Fish & Game Code Section 5515(a) and all other laws and regulations governing biological resources, including endangered and threatened species. Additionally, as addressed in Section 4.3, Biota, of the Mission Village Project's 2011 Final EIR, all Project impacts to biological resources would be reduced to levels below significant with the implementation of the identified mitigation measures. As such, the comment's concern regarding the unarmored threespine stickleback and other species has been addressed.

As to historical resources located on the Project site, the issue referenced was evaluated and studied in the 2011 Final EIR (see, e.g., Section 4.20 Cultural Resources), and the subject analysis was not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to historical resources would occur based on the information and analysis presented in the Recirculated Analysis.

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COMMENT LETTER NO. F4

Elliot Bronwein

Comment No. F4-1:

Please reconsider these housing developments; if built, they would create much damage to the local environment (damaging the Santa Clara river, and putting excessive strain on the drinking water supply) as well as significantly adding pollution to the air from the extra traffic produced.

Response No. F4-1:

The comment expresses general concerns regarding environmental impacts, particularly impacts on the Santa Clara River, water supply, and air pollution, associated with the development of the proposed Project. The comment does not identify any specific concern with the Recirculated Analysis. The comment also raises issues relating to the analysis of air quality and hazardous materials-related impacts, which are issues outside the scope of the Recirculated Analysis. Further, the comment raises issues that have not changed since certification of the Mission Village Final EIR (May 2011), by the Los Angeles County Board of Supervisors on October 25, 2011. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) would not impact the listed issues relative to what was already analyzed in the 2011 Final EIR. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

As summarized in Section 1.0 of the Recirculated Analysis, the recommended GHG mitigation measures would allow the Project to achieve net zero GHG emissions. GHG emissions generated by Project-related traffic are accounted for in the Recirculated Analysis. No additional analysis of traffic is needed based on the proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures). Please also see **Topical Response 3: Traffic Impact Analysis**. The 2011 Final EIR thoroughly evaluated water supply impacts. The prior EIR's water supply/demand assessment also extensively addressed California's drought conditions and its effect on state and local water supplies. For further information, please refer to Section 4.8 Water Service, of the 2011 Final EIR. Additionally, the proposed modified bridge construction activities identified in the County's take avoidance assessment would no longer require stream diversion or construction activities in the wetted channel of the Santa Clara River. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F5

Andre Casanave

Comment No. F5-1:

Please do not let Newhall developers to bypass the laws and the truth. If recent developments are an indication those involved in development are deceitful. As a resident of the area I've seen too much sprawl development without regard to the communities of people who live here.

Response No. F5-1:

The comment expresses general concerns regarding development of the proposed Mission Village Project. With regard to the Project, the comment does not raise any issue concerning the adequacy of the Draft Recirculated Portions of the Mission Village EIR (Recirculated Analysis). The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect the level of development allowed by the Project. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Recirculated Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Nonetheless, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. Therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F6

Catherine Flynn

Comment No. F6-1:

I attended the meeting this evening at Rancho Pico Junior High School and was dismayed at the lack of concern for the traffic issues this new community will cause. Traffic leaving Santa Clarita begins backing up around 6:30 a.m. for us commuters. The commute home is even worse. Adding a new town north of Santa Clarita will only exacerbate the problem.

Response No. F6-1:

The comment expresses concerns regarding traffic associated with the Mission Village Project. The comment does not identify any specific concern with the Draft Recirculated Portions of the EIR (Recirculated Analysis). Instead, the issue raised by the comment relates to the analysis of traffic-related impacts, which is outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point). Further, the commenter raises an issue that has not changed since the Project's 2011 Final Environmental Impact Report (EIR). Specifically, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. (Section 4.5 concluded that the Project's impacts would be reduced to less-than-significant levels with implementation of the identified mitigation measures.) The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways.

Comment No. F6-2:

The developers want you to believe that all of these new residents will be working locally. Where? In restaurants, the mall or the industrial center?

Response No. F6-2:

The comment states that the Project applicant wants the County to believe that all Project residents will be working locally; the comment inquires about the location of those employment opportunities. The comment does not raise any issue concerning the adequacy of the Recirculated Analysis; therefore, no further response is required. However, for informational purposes, it is noted that the greenhouse gas (GHG) emissions estimates in the Recirculated Analysis do not assume that all Mission Village Project

residents will be employed locally. Instead, as illustrated in Table 3-17b of Appendix 2.1-A of the Recirculated Analysis, the average trip length for home-to-work trips identified in the regional traffic model (Santa Clarita Valley Consolidated Traffic Model) is 10.696 miles.

Comment No. F6-3:

Jobs available locally will not allow for a family to afford one of these new homes.

Response No. F6-3:

The comment expresses concerns regarding the affordability of the Mission Village Project's homes. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis; therefore, no further response is required. However, for informational purposes, it is noted that the Mission Village Project will contain qualifying affordable housing in accordance with the requirements of the County-approved Newhall Ranch Specific Plan.

Comment No. F6-4:

Many good paying jobs in our economy are those associated with the film industry and although Santa Clarita is doing a great job promoting local filming, the abundance of jobs in Burbank and other areas of Los Angeles are the real draw for media people. Banking, insurance and financial sector jobs are south of Santa Clarita and people will use the 5 and 405 to get to those jobs.

Response No. F6-4:

This comment expresses general opinion regarding employment opportunities. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis; therefore, no further response is required. For informational purposes, please see **Response to Comment No. F6-2** above for additional information regarding the home-to-work trip length inputs used in the Recirculated Analysis.

Comment No. F6-5:

Doesn't the planning board have a responsibility to the millions of commuters already on the road to address our concerns?

Response No. F6-5:

The comment asks whether the planning board has a responsibility to millions of existing commuters. This comment is substantively similar to other comments presented above; please refer to **Response to Comment No. F6-1** for relevant information that is responsive to this comment.

COMMENT LETTER NO. F7

Gerald Staack

Comment No. F7-1:

I left an abbreviated written message, of what I am writing you now, on the form that you handed out at the Jan 12, 2017 hearing in Rancho Pico Jr. High School. I'd like to see any new homes, that may be constructed in both 'Landmark and Mission Villages,' be built so they can use Geothermal energy for heating and cooling.

Response No. F7-1:

The comment requests that each home associated with the Mission Village Project use geothermal energy for heating and cooling. The comment does not identify any specific concern with the Draft Recirculated Portions of the EIR (Recirculated Analysis). Therefore, no further response is required. However, for informational purposes, it is noted that Mitigation Measures MV 4.23-1/2-1 and MV 4.23-2/2-2 require the Project's residential and non-residential development to achieve the California Energy Commission's Zero Net Energy standards, thereby advancing important sustainability objectives in the built environment and reducing the Project's greenhouse gas (GHG) emissions attributable to natural gas and electricity consumption.

Comment No. F7-2:

I'm not sure how these 'Villages' are going to become "net zero greenhouse emission communities" when over 20,000 homes start turning on their natural gas heating furnaces one cold, autumn morning in the future.

Response No. F7-2:

The comment expresses general concern regarding the Project's ability to achieve net zero GHG emissions if natural gas is used in the residences. The comment does not provide any evidence to substantiate this concern, nor does the comment identify a specific deficiency in the Recirculated Analysis; therefore, no further response is required or can be provided. Nonetheless, it is noted that the GHG emissions estimates associated with the natural gas consumption of Project residences were informed by Appendix C of Appendix 2.1-A of the Recirculated Analysis, as well as the use of CalEEMod® – a widely-accepted GHG emissions modeling platform developed by expert air districts and utilized by California Environmental Quality Act (CEQA) lead agencies throughout California. As discussed in **Response to Comment No. F7-1**, Mitigation Measures MV 4.23-1/2-1 and MV 4.23-2/2-2 require the Mission Village Project to achieve advanced building energy efficiency standards, and the balance of the Project's GHG-related suite of mitigation measures ensures that the Project will attain net zero GHG emissions.

Comment No. F7-3:

The promises of zero GHGs using ‘offsets’ may sound good on paper but control and actual enforcement seems highly problematic.

Response No. F7-3:

This comment states that the Project’s commitment to achieve net zero GHG emissions through the use of offsets is lacking in enforcement. The comment does not provide any evidence to support this statement and does not identify a specific deficiency in the Recirculated Analysis. As such, no further response is required or can be provided.

Further, Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13, which require the implementation of the Newhall Ranch GHG Reduction Plan, expressly require the retirement of GHG Mitigation Credits and/or Carbon Offsets *prior* to the issuance of a grading permit (for construction GHG emissions; e.g., GHG emissions resulting from the operation of construction vehicles, vegetation removal, etc.) or building permit (for 30-year Project life GHG emissions), respectively. Thus, mitigation compliance is completed before the activity in question begins and is enforced by Los Angeles County. Please see **Response to Comment No. O9-32** within **Letter No. E13**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the implementation and enforcement of the mitigation measures related to the GHG Reduction Plan. All elements of the mitigation measures are fully enforceable under the Mitigation Monitoring and Reporting Plan (see Section 2.3 of the Recirculated Analysis) and the Recirculated Analysis’ conclusion that the Mission Village Project will result in net zero GHG emissions is supported by substantial evidence. Please refer also to Response to Comment Nos. F13-4 and F13-5 for further responsive information.

Comment No. F7-4:

Geothermal is efficient, economical, and has an inexhaustible supply of free energy that is virtually available at all latitude on our globe....and houses are basically ‘green.’... Clean air (no CO2 output), low electric usage (especially on houses with solar panels), and always at 70°F. There are various geothermal systems on the market, and installations can cost anywhere from \$10K to \$30K. For California, an open loop system with a small circulating pump may be all that is needed to distribute the winter heating fluids and the summer cooling fluids into the house. It works!

Geothermal is the free energy source the world has been waiting to discover all these years. I became a proponent of the world using Geothermal energy to heat and cool homes ever since I saw it being installed in Europe. New homes are getting it, and old ones are being converted everywhere.!

I would like to see both communities take advantage of this cheap energy and go totally 'green.' It relatively adds just a few dollars more to the price of housing. Please consider it. You can learn more by going to the link:

Response No. F7-4:

This comment provides general background information regarding geothermal energy and expresses support for its use. The comment does not raise an environmental issue regarding the Recirculated Analysis. Therefore, no further response is required. Please also see **Response to Comment No. F7-1** above.

Comment No. F7-5:

<http://welldrillingschool.com/courses/pdf/geothermal.pdf>

Response No. F7-5:

The comment refers to a webpage link containing a document on geothermal heating and cooling systems and does not raise an environmental issue regarding the adequacy of the Recirculated Analysis; as such, no further response is required. The comment will be included in the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F7-6:

Looking forward to California having a solid green, sustainable future.

Response No. F7-6:

This comment expresses support for California having a "solid green, sustainable future". The comment does not raise an environmental issue regarding the adequacy of the Recirculated Analysis. Therefore, no further response is required. However, it is noted that the Project's suite of GHG-related mitigation measures, as set forth in Section 2.1 of the Recirculated Analysis, is intended to align the Project with the State's climate change policies, priorities and objectives (see, e.g., Recirculated Analysis, pp. 2.1-38 to 2.1-39).

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COMMENT LETTER NO. F8

Damian Lopez
General delivery
Sacramento, CA 95812 US

Comment No. F8-1:

No more development! The fabric of society is tearing under the weight of development.

Response No. F8-1:

This comment expresses general opposition to further development. The comment does not address any specific aspect of the Project's Recirculated Portions of the EIR; therefore, no further response is required or can be provided. Nonetheless, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F9

Mike Howl

Comment No. F9-1:

As concerned citizens, we have been following the status of new prospective projects that the County and Board of Supervisors has requested some sort of recycled water use. At Reflow Water Works LLC, we provide numerous simple solutions and consultation to this growing need. Per Build it Green and other rating services, we can increase the green points for projects and increase the Net Zero footprint for all communities. In fact, a new home community River Islands in Lathrop, CA, has instituted mandatory greywater use for each home to be used for landscaping and or toilet flushing. Marin County recently enacted an ordinance requiring Greywater systems for each new home and major remodel. Please see our website at reflowater.com for more information on how we offer assistance to cities, counties and developers in addressing these problems.

Response No. F9-1:

The comment states that the commenter has expertise in enhancing the water conservation attributes of prospective projects and provides examples of communities with graywater ordinances. The comment does not raise an environmental issue regarding the adequacy of the Recirculated Portions of the Mission Village Project EIR (Recirculated Analysis). Therefore, no further response is required. However, for informational purposes, it is noted that the Project will utilize Low Impact Development (LID) standards, in accordance with County requirements, to minimize stormwater runoff, thereby providing opportunities for groundwater recharge and prevention against erosion. The Project also will utilize recycled water from the Newhall Ranch Water Reclamation Plant (WRP) and existing, upstream WRPs as a non-potable water source to irrigate, for example, landscaped areas on the Project site.

Comment No. F9-2:

Los Angeles County prides itself on being green and forward thinking. As such, we would request the County to consider conditioning all new projects going forward touse some sort of recycled or greywater, and rainwater water in their design.

Response No. F9-2:

The comment recommends that the County of Los Angeles condition all new projects to require the use of recycled or greywater and rainwater in their design. Please refer to **Response to Comment No. F9-1** above for relevant information that is responsive to this comment. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required as the comment does not raise an environmental issue regarding the adequacy of the Recirculated Analysis.

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COMMENT LETTER NO. F10

Nathaniel Walters
4a Emmanuel Rd.
London, GB+17 sw12 0pe GB

Comment No. F10-1:

I was lucky enough to live in the area for several years, and in all the cities and countries I've lived in since I've missed this precious landscape. It is much more valuable than yet another housing development, for more people than a housing development would profit. Please consider what can be replaced and what can't, and who benefits in what way. And prevent this short sighted [sic] destruction of something that should be timeless.

Response No. F10-1:

The comment expresses general disapproval of the Mission Village project. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F10-2:

Thank you for your good work by the way.

Response No. F10-2:

The comment expresses thanks, and does not raise an environmental issue concerning the Recirculated Analysis. No further response is required or can be provided.

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COMMENT LETTER NO. F11

Stephanie McNutt
Patagonia Works / HR Services
259 W. Santa Clara St.
Ventura, CA 93001

Comment No. F11-1:

Newhall Ranch Project - To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F11-1:

This comment is substantively the same as Comment No. F13-15. Please refer to Response to Comment No. F13-15 for discussion of issues related to water quality, endangered fish species, and the proximity of the Mission Village Project to the Santa Clara River. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F11-2:

Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F11-2:

This comment is substantively the same as Comment No. F13-16. Please refer to Response to Comment No. F13-16 for discussion of issues related to floodplain-related grading activities and dust emissions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F11-3:

Please save the river, as it's so important to our eco-system and adds to the beauty of Southern California.

Response No. F11-3:

The comment expresses a preference to save the river because it is important to the ecosystem and adds to the beauty of Southern California. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Further, the comment appears to raise issues that are beyond the scope of the Recirculated Analysis, which – as discussed in Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016) – was delineated to be responsive to pertinent court decisions (please see **Topical Response 1: Scope of**

the Recirculated Portions of the EIR). The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. Further, the comment does not offer any evidence that the proposed modifications covered by the Recirculated Analysis affect the size or scale of the overall development; therefore, this issue has not changed since the Project's 2011 Final EIR. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F11-4:

Don't let the desire for money ruin what we have and what we want our children to have. The fate is in your hands.

Response No. F11-4:

The comment expresses general opposition to the Mission Village Project. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F12

Cher Gilmore
18911 Circle of Friends
Newhall, CA 91321

Comment No. F12-1:

Thank you for receiving public input on the proposed Newhall Ranch Project – in particular the first two phases – Landmark and Mission Villages, which this message addresses.

Response No. F12-1:

This comment is an introduction to the comments that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F12-2:

In my opinion, this whole development is a prime example of private interests overriding all reasonable measures of the public good.

Response No. F12-2:

The comment indicates general opposition to the Mission Village Project. The comment does not address any particular aspect of the Project's Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F12-3:

First and foremost, it is proposed to be built on, and will destroy, over 140 acres of floodplain. It is *never* a good idea to build on floodplains. Floodplains store floodwaters, and given the alternating drought and flooding cycles in this area – projected to become even more extreme with increased global warming, this floodplain is absolutely critical.

The Los Angeles Regional Water Quality Control Board has wisely recommended that the Newhall Ranch applicant avoid development in the floodplain, but that recommendation was ignored. I hope the County will listen to the wisdom of the Water Quality Control Board on this matter.

Response No. F12-3:

The comment states the Project will destroy over 140 acres of floodplain, and objects to the Project's location relative to the floodplain. The comment raises an issue that is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as

such, no further response is required. However, for informational purposes, the Project's impacts to the floodplain of the Santa Clara River previously were studied and evaluated in the Mission Village Project's 2011 Final EIR (see, e.g., Section 4.2, Hydrology; Section 4.21, Floodplain Modifications), and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to the floodplain would occur based on the information and analysis presented in the Recirculated Analysis. Further, Project-related development would be elevated out of the floodplain; and, the Clean Water Act Section 401 water quality certification and waste discharge requirements issued by the Los Angeles Regional Water Quality Control Board contain requirements relating to stream diversion and dewatering that are protective of the floodplain.

Comment No. F12-4:

Further, having sufficient fresh water in this area for the past six years has been increasingly problematic, and cutbacks have been required. The current population is barely sustainable in dry years now – it is not reasonable to suppose an additional 70,000 people (projected for the completed project) will have enough fresh water in future years, as global warming progresses and droughts become longer and more severe. Unless some method of storing huge amounts of water – such as underground cisterns – is undertaken in the near term, a greatly enlarged population simply will not be able to be supported here. The developers, of course, aren't bothered by this, as they will have collected their money and moved on.

Response No. F12-4:

The comment expresses general concern regarding droughts and water supply. The comment raises an issue that is beyond the scope of the Mission Village Project's Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Further, the Project's impacts to water supply previously were studied and evaluated in Section 4.8, Water Service, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. (Section 4.8's water supply/demand assessment addressed California's drought conditions and its effect on state and local water supplies.) The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to water supply would occur based on the information and analysis presented in the Recirculated Analysis. It also should be noted that, as of April 7, 2017, Governor Brown ended the drought statement of emergency in most of California, and state agencies released a long-term plan to better prepare the state for future droughts and make conservation a way of life.

Comment No. F12-5:

Another problem with the development is the lack of buffer zones to protect the sensitive biological resources in the riparian areas along the Santa Clara, Southern California's last major free-flowing river. Without significant buffer zones, the natural riparian corridor would most certainly be negatively affected by such urban forces as domestic predators (cats and dogs), pollution, diseases transmitted from domestic animals to wildlife, increased artificial light at night, disruption by pedestrians and off-road vehicles, etc. These extraordinary, and endangered, natural resources should be preserved as an important part of the public commons rather than paved over and developed for private profit.

Response No. F12-5:

The comment requests that significant buffer zones be established along the River corridor in order to avoid adverse consequences from urban development. The comment raises an issue that is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. However, for informational purposes, the Project's edge effects, which are attributable to the interface between developed and undeveloped areas, previously were studied and evaluated in Section 4.3, Biota, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to the environmental resources identified in the comment would occur based on the information and analysis presented in the Recirculated Analysis. Please also refer to **Response to Comment No. F13-15**. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F12-6:

The project also completely disregards the rights of the Chumash and other Native American tribes to their sacred burial sites and other cultural resources in the area proposed for Newhall Ranch. These tribes were here long before we were. Why do we insist on continuing to shove them aside – once again for financial gain? Would we want some organization with a lot of money to plow up and pave over *our* sacred spaces?

Response No. F12-6:

The comment states that the Project disregards the rights of Native American tribes. The issue raised by the comment is outside the scope of the Recirculated Analysis and, therefore, no further response is required. For informational purposes, the issue referenced was evaluated and studied in the Project's 2011 Final EIR (see Section 4.20, Cultural/Paleontological Resources), and the subject analysis was not determined to be inadequate by the courts. This comment offers no significant new information requiring additional analysis with respect to tribal/cultural resource issues. And, there is no evidence

that new impacts or substantially more severe impacts would occur because of the information and analysis presented in the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F12-7:

And there would be additional negative impacts on other fronts: increased air pollution, which is already a major problem in the Santa Clarita valley; vastly increased traffic in an area whose infrastructure is already inadequate; and the loss of nearly 1500 acres overall of rich agricultural land, whose long-term protection is extremely important for society's well-being.

Response No. F12-7:

The comment expresses general concern regarding traffic congestion, air pollution, and the loss of agricultural land. The comment does not address any particular aspect of the Recirculated Analysis. The comment also raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Therefore, no further response is required or can be provided. Nonetheless, for informational purposes, the issues referenced were evaluated and studied in the Project's 2011 Final EIR (see Section 4.5, Traffic Access; Section 4.7, Air Quality; and Section 4.16, Agricultural Resources), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis. And, there is no evidence that new impacts or substantially more severe impacts would occur because of the information and analysis presented in the Recirculated Analysis. Additionally, with respect to air quality, it should be noted that elements of the Mission Village Project's mitigation framework for greenhouse gas (GHG) emissions are anticipated to achieve co-benefits in the Southern California Air Basin due to corresponding emission reductions in criteria air pollutants. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F12-8:

Finally, the claim that Newhall Ranch will have net-zero emissions and will not contribute to climate change simply defies belief. Just because there would be outlets to charge electric vehicles in every house does not mean every house would have an electric vehicle – far from it. And the so-called “offsets” would be taken in other parts of the country or world.

Response No. F12-8:

The comment raises general concerns regarding the use of electric vehicles and off-site GHG reductions associated with the Project. The comment does not provide any evidence or identify a specific deficiency in the Recirculated Analysis; as such, no further response is required. Nonetheless, the following discussion is provided for informational purposes.

As for the provision of electric vehicle charging infrastructure, Mitigation Measure MV 4.23-4/2-4 requires the installation of Level 2 charging stations, not simply an “outlet,” as described in the comment. Relevant information regarding the penetration of zero emission vehicles in the Newhall Ranch community is provided in Appendix H of Appendix 2.1-A of the Recirculated Analysis.

As for the use of offsets, please see **Response to Comment No. O9-32** within **Letter No. E13**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the implementation and enforcement of the off-site GHG reductions. **Response to Comment No. O9-32**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), provide a broad overview of the performance standards underpinning the GHG Reduction Plan that ensure all GHG reductions used for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 are consistent with California Environmental Quality Act (CEQA) Guidelines Sections 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by “[o]ffsite measures, including offsets that are not otherwise required” and “[m]easures that sequester greenhouse gases”). The appropriateness of using offsets as CEQA mitigation for GHG emissions is well established. The GHG Reduction Plan, through the implementation of Direct Reduction Activities and the purchase of Carbon Offsets, meets the requirements of CEQA, as discussed in this response and **Responses to Comments Nos. O9-32** through **O9-67** within **Letter No. E13**, and CDFW’s responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F12-9:

They would not affect pollution in Santa Clarita, and the proposal indicates no method of measurement or insuring that they are even legitimate. Using this kind of offset for emissions reduction has proven unreliable in cap and trade programs elsewhere, and there is no reason to believe they would be any more effective in this situation.

Response No. F12-9:

The comment is largely the same as Comment No. F12-8. As such, please refer to **Response to Comment No. F12-8** above for relevant information.

Comment No. F12-10:

With so much public opposition to this proposal for so many years, it would seem obvious that it is *not* a good idea. At the public hearing I attended, the only speakers in favor of it were individuals whose business would financially benefit from it. In my opinion, personal enrichment cannot justify the negative environmental effects and damage to a precious and rare community resource – a river and floodplain that should be part of the public commons. There are other options for development, if there *must* be further development (and I would argue that there should *not* be in this area). For example, the project could be greatly reduced in size and moved to the eastern part of the property next to existing urban areas, which would provide an adequate buffer zone from the river and avoid development of the floodplain.

Response No. F12-10:

The comment expresses general opinions and general opposition to the Mission Village Project. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. For information purposes, it also is noted that alternatives to the Mission Village Project were discussed in Section 5.0, Project Alternatives, of the 2011 Final EIR; the County's evaluation and selection of the approved Project and the EIR's assessment of alternatives were not found to be deficient by the courts. In addition, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan.

Comment No. F12-11:

Again, I urge you to reject not only the first two phases (Landmark and Mission Villages) of the Newhall Ranch project, but the entire Newhall Ranch proposal as currently conceived and configured, and not certify the current environmental impact reports, which are incomplete and inadequate.

Response No. F12-11:

The comment expresses general opposition to the Mission Village Project, and requests that the Project be rejected and the EIR not be certified. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F13

Jason McCaffrey

Comment No. F13-1:

- Houses should not be built over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes.

Response No. F13-1:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3**, for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-2:

- The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F13-2:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the Revised Draft EIR (October 2011), for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-3:

- Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F13-3:

The comment notes the relationship between greenhouse gas (GHG) emissions and traffic congestion. To the extent this comment is addressing traffic congestion in general or vehicle emissions other than GHGs, this comment is beyond the scope of the Recirculated Analysis, as explained in **Topical Response 1: Scope of the Recirculated Portions of the EIR**. While traffic, air quality, and criteria pollutant concerns were raised in the underlying proceedings, such analysis was not found deficient by the courts. Although

no response is required for comments beyond the scope of the Recirculated Analysis, the following discussion is provided for informational purposes.

As background, the 2011 Revised Draft EIR evaluated the Mission Village Project's traffic volumes and the impact of those volumes on roadway capacity. Based on that analysis and the corresponding mitigation measures, the Mission Village Project will mitigate all of its traffic impacts to less-than-significant levels. The comment does not provide any evidence that traffic congestion would be different than what was analyzed in the Recirculated Analysis (and in the underlying proceedings). Further, implementation of the Mission Village Project's GHG emissions mitigation framework (see, e.g., Mitigation Measures MV 4.23-6/2-6 and MV 4.23/2-7) will serve to reduce vehicle miles travelled and Mission Village Project-related GHG emissions. No additional analysis of traffic is needed. See **Topical Response 3: Traffic Impact Analysis**.

Finally, GHG emissions generated by Mission Village Project-related traffic are accounted for in the Recirculated Analysis. The Mission Village Project's GHG emissions were estimated utilizing CalEEMod[®], a modeling platform developed for the California Air Pollution Control Officers Association (CAPCOA)¹ in collaboration with the South Coast Air Quality Management District (SCAQMD), the air district with jurisdictional boundaries covering the Project area. The modeling platform is currently used by numerous lead agencies (including Los Angeles County) when quantifying the GHG emissions associated with development projects undergoing environmental review. For purposes of the Mission Village Project's mobile source-related emissions estimates, CalEEMod[®] is designed to estimate operational, on-road mobile vehicle traffic generated by a project's land uses, and specifically accounts for the carbon dioxide (CO₂) emissions from running, start-up and idling vehicles.² Please see **Response to Comment No. O9-21** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for additional relevant information. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-4:

- The promise of zero GHGs sounds good on paper but the enforcement reality is lacking:

1 CAPCOA is a non-profit association of the air pollution control officers from all 35 local air quality agencies throughout California.

2 "Appendix A: Calculation Details for CalEEMod," prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), pp. 23-24, available at <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>. Accessed: February 17, 2017.

Response No. F13-4:

This comment states that the Mission Village Project's commitment to achieve net zero GHG emissions is lacking in enforcement. The comment does not provide any evidence to support this statement nor does the comment identify a specific deficiency in the Recirculated Analysis.

The GHG mitigation measures will be incorporated into a Mitigation Monitoring and Reporting Program (MMRP) as required by CEQA. The County of Los Angeles will enforce the implementation of all mitigation measures in accordance with the MMRP. Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13, which comprise the Project's GHG emissions reduction obligations, will be incorporated into the Project's MMRP and will be fully enforceable. For example:

- Mitigation Measures MV 4.23-1/2-1 and MV 4.23-2/2-2, which require submission of one or more Zero Net Energy ("ZNE") Confirmation Reports for residential and non-residential buildings and public facilities that demonstrates that such buildings are designed and will be constructed to achieve ZNE, must be reviewed by the County of Los Angeles, which must confirm that the development achieves the ZNE standard specified in these mitigation measures prior to the issuance of building permits for the Project or a portion of the Project by the County.
- Mitigation Measure MV 4.23-3/2-3, which requires submission of plans showing that all swimming pools in the Project area have been designed and will be constructed to use solar water heating or other technology with an equivalent level of energy efficiency, must be reviewed and approved by the County of Los Angeles prior to the issuance of building permits for private recreation centers by the County.
- Mitigation Measure MV 4.23-4/2-4, which requires submission of plans demonstrating that each residence in the Project will be equipped with an electric vehicle charging station and requires establishment and funding of an account for provision of subsidies for electric vehicle purchases, must be reviewed and approved by the County of Los Angeles prior to the issuance of residential building permits by the County.
- Mitigation Measure MV 4.23-5/2-5, which requires submission of plans demonstrating that parking areas for commercial buildings within the Project are equipped with electric vehicle charging stations for 7.5 percent of the total number of required parking spaces, must be reviewed and approved by the County of Los Angeles prior to the issuance of commercial building permits by the County.
- Mitigation Measure MV 4.23-6/2-6, which requires implementation of the Project's Transportation Demand Management ("TDM") Plan, must be reviewed and approved by the County of Los Angeles in conjunction with the development of village-level CEQA documentation and village-level applicability supplements to the TDM Plan prepared by a qualified transportation engineer.

- Mitigation Measure MV 4.23-7/2-7, which requires implementation of traffic signal coordination along several roads in the Project vicinity, must be reviewed and approved by the County of Los Angeles prior to the issuance of traffic signal permits by the County.
- Mitigation Measure MV 4.23-8/2-8, which requires the proof of funding for a zero emission school bus program within the Project be submitted to the County of Los Angeles, requires incremental funding to be demonstrated to the County as the school bus program is paced to village-level occupancy and student enrollment levels.
- Mitigation Measure MV 4.23-9/2-9, which requires the proof of funding for a zero emission transit bus program, be submitted to the County of Los Angeles, requires incremental funding to be demonstrated prior to the issuance of the 2,000th residential building permit for the Project and prior to every 2,000th residential building permit thereafter, with the issuance of such residential building permits contingent upon compliance with the Mitigation Measure.
- Mitigation Measure MV 4.23-11/2-11, which requires Direct Reduction Activities to improve the energy efficiency of existing buildings located in disadvantaged communities pursuant to the Building Retrofit Program, makes the issuance of building permits for development within the Project site contingent upon the implementation or funding of such Direct Reduction Activities.
- Mitigation Measure MV 4.23-12/2-12, which requires proof of installation of off-site electric vehicle charging stations in Los Angeles County, makes the issuance of building permits contingent upon satisfactory proof of such installations.
- Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13, which require the implementation of the GHG Reduction Plan, which expressly require the retirement of GHG Mitigation Credits and/or Carbon Offsets *prior* to the issuance of a grading permit (for construction GHG emissions; e.g., GHG emissions resulting from the operation of construction vehicles, vegetation removal, etc.) or building permit (for 30-year Project life GHG emissions), respectively. Specifically, under Mitigation Measure MV 4.23-10/2-10, prior to obtaining a grading permit, the Project Applicant must satisfy its mitigation obligation for all construction-related GHG emissions associated with the grading permit – which includes all construction-related and vegetation change GHG emissions from the start of grading through vertical construction – *before any grading begins*. Similarly, under Mitigation Measure MV 4.23-13/2-13, the Project Applicant must satisfy its mitigation obligation associated with the building permit – which includes all GHG emissions for the 30-year Project life for the portion of the Project covered by the building permit – *before building occupancy occurs*. Thus, mitigation compliance is completed before the activity in question begins and is enforced by Los Angeles County.

It is also noted that the mitigation framework in the Recirculated Analysis reflects the mitigation framework established by the RMDP/SCP Project's AEA (see Recirculated Analysis, pages 2.1-3, 2.1-39, 2.2-33). As memorialized in a letter from the Air Resources Board (ARB) to the California Department of Fish and Wildlife, dated November 3, 2016, the ARB concluded:

“ARB staff consulted with Department of Fish and Wildlife staff and technical experts at Ascent Environmental, the principal consultant assisting the Department. In doing so, ARB staff reviewed the technical documentation provided for the evaluation of the project’s total estimated GHG emissions and the reductions in emissions to be achieved through the mitigation measures. Based on staff’s review, CARB finds the documentation provides an adequate technical basis to determine that the project would not result in any net additional GHG emissions after the mitigation measures are fully implemented.”

Please see **Response to Comments Nos. 09-24, -29, -30, and -37** within Letter No. E13, and CDFW’s responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the implementation and enforcement of the mitigation measures related to Zero Net Energy standards, EV charging stations and subsidies, and the GHG Reduction Plan. As described above, all elements of the mitigation measures are fully enforceable under the MMRP and the Recirculated Analysis’ conclusion that the Mission Village Project will result in net zero GHG emissions is supported by substantial evidence. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-5:

There are no safeguards to track the future offsets that will need to be bought;

Will the offsets actually exist to be bought? Will enough offsets be available? Who will assure that the offsets are actually bought?

Who will assure that the offsets are actually effective to offset the amount of GHGs needed to be offset?

Response No. F13-5:

This comment raises several questions regarding the use of carbon offsets to mitigate the Mission Village Project’s GHG emissions. The comment does not provide any evidence or identify a specific deficiency in the Recirculated Analysis. The comment asks for clarity as to whether enough Carbon Offsets will be available for purchase, whether the requirement to purchase carbon offsets will be enforced, and whether the carbon offsets that are purchased will be effective to offset GHG emissions as required.

Please see **Response to Comment No. 09-32** within **Letter No. E13**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the use of direct reduction activities and carbon offsets to mitigate the Mission Village Project’s emissions through the GHG Reduction Plan. **Response to Comment No. 09-32** within **Letter No. E13**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), provide a broad overview of the mitigation measures and the performance standards underpinning the GHG Reduction Plan which ensure that all

GHG reductions used for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 are consistent with CEQA Guidelines Section 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by “[o]ff-site measures, including offsets that are not otherwise required” and “[m]easures that sequester greenhouse gases”). The GHG Reduction Plan, through the implementation of Direct Reduction Activities and the purchase of Carbon Offsets meets the requirements of CEQA, as discussed in this Response and **Responses to Comment Nos. 09-32 through 09-67 within Letter No. E13**, and CDFW’s responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis).

As required by Mitigation Measure MV 4.23-13/2-13, the Project Applicant will primarily achieve GHG reductions through the implementation or funding of Direct Reduction Activities or, if necessary, by purchasing Carbon Offsets. Section VI of the GHG Reduction Plan identifies the three compliance options permitted by Mitigation Measure MV 4.23-13/2-13 (GHG emissions associated with a 30-year Project life). Former Compliance Option No. 2 has been eliminated, which removes the option for the Applicant to provide a guarantee of compliance (see Sections 2.1, 2.2 and 2.4 of the Final Recirculated Analysis for revised Mitigation Measure MV 4.23-13/2-13, with this option deleted). Section VII of the GHG Reduction Plan identifies the two compliance options permitted by Mitigation Measure MV 4.23-10/2-10 (GHG emissions associated with Project construction). Section VIII establishes the compliance confirmation process by the Approved Registry, with the Approved Registry providing retirement documentation in a form that can be provided by the Applicant to the County of Los Angeles to demonstrate compliance. The Project Applicant must also provide a written attestation from an Approved Registry to Los Angeles County where the attestation confirms that the retired GHG Mitigation Credits or Carbon Offsets satisfy the performance criteria established in Section IX of the GHG Reduction Plan. Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 are incorporated into the Mitigation Monitoring and Reporting Program, as enforced by Los Angeles County.

The timing requirements of Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 ensure the retirement of GHG Mitigation Credits and/or Carbon Offsets *prior to* issuance of a grading permit (for construction GHG emissions; e.g., GHG emissions resulting from the operation of construction vehicles, vegetation removal, etc.) or building permit (for 30-year Project life GHG emissions), respectively. Retiring a GHG Mitigation Credit or Carbon Offset eliminates it from further use and avoids any double counting. A GHG Mitigation Credit or Carbon Offset cannot be retired until it is first issued by an Approved Registry in accordance with the Approved Registry’s protocols for the activity in question, with the Approved Registry attestation noted above. Specifically, under Mitigation Measure MV 4.23-10/2-10, prior to obtaining a grading permit, the Project Applicant must satisfy its mitigation obligation for all construction-related GHG emissions associated with the grading permit – which includes all construction-related and vegetation change GHG emissions from the start of grading through vertical

construction – *before any grading begins*. Similarly, under Mitigation Measure MV 4.23-13/2-13, the Project Applicant must satisfy its mitigation obligation associated with the building permit – which includes all GHG emissions for the 30-year Project life for the portion of the Project covered by the building permit – *before building occupancy occurs*. Thus, mitigation compliance is completed before the activity in question begins and is enforced by Los Angeles County.

As stated above, all GHG Mitigation Credits and Carbon Offsets must meet the performance standards in Section IX of the GHG Reduction Plan, as revised (see Appendix 2.7.1 of the Final Recirculated Analysis). Among other standards, this requires a Direct Reduction Activity to meet additionality requirements and to be fully implemented and confirmed by an accredited, independent third party in accordance with approved methodologies from an Approved Registry.

As explained in **Response to Comment No. F13-4**, compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 will be enforced by the County. As to the concern that there may not be an adequate supply of Carbon Offsets to purchase if needed for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13, please see **Response to Comment O9-40** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis). As explained therein, the Applicant will primarily reduce GHG emissions through Direct Reduction Activities. To the extent that the Applicant is required to purchase Carbon Offsets, an ample supply is and will be available. Tens of millions are currently available or being generated, and even if demand increases, it is reasonable to assume that market forces will spur the development of new offset projects.

As to the question of whether carbon offsets are effective at reducing GHG emissions, it is well established that carbon offsets can be used as CEQA mitigation. See CEQA Guidelines Section 15126.4(c)(3) and (c)(4). In promulgating the CEQA Guidelines for GHG mitigation, the California Natural Resources Agency (CNRA) and the Governor's Office of Planning and Research (OPR) addressed the legitimacy of offsets as follows:³

“ The Initial Statement of Reasons...cites several sources discussing examples of offsets being used in a CEQA context. Further, the California Air Resources Board (ARB) Scoping Plan describes offsets as way to provide regulated entities a source of low-cost emission reductions, and ... encourage the spread of clean, efficient technology within and outside California. The Natural Resources Agency finds that the offset concept is consistent with the existing CEQA Guidelines' definition of 'mitigation,' which includes rectifying the impact by repairing, rehabilitating, or restoring the impacted environment and compensating for the impact by replacing or providing substitute resources or environments.”

³ California Natural Resources Agency, Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97 (December 2009).

Moreover, under AB 900, the Jobs and Economic Improvement Through Environmental Leadership Act, certain CEQA streamlining benefits were provided to “environmental leadership” projects that met the conditions of the bill. One of the key conditions was that the project offset all of its emissions to be GHG neutral. (Pub. Resources Code, Section 21183(c).) The applicant must submit to ARB documentation establishing that the project will not result in any net additional GHG emissions, and ARB then makes a determination on this issue for the Governor. To date, multiple projects have been designated as AB 900 leadership projects that have made a commitment to purchase GHG credits from the voluntary carbon marketplace to ensure carbon neutrality, including the Crossroads Hollywood Project (a mixed-use, residential and commercial project), Qualcomm Stadium Reconstruction Project, the Event Center and Mixed Use Development at Mission Bay Blocks, and 8150 Sunset Boulevard.⁴

In sum, the GHG Reduction Plan establishes a robust procedural framework and identifies specific performance standards to ensure the GHG reductions relied upon for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 satisfy CEQA. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-6:

How will the use of electric cars be monitored and enforced in order to gauge if the touted GHG reductions actually occur?

Response No. F13-6:

The comment requests information regarding how the use of electric cars will be monitored and enforced. As provided in Section 2.4 of the Final Recirculated Analysis, which contains the Mission Village Project’s MMRP, the implementation of the Mission Village Project’s mitigation requirements will be overseen by the County of Los Angeles, which is the local agency with land use jurisdiction over the Project site. Pursuant to the MMRP, implementation of Mitigation Measure MV 4.23-4/2-4 will be monitored by tracking the utilization of the zero emission vehicle (ZEV) purchase subsidies. Additionally, with respect to on-site charging equipment infrastructure required by Mitigation Measures MV 4.23-4/2-4 and MV 4.23-5/2-5, the MMRP requires the County to review and approve building design plans that provide for the installation of such infrastructure prior to the issuance of building permits for site development. Finally, for purposes of Mitigation Measure MV 4.23-12/2-12’s requirement to install off-site charging equipment infrastructure, the MMRP requires the County to receive proof of the installation of such infrastructure prior to the issuance of building permits for site development at specified intervals. Each of the MMRP’s monitoring parameters are designed and intended to ensure that the Mission Village Project provides the necessary ZEV purchase subsidies and on- and off-site

⁴ Information on current AB 900 leadership projects is found at: Available at: https://www.opr.ca.gov/s_californiajobs.php.

charging equipment infrastructure that were relied upon in the GHG emission reduction calculations. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-7:

All these assurances need to be codified as enforceable mitigation measures.

Response No. F13-7:

The comment states that all “assurances” relating to the mitigation measures “need to be codified.” In response, and in accordance with the requirements of CEQA, any approvals issued by County necessarily will be coupled with the adoption of a Project-specific MMRP. The provisions of the MMRP that pertain to the environmental resource issues analyzed in this Final Recirculated Analysis are located in Section 2.4 of the Final Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-8:

The project is still too big and impactful to the Valley and flies in the face of 21st century smart planning – it needs to be significantly scaled back and away from the Santa Clara River

Response No. F13-8:

The comment states that the Mission Village Project is “too big,” “flies in the face of 21st century smart planning,” and needs to be “scaled back and away from the Santa Clara River.” The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Further, the comment appears to raise issues that are beyond the scope of the Recirculated Analysis, which – as discussed in Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016) – was delineated to be responsive to pertinent court decisions (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Further, the comment does not offer any evidence that the proposed modifications covered by the Recirculated Analysis affect the size or scale of the overall development; therefore, this issue has not changed since the prior EIR. Nonetheless, for informational purposes, the following discussion is provided.

The development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that accords to principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles’ 2003 approval of the Newhall Ranch Specific Plan. Finally, impacts to the Santa Clara River were comprehensively evaluated in the 2011 Final EIR, and the comment has

identified no changed circumstances that would trigger a re-evaluation of such impacts. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-9:

- Where's the analysis of the methane that will be generated from trash created by this massive project, what about emissions from trash truck – the GHG analysis is not sufficient

Response No. F13-9:

The comment asks whether the Recirculated Analysis' GHG emissions analysis accounts for the methane associated with solid waste disposal, as well as the GHG emissions associated with haul truck trips necessary to transport Mission Village Project-related solid waste. The comment does not offer any evidence that the proposed modifications covered by the Recirculated Analysis affect emissions described in this comment; therefore, this issue has not changed since the Mission Village Final EIR (May 2011), which was certified by the Los Angeles County Board of Supervisors on October 15, 2011 (hereafter referred to as the "prior EIR"). In response, the modeling platform -- CalEEMod® -- utilized in the Recirculated Analysis accounts for the "GHG emissions associated with the decomposition of the waste, which generates methane based on the total amount of degradable organic carbon." (Draft Recirculated Appendix 2.1-A, p. 9.) As such, the "Waste Disposed" inventory data presented in the pertinent tables of the Recirculated Analysis (e.g., Table 2.1-3) discloses the methane emissions referenced in the comment.

Similarly, CalEEMod® bases its operational mobile source emissions estimates on a fleet mix developed by the ARB, in conjunction with its EMFAC model, which contains heavy duty and diesel trucks.⁵ These heavy duty and diesel trucks generally are not associated with trips made by Project residents or employees, and thus using these heavy duty vehicle emission factors accounts for emissions from other vehicle trips, such as solid waste hauling trips. Relatedly, the trip generation rates utilized in the Project's traffic impact analysis were determined based on various sources, including an approved travel demand model (the Santa Clarita Valley Consolidated Traffic Model), and include all typical trip generation activities for a development of this type, including trash hauling trips. As such, the "Traffic Sources" inventory data presented in the pertinent tables of the Recirculated Analysis (e.g., Table 2.1-3) discloses the GHG emissions created by the hauling of Project-related solid waste. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

⁵ "Appendix A: Calculation Details for CalEEMod," prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), p. 29, available at <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>. Accessed: February 17, 2017.

Comment No. F13-10:

- The severe water cutbacks required in the SCV in the last six years are new information showing that we cannot accommodate this massive project with our current water resources. That water table dropped 70 feet and several wells went dry.

Response No. F13-10:

The comment states that severe water cutbacks in the last six years are “new information” showing that the Mission Village Project cannot be accommodated with our current water resources; the comment also states that the water table dropped 70 feet and several wells went dry. The comment does not offer a critique of the Recirculated Analysis or any evidence that the proposed modifications covered by the Recirculated Analysis affect water resources. The issue raised in this comment is also outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required. In addition, this comment is substantively the same as Comment No. F1-5. Please refer to **Response to Comment No. F1-5**, for a discussion of issues related to the availability of water to meet the water demand attributable to development associated with the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-11:

- There have been a lot of articles about how offsets are often a green washing scam. What guarantee do we have that the offsets being purchased as GHG mitigation will result in measurable, provable, reductions in GHG emissions beyond what would have otherwise occurred?

Response No. F13-11:

This comment questions whether Carbon Offsets, which may be purchased by the Applicant for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13, will result in measurable GHG reductions beyond what would have otherwise occurred. The comment does not provide any evidence to support this statement and does not identify a specific deficiency in the Recirculated Analysis.

Please see **Response to Comment No. F13-5** and **Response to Comment No. 09-32** within Letter No. E13, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis). As discussed in **Response to Comment No. 09-32** within Letter No. E13, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), Offset registries have developed a broad consensus around the standards that are necessary to ensure that offsets are environmentally sound, namely, that offsets be real, permanent, quantifiable, verifiable, enforceable, and additional, defined as follows:

- “Real”: offsets may only be issued for emissions reductions that are a result of complete emissions accounting.
- “Permanent”: projects must demonstrate that the emissions reductions that have occurred are permanent and will not be reversed. For example, in the context of forestry, offset project developers must demonstrate that the carbon sequestered in the trees of the forest will not be released to the atmosphere after the fact, i.e., that the trees will not be cut down.
- “Quantifiable”: projects must rigorously quantify the emissions reductions from a project, and may only receive credits in an amount corresponding to emissions that they have actually quantified. Project developers must ensure the accuracy of their emissions accounting by adhering to standardized quantification methodologies called “protocols,” which are discussed further below.
- “Validated”: to receive offset credits, emission reductions must be well documented and transparent enough to be capable of objective review by a neutral, third party verifier.
- “Enforceable”: in order to be eligible to generate offset credits from reputable programs, the implementation of the offset project must represent the legally binding commitment of the offset project developer. Once the developer undertakes the project, the developer is under a legal obligation to carry it out.
- “Additional”: the greenhouse gas emissions reductions generated by a project must be “additional,” meaning that they are only eligible to generate offset credits if they would not have occurred without the offset project. Project developers must ensure additionality by adhering to the applicable protocol, as discussed further below.

All Carbon Offsets used for compliance with the Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 shall be real, additional, quantifiable, permanent, verifiable and enforceable, among other performance standards identified in the GHG Reduction Plan. The GHG Reduction Plan requires the Project Applicant to submit an attestation from an Approved Registry that the Carbon Offsets meet the performance standards identified in the GHG Reduction Plan prior to retiring and relying upon any Carbon Offsets. Further, all GHG Mitigation Credits used for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 must meet the performance standards identified in the GHG Reduction Plan, including “additionality” requirements, as detailed in **Response to Comment Nos. 09-35 and 09-41** within **Letter No. E13**, and CDFW’s responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis).

In sum, the GHG Reduction Plan establishes a robust procedural framework and identifies specific performance standards to ensure the GHG reductions relied upon for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 satisfy CEQA. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-12:

- Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F13-12:

This comment appears to rely on a premise that the Applicant will be purchasing carbon offsets generated in other countries. The comment does not provide any evidence to support this statement and does not identify a specific deficiency in the Recirculated Analysis.

Please see **Response to Comment No. F13-5**, **Response to Comment No. 09-32** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis). As discussed therein, the GHG Reduction Plan establishes a robust procedural framework and identifies specific performance standards to ensure the GHG reductions relied upon for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 satisfy CEQA.

The comment appears to be referring to one of the proposed Direct Reduction Activities included in the GHG Reduction Plan, which involves investment in clean cookstoves in Africa. Please see **Response to Comment 09-53** within Letter No. E13, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the clean cookstove projects. As explained therein, the Applicant has initiated a pilot program for installation of clean cookstoves in Zambia and has retained an independent, qualified third party to audit or "confirm" implementation of the Direct Reduction Activity on the ground and estimate the reduction of CO₂ emissions that will result from the cookstoves. This estimate will rely upon a quantification methodology adopted by an Approved Registry taking into account the expected life of cookstoves in the field and other factors. The independent, qualified third party will provide a technical report containing the results to the Approved Registry for its review and approval. Upon receipt of the technical report from the third party auditor, the Approved Registry will review the documentation and determine its compliance with the approved quantification methodology. If confirmed by the Approved Registry, the Approved Registry will confirm the issuance of the GHG Mitigation Credit.

As to enforceability, as explained above in **Response to Comment No. F13-4**, compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 will be enforced by the County. Specifically, under Mitigation Measure MV 4.23-10/2-10, prior to obtaining a grading permit, the Project Applicant must satisfy its mitigation obligation for all construction-related GHG emissions associated with the grading permit – which includes all construction-related and vegetation change GHG emissions from the start of grading through vertical construction – *before any grading begins*. Similarly, under Mitigation Measure MV 4.23-13/2-13, the Project Applicant must satisfy its mitigation obligation associated with the building

permit – which includes all GHG emissions for the 30-year Project life for the portion of the Project covered by the building permit – *before building occupancy occurs*. Thus, mitigation compliance is completed before the activity in question begins and is enforced by Los Angeles County.

Finally, the comment regarding local air pollution is beyond the scope of the Recirculated Analysis, and no further response is required. See **Topical Response 1: Scope of the Recirculated Portions of the EIR**.

Comment No. F13-13:

- No mention or itemization of the external creators of GHG for this project, like methane from waste disposal, energy production for water delivery and desalination of waste water, off site energy production for infrastructure, auto and truck deliveries and other uses is not in the Environmental document because those chapters are excluded from the document. These issues must be discussed in order for the document to be valid.

Response No. F13-13:

The comment states that various “external creators” of GHG emissions are not mentioned or itemized in the Recirculated Analysis. However, the Recirculated Analysis includes the indirect emissions (i.e., “external creators”) consistent with the methodological parameters established by CAPCOA and CalEEMod[®]. Specifically, for information regarding the Recirculated Analysis’ quantification of methane emissions associated with solid waste disposal, please see **Response to Comment No. F13-9** above. As for emissions associated with the delivery of water and treatment of wastewater, in accordance with the parameters of CalEEMod[®], the Recirculated Analysis accounted for the “[i]ndirect GHG emissions [that] result from the production of electricity to convey, treat, and distribute the project’s water and wastewater.” (Draft Recirculated Analysis, Appendix 2.1-A, Section 3.3.3, p. 44.)⁶ As for off-site energy production, the Recirculated Analysis includes estimates for off-site electricity production in accordance with CalEEMod[®]. (See Draft Recirculated Analysis, p. 2.1-25; Draft Recirculated Analysis Appendix 2.1-A, Section 3.) Finally, as for auto and truck deliveries, the Recirculated Analysis specifically accounted for “on-road mobile sources,” which are generated by “residents, workers, customers, and delivery vehicles visiting the land uses developed as part of the project.” (Draft Recirculated Analysis, Appendix 2.1-A, Section 3.3.5, p. 46.) As described above, in **Response to Comment No. F13-9**, the vehicle fleet utilized in CalEEMod[®] is based on the ARB’s vehicle fleet parameters for its EMFAC model, and necessarily includes a mix of light-, medium- and heavy-duty vehicles. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

⁶ See also “Appendix A: Calculation Details for CalEEMod,” prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), p. 33, available at <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>. Accessed: February 17, 2017.

Comment No. F13-14:

- Our Valley is already out of federal compliance for dust pollution (PM10 and PM_{2.5}) that causes asthma and permanent lung damage and affects our children's health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F13-14:

This comment is substantively the same as Comment Nos. F1-6, F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-6, F1-7 and F1-8**, for a discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-15:

- To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F13-15:

The comment states that the Mission Village Project should be moved away from the Santa Clara River to protect the river's water quality and endangered fish.

As an initial matter, the comment does not raise any issue as to the adequacy of the Recirculated Analysis and does not offer any evidence that the proposed modifications covered by the Recirculated Analysis would affect the project's proximity to the Santa Clara River. In addition, the comment is vague as to what aspects of the Santa Clara River's water quality would be adversely affected by the Mission Village Project's planned location; nor does the comment explain how the Mission Village Project's planned location would affect endangered fish. Moreover, the Recirculated Analysis is focused on the Mission Village Project's GHG emissions and No Water Contact approach to constructing bridges and bank stabilization (please see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016) for information regarding the Recirculated Analysis' scope) (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Nothing in the comment indicates that either of these aspects of the Mission Village Project would affect water quality or endangered fish species. Although no additional response is needed, the following discussion is provided for informational purposes.

Note also that the 2011 Final EIR analyzed, disclosed, and where necessary, recommended mitigation measures for the Mission Village Project's water quality impacts. That portion of the 2011 Final EIR has been upheld and is no longer subject to review or challenge. The 2011 Final EIR also analyzed the Mission Village Project's impacts on special status fish species. This analysis, too, was upheld as adequate, although two mitigation measures in the CDFW Resource Management and Development

Plan and Spineflower Conservation Plan (RMDP/SCP) – BIO-44 and BIO-46 – were deemed invalid due to conflicts with Fish and Game Code Section 5515. Because County-adopted Mission Village Mitigation Measures MV 4.3-8 and MV 4.3-9 are substantially similar to CDFW Mitigation Measures BIO-44 and BIO-46, they must be replaced or eliminated. As explained in the Recirculated Analysis, the No Water Contact approach to bridge construction was developed expressly to avoid impacts to sensitive fish species, including the unarmored threespine stickleback, and eliminate the need for Mitigation Measures MV 4.3-8 and MV 4.3-9. The Recirculated Analysis fully evaluates whether and to what extent the revised construction approach will affect the aquatic environment of the Santa Clara River. (See Draft Recirculated Analysis, pp. 2.2-1—2.2-39.) Finally, any effort to move the Mission Village Project would likely trigger additional environmental effects that would have to be evaluated. Given that the Mission Village Project’s current location has been extensively analyzed in terms of impacts on water quality, biology, and virtually every other impact category, there is no need to require that the Mission Village Project be moved. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-16:

- Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F13-16:

The comment states that filing the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley. The comment does not raise any issue as to the adequacy of the Recirculated Analysis and does not offer any evidence that the proposed modifications covered by the Recirculated Analysis would affect the level of fill associated with the Project. The comment reiterates the issue regarding the intersection of floodplain-related grading activities and air quality previously addressed in **Response to Comment No. F13-14**; please refer to that comment response for additional information. As for water replenishment, like air quality, that issue is beyond the scope of the Recirculated Analysis (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Further, to the extent that the commenter’s use of “water replenishment” is referring to groundwater recharge, the subject of groundwater recharge was previously studied and evaluated by the County in Section 4.8, Water Services, of the Mission Village Project’s 2011 Revised Draft EIR. The comment does not identify any flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis. Finally, the comment offers no evidence that the changed circumstances criteria set forth in CEQA Guidelines Section 15162 have been met. There is no evidence that new impacts or substantially more severe impacts to groundwater recharge would occur because of the information and analysis presented in the

Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F13-17:

- There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has happened in the valley oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, oaks dying)

Response No. F13-17:

The comment states that there should be a quarter-mile buffer around the spineflower preserves to protect the state-listed endangered San Fernando Valley spineflower. The comment also contends that the current endowment for the spineflower preserve system is not sufficient to protect the species. The comment then cites the “valley oaks Savannah” SEA 64 as an example where a preserve was not properly funded resulting in “no trails as promised, inadequate management to preserve the oaks, oaks dying.”

The comment does not raise any issue as to the adequacy of the Recirculated Analysis and does not offer any evidence that the proposed modifications covered by the Recirculated Analysis would affect the buffer around spineflower preserves. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Please refer to **Response to Comment No. F1-2**, for a discussion of issues related to buffer distance around the spineflower preserves and the endowment for the spineflower preserve system (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F14

Heather Shields

Comment No. F14-1:

Thank you for taking the time to read public comments regarding the two proposed towns along the Santa Clara River. I have several concerns with the two projects proposed.

Response No. F14-1:

This is an introduction to comments that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F14-2:

In the Landmark Village EIR, it states that “given the presence of a culvert underneath SR-126..., wildlife could cross under SR-126 and continue to move north through Chiquito Canyon.” The link to the BIOS viewer by the CDFW was incorrect in the EIR, but I did finally find the map of the Essential Connectivity Areas surrounding the project. On this map, the red area is the Essential Connectivity Area. The culvert is outside of the ECA. It also doesn’t state how big the culvert is. Is it big enough for a Mountain Lion to fit through, or just a field mouse?

Response No. F14-2:

This comment pertains to the Landmark Village Project, and does not address the Mission Village Project or raise an environmental issue regarding the adequacy of the Recirculated Portions of the EIR (Recirculated Analysis) for the Mission Village Project. Therefore, no further response is required.

Comment No. F14-3:

In the “Significant Unavoidable Impacts” section of Landmark’s EIR, it states that even with mitigation efforts, “the proposed project’s contribution to cumulative impacts to coastal scrub would remain significant.” Earlier in the EIR, it was stated that native wildlife, protected and common, were most abundant in coastal scrub, margins of agricultural fields, riparian woodland, and grassland habitats. In significantly impacting the coastal scrub, developing the agricultural fields, woodlands and grasslands, where is the wildlife to go?

Response No. F14-3:

This comment pertains to the Landmark Village Project, and does not address the Mission Village Project or raise an environmental issue regarding the adequacy of the Recirculated Analysis for the Mission Village Project. Therefore, no further response is required.

Comment No. F14-4:

Several places the EIR states that an Integrated Pest Management Plan will address the use of pesticides and prohibit the use of anticoagulant rodenticides. However, other places in the EIR, it states “A program of aggressive rodent control shall be implemented to control burrowing on slope areas.” What is “aggressive rodent control” and what are the slope areas? The banks of the Santa Clara River? Rodenticides are not only extremely toxic to predators, but also to fish and marine wildlife. If aggressive rodent control means that they will be using rodenticides to control burrowing rodents on the banks of the river, then the “take” of the unarmored threespine stickleback should be the least of our concerns for this endangered fish.

Response No. F14-4:

The comment refers to the Mission Village Project’s Integrated Pest Management Plan, which is required by Mitigation Measure MV 4.3-45, as set forth in Section 4.3, Biota, of the 2011 Final EIR. It is noted that, as part of Mitigation Measure MV 4.3-45, the Covenants, Conditions, and Restrictions (CC&Rs) for each tract map “shall include language that prohibits the use of anticoagulant rodenticides in the project site.” It also is noted that Section 4.22, Water Quality, of the 2011 Final EIR requires Mitigation Measure 4.22-2, which calls for preparation and implementation of a Landscape and Integrated Pest Management Plan.

The comment’s reference to “aggressive rodent control” cannot be located in the 2011 Final EIR or the Recirculated Analysis. Further, the issue (i.e., effects to environmental resources caused by rodenticides) raised by the comment is outside the scope of the Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F14-5:

The IPM will only dictate how rodenticides will be used during construction. With the thousands of residential and commercial units being built near the river, there is no stopping these new residents and retail units from using anticoagulant rodenticides and any kind of rodenticide, for that matter (even the non-anticoagulant forms are extremely toxic to marine life). The runoff from potential landscape watering and infrequent rain showers can and will flush these toxins into the river and harm the marine life living there. This area is also rife with raptors and mammalian predators that are at risk of preying on a poisoned rodent. The IPM is useless after construction is complete.

Response No. F14-5:

The comment states that the Project's Integrated Pest Management Plan only dictates how rodenticides will be used during construction. While this comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**), such that no response is required, it is noted that the comment's statement is not consistent with the plain language of Mitigation Measure MV 4.3-45, which is not limited to construction-related activities. Further, the Project's impacts to biological resources and water quality previously were studied and evaluated in Section 4.3, Biota, and Section 4.22, Water Quality, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to biological resources or water quality would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F14-6:

Thank you for taking the time to listen to our concerns. I hope that you will take steps to ensure that our wildlife is protected to the furthest extent.

Response No. F14-6:

This comment provides a conclusion to the comments raised above. No further response is required. Nonetheless, for informational purposes, responsive information about the avoidance, minimization and mitigation of impacts to wildlife is analyzed extensively in Section 4.3, Biota, of the 2011 Mission Village Final EIR.

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COMMENT LETTER NO. F15

Elliot Bronwein - 2
Santa Clarita Resident

Comment No. F15-1:

Right now, the Santa Clarita Valley has too much traffic and air pollutants. The development of these thousands of new homes in Santa Clarita does not address these issues; it simply exacerbates the problem. It may be good for business but horrible for residents.

Response No. F15-1:

The comment expresses general concerns regarding the Project's impacts on traffic and air quality. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis). The issues raised by the comment are also outside the scope of the Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. As such, no further response is required or can be provided. Nonetheless, for informational purposes, the issues referenced were evaluated and studied in the Mission Village Project's 2011 Final Environmental Impact Report (EIR) (see, e.g., Section 4.7, Air Quality and Section 4.5, Traffic/Access), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. This comment offers no significant new information requiring additional analysis with respect to air quality or traffic. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways. Additionally, it is noted that elements of the Project's suite of mitigation measures for greenhouse gas (GHG) emissions are anticipated to achieve co-benefits in the Southern California Air Basin due to corresponding emission reductions in criteria air pollutants.

Comment No. F15-2:

It is highly unrealistic to assume that all the new residents would drive electric cars.

Response No. F15-2:

The comment states that the use of electric cars is "highly unrealistic." The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. Nonetheless, please see Section 2.3, Errata to Mitigation Monitoring and Reporting Plan (MMRP), of the Recirculated Analysis. As provided therein, the implementation of the Mission Village Project's mitigation requirements will be overseen by the County

of Los Angeles, which is the local agency with land use jurisdiction over the Project site. Pursuant to the MMRP, implementation of Mitigation Measure MV 4.23-4/2-4 will be monitored by tracking the utilization of the zero emission vehicle (ZEV) purchase subsidies. Additionally, with respect to on-site charging equipment infrastructure required by Mitigation Measures MV 4.23-4/2-4 and MV 4.23-5/2-5, the MMRP requires the County to review and approve building design plans that provide for the installation of such infrastructure prior to the issuance of building permits for site development. Finally, for purposes of Mitigation Measure MV 4.23-12/2-12's requirement to install off-site charging equipment infrastructure, the MMRP requires the County to receive proof of the installation of such infrastructure prior to the issuance of building permits for site development at specified intervals. Each of the MMRP's monitoring parameters are designed and intended to ensure that the Mission Village Project provides the necessary ZEV purchase subsidies and on- and off-site charging equipment infrastructure that were relied upon in the GHG emission reduction calculations.

Comment No. F15-3:

Even if they did, there would still be the massive traffic problem.

Response No. F15-3:

The comment expresses general concerns regarding the Project's impacts on traffic. This comment is substantively similar to Comment No. F15-1; therefore, please see **Response to Comment No. F15-1** above for relevant information that is responsive to this comment.

Comment No. F15-4:

The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F15-4:

This comment states that the traffic analysis for the Mission Village Project should be updated. Please see **Response to Comment No. F15-1** above and **Topical Response 3: Traffic Impact Analysis** for relevant information that is responsive to this comment.

Comment No. F15-5:

Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F15-5:

This comment refers to the relationship between greenhouse gases and traffic congestion. Please refer to **Response to Comment No. O9-16** within Letter No. E13, CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), and **Response to Comment No. F13-3** for relevant information that is responsive to this comment. As discussed therein, the GHG-related implications of the Project's mobile sources (i.e., traffic-generated vehicles) are accounted for in the GHG emissions inventory data presented in Section 2.1 of the Recirculated Analysis.

Comment No. F15-6:

Putting car chargers in every garage, and solar panels on every home does 'nothing' to address the ensuing traffic and pollution problems.

Response No. F15-6:

The comment questions whether including electric vehicle chargers and solar panels addresses traffic and pollution concerns. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis). The issues of traffic and air pollution are also beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required. Please also see **Response to Comment No. F15-1** above for additional information on traffic and air quality. To the extent that the comment's general reference to "pollution" is intended to encompass GHG emissions, the comment offers no specific critique regarding the extensive assessment presented in Section 2.1 and Appendix 2.1-A of the Recirculated Analysis to substantiate the emissions reduction calculations, and no further response is required.

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COMMENT LETTER NO. F16

Tom Budlong
3216 Mandeville Canyon Road
Los Angeles, CA 90049

Comment No. F16-1:

Impacts of the Newhall Ranch Mission and Landmark projects in the Santa Clara Valley can only be understood and evaluated by an Environmental Impact Report, as required by CEQA. In this fast changing world the old Newhall Specific Plan is insufficient.

Response No. F16-1:

The comment expresses general concerns regarding the environmental review process and the Newhall Ranch Specific Plan. The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis). Therefore, no further response is required. However, please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional information regarding the court decisions and the California Environmental Quality Act (CEQA) requirements that were referenced in determining the scope of the Recirculated Analysis that was circulated for public review and comment. Additionally, it is noted that the Mission Village Project has its own project-level EIR, and does not rely exclusively on the program-level Environmental Impact Report (EIR) certified by the County of Los Angeles in 2003 for the Newhall Ranch Specific Plan.

Comment No. F16-2:

You must require an EIR be created so we can all see the range and level of impacts, including knowledge of other projects in the area. The cumulative impact an EIR would be of great interest. We all, officials and the public, must be informed and aware of cumulative impacts.

Response No. F16-2:

The comment indicates that an EIR needs to be created to evaluate the range and level of impacts, with specific concern expressed for cumulative impacts. The comment does not identify any specific deficiency in the Recirculated Analysis nor address an issue within the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Therefore, no additional response is required. For informational purposes, the Mission Village Project's 2011 Final EIR evaluated cumulative impacts. Based on the comments and the cumulative impacts already assessed, the County has determined there are no identified substantial changes in the Mission Village Project or its circumstances that warrant any further review or analysis of the Mission Village Project's cumulative impacts.

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COMMENT LETTER NO. F17

Teri Byrne
22411 Holly Ct.
Santa Clarita, Ca. 91390

Comment No. F17-1:

I am a resident of the Santa Clarita Valley and I have the following concerns regarding the Mission & Landmark Village Projects:

Response No. F17-1:

The comment is an introduction to the comments that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F17-2:

-Traffic on the I-5 is currently a nightmare. I understand that the supplemental document does not include a traffic chapter. It would be terribly irresponsible to approve this project without the benefit of a Traffic analysis that is based on current conditions.

Response No. F17-2:

This comment is substantively the same as Comment No. F1-4, and raises an issue that is beyond the scope of the Project's Recirculated Portions of the EIR (Recirculated Analysis). Please refer to **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional information regarding the CEQA requirements and court decisions that determined the scope of this analysis. Please also see **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the Mission Village 2011 Final EIR (2011 Final EIR) for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F17-3:

-Water resources were greatly strained during our recent drought. The water table dropped 70 feet and several wells went dry. These projects cannot be accommodated by our current water resources.

Response No. F17-3:

This comment is substantively the same as Comment No. F13-10, and raises an issue that is beyond the scope of the Project's Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Please refer to **Response to Comment No. F13-10** for a discussion of issues related to the availability of water to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F17-4:

I hope that you will consider the impact that these projects will have on traffic and water resources during this approval process.

Response No. F17-4:

The comment requests that the County consider the impacts of the Mission Village Project on traffic and water resources during the approval process. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F18

Bruce Campbell
3520 Overland Ave. # A 149
Los Angeles, CA 90034

Comment No. F18-1:

To whom it may concern at the California Department of Fish and Wildlife, L.A. County, and beyond,

Response No. F18-1:

The comment indicates that the commenter is addressing CDFW, Los Angeles County, and others. The comment is noted; no further response is required because the comment does not raise an environmental issue regarding the Recirculated Portions of the EIR (Recirculated Analysis).

Comment No. F18-2:

Thanks for extending the comment time in regards to the couple portions which the massive development proponent decided to take up again following the decision in the *CBD* case at the California Supreme Court.

Response No. F18-2:

The comment expresses appreciation for the extension of the comment period on the Recirculated Analysis. The comment is noted; no further response is required because the comment does not raise an environmental issue regarding the Recirculated Analysis.

Comment No. F18-3:

First, I find it disturbing that the proponent for the largest development ever in California had the gall to determine for itself which sections of the EIR needed to be re-circulated. Generally, one would await guidance from the court as to what sections would need to be revised. Then, sadly, the cherry-picked topics seem to be accepted by some decisionmakers as sufficient. (Not the way law and agencies are supposed to operate – even in the age of Trump!)

Response No. F18-3:

The comment objects to the process utilized by the County and Project applicant to determine the scope of the Recirculated Analysis. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for relevant information that is responsive to this comment; as explained therein, the scope of the Recirculated Analysis was delineated pursuant to the pertinent court decisions and CEQA requirements.

Comment No. F18-4

For instance, where is the chapter regarding traffic? Clearly, the decrease in gas prices over the last approximately four years combined with increased development in the north county has led toward much more crowded roadways.

Response No. F18-4:

The comment states that the Recirculated Analysis should have addressed the traffic impacts of the proposed Project. However, the issue raised by the comment is outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. Additionally, as discussed in **Topical Response 3: Traffic Impact Analysis**, no additional traffic would be generated by any aspect of the Project's modifications evaluated in the Recirculated Analysis. Further, the traffic analysis presented in the County of Los Angeles' (County) 2011 Final EIR (see Section 4.5, Traffic/Access, therein) accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis. This comment offers no significant new information requiring additional analysis with respect to traffic issues.

Comment No. F18-5:

Traffic congestion means more emissions – yet one would not note that due to the proponent's convenient ignoring of traffic shifts in the last decade, of GHG emissions relating to solid waste, and of GHGs related to moving and filtering water.

Response No. F18-5:

The comment suggests that the Recirculated Analysis' greenhouse gas (GHG) emissions analysis does not account for GHG emissions attributable to Project-related traffic, solid waste, and water-related processes. However, Section 2.1 of the Draft Recirculated Analysis accounts for each of the referenced emission sources – see, e.g., Table 2.1-3 therein, which presents a summary overview of the Project's GHG emissions, including those attributable to "Water Use," "Waste Disposed," and "Traffic." The methodologies used to estimate GHG emissions from each of the respective source categories are detailed in Appendix 2.1-A of the Draft Recirculated Analysis. As discussed therein, the Project's GHG emissions were estimated by CalEEMod®, which is a modeling platform developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the South Coast Air Quality Management District (SCAQMD), the air district with jurisdictional boundaries covering the Project area. The modeling platform is currently used by numerous lead agencies (including the County) when quantifying the GHG emissions associated with development projects undergoing environmental review. CalEEMod® is designed to estimate operational, on-road mobile vehicle traffic generated by a project's

land uses, and specifically accounts for the carbon dioxide (CO₂) emissions from running, start-up and idling vehicles. CalEEMod[®] also accounts for GHG emissions attributable to the production of electricity to convey, treat and distribute water and wastewater, as well as the GHG emissions associated with solid waste disposal.¹

Comment No. F18-6:

I notice that the California Supreme Court held that (pertaining to CEQA) the determination by CDFW back in 2010 which essentially declared **the greenhouse gas emissions** that would come from this largest development ever proposed in the State of California as insignificant was **NOT supported by substantial evidence**.

Response No. F18-6:

The comment provides background information regarding the California Supreme Court's determination that the GHG emissions analysis in the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP), prepared by the California Department of Fish and Wildlife, was not supported by substantial evidence. The comment does not raise an environmental issue regarding the Recirculated Analysis, but rather re-states information disclosed in the Draft Additional Environmental Analysis (AEA) (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**); no further response is required.

Comment No. F18-7:

Often, "evidence" can be more convincing if it can be quantified. I notice that it is mentioned that about 11,000 tons of GHGs are generated annually in the area proposed for development. Well if one looks at the "current" situation in the proposed development area, one can count trees and bushes and do related research and come up with an estimate of how much carbon is being sequestered in the vicinity in this pre-massive development phase? Yet, not only did there appear to be no attempt to try to estimate the amount of carbon sequestered, there was not even an admission that trees and vegetation have a role in sequestering carbon except to poo-poo its significance by calling such important functions merely "incremental".

Response No. F18-7:

The comment refers to 11,000 metric tons of carbon dioxide equivalent (MT CO₂e) as presently being generated in the area proposed for development. However, that is not correct. As shown in Table 2.1-2 of the Draft Recirculated Analysis (page 2.1-24), the on-site, existing GHG emissions level is 369 MT CO₂e.

¹ "Appendix A: Calculation Details for CalEEMod," prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), available at <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>. Accessed: February 17, 2017.

The comment also states that the Recirculated Analysis' GHG emissions analysis fails to account for existing, on-site carbon sequestration. However, Section 2.1 of the Draft Recirculated Analysis estimates the loss in sequestered carbon attributable to the Project's permanent changes to the existing, on-site conditions. As shown in Table 2.1-3 of the Draft Recirculated Analysis (page 2.1-29), the Project's vegetation-related changes would result in 1,004 MT CO₂e. Additional detail regarding the methodology used to estimate the lost carbon sequestration potential of on-site, existing vegetation is provided in Appendix 2.1-A of the Draft Recirculated Analysis, and specifically Section 3.2.2 therein. These emissions are required to be fully mitigated to zero by Mitigation Measure MV 4.23-10/2-10.

Comment No. F18-8:

And at the same time, construction emissions are being poo-pooed as well despite known toxicity of black carbon, diesel, and other emissions.

Response No. F18-8:

The comment suggests that the Project's construction-related GHG emissions have not been fully disclosed. However, Section 2.1 of the Draft Recirculated Analysis estimates the construction-related GHG emissions – as shown in Table 2.1-3 (page 2.1-29), the Project would emit 844 MT CO₂e of construction-related emissions per year, when amortized over a 30-year period, which is a total of 25,310 MT CO₂e (see Table 3-9 in Appendix 2.1-A of the Draft Recirculated Analysis). All construction-related GHG emissions are required to be fully mitigated to zero by Mitigation Measure 4.23-10/2-10.

As to the air quality-related impacts of the Project, that subject is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The subject of air quality was previously studied and evaluated by the County in Section 4.7, Air Quality, of the Project's 2011 Final EIR; and, the County adopted mitigation measures to address the Project's construction-related air pollutants. No legal challenge was brought against that analysis, and the courts did not find the analysis to be inadequate. The comment does not identify any basis for why supplemental analysis of air quality impacts should be required at this time.

Comment No. F18-9:

In my vocal comments, I brought up that I will believe that the developers are serious about carbon sequestration when they call for the cutting of ZERO oak trees from the property. Yet there are a number of even sizable oaks targeted for removal under the massive "Village" plans.

Response No. F18-9:

The comment requests that the Project avoid impacting all on-site oak trees. While this issue is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**), it is noted that any Project-related activities that remove or encroach upon oak trees located on the Project site necessarily will occur in accordance with the County of Los Angeles' oak tree ordinance. (See Los Angeles County Code, Title 22 (Planning and Zoning), Division 1, Chapter 22.56, Park 16 (Oak Tree Permits).) The necessary removal and/or encroachment permits will be secured as part of the Project's entitlement processes subject to the jurisdiction of the County of Los Angeles. Additionally, the Project's impacts to oak trees were assessed in Section 4.3, Biota, of the Project's 2011 Final EIR and the County previously adopted mitigation measures to address the Project's oak tree impacts; the analysis presented in the 2011 Final EIR was not found to be deficient by the courts and this comment has not identified any new information that requires further analysis of the issue. Please also see the **Response to Comment No. O7-9** within Letter No. E6, and CDFW's response to this issue (see Appendix 2.3 of the Final Recirculated Analysis) regarding the parameters of CalEEMod[®]'s vegetation change/carbon sequestration methodology.

Comment No. F18-10:

The only place where I could find an admission that trees / vegetation play a role in sequestering carbon / GHG emissions is on page 1.0-23 under mitigation measure LV 4.23-10 where it simply says that "Los Angeles County shall confirm that the project applicant or its designee shall fully mitigate the related construction and vegetation change GHG emissions (the "Incremental Construction GHG Emissions")" by relying either on funding activities to reduce or sequester GHG emissions, or else to purchase and retire a carbon credit from elsewhere.

Response No. F18-10:

The comment refers to Mitigation Measure LV 4.23-10 in the Draft Recirculated Analysis for the Landmark Village Project as the "only place" where the commenter could find any acknowledgement of the role of on-site, existing vegetation in sequestering carbon. The comment does not indicate whether the commenter reviewed the Draft Recirculated Analysis for the Mission Village Project. Please see **Response to Comment No. F18-7** above for relevant information that is responsive to this comment.

Comment No. F18-11:

This is very weak and I object strenuously! First, the oaks and other vegetation currently storing carbon are not being funded by the proponent, thus any such funding would be to try to make up a little for fairly widespread destruction of trees as well as scraping many properties bare of vegetation as a prelude to construction. Excuse me, these trees and bushes are already sequestering carbon in this Hwy. 5 vicinity. While I am all for sequestering carbon around the world, the current trees and plants store carbon at the site itself, and obviously, construction emissions will occur at the site itself.

Response No. F18-11:

The comment again refers to the Project's carbon sequestration- and construction-related GHG emissions. Please refer to **Response to Comment Nos. F18-7** and **F18-8** for relevant information that is responsive to this comment.

Comment No. F18-12:

I notice, despite zero attempt to quantify how much carbon is stored in local trees and vegetation, such a service of nature is essential – rather than “incremental.”

Response No. F18-12:

The comment reiterates the concern that the Recirculated Analysis has not accounted for the carbon stored in on-site vegetation. Please refer to **Response to Comment No. F18-7** above for discussion of how the Recirculated Analysis' GHG emissions analysis accounts for emissions attributable to the Project's changes to existing, on-site vegetation conditions. Also, the use of “Incremental” in Mitigation Measure MV 4.23-10/2-10 is intended to reflect that the GHG emission reductions secured pursuant to that measure shall be incrementally phased in accordance with the issuance of grading permits for village-level development.

Comment No. F18-13:

In addition, I noticed that the plan is to be constructing this largest development ever in California for 30 years! Thus, the particular dangerous emissions related to construction are not just a burden on the area for a year or two, but for three decades!

Response No. F18-13:

The comment refers to the air quality impacts attributable to the Project's construction-related activities. Please see **Response to Comment No. F18-8** above for relevant information in response to this comment. Additionally, as a factual clarification, the Project's construction-related activities are expected to commence in 2018 and conclude in 2028 (see, e.g., Draft Recirculated Analysis, Table 2.1-3). As such, the Project is not proposing a 30-year construction period.

Comment No. F18-14:

A combo of the huge amount of fill planned to be deposited onto the Santa Clara River floodplain (which would be sure to result in dustier conditions in the Santa Clarita Valley (with current particulate matter already exceeding federal standards), the unrelenting plan for 30 years of construction with no suggestion of seeking to reduce emissions from construction equipment.

Response No. F18-14:

The comment again refers to the air quality impacts attributable to the Project's construction-related activities, and a 30-year construction period. Please see **Response to Comment Nos. F18-8 and F18-13** above for relevant information in response to this comment. It also is noted that the GHG emissions attributable to the Project's construction-related activities will be reduced to zero through implementation of Mitigation Measure MV 4.23-10/2-10.

Comment No. F18-15:

"Black carbon" is an especially bad pollutant at construction sites, so where is the plan to address that?

Response No. F18-15:

The comment asks how black carbon will be addressed by the Project. As discussed in **Response to Comment No. F18-5** above, the GHG emissions were estimated utilizing CalEEMod®. Utilization of this GHG emissions modeling platform accords to the requirements of the California Environmental Quality Act (CEQA) Guidelines Section 15064.4(a)(1), which allows a lead agency to select the model and methodology it considers most appropriate for the analysis, even if the model or methodology may have some limitations. Currently, CalEEMod® does not estimate black carbon emissions. However, it is noted that the California Air Resources Board (ARB) has developed and will be implementing the *Short-Lived Climate Pollutant Reduction Strategy* (March 2017), the objective of which is to secure a 50% reduction in black carbon emissions by 2030. ARB's strategy is designed and intended for application at the State level, not to individual projects under CEQA. ARB relatedly has recognized that black carbon is not included in California's Assembly Bill (AB) 32-mandated GHG emissions inventory, or international climate frameworks. The Project will require, to the extent required by law, with applicable black carbon reduction strategies that the ARB or other agencies with jurisdiction over the Project implement.

Comment No. F18-16:

Also, diesel has over 40 known cancer-causing air pollutants. I call for a recirculation once you come up with actual methods / mitigation measures to control construction emissions.

Response No. F18-16:

The comment refers to the cancer-causing effects of diesel, and requests that the Recirculated Analysis be recirculated to address the mitigation of construction emissions. To the extent this comment is raising air quality issues, the comment is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Please also see **Response to Comment No. F18-8** above for relevant information regarding the County's prior assessment of the Project's air quality

impacts; Section 4.7 of the County's 2011 Final EIR considered diesel particulate matter and discussed the airborne toxic control measures adopted by ARB to reduce such emissions. As to the GHG emissions associated with the Project's construction-related activities, as discussed in **Response to Comment No. F18-14**, such emissions will be reduced to zero through implementation of Mitigation Measure MV 4.23-10/2-10.

Comment No. F18-17:

The very term "Incremental Construction GHG Emissions" clearly indicate that the writer who invented this term did so in order to downplay both the toxicity of emissions from construction vehicles, as well as in order to downplay the important carbon sequestration role which current trees and vegetation of the vicinity are providing.

Response No. F18-17:

The comment objects to the use of "Incremental Construction GHG Emissions." Please see **Response to Comment No. F18-12** above for relevant information. As explained therein, the use of "Incremental" is not intended to minimize the total quantity of construction-related GHG emissions, which will be reduced to zero through implementation of Mitigation Measure MV 4.23-10/2-10, but rather allow for the phased implementation of the mitigation requirement as Project development is phased over time. The phased implementation of Mitigation Measure MV 4.23-10/2-10 accords to CEQA's nexus and proportionality requirements (see CEQA Guidelines Sections 15041 and 15126.4). Additionally, the comment's reference to the toxicity of emissions is beyond the scope of the Recirculated Analysis as the subject of air quality was addressed in the County's 2011 Final EIR and not found to be inadequate by the courts; please see **Response to Comment No. F18-8** above.

Comment No. F18-18:

Now to contend with the unarmored threespine stickleback. The proponent makes it appear that this rare fish will do just fine as long as it isn't physically crushed by heavy equipment.

Response No. F18-18:

The comment addresses the unarmored threespine stickleback and states that the Project "proponent makes it appear that this rare fish will do just fine as long as it isn't physically crushed by heavy equipment." In response, it is noted that the 2011 Final EIR (Section 4.3, Biota) and the Draft Recirculated Analysis (Section 2.2, Take Avoidance of the Fully-Protected Unarmored Threespine Stickleback) address the full range of potential construction and operational impacts on unarmored threespine stickleback, not just impacts involving physical crushing of fish by heavy equipment. In

addition, the proposed No Water Contact approach to constructing bridges and bank stabilization would effectively avoid construction-related impacts to the species.

Comment No. F18-19:

However, there are lots of things involved in having an area habitable for certain species, and please remember that “take” of a species does not need to involve death of a member of such species. When a project brings about significant deterioration of the habitat which a species needs to survive, due to shifts in moisture, nutrient level, dust, etc., from adding a huge amount of fill to the floodplain of the last free-flowing river in Los Angeles County while allowing some pumping from the Santa Clara River alluvial plain, that is essentially harassment and “take” since it is a downward spiral as far as diminishing quality of habitat.

Response No. F18-19:

The comment states that “take” of a species does not need to involve death of a member of such species, but also can include harassment attributable to a deterioration in habitat quality. The comment does not address either of the two issues covered in the Draft Recirculated Analysis – (1) greenhouse gas emissions, and (2) avoiding take of the unarmored threespine stickleback as a result of construction activities (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Instead, the comment addresses impacts to stickleback habitat, such as moisture, nutrient levels, dust, fill material, and groundwater pumping. These issues are beyond the scope of the Draft Recirculated Analysis. In addition, the 2011 Final EIR (Section 4.3, Biota) analyzed project-related impacts on unarmored threespine stickleback habitat. That analysis is no longer subject to legal challenge. No aspect of the proposed No Water Contact approach to bridge and bank stabilization construction would change or add to the impacts assessed in the 2011 Final EIR. In fact, the entire point of the revised construction approach is to reduce impacts on stickleback and its habitat. Therefore, no further analysis of impacts to stickleback habitat is required.

Comment No. F18-20:

Just because heavy equipment in the Santa Clara River area would not be in the wet part of the channel to run over the rare fish directly anymore (in the latest document shift), does not mean that one can conclude that there will not be increased sedimentation of the Santa Clara River that would bring a deterioration in the habitat of the unarmored threespine stickleback and other species – once there is massive ground, natural vegetation, and riverbank scraping under the “Village”s [sic] proposal.

Response No. F18-20:

The comment expresses concern for the impacts of increased sedimentation of the Santa Clara River on the habitat of the unarmored threespine stickleback and other species. The comment does not address either of the two issues covered in the Draft Recirculated Analysis, and instead raises an issue that is

beyond the scope of the analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). In addition, the 2011 Final EIR analyzed Project-related impacts on sediment loading, as well as impacts on unarmored threespine stickleback habitat (see Sections 4.2 (Hydrology), 4.3 (Biota) and 4.21 (Floodplain Modifications)). Those analyses are no longer subject to legal challenge or further administrative review. No aspect of the proposed No Water Contact approach to bridge and bank stabilization construction would change or add to the impacts assessed in the 2011 Final EIR. Therefore, no further analysis of project impacts to stickleback habitat is required.

Comment No. F18-21:

Partly due to concern about damage due to heavy construction equipment, I call for a radius of at least ¼ of a mile around spineflower preserves.

Response No. F18-21:

The comment states that, due to potential damage from heavy equipment, the commenter is requesting a one-quarter mile buffer around the spineflower preserves. The comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the Final EIR**). Note that the 2011 Final EIR (Section 4.3, Biota) extensively analyzed Project-related impacts on the spineflower and the spineflower preserves, and that analysis was not found to be deficient by the courts. As a result, it is no longer subject to legal challenge. No further response is required.

Comment No. F18-22:

I'd like to ask: what endangered, threatened, or rare species would have their habitat negatively impacted by the placement of a massive amount of fill onto the floodplain of the Santa Clara River?

Response No. F18-22:

The comment requests a description of the impacts to endangered, threatened or rare species that would be attributable to the Project's floodplain-related activities. The comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the Final EIR**). Note that the 2011 Final EIR (Section 4.3, Biota) extensively analyzed Project-related impacts to such species, and that analysis was not found to be deficient by the courts (with limited exception for the construction-related mitigation measures for unarmored threespine stickleback). As a result, it is no longer subject to legal challenge. No further response is required.

Comment No. F18-23:

Will the imported fill be carefully evaluated to try to "weed out" noxious weeds and various contaminants which often accompanies "available" dirt?

Response No. F18-23:

The comment asks whether noxious weeds and various contaminants will be removed from the fill dirt imported to the Project site. This issue is beyond the scope of the Draft Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the Final EIR**). No further response is required.

Comment No. F18-24:

I did mention in my vocal comments that I understand that there are a lot of carbon / GHG emissions relating to the manufacture of cement – while it doesn't take much brainpower to realize that asphalt seems to generally be layers of hot oil over some little stones. This should also have been evaluated.

Response No. F18-24:

The comment requests that the Recirculated Analysis estimate the GHG emissions associated with the manufacture of cement. Please see **Response to Comment No. 09-18** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for information that is responsive to this comment. As explained in the referenced response, CalEEMod[®] does not account for such emissions, which were determined by the model's developers (including CAPCOA and SCAQMD) to be speculative due to the lack of specific information that would be necessary to inform a reasoned assessment of such emissions.

Comment No. F18-25:

In addition, methane relating to trash production from the massive developments is a serious GHG emission,

Response No. F18-25:

The comment describes methane released by solid waste as a "serious" GHG emissions source. In response, the modeling platform -- CalEEMod[®] -- utilized in the Recirculated Analysis accounts for the "GHG emissions associated with the decomposition of the waste, which generates methane based on the total amount of degradable organic carbon." (Draft Recirculated Analysis Appendix 2.1-A, p. 45.) As such, the "Waste Disposed" inventory data presented in the pertinent tables of the Recirculated Analysis (e.g., Table 2.1-3) discloses the methane emissions referenced in the comment.

Comment No. F18-26:

while the proposed-for-expansion Chiquita Landfill will clearly be increasing its methane emissions if allowed to expand.

Response No. F18-26:

The comment states that the proposed expansion of the Chiquita Canyon Landfill will increase methane emissions. This comment is noted for the record and will be made available to the decision makers prior to a final decision on the Project. Please also note the referenced landfill expansion project is not related to the proposed Project and evaluated by the County of Los Angeles as a separate and unrelated project (see County of Los Angeles Project No. R2004-00559-(5); SCH No. 2005081071).

Comment No. F18-27:

Are you accounting for toxic GHG emissions being emitted in far away locations – such as from a coal-fired facility in the Rocky Mtns. area or from two coal-fired facilities in Appalachia which power a uranium enrichment facility?

Response No. F18-27:

The comment inquires whether GHG emissions from remote energy generation sources are accounted for in the GHG emissions analysis. Please see **Response to Comment No. O9-13** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), which explain the calculation parameters of the Utility GHG Intensity Factor utilized in the Recirculated Analysis. The Utility GHG Intensity Factor represents the pounds of carbon dioxide associated with each megawatt-hour of electricity delivered by Southern California Edison (SCE), which is the electric service provider for the Project site. As discussed in the referenced response, the Utility GHG Intensity Factor was derived in accordance with CalEEMod[®] and accounts for information specific to SCE, as well as California's Renewable Portfolio Standard. These methodological parameters are supported by substantial evidence described in the referenced response, and are appropriate for project-level analysis pursuant to CEQA Guidelines Section 15064.4(a)(1).

Comment No. F18-28:

Even if a certain energy source means no more carbon emissions in the Santa Clarita area, it is likely causing damage to lungs of indigenous peoples (as well as others) as well as negatively impacting vegetation and various species in the region.

Response No. F18-28:

The comment refers to indirect, non-GHG emissions-related effects of off-site energy sources. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. Please note, however, that the subject energy sources are not part of the proposed Project and are not under the jurisdiction of the County. The Recirculated Analysis' GHG emissions analysis appropriately quantifies the GHG emissions associated with the provision of electricity to the

Project site; however, the other effects of off-site energy generation are beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

Comment No. F18-29:

What is presented as the AEA clearly does not meet the court mandate which called for “substantial evidence” if GreenHouse [sic] Gas emissions are to be declared insignificant for the proposed huge “Village” projects.

Response No. F18-29:

The comment opines that the Recirculated Analysis’ GHG emissions analysis is not supported by substantial evidence, and objects to the size and scale of the Project. In response, as discussed in Section 2.1(1)(b) of the Recirculated Analysis, the Mission Village Project site is located within the geographic boundary of the Resource Management and Development Plan/Spineflower Conservation Plan (RMDP/SCP) Project, which covers resource management and development within the Project and other nearby developments. The designated CEQA lead agency for the RMDP/SCP Project is the California Department of Fish and Wildlife (CDFW). As discussed in Section 1.0 of the Recirculated Analysis, CDFW is preparing the RMPD/SCP Additional Environmental Analysis (AEA) to address the Supreme Court’s decision in the *Center for Biological Diversity* litigation. In a letter from the California Air Resources Board (ARB) to the CDFW, dated November 3, 2016 (a copy of which is included in Appendix 2.6 of the Final Recirculated Analysis):

“ARB staff consulted with Department of Fish and Wildlife staff and technical experts at Ascent Environmental, the principal consultant assisting the Department. In doing so, ARB staff reviewed the technical documentation provided for the evaluation of the project’s total estimated GHG emissions and the reductions in emissions to be achieved through the mitigation measures. Based on staff’s review, ARB finds the documentation provides an adequate technical basis to determine that the project would not result in any net additional GHG emissions after the mitigation measures are fully implemented.”

The ARB’s finding that the GHG emission reduction calculations for the RMDP/SCP Project are documented by “an adequate technical basis” is part of the body of substantial evidence that supports the Recirculated Analysis’ GHG emissions analysis (because the same or similar methodologies were utilized therein), particularly as the ARB is the state agency designated with the responsibility for and expertise to implement statewide policy on global climate change and the reduction of GHG emissions.

In addition, the comment does not identify any specific flaw in the analysis; no further response is required.

Comment No. F18-30:

Please reject this pathetic effort which refuses to even attempt to quantify carbon storage currently in the area, and also calls for no local measures to seek to mitigate for harmful emissions from construction equipment – including from “black carbon” and diesel pollution for the proposed 30-year construction phase!

Response No. F18-30:

The comment serves as a conclusion to the comment letter, and requests that the decision makers not approve the Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. For information on carbon sequestration, construction emissions, black carbon and diesel pollution, please see **Response to Comment Nos. F18-7, F18-8, F18-15 and F18-16**, respectively.

COMMENT LETTER NO. F19

Sandra Cattell
21648 Oak Orchard Toag

Comment No. F19-1:

Please consider the amount of traffic these developments will generate and the corresponding amounts of greenhouse gases that will be generated.

Response No. F19-1:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3**. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F19-2:

I am also concerned about the health of the river and its ability to sustain itself and the flora and fauna that depend upon it.

Response No. F19-2:

The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided.

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15**. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F20

Laurie Cohn
4227 Bellaire Avenue
Studio City, CA 91604

Comment No. F20-1:

In order to protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F20-1:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for a discussion of issues related to the relationship between the Santa Clara River and wildlife species. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F20-2:

Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F20-2:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for a discussion of issues related to the relationship between the Santa Clara River and wildlife species. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F21

Julie Criss-Hagerty

Comment No. F21-1:

I am a 20 year resident of Santa Clarita and I have witnessed an explosion of growth during this time, as observed by increased traffic congestion, the over taxing of our water supply, now at critical levels due to sustained drought and a steady and serious deterioration of our air quality.

Response No. F21-1:

The comment expresses general concern regarding traffic congestion, water supply, and air quality. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F21-2:

For these reasons and many more, I am opposed to both the Mission Village and Landmark Projects.

Response No. F21-2:

The comment expresses general opposition to the development proposed for the Mission Village Project. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F21-3:

Of most concern to me is the flawed promise of "Zero GHG's". This plan appears naïve and lacks measurable, provable and enforceable mitigation measures.

Response No. F21-3:

This comment is substantively the same as Comment No. F13-4. Please refer to **Response to Comment No. F13-4** for a discussion of issues related to the enforcement of the Mission Village Project's commitment to achieve net zero greenhouse gas (GHG) emissions.

This comment is also substantively the same as Comment No. F13-7. Please refer to **Response to Comment No. F13-7** for a discussion regarding the monitoring and enforcement of the Mission Village Project's mitigation measures.

Comment No. F21-4:

Dust caused by filling the floodplain with 200 million cubic yards of dirt will negatively impact our air quality.

Response No. F21-4:

This comment is substantively the same as Comment No. F1-7, F1-8, and F13-16. Please refer to **Response to Comment Nos. F1-7, F1-8 and F13-16** for discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F21-5:

There will be continued damage to and continued depletion of our already limited water supply.

Response No. F21-5:

This comment is substantively the same as Comment No. F1-5. Please refer to **Response to Comment No. F1-5** for a discussion of issues related to the availability of water to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F21-6:

There will be increased traffic and GHG emissions caused not just by the addition of 70,000 people, but by all that it takes to support that addition (waste management services, increased trucking services to supply goods and services), which don't appear to be accounted for in the "Zero GHG" proposal.

Response No. F21-6:

The portion of the comment that addresses traffic and GHG emissions is substantively the same as Comment No. F13-3 and F13-13. Please refer to **Response to Comment Nos. F13-3 and F13-13** for a discussion of issues related to the relationship between GHG emissions and traffic congestion. With regard to the portion of the comment that address GHG emissions associated with the population growth at the Project site, the Recirculated Analysis specifically accounted for "on-road mobile sources," which are generated by "residents, workers, customers, and delivery vehicles visiting the land uses developed as part of the project." (Draft Recirculated Analysis, Appendix 2.1-A, Section 3.3.5.) Please refer to **Response to Comment No. F13-13** for a discussion of issues related to the sources of GHG emissions generated by development associated with the Mission Village Project.

Comment No. F21-7:

Finally, this project all will bulldoze over Native American sacred burial sites and threatens several endangered species.

Response No. F21-7:

The comment expresses general concern regarding Native American sacred burial sites and endangered species. The portion of the comment addressing Native American resources is addressed in detail in the responses to Letter No. E15. Please refer specifically to **Response to Comment Nos. E15-3 and E15-4** for a discussion of issues related to ground disturbances on the Project site and potential effects to cultural resources. The portion of the comment addressing endangered species is addressed in detail in Letter No. F13 and F1. Please refer specifically to **Response to Comment No. F13-15** for a discussion of issues related to endangered fish species, and **Response to Comment No. F1-2** for a discussion of issues related to endangered flower species.

Comment No. F21-8:

These projects leave way too big of a carbon footprint and are examples of poor 21st century planning.

Response No. F21-8:

The comment expresses general concerns regarding the size of the Mission Village Project's carbon footprint and the Project's planning principles. It does not raise a specific criticism of the Recirculated Analysis, and therefore no response is required. However, please refer to Section 2.1, Global Climate Change and Greenhouse Gas Emissions, of the Recirculated Analysis (November 2016) for a discussion of issues related to net zero GHG emissions. The Recirculated Analysis' determination that the Mission Village Project would result in net zero GHG emissions is reasonable and is supported by substantial evidence.

The portion of the comment expressing concerns regarding the design of the Mission Village Project is substantively the same as Comment No. F13-8. Please refer to **Response to Comment No. F13-8** for a discussion of issues related to the amount and location and planning of the proposed development.

Comment No. F21-9:

I am requesting that the County of Los Angeles and the State of California deny permits for these projects.

Response No. F21-9:

The comment expresses general opposition for the permits requested for the Mission Village Project. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F22

Stacy Fortner
28314 Lobelia Lane
Valencia, CA 91354

Comment No. F22-1:

I'm am a local resident of Valencia for over 17 years. I have real concerns of the Newhall Ranch Development, and just like the City of Los Angeles, Mayor Garcetti, I oppose this development.

Response No. F22-1:

The comment expresses general concern and opposition to the development proposed for the Mission Village Project. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F22-2:

Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable.

Response No. F22-2:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the greenhouse gas (GHG) Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F22-3:

AND it will not help OUR LOCAL pollution problems.

Response No. F22-3:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion of issues related to air quality. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F22-4:

There's no mention or itemization of the external creators of GHG for this project, like methane from waste disposal, energy production for water delivery and desalination of waste water, off site energy production for infrastructure, auto and truck deliveries and other uses is not in the Environmental document because those chapters are excluded from the document. These issues must be discussed in order for the document to be valid.

Response No. F22-4:

This comment is substantively the same as Comment No. F13-13. Please refer to **Response to Comment No. F13-13** for a discussion of issues related to the sources of GHG emissions generated by development associated with the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F22-5:

Our Valley is already out of federal compliance for dust pollution (PM10 and PM mil) that causes asthma and permanent lung damage and affects our children's health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F22-5:

This comment is substantively the same as Comment Nos. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7 and F1-8** for a discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F22-6:

I am against the development of houses over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes and our neighborhoods.

Response No. F22-6:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F22-7:

I also feel our communities are being overdeveloped causing pollution, traffic, overcrowding of schools, and reducing our property values.

Response No. F22-7:

The comment expresses general concerns regarding overdevelopment, pollution, traffic, schools, and property values. The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis). The issues raised by the comment are also outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required or can be provided. Relatedly, the issues referenced were evaluated and studied in the 2011 Final EIR (see, e.g., Section 4.7, Air Quality; Section 4.5, Traffic/Access; and Section 4.13, Education), and the subject analyses were not determined to be inadequate by the courts. This comment offers no significant new information requiring additional analysis with respect to air quality, traffic, schools or property values. Please also see **Response to Comment Nos. F1-4, and F13-3** for additional relevant information that is responsive to this comment. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F22-8:

Please reject this development.

Response No. F22-8:

The comment requests that the Mission Village Project be denied. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F23

Mal Gaffney

Comment No. F23-1:

To address the biological and climate change issues that are required to be addressed by the Court, I include the following comments:

Response No. F23-1:

The comment is an introduction to comments that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F23-2:

- Houses should not be built over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes.

Response No. F23-2:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks.

Comment No. F23-3:

- The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F23-3:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the Mission Village 2011 Final EIR (2011 Final EIR), for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F23-4:

- Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F23-4:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for a discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion.

Comment No. F23-5:

- The promise of zero GHGs sounds good on paper but the enforcement reality is lacking:

Response No. F23-5:

This comment is substantively the same as Comment No. F13-4. Please refer to **Response to Comment No. F13-4** for a discussion of issues related to the enforcement of the Mission Village Project's commitment to achieve net zero GHG emissions.

Comment No. F23-6:

- There are no safeguards to track the future offsets that will need to be bought;
- Will the offsets actually exist to be bought? Will enough offsets be available? Who will assure that the offsets are actually bought?
- Who will assure that the offsets are actually effective to offset the amount of GHGs needed to be offset?

Response No. F23-6:

This comment is substantively the same as Comment No. F13-5. Please refer to **Response to Comment No. F13-5** for a discussion of issues related to the use of carbon offsets to mitigate the Mission Village Project's GHG emissions.

Comment No. F23-7:

- How will the use of electric cars be monitored and enforced in order to gauge if the touted GHG reductions actually occur?

Response No. F23-7:

This comment is substantively the same as Comment No. F13-6. Please refer to **Response to Comment No. F13-6** for a discussion of issues related to how the use of electric cars will be monitored and enforced.

Comment No. F23-8:

- All these assurances need to be codified as enforceable mitigation measures.

Response No. F23-8:

This comment is substantively the same as Comment No. F13-7. Please refer to **Response to Comment No. F13-7** for a discussion regarding the monitoring of the Mission Village Project’s mitigation measures.

Comment No. F23-9:

The project is still too big and impactful to the Valley and flies in the face of 21st century smart planning – it needs to be significantly scaled back and away from the Santa Clara River

Response No. F23-9:

This comment is substantively the same as Comment No. F13-8. Please refer to **Response to Comment No. F13-8** for a discussion of issues related to the amount and location of proposed development.

Comment No. F23-10:

- Where’s the analysis of the methane that will be generated from trash created by this massive project, what about emissions from trash truck – the GHG analysis is not sufficient

Response No. F23-10:

This comment is substantively the same as Comment No. F13-9. Please refer to **Response to Comment No. F13-9** for a discussion of issues related to methane emissions associated with solid waste disposal as well as GHG emissions associated with the haul truck trips necessary to transport Mission Village Project-related solid waste.

Comment No. F23-11:

- The severe water cutbacks required in the SCV in the last six years are new information showing that we cannot accommodate this massive project with our current water resources. That water table dropped 70 feet and several wells went dry.

Response No. F23-11:

This comment is substantively the same as Comment No. F13-10. Please refer to **Response to Comment No. F13-10** for a discussion of issues related to the availability of water from “current water resources” to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F23-12:

- There have been a lot of articles about how offsets are often a green washing scam. What guarantee do we have that the offsets being purchased as GHG mitigation will result in measurable, provable, reductions in GHG emissions beyond what would have otherwise occurred?

Response No. F23-12:

This comment is substantively the same as Comment No. F13-11. Please refer to **Response to Comment No. F13-11** for a discussion of issues related to whether the carbon offsets, which may be purchased by the Mission Village Project Applicant will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F23-13:

- Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F23-13:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County, as well as local air quality conditions.

Comment No. F23-14:

- No mention or itemization of the external creators of GHG for this project, like methane from waste disposal, energy production for water delivery and desalination of waste water, off site energy production for infrastructure, auto and truck deliveries and other uses is not in the Environmental document because those chapters are excluded from the document. These issues must be discussed in order for the document to be valid.

Response No. F23-14:

This comment is substantively the same as Comment No. F13-13. Please refer to **Response to Comment No. F13-13** for a discussion of issues related to the sources of GHG emissions generated by development associated with the Mission Village Project.

Comment No. F23-15:

- Our Valley is already out of federal compliance for dust pollution (PM10 and PM mil) that causes asthma and permanent lung damage and affects our children's health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F23-15:

This comment is substantively the same as Comment Nos. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7 and F1-8** for a discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities.

Comment No. F23-16:

- To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F23-16:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for a discussion of issues related to water quality, endangered fish species, and the lack of a need to move the Mission Village Project.

Comment No. F23-17:

- Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F23-17:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for a discussion of issues related to the intersection of floodplain-related grading activities and air quality as well as issues related to water replenishment.

Comment No. F23-18:

- There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has happened in the valley oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, oaks dying)

Response No. F23-18:

This comment is substantively the same as Comment No. F13-17. Please refer to **Response to Comment No. F13-17** for a discussion of issues related to the buffer distance around the spineflower preserves and the endowment for the spineflower preserve system.

COMMENT LETTER NO. F24

Lynne Girdlestone

Comment No. F24-1:

As a long-time resident of Santa Clarita I am writing to express my deep concerns about the proposed development of these two projects -- and what follows them! No one realistically expects a city to stop all growth, and I have seen Santa Clarita grow exponentially since I moved here in 1989

Response No. F24-1:

The comment expresses general concern regarding the Mission Village Project. The comment does not address any particular aspect of the Draft Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F24-2:

But a project of this magnitude threatens to destroy the sustainability, the health, the environmental stability, and the beauty of this city in a very short period of time. I know that others have presented you with many facts and figures -- pro and con. So what I am asking is that you step back and look at the big picture of Santa Clarita in a state, a country, a world in *real distress from almost every direction*. In these difficult times, can your mandate be to approve only what is *really needed* versus what will benefit only a small group of people financially -- at the expense of the environment and all the other lives (human and otherwise) who call this place home?

Response No. F24-2:

The comment expresses general concern regarding the “magnitude” of proposed Project and its impact on “the sustainability, the health, the environmental stability, and the beauty of this city in a very short period of time.” The comment also requests that only development be approved that “is really needed versus what will benefit only a small group of people financially -- at the expense of the environment and all the other lives (human and otherwise) who call this place home.” The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F25

John Hall

Comment No. F25-1:

As a Newhall resident, I have a concern regarding the Mission Village and Landmark Village projects. In light of my concern, I am opposed to both developments at their current scale.

Response No. F25-1:

The comment expresses general opposition to the Mission Village Project. The comment does not address any particular aspect of the Draft Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F25-2:

The projected Greenhouse Gas (GHG) emissions from these developments were judged significant enough to require mitigation measures to offset them.

Response No. F25-2:

The comment correctly states that mitigation measures were identified in the Recirculated Analysis that are intended to reduce GHG emissions from the Mission Village Project. As the comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F25-3:

Any developer that employs GHG mitigation measures should be commended.

Response No. F25-3:

The comment states that “[a]ny developer that employs GHG mitigation measures should be commended”. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F25-4:

Unfortunately, the Santa Clarita Valley will not enjoy the ultimate goal of net zero GHG emissions. Because of this, additional mitigation measures are slated for off-site within the South Coast Air Quality Management District, off-site within the state and off-site out of state.

Response No. F25-4:

The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County, as well as local air quality conditions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F25-5:

As the effectiveness of the mitigation measures are debated, my concern is not the arguable GHG emission scores. My concern is ozone. While not a GHG, ozone is known to cause health problems to all ages when it reaches what has been established as unhealthful and/or hazardous levels.

Response No. F25-5:

The comment expresses concern related to health problems from ozone. The comment raises an issue that is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. However, for informational purposes, the Project's impacts to air quality, as a result of ozone emissions, previously were studied and evaluated in Section 4.7, Air Quality, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to air quality would occur based on the information and analysis presented in the Recirculated Analysis. To the contrary, for purposes of air quality, it should be noted that elements of the Mission Village Project's mitigation framework for GHG emissions are anticipated to achieve co-benefits in the Southern California Air Basin due to corresponding emission reductions in criteria air pollutants.

Comment No. F25-6:

The "Summary of Project GHG Emissions" (table 2.1-3 for both Landmark Village and Mission Village contained in their respective Recirculated Portions of EIR) list traffic as the dominant source of their GHG emissions. As it stands, motor vehicles constitute the greatest source of ozone. Cars and trucks do not emit ozone directly; the internal combustion engine produces the heat and chemical elements that cause ozone to form in the lower atmosphere.

Response No. F25-6:

The comment refers to motor vehicles as the greatest source of ozone. The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated

Analysis) and, therefore, no further response is required or can be provided. Please refer to **Response to Comment No. F25-5** above for relevant information that is responsive to this comment.

Comment No. F25-7:

The Santa Clarita Valley, partly due to prevailing winds, already experiences periods of unhealthful levels of ozone. This is especially true during the summer months. Please see an article from the Santa Clarita Valley Signal news source at the following

URL: http://secure-web.cisco.com/1VojUmE_k2kqLNRwJCHH0TGWuke1kEVfRU4EfEzyLHzLwiW57H3rYIWbyWBEQhNdO5WeWPcaCuG-uZcJviLWtUjLcZLP44udOLTepKRgs3ztLRMcL7LOkl_fchZTnYizXFSMmat-YXluyksvBbw44GIPmO7dANiCGqfmKgmCot_SLPo2NIENy9PRpkOti4Psbf5cPmGeJyZpllEOYyU_QiM5Z4ehU4IXLxJ22WUB_QBUzQF48IUSSLfc1pF-MBJxt80J3fZYHg7FPQ0D6FdqB1ntA_-OXij93s-aqC38-Gkn-590vf2oZkL6Qn4z8AEWCF0Lob_YdffbVMQSDdDRYDZN43nJnGW9y2UTdPTKrFYQ0z2noHAGT_8XfeQkWOcQZvn8S3-3WveVvNdGOaJMQZkTnwXKwXINAbRFs-iBikUg/http%3A%2F%2Farchive.signalscv.com%2Farchives%2F155329%2F.

Response No. F25-7:

This comment is substantively the same as Comment No. F25-5. Please refer to **Response to Comment No. F25-5** for relevant information that is responsive to the comment. The comment also refers to a news article regarding ozone levels during summer months and does not raise an environmental issue regarding the Recirculated Analysis; as such, no further response is required.

Comment No. F25-8:

Interstate 5 (a primary west coast truck route) and State Route 14 transect the Santa Clarita Valley. We are subject to experience high ozone concentrations when conditions are right; similar to the Pomona and San Gabriel valleys. It is reasonable to expect an air quality decline for current and expanded residents of this region as the relative increase in ozone formation follows the projected increase in transportation generated GHG, when conditions are right.

Response No. F25-8:

The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is substantively the same as Comment No. F25-5. Please refer to **Response to Comment No. F25-5** for relevant information that is responsive to this comment.

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COMMENT LETTER NO. F26

Cynthia and Norman Harris

Comment No. F26-1:

These three Oak Tree Permits are requesting the removal of 11, 143, and 65 trees = (218-total trees requested to be removed) of these 10 are Heritage Oak Trees reaching at 45-inches-high, thirty-six inches around or more.

Also over 58 Oak Trees are slated for major encroachment into their protected zones. Of these two are Heritage-Oakes.

Response No. F26-1:

The comment refers to the Project's encroachment upon and removal of oak trees. The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis). This issue is also beyond the scope of the Draft Recirculated Portions of the EIR (Recirculated Analysis) (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required. However, it is noted that any Project-related activities that remove or encroach upon oak trees located on the Project site necessarily will occur in accordance with the County of Los Angeles' oak tree ordinance. (See Los Angeles County Code, Title 22 (Planning and Zoning), Division 1, Chapter 22.56, Park 16 (Oak Tree Permits).) The necessary removal and/or encroachment permits will be secured as part of the village-level entitlement processes subject to the jurisdiction of the County of Los Angeles. Additionally, the Project's impacts to oak trees previously were assessed in the 2011 Mission Village Final Environmental Impact Report (EIR) (see Section 4.3, Biota), and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis. And, the comment offers no significant new information requiring additional analysis with respect to oak tree issues.

Comment No. F26-2:

The removal of the two-hundred and eighteen Native California Oak Trees is not only eliminating an irreplaceable protective natural resource which is part of the 13-million acres of oak woodlands and forest in California.

Response No. F26-2:

The comment states that the removal of oak trees eliminates an irreplaceable resource. Please see **Response to Comment No. F26-1** above for relevant information that is responsive to this comment.

Comment No. F26-3:

Their destruction would remove the 218-CO₂-carbon absorbers as part of the loss of the 675-million-metric TONS of carbon absorbed by Oak Trees and in the understory vegetation, downed woody material and soil horizons. This is in a study by Tom Gaman for the California Oak Foundation of the US Forest Service Inventory and Analysis Summer 2008. This report was published (2008) before the record drought cause millions of Oak Trees to die, removing even more "Sequesters" from the environment. The carbon-inventory for Oak Forest and Woodlands of California would be gravely reduced by the removal of these 218-Oak Trees.

Response No. F26-3:

The comment states that removal of oak trees will result in lost carbon absorbers. The comment is correct that oak trees, and other flora, help to absorb carbon dioxide. However, the comment fails to consider the entire scope of the Project's greenhouse gas (GHG) emissions mitigation framework, which accounts for and mitigates all of the Project's GHG emissions. With implementation of the recommended mitigation measures (MV 4.23-1/2-1 through MV 4.23-13/2-13), the Project's net GHG emissions would be reduced to zero. In particular, pursuant to Mitigation Measure MV 4.23-10/2-10, net vegetation change emissions will be fully offset.

The comment also states that 675 million metric tons of carbon have been absorbed by oak trees and understory shrubs, coarse wood debris, duff and litter carbon and soil organic matter throughout California.¹ The comment refers to all the oak forests spread through 13 million acres in California.² The comment does not quantify or relate the number of trees specific to the Project.

The Recirculated Analysis is robust in its methodology to calculate the carbon release and sequestration for the Project from vegetation changes using the California Emissions Estimator Model[®] (CalEEMod[®]), which follows the International Panel on Climate Change (IPCC) guidelines. CalEEMod[®] provides a platform to calculate both construction emissions and operational emissions from a land use development project, and estimates one-time vegetation sequestration changes resulting from permanent changes to the existing site conditions and new tree plantings. This model was developed under the auspices of the South Coast Air Quality Management District (SCAQMD), which is the air district with jurisdictional boundaries covering the Project site, and received input from other California air districts, and is currently used by numerous lead agencies when quantifying the emissions associated with development projects undergoing environmental review. CalEEMod[®] utilizes widely-accepted

¹ An inventory of Carbon and California Oaks. Available at: <http://californiaoaks.org/wp-content/uploads/2016/04/CarbonResourcesFinal.pdf>; Accessed: April 2017.

² Assuming an average crown radius of 5 meters for all Oak Trees on site.

models for emission estimates combined with appropriate default data that can be used if site-specific information is not available. CalEEMod® contains default values and existing regulation methodologies to use in each specific local air district region. Appropriate statewide default values can be utilized if regional default values are not defined. Ramboll Environ used default factors for the Los Angeles County area (within the SCAQMD jurisdiction) when preparing the GHG emission inventory, unless otherwise noted.

In accordance with the IPCC guidelines,³ the total amount of carbon released from the Project's vegetation removal activities is calculated based on the assumption that the existing vegetation becomes dead organic matter (DOM) upon removal during the site preparation phase. Therefore, the 1,004 metric tons of carbon dioxide equivalent (MT CO₂e) identified in Recirculated Analysis Table 2.1-3, Summary of Mission Village Project GHG Emissions, is the carbon released as estimated by converting the DOM biomass from the existing vegetation to CO₂e emissions in accordance with the IPCC guidelines. (See also Appendix 2.1-A of the Recirculated Analysis, and specifically Section 3.2.2 and Table 3-10b therein.) The estimated 1,004 MT CO₂e is the one-time release of GHG emissions from removed vegetation biomass; it is not assumed that the vegetation can absorb more CO₂e each year

If it remains in place. The IPCC's position is also that, when trees and vegetation reach maturity (aka, are "full grown"), there will be no further net carbon sequestration (i.e., the carbon released from dead biomass would be balanced with carbon sequestration from the growing biomass).⁴

The comment also mentions that millions of oak trees have died as the result of the recent drought, but provides no evidence to substantiate this point. Additionally, the observation, if accurate, does not raise an environmental issue concerning the Recirculated Analysis.

Comment No. F26-4:

An Inventory of Carbon and California Oaks: California oak woodlands and forest could sequester a BILLION tons of carbon, Addendum to Oaks 2040, by Tom Gaman, Registered Professional Forester, states "Oaks are"...normally with out [sic] prolonged drought, "long-lived trees. If we assume that our current oak woodlands and forest average 100-years of age (as clearly the Oak Trees in these projects as

³ IPCC, "2006 IPCC Guidelines for National Greenhouse Gas Inventories" (2006), Volume 4: Agriculture, Forestry and Other Land Use, Chapter 2: Generic Methodologies Applicable to Multiple Land-Use Categories, p. 2.25, available at http://www.ipcc-nggip.iges.or.jp/public/2006gl/pdf/4_Volume4/V4_02_Ch2_Generic.pdf, accessed on February 17, 2017.

⁴ "Appendix A: Calculation Details for CalEEMod," prepared for CAPCOA and prepared by ENVIRON International Corporation and California Air Districts (July 2013), p. 47, available at <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>, accessed on February 17, 2017.

noted by the number of Heritage Oak Trees present), then we can expect to sequester almost three-million tons of additional carbon a year by protecting and conserving these Oak Trees throughout the 21st century."

Response No. F26-4:

The comment provides background information on the extent of carbon sequestration that is theoretically possible for all oak trees and forests within California, but does not specify how much carbon could be sequestered by the trees located on the Project site. The comment does not identify any specific flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis and, therefore, no further response is required or can be provided. Nonetheless, as discussed in **Response to Comment No. F26-3** above, the Recirculated Analysis has estimated the emissions associated with the Project's on-site vegetation changes using CalEEMod®, a tool that takes the change in vegetation land uses and generates one-time emissions. CalEEMod® uses the change in ability to sequester carbon dioxide as a basis for the emissions estimate, and this method fully estimates the emissions that result from the vegetation land use change.

The Recirculated Analysis follows IPCC guidelines⁵ to estimate the land use change emissions for vegetation. The Recirculated Analysis assumed 20 years of active growth and sequestration, after which no further sequestration occurs. The IPCC states, "the accumulation of carbon in biomass slows with age, and thus for trees greater than 20 years of age, increases in biomass carbon are assumed [to be] offset by losses from pruning and mortality." The IPCC's position is also that, when trees and vegetation reach maturity (aka, are "full grown"), there will be no further net carbon sequestration (i.e., the carbon released from dead biomass would be balanced with carbon sequestration from the growing biomass). Thus, the Recirculated Analysis correctly assumes that no further active growth and sequestration will occur in these trees that have already reached maturity.

Contrary to the comment, the IPCC's guidelines provide that trees older than 20 years in age are carbon neutral. Thus, the comment overestimates the sequestration benefits that are lost from the removal of trees.

As discussed in **Response to Comment No. F26-3**, it is also important to note that with implementation of the recommended mitigation measures (MV 4.23-1/2-1 through MV 4.23-13/2-13), the Project's net

⁵ IPCC, "2006 IPCC Guidelines for National Greenhouse Gas Inventories" (2006), Volume 4: Agriculture, Forestry and Other Land Use, Chapter 2: Generic Methodologies Applicable to Multiple Land-Use Categories, p. 2.25, available at http://www.ipcc-nggip.iges.or.jp/public/2006gl/pdf/4_Volume4/V4_02_Ch2_Generic.pdf, accessed on February 17, 2017.

GHG emissions would be reduced to zero. In particular, pursuant to Mitigation Measure MV 4.23-10/2-10, net vegetation change emissions will be fully offset.

Comment No. F26-5:

It would be impossible to create a "negative green-house emission" by granting these Oak Tree Removal permits. The sequestering carbon lost must be an issue addressed in these projects.

Response No. F26-5:

The comment states that it is impossible to create "negative" GHG emissions if the Project's oak tree permits are granted. In response, the Recirculated Analysis does not state that "negative" GHG emissions are achieved; rather, the Recirculated Analysis concludes that the Project's suite of mitigation measures achieves net zero GHG emissions. Additionally, Mitigation Measure MV 4.23-10/2-10 addresses the sequestered carbon that is lost with the Project's vegetation change activities, and requires that such emissions be fully offset prior to issuance of grading permits.

Comment No. F26-6:

The Santa Clare River is critical to supply a water source to the many oak trees along its banks.

Response No. F26-6:

The comment provides factual background information regarding the role of the Santa Clara River as a water source to oak trees along its banks, but does not raise an environmental issue regarding the Recirculated Analysis; therefore, no further response is required.

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COMMENT LETTER NO. F27

Robert Hazard

Comment No. F27-1:

I would not like to see the Newhall Ranch project built along the 126 Highway. I like the open areas as many people do but if unfortunately the project does happen there are two things I would like to see implemented in the project to soften its impact.

Response No. F27-1:

The comment objects to the location of the Project site along State Route 126, expressing a preference for the preservation of open space. The comment does not raise an environmental issue regarding the Draft Recirculated Portions of the EIR (Recirculated Analysis); therefore, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F27-2:

First I think each home and park should be included with a large underground cistern to collect rain water for use on the properties where they are located. This water can be used for landscape watering and toilet flushing. This would be very valuable in drought prone areas.

Response No. F27-2:

The comment recommends that each residence and park be provided with underground cisterns to collect rainwater in light of drought-related concerns. This issue (i.e., water supply) is beyond the scope of the Draft Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Drought conditions do not constitute significant new information requiring additional analysis for purposes of CEQA. Please also see the 2011 Final Environmental Impact Report's (EIR) assessment of water resources (see Section 4.8, Water Service), which was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis. And, there is no evidence that new impacts or substantially more severe impacts to water supply would occur because of the information and analysis presented in the Recirculated Analysis. (See, e.g., *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4th 515 [upholding use of an addendum to an EIR rather than subsequent CEQA review because information regarding drought and climate change did not constitute new information that required preparation for a subsequent or supplemental EIR].) Please note that the Project would not preclude the utilization of rainwater capture systems that otherwise

accord to applicable legal requirements; additionally, it is noted that the Project's outdoor irrigation demand will be met with recycled water.

Comment No. F27-3:

Second because the Newhall Ranch project is located in between two mountain ranges and along a river, wildlife can be abundant in the area. There should be a wildlife corridor or bridge which spans the 126 highway and allows wildlife to have free range between each mountain range and access to the water in the river.

Response No. F27-3:

The comment expresses general opinion regarding a wildlife corridor. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis). The issues raised by the comment are also outside the scope of the Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. As such, no further response is required or can be provided. However, for informational purposes, wildlife crossings were evaluated in the 2011 Mission Village Final EIR. Please refer to Section 4.3, Biota, of the 2011 Final EIR; and, that analysis was not found to be deficient by the courts. The comment presents no new significant information, nor any new or more severe impacts associated with wildlife crossings; and, thus, no further response is required.

Comment No. F27-4:

Both of these ideas can funded by including them in the original cost of the home price.

Response No. F27-4:

The comment recommends that the costs of providing underground cisterns and a wildlife corridor be passed through to home buyers. The comment does not raise an environmental issue regarding the Draft Recirculated Analysis; therefore, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F27-5:

Please pass along these ideas.

Response No. F27-5:

The comment requests that the ideas discussed in the comment letter be passed along. The comment does not raise an environmental issue regarding the Draft Recirculated Analysis; therefore, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F28

Jim Houghton

Comment No. F28-1:

These two projects are just one more example of development gone wild in Southern California. As traffic becomes impossible, water becomes a scarcer resource, as pollution endangers the planet and open areas are increasingly filled in with development, our beautiful area becomes less livable for man and beast.

The cry one hears is, "Prices are too high, we don't have enough homes!" Well, maybe we have enough homes. Scarcity is not a sin. There is nothing in the Bible or anywhere else that guarantees that Citizen So-and-So is guaranteed a nice, cheap place to live in one of the most desirable areas in the world. All this development will create is an area that is no longer one of the most desirable in the world.

Please, please, do not issue these permits. It's time we put the brakes on. Yes, money is involved, tax money and political donations. But at some point, don't we care about our lives and the lives of our children?

Response No. F28-1:

The comment expresses general concerns regarding potential environmental impacts, particularly traffic, water, pollution, and open space, associated with the development of the Mission Village Project. The comment also requests that the County of Los Angeles (County) not issue the permits associated with the proposed Project. The comment does not raise any specific issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis), and raises issues that are beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required or can be provided. The issues raised by the comment previously were studied and evaluated in the 2011 Final EIR; and, that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. The comment does not offer any evidence that the proposed modifications covered by the Recirculated Analysis would affect the issues raised in the comment compared to what was already analyzed in the prior EIR. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F29

Teresa Jones

Comment No. F29-1:

I am writing to you today to express my opposition to the Newhall Ranch projects that have been under review. As a resident of Santa Clarita, I am concerned about our changing environment. The future of resources is uncertain, specifically, water. I believe the impact of global warming, and the drought we have been experiencing need to be taken into account.

Response No. F29-1:

The comment expresses general opposition to the Mission Village Project, and specifically refers to water supply and global warming.

As to water supply, the comment raises an issue that is beyond the scope of the Mission Village Project's Draft Recirculated Portions of the EIR (Recirculated Analysis); please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Further, the Project's impacts to water supply previously were studied and evaluated in Section 4.8, Water Service, of the Mission Village Project's 2011 Final Environmental Impact Report (EIR), and that analysis was not found to be deficient by the courts. (Section 4.8's water supply/demand assessment addressed California's drought conditions and its effect on state and local water supplies.) The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to water supply would occur because of the information and analysis presented in the Recirculated Analysis.

For informational purposes, it also should be noted that in terms of drought conditions, as of April 7, 2017, Governor Edmund G. Brown, Jr. ended the drought state of emergency in most of California, and state agencies released a long-term plan to better prepare the state for future droughts and make conservation a way of life. Recognizing the long-term risks associated with severe droughts, the state's plan seeks to move California from the temporary, emergency conservation measures in effect during a drought to a more durable approach that will ensure all communities are improving water use efficiency and extending their supplies. For further information regarding the end of drought conditions in California and the latest "water action plan," please see http://www.water.ca.gov/news/newsreleases/2017/040717-2_conservation.pdf (last accessed April 7, 2017). In addition, for more information on the development of the "water action plan" and related

information, please see <http://www.water.ca.gov/wateruseefficiency/conservation/> and http://resources.ca.gov/california_water_action_plan/ (last accessed April 7, 2017).

As to global warming, as explained in Section 2.1, Global Climate Change and Greenhouse Gas Emissions, of the Recirculated Analysis, Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13 are identified to reduce, mitigate, and offset 100 percent of the Project's GHG emissions, allowing the Project to achieve net zero GHG emissions. The comment does not identify any specific critique or concern with the GHG emissions assessment; therefore, no further response can be provided.

Comment No. F29-2:

Also, I believe the traffic impact needs to be addressed, as the last assessment was in 2007.

Response No. F29-2:

The comment states that the Recirculated Analysis should have addressed traffic impacts. The issue raised by the comment is outside the scope of the Recirculated Analysis; as such, no further response is required. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Further, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. (Section 4.5 concluded that the Project's impacts would be reduced to less-than-significant levels with implementation of the identified mitigation measures.) The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways.

COMMENT LETTER NO. F30

Louis Lopez

Comment No. F30-1:

As a recent resident of the Newhall area and a current resident of Los Angeles County, I am strongly opposed to the housing development proposed to be constructed on top of a closed oil field (Mission Village).

Response No. F30-1:

The comment expresses general opposition to the development proposed for the Mission Village Project. This comment is also substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F30-2:

There has been a promise of zero greenhouse gas emissions yet no substantial evidence that this can be guaranteed. Nevertheless the increase of traffic congestion and increased green house [sic] gases caused by the population increase.

Response No. F30-2:

This comment is substantively the same as Comment Nos. F13-3 and F13-4. Please refer to **Response to Comment Nos. F13-3** and **F13-4** for a discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion, as well as implementation and enforcement of the mitigation measures related to Zero Net Energy standards, EV charging stations and subsidies, and the GHG Reduction Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F30-3:

Furthermore, due to it's [sic] proximity to the Santa Clara River, LA County's last free flowing river, this project has the potential of harming local wildlife and polluting nearby resources.

Response No. F30-3:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for a discussion of issues related to the relationship between the Santa Clara River and wildlife species. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F30-4:

I am substantially oppose [sic] to this development and demand thorough research be implemented and made public to LA county residents before ground is broken.

Response No. F30-4:

The comment expresses general opposition to the development proposed for the Mission Village Project. As the comment does not raise any specific environmental issue regarding the Recirculated Portions of the EIR (Recirculated Analysis), no further response is required or can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Mission Village Project.

COMMENT LETTER NO. F31

Eileen Mann
91321

Comment No. F31-1:

Houses should not be built over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes.

Response No. F31-1:

This comment is substantively the same as Comment No. F33-2. Please refer to **Response to Comment No. F1-3** for discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks.

Comment No. F31-2:

The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F31-2:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the Project's 2011 Final EIR, for discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

See **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional responsive information. No additional analysis of traffic is needed based on the proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures).

Comment No. F31-3:

Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F31-3:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion. Please also see **Topical Response 3: Traffic Impact Analysis and Topical Response No. 1: Scope of the Recirculated Portions of the EIR**.

COMMENT LETTER NO. F32

Cathy and Frank Marketti
23949 Arroyo Park Drive, #168
Valencia, CA 91355

Comment No. F32-1:

We are writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F32-1:

This comment expresses general disapproval of the proposals for the Mission Village and Landmark Village projects. It does not address any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required or can be provided.

Comment No. F32-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F32-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F32-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F32-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F32-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F32-4:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F32-5:

That's why we urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F32-5:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the commenter's request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F32-6:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F32-6:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F32-7:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F32-7:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

COMMENT LETTER NO. F33

William Miller
Palo Alto, CA 94302

Comment No. F33-1:

I used to live in Santa Clarita and watched a lovely small town be glutted and destroyed by over-development.

Response No. F33-1:

This comment states that Santa Clarita was glutted and destroyed by over-development. The comment does not address any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F33-2:

Even at that time, traffic and congestion on the one main route into the San Fernando valley made life difficult. With ever more development, the consequences are difficult to imagine.

Response No. F33-2:

The comment states traffic and congestion previously existed on the main route into the San Fernando Valley, and will become increasingly difficult to imagine. The comment does not address any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis), but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). Further, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project's 2011 Final EIR; and, that analysis was not found to be deficient by the courts. (Section 4.5 concluded that the Project's impacts would be reduced to less-than-significant levels with implementation of the identified mitigation measures.) The comment does not identify any specific flaws or omissions with the Project's 2011 Final EIR that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. As such, no further response is required or can be provided. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis. This

comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F33-3:

Moreover, in view of many past years of drought, where is all the new water supposed to come from?

Response No. F33-3:

The comment expresses concern about the recent drought and water supply. The comment does not identify any specific deficiency in the Recirculated Analysis and does not address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's greenhouse gas (GHG) emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) in no way impact or relate to water supply. Because this comment could have been raised during the Project's prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The previously certified 2011 Final EIR thoroughly evaluated water supply impacts. The prior EIR's water supply/demand assessment also extensively addressed California's drought conditions and its effect on state and local water supplies. For further information, please refer to Section 4.8, Water Service, of the 2011 Final EIR. That analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the Project's 2011 Final EIR that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to water supply would occur based on the information and analysis presented in the Recirculated Analysis. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F34

Deborah Noble

Comment No. F34-1:

I am completely opposed to this project! It will cause massive over crowding [sic]and will impact the last free flowing river in Los Angeles County - 21,000 units, 11 million sq ft commercial= DISASTER.

There are three process approvals in play - a state permit, and two county permits (Mission Village and Landmark Village) - I oppose all 3.

Response No. F34-1:

The comment expresses general opposition to the Mission Village Project. The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F34-2:

Houses should not be built over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes.

Response No. F34-2:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks.

Comment No. F34-3:

The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added. If you live here you know the traffic is all ready [sic] at a breaking point most days both in town and the freeways 14 and 5 in both directions.

Response No. F34-3:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the 2011 Final EIR for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR

accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F34-4:

Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these.

Response No. F34-4:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for a discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion.

Comment No. F34-5:

The promise of zero GHGs sounds good on paper but the enforcement reality is lacking:

Response No. F34-5:

This comment is substantively the same as Comment No. F13-4. Please refer to **Response to Comment No. F13-4** for a discussion of issues related to the enforcement of the Mission Village Project's commitment to achieve net zero GHG emissions.

Comment No. F34-6:

There are no safeguards to track the future offsets that will need to be bought; Will the offsets actually exist to be bought? Will enough offsets be available?

Who will assure that the offsets are actually bought?

Who will assure that the offsets are actually effective to offset the amount of GHGs needed to be offset?

Response No. F34-6:

This comment is substantively the same as Comment No. F13-5. Please refer to **Response to Comment No. F13-5** for a discussion of issues related to the use of carbon offsets to mitigate the Mission Village Project's GHG emissions.

Comment No. F34-7:

How will the use of electric cars be monitored and enforced in order to gauge if the touted GHG reductions actually occur?

Response No. F34-7:

This comment is substantively the same as Comment No. F13-6. Please refer to **Response to Comment No. F13-6** for a discussion of issues related to how the use of electric cars will be monitored and enforced.

Comment No. F34-8:

All these assurances need to be codified as enforceable mitigation measures.

Response No. F34-8:

This comment is substantively the same as Comment No. F13-7. Please refer to **Response to Comment No. F13-7** for a discussion regarding the monitoring of the Mission Village Project's mitigation measures.

Comment No. F34-9:

The project is still too big and impactful to the Valley and flies in the face of 21st century smart planning – it needs to be significantly scaled back and away from the Santa Clara River

Response No. F34-9:

This comment is substantively the same as Comment No. F13-8. Please refer to **Response to Comment No. F13-8** for a discussion of issues related to the amount and location of proposed development.

Comment No. F34-10:

AND- Where's the analysis of the methane that will be generated from trash created by this massive project, what about emissions from trash truck – the GHG analysis is not sufficient

Response No. F34-10:

This comment is substantively the same as Comment No. F13-9. Please refer to **Response to Comment No. F13-9** for a discussion of issues related to methane emissions associated with solid waste disposal as well as GHG emissions associated with the haul truck trips necessary to transport Mission Village Project-related solid waste.

Comment No. F34-11:

The severe water cutbacks required in the SCV in the last six years are new information showing that we cannot accommodate this massive project with our current water resources. That water table dropped 70 feet and several wells went dry.

Response No. F34-11:

This comment is substantively the same as Comment No. F13-10. Please refer to **Response to Comment No. F13-10** for a discussion of issues related to the availability of water from “current water resources” to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F34-12:

There have been a lot of articles about how offsets are often a green washing scam. What guarantee do we have that the offsets being purchased as GHG mitigation will result in measurable, provable, reductions in GHG emissions beyond what would have otherwise occurred?

Response No. F34-12:

This comment is substantively the same as Comment No. F13-11. Please refer to **Response to Comment No. F13-11** for a discussion of issues related to whether the carbon offsets which may be purchased by the Mission Village Project Applicant will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F34-13:

Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F34-13:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County, as well as local air quality conditions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F34-14:

~ Our Valley is already out of federal compliance for dust pollution (PM10 and PM mil) that causes asthma and permanent lung damage and affects our children’s health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F34-14:

This comment is substantively the same as Comment No. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7 and F1-8** for a discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities.

Comment No. F34-15:

To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F34-15:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for a discussion of issues related to water quality, endangered fish species, and the lack of a need to move the Mission Village Project.

Comment No. F34-16:

Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F34-16:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for a discussion of issues related to the intersection of floodplain-related grading activities and air quality as well as issues related to water replenishment.

Comment No. F34-17:

There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has happened in the valley oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, oaks dying)!

Response No. F34-17:

This comment is substantively the same as Comment No. F13-17. Please refer to **Response to Comment No. F13-17** for a discussion of issues related to the buffer distance around the spineflower preserves and the endowment for the spineflower preserve system.

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COMMENT LETTER NO. F35

John Paladin
P.O. Box 801777
Valencia, CA 91380-1777

Comment No. F35-1:

I am opposed to the Newhall Ranch phases 2 and 3 in their current size.

Response No. F35-1:

The comment expresses general opposition to Newhall Ranch phases 2 and 3 based on their current size. Based on the subject line of this letter, Newhall Ranch phase 2 is the Mission Village Project. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-2:

The Santa Clara River is one of the last free-flowing rivers in Southern California. It should be preserved and not altered. It should not be filled in or paved in any way. The river is a scenic area which should not be damaged.

Response No. F35-2:

The comment expresses a preference that the Santa Clara River be preserved and not altered, filled in, or paved in any way, and states that the river is a scenic area which should not be damaged. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-3:

Endangered species should receive better protections for their environment.

Response No. F35-3:

The comment expresses an opinion that endangered species should receive better protections for their environment. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-4:

There should be at least a 250 yard undeveloped buffer zone on the sides of the river and around endangered plants which cannot be developed.

Response No. F35-4:

The comment expresses a preference that there should be at least a 250-yard undeveloped buffer zone on the sides of the river and around endangered plants which cannot be developed. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Please also refer to **Response to Comment Nos. F13-15** and **F13-17** for a discussion of issues related to buffer distance around the Santa Clara River and spineflower preserves, and the endowment for the spineflower preserve system. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-5:

No runoff should be allowed to enter the river.

Response No. F35-5:

The comment expresses a preference that no runoff should be allowed to enter the river. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-6:

It is improper to build homes over an oil field (Mission Village) because of health risks and environmental risks in that area.

Response No. F35-6:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-7:

The traffic analysis is not adequate because it is outdated and it does not account for current or future traffic levels.

Response No. F35-7:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the Revised Draft EIR (October 2011), for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-8:

There is a limit to the proper amount of density in a particular area. There has already been extensive development in the Santa Clarita Valley. The current proposal creates excessive development and excessive traffic in an area which should be left as agricultural land, parks and open space.

Response No. F35-8:

The comment expresses concerns regarding the amount of development associated with the Mission Village Project and that the area should be left as agricultural land, parks and open space. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Nonetheless, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-9:

It is not OK to keep building as much density as possible in every open area. The free-flowing river and the open space should be preserved with a minimum of development.

Response No. F35-9:

The comment expresses concerns regarding the location of proposed development and that the "free-flowing river and the open space should be preserved with a minimum of development". The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Refer to the discussion above for information regarding the location of the development associated with the Mission Village Project. Refer to **Response to Comment No. F35-8** for information regarding the location of the development associated with the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-10:

The claim of “net zero” greenhouse gas emissions is not believable from a large development in an open area which is experiencing global warming.

Response No. F35-10:

The comment states that the “claim of ‘net zero’ greenhouse gas emission is not believable from a large development in an open area which is experiencing global warming”. This issue is substantively the same as Comments F13-4 and F13-5. Please refer to **Response to Comment Nos. F13-4 and F13-5** for a discussion of issues related to net zero greenhouse gas (GHG) emissions. The Recirculated Analysis’ determination that the Mission Village Project would result in net zero GHG emissions is reasonable and is supported by substantial evidence. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F35-11:

The river area in its natural state is an important asset which should be preserved as much as possible in its natural state.

Response No. F35-11:

The comment expresses a preference that the river should be preserved as much as possible in its natural state. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F36

Susann Rizzo

Comment No. F36-1:

The following points must be considered concerning Mission Village and Landmark Projects. These projects violate protections that are established to enhance all our lives.

Response No. F36-1:

The comment expresses general opposition to the Mission Village Project. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F36-2:

- The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F36-2:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the 2011 Final EIR, for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F36-3:

- Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F36-3:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for a discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion.

Comment No. F36-4:

- The severe water cutbacks required in the SCV in the last six years are new information showing that we cannot accommodate this massive project with our current water resources. That water table dropped 70 feet and several wells went dry.

Response No. F36-4:

This comment is substantively the same as Comment No. F13-10. Please refer to **Response to Comment No. F13-10** for a discussion of issues related to the availability of water from “current resources” to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F36-5:

- There have been a lot of articles about how offsets are often a green washing scam. What guarantee do we have that the offsets being purchased as GHG mitigation will result in measurable, provable, reductions in GHG emissions beyond what would have otherwise occurred?

Response No. F36-5:

This comment is substantively the same as Comment No. F13-11. Please refer to **Response to Comment No. F13-11** for a discussion of issues related to whether the carbon offsets which may be purchased by the Mission Village Project Applicant will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F36-6:

- Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F36-6:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County, as well as local air quality conditions.

Comment No. F36-7:

- No mention or itemization of the external creators of GHG for this project, like methane from waste disposal, energy production for water delivery and desalination of waste water, off site energy production for infrastructure, auto and truck deliveries and other uses is not in the Environmental document because those chapters are excluded from the document. These issues must be discussed in order for the document to be valid.

Response No. F36-7:

This comment is substantively the same as Comment No. F13-13. Please refer to **Response to Comment No. F13-13** for a discussion of issues related to the sources of GHG emissions generated by development associated with the Mission Village Project.

Comment No. F36-8:

- Our Valley is already out of federal compliance for dust pollution (PM10 and PM_{2.5}) that causes asthma and permanent lung damage and affects our children's health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F36-8:

This comment is substantively the same as Comment No. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7 and F1-8** for a discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities.

Comment No. F36-9:

- To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F36-9:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for a discussion of issues related to water quality, endangered fish species, and the lack of a need to move the Mission Village Project.

Comment No. F36-10:

- Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F36-10:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for a discussion of issues related to the intersection of floodplain-related grading activities and air quality as well as issues related to water replenishment.

Comment No. F36-11:

Your consideration of these factors will lead you to the correct decision. Mission Village and Landmark Projects must not be approved.

Response No. F36-11:

The comment requests that the Mission Village Project be denied. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F37

Arlene Sarestsky

Comment No. F37-1:

I am opposed to the building of your proposed project.

Response No. F37-1:

The comment expresses general opposition to the development proposed for the Mission Village Project. The comment does not raise any specific environmental issue regarding the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Mission Village Project.

Comment No. F37-2:

It is absolutely impossible to do what you say you can accomplish with Zero impact on our environment.

Response No. F37-2:

The comment states that “it is absolutely impossible to do what you say you can accomplish with Zero impact on our environment”. The comment does not raise any specific environmental issue regarding the Recirculated Analysis; therefore, no further response is required or can be provided. Please refer to Response to Comment No. F13-4 for information regarding the Project’s commitment to achieve net zero GHG emissions. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Mission Village Project.

Comment No. F37-3:

For the sake of future generations, rather than profits, please reconsider this project.

Response No. F37-3:

The comment reiterates its request that the Mission Village Project be reconsidered for the “sake of future generations”. The comment does not raise any specific environmental issue regarding the Recirculated Analysis; therefore, no further response can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Mission Village Project.

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COMMENT LETTER NO. F38

Andrea Slominski

Comment No. F38-1:

I am a resident of the Santa Clarita valley, writing to **oppose** the Newhall Ranch development on the 126 in Santa Clarita, CA.

Response No. F38-1:

The comment expresses general opposition to Newhall Ranch development. The comment does not address any particular aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F38-2:

The traffic in Santa Clarita itself and the traffic from Santa Clarita and the Antelope Valley to L.A. in the mornings is already impacted. The additional 21,000 homes will mean at least 42,00 [sic] cars added to the freeway and local traffic.

Response No. F38-2:

This comment is substantively the same as Comment No. F1-9. Please refer to **Response to Comment No. F1-9**, as well as Section 4.5, Traffic/Access, of the Project's 2011 Final EIR for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F38-3:

Traffic congestion in the Santa Clarita Valley is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in Green House Gasses for these projects.

Response No. F38-3:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for a discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion.

Comment No. F38-4:

The exclusion of a traffic chapter makes the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F38-4:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the Project's 2011 Final EIR, for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F38-5:

We already have smog inversions in the warmer months, and the dust levels in this valley are well above the acceptable Federal ppm levels. All the new construction and filling in of the river basin will only make it worse.

Response No. F38-5:

This comment is substantively the same as Comment Nos. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7 and F1-8** for a discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities.

Comment No. F38-6:

Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F38-6:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County, as well as local air quality conditions.

Comment No. F38-7:

The promise of zero GHGs sounds good on paper but the enforcement reality is lacking:

Response No. F38-7:

This comment is substantively the same as Comment No. F13-4. Please refer to **Response to Comment No. F13-4** for a discussion of issues related to the enforcement of the Mission Village Project's commitment to achieve net zero GHG emissions.

Comment No. F38-8:

Will the offsets actually exist to be bought? Will enough offsets be available? Who will assure that the offsets are actually bought?

Who will assure that the offsets are actually effective to offset the amount of GHGs needed to be offset?

How will the use of electric cars be monitored and enforced in order to gauge if the touted GHG reductions actually occur?

All these assurances need to be codified with a plan to create enforceable mitigation measures.

Response No. F38-8:

This comment is substantively the same as Comment No. F13-5. Please refer to **Response to Comment No. F13-5** for a discussion of issues related to the use of carbon offsets to mitigate the Mission Village Project's GHG emissions.

Comment No. F38-9:

We may be nearly out of the recent drought, but groundwater is depleted. Where is the water for these homes coming from in future drought years?

Response No. F38-9:

This comment is substantively the same as Comment No. F13-10. Please refer to **Response to Comment No. F13-10** for a discussion of issues related to the availability of water from "current water resources" to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F38-10:

Why are we even considering building on the flood plain of the Santa Clara River?

Response No. F38-10:

The comment expresses general opposition to building on the floodplain of the Santa Clara River. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis.

The issue raised by the comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required or can be provided. Additionally, the issue previously was evaluated in Mission Village Project's 2011 Final EIR (see, e.g., Section 4.2, Hydrology; Section 4.21, Floodplain Modifications), and the subject analysis was not determined to be inadequate by the courts. This comment offers no significant new information requiring additional analysis with respect to floodplain issues.

Comment No. F38-11:

The project is still too big and impactful to the Valley and flies in the face of 21st-century smart planning – it needs to be significantly scaled back and away from the Santa Clara River. Or rejected completely. Not all growth is good growth. We need to learn to live sustainably. Un-impeded growth is no longer sustainable in Southern California.

Response No. F38-11:

This comment is substantively the same as Comment No. F13-8. Please refer to **Response to Comment No. F13-8** for a discussion of issues related to the amount and location of proposed development.

COMMENT LETTER NO. F39

Robert Smith
2393 Goodenough Road
Fillmore, CA 93015

Comment No. F39-1:

I live in the Santa Clara River Valley and am concerned about the impacts on traffic and water the Newhall Ranch project will have on the City of Fillmore.

Response No. F39-1:

The comment expresses general concern regarding traffic and water. The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis). The issues raised by the comment are also outside the scope of the Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Relatedly, the issues referenced were evaluated and studied in the Mission Village 2011 Final EIR (2011 Final EIR) (see, e.g., Section 4.5, Traffic/Access; and Section 4.8, Water Service), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. The comment offers no significant new information requiring additional analysis with respect to traffic or water. Therefore, no further response is required.

Comment No. F39-2:

Traffic on highway 126 is already heavily impacted, yet there is no plan for rectifying any increased congestion attributable to Newhall Ranch.

Response No. F39-2:

The comment is similar to Comment No. F39-1 and expresses specific concern regarding traffic congestion. As such, please refer to **Response to Comment No. F39-1**. It also is noted that Section 4.5, Traffic/Access, of the Project's 2011 Final EIR concluded that, with implementation of the identified mitigation measures, the Project's impacts to traffic would be reduced to less-than-significant levels; that analysis was not determined to be inadequate by the courts. This comment offers no significant new information requiring additional analysis.

Comment No. F39-3:

Where is the water coming from to supply these new homes? The project will drain an already stresses aquifer [sic].

Response No. F39-3:

The comment expresses general concern regarding water supply. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis. The comment also raises an issue that is beyond the scope of the Mission Village Project's Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Further, the Project's impacts to water supply previously were studied and evaluated in Section 4.8, Water Service, of the Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to water supply would occur based on the information and analysis presented in the Recirculated Analysis. It also should be noted that, as of April 7, 2017, Governor Brown ended the drought statement of emergency in most of California, and state agencies released a long-term plan to better prepare the state for future droughts and make conservation a way of life.

Comment No. F39-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback. The Mission and Landmark projects remain a disaster for the Santa Clara River and valley. And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F39-4:

The comment expresses general opposition to the Project, and raises concerns regarding safeguards to protect stickleback fish. The portion of the comment addressing endangered species is addressed in detail in Letter No. F13. Please refer specifically to **Response to Comment No. F13-15**, as well as Section 2.2 of the Draft Recirculated Analysis for a discussion of issues related to endangered fish species. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F40

Joyce Stein

Comment No. F40-1:

This letter is in opposition of the Mission Village and Landmark Projects.

Response No. F40-1:

The comment expresses general opposition to the Mission Village Project. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F40-2:

Houses should not be built over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes.

Response No. F40-2:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks.

Comment No. F40-3:

The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F40-3:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the 2011 Final EIR, for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F40-4:

Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F40-4:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for a discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion.

Comment No. F40-5:

The project is still too big and impactful to the Valley and flies in the face of 21st century smart planning – it needs to be significantly scaled back and away from the Santa Clara River

Response No. F40-5:

This comment is substantively the same as Comment No. F13-8. Please refer to **Response to Comment No. F13-8** for a discussion of issues related to the amount and location of proposed development.

Comment No. F40-6:

There is no analysis of the methane that will be generated from trash created by this massive project, what about emissions from trash truck – the GHG analysis is not sufficient

Response No. F40-6:

This comment is substantively the same as Comment No. F13-9. Please refer to **Response to Comment No. F13-9** for a discussion of issues related to methane emissions associated with solid waste disposal as well as GHG emissions associated with the haul truck trips necessary to transport Mission Village Project-related solid waste.

Comment No. F40-7:

- The severe water cutbacks required in the SCV in the last six years are new information showing that we cannot accommodate this massive project with our current water resources. That water table dropped 70 feet and several wells went dry.

Response No. F40-7:

This comment is substantively the same as Comment No. F13-10. Please refer to **Response to Comment No. F13-10** for a discussion of issues related to the availability of water from “current water resources” to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F40-8:

- Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F40-8:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County, as well as local air quality conditions. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F40-9:

- Our Valley is already out of federal compliance for dust pollution (PM10 and PM_{2.5}) that causes asthma and permanent lung damage and affects our children’s health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F40-9:

This comment is substantively the same as Comment Nos. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7 and F1-8** for a discussion of issues related to dust emissions associated with the Mission Village Project’s floodplain-related grading activities. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F40-10:

- To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F40-10:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for a discussion of issues related to water quality, endangered fish species, and the lack of a need to move the Mission Village Project.

Comment No. F40-11:

- Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F40-11:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for a discussion of issues related to the intersection of floodplain-related grading activities and air quality as well as issues related to water replenishment.

Comment No. F40-12:

- There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has happened in the Valley Oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, and oaks are dying)

Response No. F40-12:

This comment is substantively the same as Comment No. F13-17. Please refer to **Response to Comment No. F13-17** for a discussion of issues related to the buffer distance around the spineflower preserves and the endowment for the spineflower preserve system.

Comment No. F40-13:

I live in Santa Clarita and these projects are not good for the environment. Thank you for taking my comment.

Response No. F40-13:

The comment expresses general opposition to the Mission Village Project and does not raise any specific issues with regard to the potential environmental impacts of the Mission Village Project. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F41

Karen Tracy
62350 Cummins Way
Joshua Tree, CA 92252

Comment No. F41-1:

This ill-conceived development comes at the expense of too many lives, ecosystems and landmarks.

Response No. F41-1:

The comment expresses general concerns regarding the Mission Village Project. It does not raise a specific critique of the Recirculated Portions of the EIR (Recirculated Analysis). In addition, to the extent the comment raises identifiable concerns, those issues are outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F41-2:

How is it even possible to consider destroying the LAST free-flowing river in the state? I cannot conceive of it.

Response No. F41-2:

The comment expresses general concern regarding the Santa Clara River. The comment does not address any particular aspect of Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F42

Charity Vincent

Comment No. F42-1:

My name is Charity and I live in Santa Clarita. I am very troubled to hear the proposed projects to build Mission Village and Landmark Village. Our beautiful city is already suffering from traffic congestion, air pollution, and water shortages. Adding massive housing projects would greatly worsen these issues. As someone who has asthma, I am especially concerned. Please preserve a better way of life for us here in Santa Clarita and disallow this project from progressing.

Response No. F42-1:

The comment expresses general opposition to the Mission Village Project, with respect to traffic congestion, air pollution, and water shortages. The comment does not raise any particular issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis), which corrects the greenhouse gas analysis, demonstrates take avoidance of the unarmored threespine stickleback, and revises the mitigation monitoring plan. The comment also raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Therefore, no further response is required or can be provided. Further, the Net Zero Newhall plan and its programs require the proposed Project to reduce greenhouse gas emissions, reduce energy consumption, provide new transportation options that rely less on single occupancy vehicle travel, and encourage water conservation. In addition, for purposes of air quality, it should be noted that elements of the Mission Village Project's mitigation framework for GHG emissions are anticipated to achieve co-benefits in the Southern California Air Basin due to corresponding emission reductions in criteria air pollutants. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F43

Barbara Wampole
28006 San Martinez Grande Road
Castaic, CA 91384-2306

Comment No. F43-1:

These are the comments I submitted at the hearing in the Santa Clarita Valley plus a few additional comments;

Response No. F43-1:

This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F43-2:

Good evening

My name is Barbara Wampole and I'm speaking in opposition to the two agenda items #2 & # 3.

Response No. F43-2:

This comment introduces the speaker at the public hearing where these comments were submitted into the record. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F43-3:

Thank you for coming to the SCV tonight.

I'm a 45 yr resident of the SCV , [sic] a founding member and vice chair of Friends of the Santa Clara River (FSCR), and a local business woman.

On behalf of the FSCR and my local community, we continue to strenuously remind you of the importance - for our very being, our survival and nothing less - of wetlands, riparian habitat, water quality and the endangered and threatened species that depend on those resources.

Response No. F43-3:

This comment introduces the speaker and expresses the views of the speaker regarding issues of importance. This comment is noted for the record and is included in this Final EIR for review and

consideration by the decision-makers. The comment does not raise an environmental issue regarding the Recirculated Analysis and no further response is required.

Comment No. F43-4:

We've known about Climate Change since our founding in 1993 and before. Where was Five Points Corp (Newhall Land and Farming) then?

Response No. F43-4:

This comment raises the issue of climate change and poses a question regarding the Mission Village Project Applicant. The comment does not identify a specific deficiency with regard to the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis), which considers the impacts of the Mission Village Project's greenhouse gas (GHG) emissions on global climate change in Section 2.1 of the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F43-5:

This project should be moved away from the Santa Clara River, out of its floodplain and should not be filling the floodplain to redefine it according to the US Army Corps.

Filling the floodplain with 20 million cubic yards of dirt has enormous implications. It harms water replenishment and adds massively to air pollution. It's enough soil to fill 6 Great Pyramids. And that's just the fill in the Santa Clara River's floodplain and its tributaries.

Response No. F43-5:

This comment suggests that the Mission Village Project should be moved out of the floodplain and raises concerns related to water replenishment and air pollution. Please see **Response to Comment Nos. F1-7, F1-8, and F13-16**, which discuss substantively the same issues, for detailed responses to this comment. Additionally, please see responses to the commenter's floodplain-specific comment letter, as provided in **Response to Comment Nos. F44-1 through F44-12**. As discussed in the referenced responses, the issue raised in the comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**) and previously was analyzed in the Mission Village Project's 2011 Final EIR (2011 Final EIR) without any deficiency therein subsequently identified by the courts.

Comment No. F43-6:

The grading plan for the entire project would require 200 cubic yards of soil to be removed from one place and deposited elsewhere. Let's see, that's 60 Great Pyramids!

Response No. F43-6:

This comment raises concerns regarding the Mission Village Project's floodplain-related grading activities. Please see **Response to Comment Nos. F1-7, F1-8, and F13-16**, which discusses substantively the same issues, for detailed responses to this comment. The issue raised by the comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

Comment No. F43-7:

That doesn't begin to illustrate the dramatic change in the land and the impacts that would occur. But that does indicate the harm to the endangered fish in the area that is at issue here tonight . [sic]

Response No. F43-7:

This comment raises general concern regarding the Mission Village Project's impacts to endangered fish. This comment does raise a specific critique of the Recirculated Analysis. Please note that the 2011 Final EIR analyzed the Mission Village Project's impacts on special-status fish species in Section 4.3, Biota. This analysis was upheld as adequate, although two mitigation measures in the California Department of Fish and Wildlife's (CDFW) EIR for the Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) project – BIO-44 and BIO-46 – were deemed invalid due to conflicts with Fish and Game Code Section 5515. Because County-adopted Mission Village Mitigation Measures MV 4.3-8 and MV 4.3-9 are substantially similar to CDFW Mitigation Measures BIO-44 and BIO-46, as explained in the Recirculated Analysis, the No Water Contact approach to bridge construction was developed expressly to avoid impacts to sensitive fish species, including the unarmored threespine stickleback, and eliminate the need for Mitigation Measures MV 4.3-8 and MV 4.3-9. The Recirculated Analysis fully evaluates whether and to what extent the revised construction approach will affect the aquatic environment of the Santa Clara River. (See Draft Recirculated Analysis, pp. 2.2-1—2.2-39.) This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F43-8:

I've never felt better about the young people of this country and the world, who are taking Climate Change and environmental protection very seriously.

Avoidance of impacts is critical. And promises that aren't kept wouldn't be an issue in that situation.

Response No. F43-8:

This comment expresses general opinion regarding climate change. The comment does not identify a specific deficiency in the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F43-9:

This project proposes "offsets" for their climate change impacts.

"Offsets" are not viable as mitigation for the impacts of their projects.

"Offsets" haven't worked in Europe. Cheating on "offsets" makes them unreliable in far too many ways.

And it's astounding that without thorough understanding, people simply believe the "NetZero" branding this project is applying to themselves.

Response No. F43-9:

This comment raises questions regarding the use of offsets as mitigation for GHG emissions for the Mission Village Project and questions the Project's commitment to achieve zero net GHG emissions. The comment does not provide any evidence to support its statements nor does the comment identify a specific deficiency in the Recirculated Analysis. As discussed in the Recirculated Analysis, California Environmental Quality Act (CEQA) Guidelines Section 15126.4(c)(3)-(4) specifically authorizes the use of offsets to mitigate GHG emissions.

The comment raises concerns regarding the off-site GHG reductions associated with the Mission Village Project. Please see **Response to Comment No. 09-32** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the use of direct reduction activities and carbon offsets to mitigate the Mission Village Project's emissions through the GHG Reduction Plan. **Response to Comment No. 09-32**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), provide a broad overview of the mitigation measures and the performance standards underpinning the GHG Reduction Plan that ensure all GHG reductions used for compliance with Mitigation Measures MV 4.23-10/2-10 and 4.23-13/2-13 are consistent with CEQA Guidelines Sections 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by "[o]ff-site measures, including offsets that are not otherwise required" and "[m]easures that sequester greenhouse gases"). The appropriateness of using offsets as CEQA mitigation for GHG emissions is well established. The GHG Reduction Plan, through the implementation of Direct Reduction Activities and the purchase of Carbon Offsets meets the requirements of CEQA, as discussed in **Response to Comment Nos. 09-32** through **09-**

67 within **Letter No. E13**, and CDFW's responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis). Please also refer to **Response to Comment Nos. F13-5 and F13-11** for additional responses regarding carbon offsets.

Comment No. F43-10:

This project needs to stay out of the wetlands and the floodplains of the river and it's [sic] tributaries.

Response No. F43-10:

The comment states that the Mission Village Project should stay out of the wetlands and floodplains located on the Project site. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis. The issue raised by the comment is also beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required or can be provided. Additionally, the issue previously was evaluated in the Mission Village Project's 2011 Final EIR (see, e.g., Section 4.21, Floodplain Modification; Section 4.3, Biota), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. This comment offers no significant new information requiring additional analysis with respect to floodplain and wetlands issues.

Comment No. F43-11:

A true American Dream protects these precious resources for us and future generations.

Response No. F43-11:

This comment expresses general opinion regarding protection of natural resources. The comment does not identify a specific deficiency in the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F43-12:

By the way, Newhall Land and Farming may have been local, with our community's interests in mind. Five Points is not Newhall Land and Farming.

Response No. F43-12:

This comment expresses general opinion regarding the identity of the Mission Village Project Applicant. The comment does not identify a specific deficiency in the Recirculated Analysis. This comment is noted

for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F43-13:

And we in Val Verde know what those promises were worth and didn't deliver. Valencia's tributaries are in concrete channels.

Response No. F43-13:

This comment states that Valencia's tributaries are in concrete channels. The existing community of Valencia is not located on the Project site and the comment does not identify a specific deficiency in the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F43-14:

(my two minutes were up or I would have said "Thank you").

Response No. F43-14:

This is part of the commenter's public testimony. No further response is required. The comment does not identify a specific deficiency in the Recirculated Analysis.

Comment No. F43-15:

<http://america.aljazeera.com/articles/2015/8/25/european-climate-credits-fail.html>

A United Nations-backed carbon-trading scheme in Europe, originally meant to combat global warming, has instead resulted in the release of more than half a billion additional tons of greenhouse gases, according to a new report (link below).

https://secure-web.cisco.com/1FHFbOx9majzi1ki0yfrTSeohnO7egGPISvoIMbLqH47hsyUTsVFYOweMrb5-76CjetphNflyop5DdJOWenBsN7KN5mdMiBMxA1EFDVZwicaN3URGW1BOtG37fdCHKHmsYPr-Msasy7uO0arYqK1TUifKFFMsBk7gdwZdj4pW7TFoLP7RU20MglcDXMLn_L9-vQa3W7Rt02k11hnGm7ZfBZht9yLYpL3IM8_NfouoFCXKknMQjD8cgy3v3pNZJLn36leZaG2ot9-Am88DXGxRk0T4bxrzi0JeeaY7BgX7J6HvSATLuvgcSmnMY40QwmFIZ0-lqNk4n_Ho-hK9fLBkFBUI42Ac3oUA4zMs_tt-zQ8FJQzX5MglBCtzBIN16XhTvfo7rLPIr2ta2vaSpPIDw/https%3A%2F%2Fwww.sei-international.org%2Fmediamanager%2Fdocuments%2FPublications/Climate/SEI-WP-2015-07- JI-lessons-for-carbon-mechs.pdf

Response No. F43-15:

This comment provides a link to an article unrelated to the Mission Village Project regarding carbon trading in Europe. The comment does not identify a specific deficiency in the Recirculated Analysis. Please see **Response to Comment No. F43-9** above for relevant information that is responsive to this comment.

Comment No. F43-16:

https://en.wikipedia.org/wiki/European_Union_Emission_Trading_Scheme

Carney, Sean (28 January 2011). "EU Carbon Market Suffers Further Setback". The Wall Street Journal.

According to UBS Investment Research, the EU ETS cost \$287 billion through to 2011 and had an "almost zero impact" on the volume of overall emissions in the European Union and the money could have resulted in more than a 40% reduction in emissions if it had been used in a targeted way, e.g., to upgrade power plants.[74]

http://secure-web.cisco.com/1smzvVzn_j7OvCGP4xk6B0Rr-keVTyDIFFbP-4IR8vbazt2XC1ypQhJvbotDUkteFVzIgeAI2uX2zT2mpvuc3H5mvQymdU4f7frY0UspLIZuFbiftX0oYMzW7N9GwJ6GaXat3M26FPvRx34AZgiVc61_1X_MSbhfQaqYdh60F-hb7glNj0qq6XyYAfAcGRYE7NXBuWcVYLkKVqdCVYXJZ3N_Eg8AiVNWh8Y8EyaqycCMAB3CJyenFc1lxk9B2fwR_YftO3k20YQgoRx6LUWJjWOSsfUTRfPrmyD0tIJSXhkSSxq2VkeelclWy9hPNFkwfbgb4K4Ms7D_FwhpqwOM7BD9bzo2uwyRck36yo_j9b7zbqKgNEkEWtSg_IQrVunF3JRgm4iqKoVch6HqpZIRs_w/http%3A%2F%2Fwww.sciencetimes.com%2Farticles%2F7194%2F20150826%2Fcarbon-trading-fails-to-reduce-greenhouse-gas-emissions.htm

Response No. F43-16:

This comment provides links to a Wikipedia entry and two articles unrelated to the Mission Village Project regarding carbon trading in Europe. The comment does not identify a specific deficiency in the Recirculated Analysis. Please see **Response to Comment No. F43-9** above for relevant information that is responsive to this comment.

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COMMENT LETTER NO. F44

Barbara Wampole - 2
28006 San Martinez Grande Road
Castaic, CA 91384-2306

Comment No. F44-1:

In addition to the comments I submitted (included below also) yesterday on the Newhall Ranch projects Landmark and Mission Villages I am submitting these concerns not included in my previous comments;

Response No. F44-1:

The comment is an introduction to comments that follow, and does not raise an environmental issue regarding the Recirculated Portions of the EIR (Recirculated Analysis); as such, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F442:

It has been a concern since the earliest review of this project that the Newhall Ranch project has proposed building housing tracts in the floodplain and floodway of the Santa Clara River which is immediately adjacent to the confluence of Castaic Creek, and directly downstream of the Castaic Dam.

Response No. F44-2:

The comment expresses concern regarding the Mission Village Project's location in relation to the Santa Clara River, its associated floodplain, and the Castaic Dam. The issues raised by the comment are outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. Relatedly, the issues referenced were evaluated and studied in the Mission Village 2011 Final EIR (2011 Final EIR) (see, e.g., Section 4.2, Hydrology, Section 4.19, Environmental Safety, and Section 4.21, Floodplain Modifications), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. The comment offers no significant new information requiring additional analysis with respect to these issues.

Comment No. F44-3:

I will repeat here the concerns expressed over the twenty years that this project has been proposed and been opposed as proposed.

Response No. F44-3:

The comment states that the Mission Village Project has been subject to long-standing opposition, but does not raise an environmental issue regarding the Recirculated Analysis; as such, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F44-4:

In light of the emergency evacuations implemented in the past 24 hours of communities downstream of the Oroville Dam,

I urge our Los Angeles County Planning Department to take it as a personal and professional issue to reconsider allowing the building of a community, including an elementary school, directly downstream of Castaic Dam, when it is neither a financial nor a housing necessity to build in this floodplain nor this floodway!!!

We do not need to build in floodplains.

Response No. F44-4:

The comment references the Oroville Dam evacuations, and requests that the Mission Village Project not allow development in the floodplain. Please see **Response to Comment No. F44-2** above for relevant information that is responsive to this comment. It also is noted that the 2011 Final EIR's analysis of dam failure in Section 4.19, Environmental Safety, determined that such impacts would be less than significant, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F44-5:

As can be seen by yesterday's emergency, it isn't simply seismic dangers, nor engineering failure to detect geologic problems (in the case that led to the failure of the nearby Saint Francis Dam disaster in 1928) that accompany dams, but even a weather season of heavy rain, now threatens the safety of communities when built in floodplains.

Response No. F44-5:

The comment states that in addition to seismic dangers and engineering failures, weather can threaten the safety of communities located in floodplains. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis and, therefore, no further response is required or

can be provided. Please see **Response to Comment Nos. F44-2 and F44-4** above for relevant information that is responsive to this comment. It also is noted that, as discussed in Section 4.2 of Mission Village Project's 2011 Final EIR, in order to avoid flooding impacts along the Santa Clara River, those areas of the Mission Village Project that are located along the Santa Clara River and proposed for development would be elevated above the existing 100-year and 50-year capital floodplains, thereby removing the development facilitated by approval of the Mission Village Project from flood hazards.

Comment No. F44-6:

We are facing dramatic changes in weather patterns with Climate Change.

Regardless of whether the spillways and actual dams in these two situations are identical, there is no doubt, with climate change, that the Castaic Dam is vulnerable to similar problems of unexpected high volumes of water and the safety of communities built downstream.

Response No. F44-6:

The comment expresses general concern that, due to the effects of global climate change, Castaic Dam is vulnerable to the same problems that were experienced at Oroville Dam. Please see **Response to Comment Nos. F44-2 and F44-4** above for relevant information that is responsive to this comment. In addition, as discussed in Section 4.19 of the 2011 Final EIR, the Department of Water Resources has determined that the Castaic Dam (which is located approximately 5.5 miles upstream of the Project site) is designed to resist both the maximum credible earthquake and the probable maximum precipitation flood. That determination, and the related 2011 Final EIR analysis, was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F44-7:

As can be seen from the news report links included here, Northern California communities under evacuation were trapped on the roads due to the high volume of traffic in this evacuation. If this dam/spillway had failed, people could have been caught in the ensuing floodwaters.
http://sfist.com/2017/02/12/compromised_oroille_dam_auxiliary.php

<http://ktla.com/2017/02/13/pure-chaos-188000-residents-forced-to-evacuate-amid-oroille-dam-emergency/>

<http://www.latimes.com/local/california/la-live-updates-oroille-dam-20170212-htlstory.html>

The emergency evacuation area in Butte County included areas from Oroville Dam to Yuba City 38 miles downstream!!!

Response No. F44-7:

The comment refers to various news articles regarding the Oroville Dam emergency and does not raise an environmental issue regarding the Recirculated Analysis; as such, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F44-8:

Landmark Village elementary school site and nearby proposed Homestead Village are only 7 to 9 miles downstream of the Castaic Dam.

Again, I urge the Planning Department to clearly analyze the risk to downstream communities in the event of similar, formerly unprecedented, hazard that these high storm events now pose to the safety of what is proposed to be built in the floodplain of the Santa Clara River.

Response No. F44-8:

The comment reiterates the commenter's request that County analyze the Mission Village Project's flood-related impacts, after describing the proximity of certain locations of the Project site to the Castaic Dam. Please see **Response to Comment Nos. F44-2, F44-4 and F44-6** above for relevant information that is responsive to this comment.

Comment No. F44-9:

And I urge urge [sic] you to move all Newhall Ranch projects out of the floodplain and floodway of the Santa Clara River.

Response No. F44-9:

The comment reiterates the commenter's request to relocate all development out of the Santa Clara River's floodplain and floodway. Please see **Response to Comment No. F44-5** above for relevant information that is responsive to this comment; as explained therein, the development facilitated by approval of the Mission Village Project would be elevated above the 100-year and 50-year capital floodplains.

Comment No. F44-10:

I believe it is your personal and professional duty to consider this as a real danger to life and property.

Response No. F44-10:

The comment expresses general opinion regarding the County's personal and professional duties, and does not raise an environmental issue regarding the Recirculated Analysis; as such, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F44-11:

<http://www.buttecounty.net/>

Oroville Evacuation Information Public Information Line

Immediate Evacuation Order for the Following Areas: Oroville Area: Downtown Oroville and Thermalito, the areas south of Lincoln Blvd on the west side of Lincoln to Ophir Road.

All low lying [sic] areas around the Feather River, which includes Gridley, Biggs, Yuba City, Loma Rica, and anywhere south of Butte County along the River. We will provide more specific information later.)

<http://www.latimes.com/local/california/la-live-updates-oroville-dam-20170212-htm1story.html>

Major sinkhole on spillway at Lake Oroville <http://www.latimes.com/visuals/photography/la-me-lake-oroville-spillway-pictures-photogallery.html>



Live updates: Mass evacuation below Oroville Dam as officials frantically try to make repairs before new storms

Feb. 13, 2017, 11:05 a.m.

"This is not a drill. Repeat this is not a drill," the National Weather Service said Sunday, urging people living below Oroville Dam to evacuate.

More than 100,000 people were told to evacuate because of a "hazardous situation" involving the Northern California dam's emergency spillway. At one point, the NWS warned that the auxiliary spillway was expected to fail and could send an "uncontrolled release of flood waters from Lake Oroville." However, by late Sunday night, officials said the immediate threat had passed because water had stopped washing over the emergency spillway.

The mass evacuations cap a week of frantic efforts to prevent flooding as the reservoir behind America's tallest dam reached capacity and its main spillway was severely damaged.

On Saturday, water levels rose so high that an emergency spillway was used for the first time. Officials initially believed the measure worked. But Sunday afternoon, as more water from record storms flowed into Lake Oroville, officials detected a hole in the emergency spillway and eventually ordered the evacuations.

By late Sunday, the crisis at the Oroville Dam eased somewhat, as the water level at the reservoir dropped. That halted water flow from a damaged emergency spillway that officials feared could collapse. But officials stressed that the situation is still dangerous and that evacuations should continue.

A failure of the emergency spillway could cause huge amounts of water to flow into the Feather River, which runs through downtown Oroville, and other waterways.

Gov. Jerry Brown issued an emergency order aimed at bolstering the state's response to the crisis.

A list of evacuation centers can be found here . [sic]

Feb. 13, 2017, 11:02 a.m.

Lake Oroville water level declining

The chart below shows how the water level at the Oroville reservoir has been reduced over the last 24 hours.

According to a spokesman for the Department of Water Resources, water is pouring down the facility's damaged main spillway at a rate of about 100,000 cubic feet per second.

By 10 a.m., the lake's water level was 4 feet lower than the emergency spillway, which suffered damage during its first ever water release over the weekend.

Union Pacific has stopped train service through cities affected by the Oroville Dam emergency.

The railroad said it is unable to run trains and provide service between Roseville, Chico and Oroville due to the risk of flooding. Trains approaching Roseville are being rerouted.

"We are watching the situation closely to determine if trains will need to be rerouted around the closures," the railroad said.

Customers in the affected area could experience shipment delays for 48 hours or more. The Oroville Dam emergency could also affect train traffic between Oregon, Washington state and Southern California, the railroad said.

Trains were out of service between Oroville and Winnemucca, Nev., after sections of the tracks were washed out due to recent rains and flooding.

"At Union Pacific, safety is our top priority," the railroad said. "While we will always do everything we can to recover operations, the safety of our employees and the communities we serve will always be our primary concern."

Response No. F44-11:

The comment is an article concerning the Oroville Dam emergency, and does not raise an environmental issue regarding the Recirculated Analysis; as such, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F44-12:

Dear LA County Planning Department,

RE: the Newhall Ranch projects' tracts; Mission Village and Landmark Village;

These are the comments I submitted at the hearing in the Santa Clarita Valley plus a few additional comments;

Good evening

My name is Barbara Wampole and I'm speaking in opposition to the two agenda items #2 & # 3. Thank you for coming to the SCV tonight.

I'm a 45 yr resident of the SCV , [sic] a founding member and vice chair of Friends of the Santa Clara River (FSCR), and a local business woman.

On behalf of the FSCR and my local community, we continue to strenuously remind you of the importance - for our very being, our survival and nothing less - of wetlands, riparian habitat, water quality and the endangered and threatened species that depend on those resources.

We've known about Climate Change since our founding in 1993 and before. Where was Five Points Corp (Newhall Land and Farming) then?

This project should be moved away from the Santa Clara River, out of its floodplain and should not be filling the floodplain to redefine it according to the US Army Corps.

Filling the floodplain with 20 million cubic yards of dirt has enormous implications. It harms water replenishment and adds massively to air pollution. It's enough soil to fill 6 Great Pyramids. And that's just the fill in the Santa Clara River's floodplain and its tributaries.

The grading plan for the entire project would require 200 cubic yards of soil to be removed from one place and deposited elsewhere. Let's see, that's 60 Great Pyramids!

That doesn't begin to illustrate the dramatic change in the land and the impacts that would occur. But that does indicate the harm to the endangered fish in the area that is at issue here tonight . [sic]

I've never felt better about the young people of this country and the world, who are taking Climate Change and environmental protection very seriously.

Avoidance of impacts is critical. And promises that aren't kept wouldn't be an issue in that situation.

This project proposes "offsets" for their climate change impacts. "Offsets" are not viable as mitigation for the impacts of their projects.

"Offsets" haven't worked in Europe. Cheating on "offsets" makes them unreliable in far too many ways.

And it's astounding that without thorough understanding, people simply believe the "NetZero" branding this project is applying to themselves.

This project needs to stay out of the wetlands and the floodplains of the river and it's [sic] tributaries.

A true American Dream protects these precious resources for us and future generations.

By the way, Newhall Land and Farming may have been local, with our community's interests in mind. Five Points is not Newhall Land and Farming.

And we in Val Verde know what those promises were worth and didn't deliver. Valencia's tributaries are in concrete channels.

(my two minutes were up or I would have said "Thank you").

<http://america.aljazeera.com/articles/2015/8/25/european-climate-credits-fail.html>

A United Nations-backed carbon-trading scheme in Europe, originally meant to combat global warming, has instead resulted in the release of more than half a billion additional tons of greenhouse gases, according to a new report (link below). https://secure-web.cisco.com/1-lkdvUaDDNMhTzhg65CX5qbwghSuoRjiOQfeFHNYRtizdccc7SIKzGk5M0YwT0-5THKbwbApRR-LKhvV_xsibaTMetmzuAvBsmD3wGDTXihsovK2CsGA-BJYjTrlpJvPhoLYPqmizBWwxiNI9YC9tjoRWPuQBUK0G3W_-1oeJzUPBidgRiE_FYwoF7OB-

[m71c8dJsnQSD3mV9N5_NMX6VQG5VPhB-ABDSgX8vSoo6W_ZxnLrwfD-YbYnGwgu5DFyNk_vuHgC8nWxb70KTZ26ziwufK20yaoV0deJfveTLXTMBEZbnQOh1Jqu5YDt11jEv4Yx8zNAGZmnr6X45pyHnfTXgForvsDurdu0vBprShtPv-K_EROE_p_f-R3vwxyoP-MUofmYsN0axRlpW2Xx1viO63dFHlxpyAaW4nzu4/https%3A%2F%2Fwww.sei-international.org%2Fmediamanager%2Fdocuments%2FPublications/Climate/SEI-WP-2015-07- JI-lessons-for-carbon-mechs.pdf](https://secure-web.cisco.com/1-lkdvUaDDNMhTzhg65CX5qbwghSuoRjiOQfeFHNYRtizdccc7SIKzGk5M0YwT0-5THKbwbApRR-LKhvV_xsibaTMetmzuAvBsmD3wGDTXihsovK2CsGA-BJYjTrlpJvPhoLYPqmizBWwxiNI9YC9tjoRWPuQBUK0G3W_-1oeJzUPBidgRiE_FYwoF7OB-m71c8dJsnQSD3mV9N5_NMX6VQG5VPhB-ABDSgX8vSoo6W_ZxnLrwfD-YbYnGwgu5DFyNk_vuHgC8nWxb70KTZ26ziwufK20yaoV0deJfveTLXTMBEZbnQOh1Jqu5YDt11jEv4Yx8zNAGZmnr6X45pyHnfTXgForvsDurdu0vBprShtPv-K_EROE_p_f-R3vwxyoP-MUofmYsN0axRlpW2Xx1viO63dFHlxpyAaW4nzu4/https%3A%2F%2Fwww.sei-international.org%2Fmediamanager%2Fdocuments%2FPublications/Climate/SEI-WP-2015-07- JI-lessons-for-carbon-mechs.pdf)

https://en.wikipedia.org/wiki/European_Union_Emission_Trading_Scheme

Carney, Sean (28 January 2011). "EU Carbon Market Suffers Further Setback". The Wall Street Journal.

According to UBS Investment Research, the EU ETS cost \$287 billion through to 2011 and had an "almost zero impact" on the volume of overall emissions in the European Union and the money could have resulted in more than a 40% reduction in emissions if it had been used in a targeted way, e.g., to upgrade power plants.[74]

https://secure-web.cisco.com/1r1O6lRrkQLaHIYajEav7zo8ZHqLpCfmN8ZF5i2O0yWaHfXEdYwyLRBIOLCmwcMRKcVrRcxF5LvZ_uX6r4witvF3RnnsXD-aK97M_8qhz2oNJ6B5gjfpSh_Lq_t1yLpyq6reWTJb0ahhju1qr6FjAtQVX9MzKcVnOA37refd3DFSkighr2zNKZrEn99LLuA90T5rk-I9JOdCHhBeeoXO5O5MLC8hwXlMr-qkOQsKXsmvWNjj_tY32hTozp4mf0dwKF3MdNb4PJg76ax_lpyLs41WMOI1rfjEsN-O_gdBTP_daS40FBI0mKsiFqwYOyAryj1LcMSgdPx7wvwdLHY12C4AmdDI11TWq8pjw3Z5t_8rbCGbZc2fcw-dKHR6ewYoFFQquIYiiZWQo4t_gTGXi-CgFhw7PilrY3ZdSuUdjZEgE/http%3A%2F%2Fwww.sciencetimes.com%2Farticles%2F7194%2F20150826%2Fcarbon-trading-fails-to-reduce-greenhouse-gas-emissions.htm

Response No. F44-12:

The comment is a duplicate copy of the comments reflected in Letter No. F43. Please see **Responses to Comments Nos. F43-1 through F43-16** for relevant information that is responsive to this comment.

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COMMENT LETTER NO. F45

Tim Barrington
1487 W San Carlos St
San Jose, CA 95112 US

Comment No. F45-1:

I'm writing to urge you to reject Newhall Ranch's latest proposal.

Response No. F45-1:

This comment requests that the decision makers reject the Mission Village Project. The comment does not address any specific aspect of the Project's Recirculated Portions of the EIR (Recirculated Analysis). No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F46

Thomas Barron
28006 San Martinez Grande Canyon Road
Castaic, CA 91384

Comment No. F46-1:

I have already testified at several hearings OPPOSING Newhall Ranch's projects, Mission Village and Landmark Village, that adversely impact the Santa Clara River watershed, floodplain and the many important unique species of flora and fauna therein.

Response No. F46-1:

The comment states that the commenter has testified at several hearings in opposition to the Mission Village Project. The comment does not raise any issue concerning the adequacy of the Project's Draft Recirculated Portions of the EIR (Recirculated Analysis). The issues raised by the comment relate to the analysis of hydrology, floodplain and wildlife-related impacts, which are issues outside the scope of the Recirculated Analysis. Further, the comment raises issues that have not changed since completion of the Mission Village 2011 Final EIR (2011 Final EIR), which thoroughly evaluated hydrology, floodplain, and wildlife impacts (see, e.g., Section 4.2, Hydrology; Section 4.3, Biota; and, Section 4.21, Floodplain Modifications). Because this comment could have been raised during the prior EIR process and is beyond the scope of the Recirculated Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F46-2:

The EIR does not address Global Warming:

Recently I testified about the fallacy of depending on electric vehicle infrastructure to address the need to reduce green house [sic] gas emissions - an intrinsic product of the project. Hybrid vehicles will always trump all-electric battery vehicles (and thus continue to produce toxic gas emissions) because the need for long range driving, from the proposed very distant subdivisions.

Response No. F46-2:

The comment states that the EIR does not address global warming. However, Section 2.1 of the Recirculated Analysis addresses the science of global climate change (including one of its consequences – global warming). Additionally, while the comment questions the benefits of electric vehicle

infrastructure – the provision of which is an element of the Project’s mitigation framework for greenhouse gas (GHG) emissions, the state agency responsible for advancing California’s climate policy (i.e., the California Air Resources Board) and other state agencies (e.g., California Energy Commission and California Public Utilities Commission) have recognized the import of charging infrastructure that supports the deployment of electric vehicles. The role of such infrastructure has been recognized not only by these State agencies, but also in legislation, executive orders and implementing regulations. As such, the Project’s mitigation framework appropriately requires the installation of electric vehicle charging infrastructure both on and off the Project site.

Comment No. F46-3:

The company owns the former rail line easement but still persists in using private, individual vehicles as the prime mover of the millions of trips in and out of the project areas.

Response No. F46-3:

The comment references a former rail line easement, and seems to implicitly express support for the extension of rail service to the Project site. However, the issue raised by the comment is outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. Nonetheless, for informational purposes, the following discussion is provided.

While rail service is not proposed at this time, land is reserved for a future Metrolink rail right-of-way within the Newhall Ranch Specific Plan area. Additionally, it is noted that the Newhall Ranch Transportation Demand Management Plan (TDM Plan; see Mitigation Measure MV 4.23-6/2-6) contains multiple strategies that will serve to reduce the vehicle miles traveled (VMT) by the Project’s residents, employees and visitors; the TDM Plan achieves the overall VMT reduction objective, in part, by providing multi-modal transportation options to the development that would be facilitated by approval of the Project.

Comment No. F46-4:

The floodplain is in danger:

The Oroville Dam episode, requiring the downstream evacuation of tens of thousands, is a dramatic example of a problem I pointed out in my first comments, years ago at the Los Angeles County Planning Commission - before any approvals. My concern is the potential failure of Castaic Lake Reservoir and the Bouquet Canyon Reservoir, both upstream of the floodpath through the project area. God forbid that a large earthquake of the magnitude of the nineteenth century Fort Tejon trembler, which exceeds the design specification of Castaic Reservoir, causes a surge down to the ocean.

The previous flood caused by the failure of the San Francisquito Dam created tremendous devastation in what was then, the sparsely populated region. Castaic Lake is many times larger (320,000 acre-ft vs. 38,168 acre-ft) - Bouquet about the same size (36,500 acre-ft) - than San Francisquito Dam.

The absurdity of raising the Landmark floodplain by massive earth movement, would not avert the catastrophe in the event of a dam failure, but also creates other serious concerns: the destruction of the many rare life forms resident on the land and "cost" in a carbon dioxide bloom at a time when science tells us that the Earth is at a tipping point.

Response No. F46-4:

The comment references the Oroville Dam evacuations, and requests that the Mission Village Project not allow development in the floodplain. The comment also expresses concern regarding the Mission Village Project's location in relation to the Santa Clara River, its associated floodplain, and the Castaic Dam. The issues raised by the comment are outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. Relatedly, the issues referenced were evaluated and studied in the Mission Village 2011 Final EIR (see, e.g., Section 4.2, Hydrology, Section 4.19, Environmental Safety, and Section 4.21, Floodplain Modifications), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. The comment offers no significant new information requiring additional analysis with respect to floodplain issues.

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COMMENT LETTER NO. F47

Angela Bates
1818 Carrillo
Santa Barbara, CA 93101 US

Comment No. F47-1:

Do the right thing just once OK??

Response No. F47-1:

This comment expresses general disapproval of the Mission Village Project. It does not comment on any specific aspect of the Project's Recirculated Portions of the EIR (Recirculated Analysis). No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F47-2:

Deny the Newhall Ranch attempt to completely trash the Santa Clara River.

Response No. F47-2:

This comment asks the County to reject the proposed Newhall Ranch development, which includes the Mission Village project. The comment also expresses general concern regarding impacts on the Santa Clara River. However, the comment does not offer any specific critique of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F47-3:

It's just about wrecked now.....but this additional development will finish it off.

(Gotta say I am so glad I moved away from SoCal, the crappiest place I have ever seen. Well, except for Chernobyl...)

Response No. F47-3:

The comment is critical of Southern California and states that the Project will "finish it off," presumably referring to the Santa Clara River. Please refer to **Response to Comment No. F47-2**. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F48

Chad Brisky
3940 Deervale Dr.
Sherman Oaks, CA 91403 US

Comment No. F48-1:

Humans don't you have enough land already? Can we not share this planet?

Response No. F48-1:

This comment expresses general disapproval for the Mission Village Project, and suggests that additional undeveloped land should not be converted to developed uses. The comment does not raise any environmental issue with regard to the adequacy of the Recirculated Analysis. As such, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F49

Jan Charvat
573 Anderson Rd
Alpine, CA 91901 US

Comment No. F49-1:

As a resident of Southern California and strong supporter of protecting our remaining wild places, I urge you to reject the construction of a large new "green field" development that would destroy natural habitat near Los Angeles

Response No. F49-1:

This comment expresses general disapproval for the Mission Village Project. The comment does not address on any specific aspect of the Project's Recirculated Portions of the EIR (Recirculated Analysis), and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F49-2:

--an area that desperately needs to protect those and offer the residents quality recreation spaces.

Response No. F49-2:

The comment expresses concern regarding the protection of recreational space. The comment does not raise any specific issue concerning the adequacy of the Recirculated Analysis, and raises an issue that is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Although no further response is required, it is noted that the proposed Project includes the provision of approximately 693 acres of open space, including 26.8 acres of active public parks and 14.7 acres of private recreation areas.

Comment No. F49-3:

Every piece of habitat destroyed eats away at the stability of the overall

environment--nothing is "an island". We all need clean air and clean water, something which Nature does for us for free if we allow it.

Response No. F49-3:

The comment expresses general concern regarding environmental impacts, particularly air and water quality. The comment does not identify any specific concern with the Recirculated Analysis, nor does it raise any issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's greenhouse gas (GHG) emissions and take avoidance of the unarmored threespine stickleback.

Further, the issues raised by the commenter were evaluated and studied in the Project's 2011 Final EIR (please refer to Section 4.7, Air Quality and Section 4.22 Water Quality), and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) would not impact the listed issues relative to what was already analyzed in the prior EIR. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F49-4:

Thank you for your consideration.

Response No. F49-4:

This comment concludes the comment letter submitted by the commenter. No further response is needed. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F50

Fletcher Chouinard

Comment No. F50-1:

To whom this may concern.

Response No. F50-1:

The comment is an introduction to the comments that follow. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F50-2:

The Newhall Ranch project must not continue for many reasons.

Response No. F50-2:

The comment expresses general opposition to the Newhall Ranch project. The comment does not address any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F50-3:

There's no water available for that big a development.

Response No. F50-3:

The comment states that there are not sufficient water supplies. The comment does not identify any specific deficiency in the Recirculated Analysis and does not address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's greenhouse gas (GHG) emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the comment raises an issue that has not changed since the 2011 Mission Village Final EIR (2011 Final EIR). The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) in no way impact or relate to water supply. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Revised Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The Project's 2011 Final EIR thoroughly evaluated water supply impacts. The 2011 Final EIR's water supply/demand assessment also extensively addressed California's drought conditions and its effect on state and local water supplies. For further information, please refer to Section 4.8 Water Service, of the 2011 Final EIR. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to water supply would occur based on the information and analysis presented in the Recirculated Analysis. Based on the water supply impacts already assessed, the County has determined there are no identified substantial changes in the Mission Village Project or its circumstances that warrant any further review or analysis of the Mission Village Project's water supply impacts. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F50-4:

The traffic situation is already impossible without 20,000 new commuter families (zero local job market) on the road.

Response No. F50-4:

The comment states that traffic is already "impossible" without the addition of "new commuter families" associated with the Project. The issue raised by the comment is outside the scope of the Recirculated Analysis; as such, no further response is required. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Further, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. (Section 4.5 concluded that the Project's impacts would be reduced to less-than-significant levels with implementation of the identified mitigation measures.) The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways.

Comment No. F50-5:

The Santa Clara River may seem like just a dry wash but it is the lifeblood to the Ventura County wildlife, both on land and in the Santa Barbara Channel, such as the endangered California Steelhead.

Response No. F50-5:

The comment states the Santa Clara River is the “lifeblood” to Ventura County wildlife, including the California steelhead. The above comment does not raise any environmental issue with regard to the adequacy of the Draft Recirculated Analysis. Thus, no further response is required. As for wildlife movement and impacts to steelhead, those issues are beyond the scope of the Recirculated Analysis (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The comment does not identify any flaws or omissions with the prior analysis presented in Section 4.3, Biota, of the 2011 Final EIR that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F50-6:

The sand and gravel from the SC River is all that keeps the homes and businesses of Ventura and Oxnard safe from the encroaching sea. Development upstream would stop that flow.

Response No. F50-6:

The comment states the sand and gravel associated with the Santa Clara River keeps the homes and businesses in Ventura and Oxnard “safe” from the encroaching sea, and that development upstream would stop that flow. The issue raised by the comment is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); therefore, no further response is required. However, for informational purposes, it is noted that the County previously considered public comment regarding sediment management and beach replenishment issues (see County Staff Responses to Public Correspondence for the Mission Village Project (Oct. 24, 2011)). The comment does not identify any flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis, and does not offer any evidence that the proposed modifications set forth in the Recirculated Analysis would affect this issue.

Comment No. F50-7:

The negatives list goes on and on but the bottom line is this project makes a few people a lot of money and makes life horrible for

everyone and everything else. It’s too big and unsustainable.

Response No. F50-7:

The comment expresses general opposition to the Mission Village Project. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required

or can be provided. Further, the comment appears to raise issues that are beyond the scope of the Recirculated Analysis, which – as discussed in Section 1.1: Executive Summary/Introduction of the Draft Recirculated Analysis – was delineated to be responsive to pertinent court decisions and applicable CEQA requirements (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

Comment No. F50-8:

Thanks for your time.

Response No. F50-8:

This comment expresses gratitude for the opportunity to comment on the Recirculated Analysis. No further response is required.

COMMENT LETTER NO. F51

Yvon Chouinard
235 W. Santa Clara St
Ventura. CA. 93001

Comment No. F51-1:

There are so many reasons to be aghast over developments in the Santa Clara River, but we are particularly distressed for the river and wildlife. The river is the only remaining wildlife corridor. It is obvious it is a dangerous place for human to put their life savings into homes and businesses. But development for the animals spells extinction.

Response No. F51-1:

The comment expresses concern for the Santa Clara River; wildlife and the functionality of wildlife corridors; and environmental hazards due to the proximity of the River. Each issue raised by the comment is beyond the scope of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis); as such, no further response is required. (Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information.) For informational purposes, the issues raised by the comment previously were studied and evaluated in the Project's 2011 Final EIR (see, e.g., Section 4.2, Biota; Section 4.3, Biota; Section 4.21, Floodplain Modifications), and those analyses were not found to be deficient by the courts. The comment does not identify any flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur because of the information and analysis presented in the Recirculated Analysis.

Comment No. F51-2:

Voting NO on this misguided plan is both humanitarian and fiscally responsible.

Response No. F51-2:

This comment recommends that the decision makers vote to reject the Mission Village Project. . The comment does not raise any environmental issue with regard to the adequacy of the Recirculated Analysis; and, thus, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers. No further response is required.

Comment No. F51-3:

- To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F51-3:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for discussion of issues related to water quality, endangered fish species, and the proximity of the Mission Village Project to the Santa Clara River.

Comment No. F51-4:

Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F51-4:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for discussion of issues related to the intersection of floodplain-related grading activities and air quality, as well as issues related to water replenishment.

Comment No. F51-5:

- There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has happened in the valley oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, oaks dying)

Response No. F51-5:

This comment is substantively the same as Comment No. F13-17. Please refer to **Response to Comment No. F13-17** for discussion of issues related to the buffer distance around the spineflower preserves and the endowment for the spineflower preserve system.

COMMENT LETTER NO. F52

Corinna Bechko
4629 San Andreas Ave
CA, CA 90065

Comment No. F52-1:

Things are looking bad for open spaces across the US. Please don't make them worse.

Response No. F52-1:

The comment expresses general concern regarding the amount of open space within the United States. The comment does not raise any issue concerning the adequacy of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). As such, no further response is required. For informational purposes, it is noted that the Project would provide approximately 693 acres of open space (see Table 1.0-1 of the Draft Recirculated Analysis). In addition, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F52-2:

I'm writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F52-2:

This comment requests that the decision makers reject the Mission Village Project, and suggests that the Project's commitment to achieve net zero greenhouse gas (GHG) emissions is a "feel-good promise." In response, as discussed in Section 2.1(1)(b) of the Recirculated Analysis, the Mission Village Project site is located within the geographic boundary of the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) Project. The designated California Environmental Quality Act (CEQA) lead agency for the RMDP/SCP Project is the California Department of Fish and Wildlife (CDFW). As discussed in Section 1.0 of the Recirculated Analysis, CDFW is preparing the Additional Environmental Analysis (AEA) for the RMDP/SCP Project to address the California Supreme Court's decision in the *Center for Biological Diversity* litigation. As to the Project's commitment to achieve net zero GHG emissions, any mitigation measures in the RMDP/SCP Project's AEA would be

applied by the County to the Mission Village Project, and the mitigation framework in the Recirculated Analysis reflects the mitigation framework established by the RMDP/SCP Project's AEA (see, e.g., Recirculated Analysis, page 2.1-3).

The AEA concluded that the RMDP/SCP Project would result in no net increase in GHG emissions based on the detailed technical analysis presented in the AEA and the associated technical attachments and modeling. Further, as memorialized in a letter from the California Air Resources Board (ARB) to the CDFW, dated November 3, 2016 (a copy of which is included in Appendix 2.6 of the Final Recirculated Analysis):

“ARB staff consulted with Department of Fish and Wildlife staff and technical experts at Ascent Environmental, the principal consultant assisting the Department. In doing so, ARB staff reviewed the technical documentation provided for the evaluation of the project's total estimated GHG emissions and the reductions in emissions to be achieved through the mitigation measures. Based on staff's review, ARB finds the documentation provides an adequate technical basis to determine that the project would not result in any net additional GHG emissions after the mitigation measures are fully implemented.”

The ARB's finding that the GHG emission reduction calculations for the RMDP/SCP Project are documented by “an adequate technical basis” is part of the body of substantial evidence that supports the Recirculated Analysis' GHG emissions analysis (because the same or similar methodologies were utilized therein), particularly as the ARB is the state agency designated with the responsibility for and expertise to implement statewide policy on global climate change and the reduction of GHG emissions. Finally, it is noted that implementation of the mitigation framework required to achieve net zero GHG emissions will be overseen and enforced by the County of Los Angeles, as illustrated in Section 2.3, Errata to the Mitigation Monitoring and Reporting Plan, of the Recirculated Analysis.

Comment No. F52-3:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F52-3:

This comment expresses disapproval of the Newhall Ranch GHG Reduction Plan, in particular the locational aspects of the emissions reductions. Please see **Response to Comment No. O9-32** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the use of Direct Reduction Activities and Carbon Offsets to mitigate the Project's emissions through the GHG Reduction Plan. The response provides a broad overview of the mitigation

measures and the performance standards underpinning the GHG Reduction Plan, which ensure that all GHG reductions used for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 are consistent with CEQA Guidelines Section 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by “[o]ff-site measures, including offsets that are not otherwise required” and “[m]easures that sequester greenhouse gases”). As to the locational aspects of the GHG Reduction Plan, the Project’s suite of mitigation measures to reduce GHG emissions has been designed in accordance with CEQA Guidelines Section 15126.4(c) and is otherwise consistent with relevant guidance from the ARB and the South Coast Air Quality Management District (SCAQMD). Detailed information regarding the locational performance standards applicable to this component of the Project’s mitigation framework is set forth in Section X of the GHG Reduction Plan.

As required by Mitigation Measures MV 4.23-1/2-1 through MV 4.23-13/2-13, the Project will implement many measures to reduce GHG emissions at the Project site. These include designing and building residential buildings, commercial buildings, and public facilities to meet Zero Net Energy standards (Mitigation Measures 4.23-1/2-1 and MV 4.23-2/2-2), using energy-efficient heating technology for swimming pools (Mitigation Measure 4.23-3/2-3), installing electric vehicle charging stations in residences and commercial areas (Mitigation Measures MV 4.23-4/2-4 and MV 4.23-5/2-5), providing electric vehicle purchase subsidies to residents (Mitigation Measure MV 4.23-4/2-4), implementing a zero emission school bus and zero emission transit bus program (Mitigation Measures MV 4.23-8/2-8 and MV 4.23-9/2-9), and implementing a Transportation Demand Management Plan to reduce vehicle miles traveled (Mitigation Measure MV 4.23-6/2-6). In addition, the mitigation program requires the applicant to implement numerous other measures off-site but in Los Angeles County, including a building retrofit program in disadvantaged communities in Los Angeles County (Mitigation Measure MV 4.23-11/2-11), installing thousands of electric vehicle charging stations across the County (Mitigation Measure MV 4.23-12/2-12), and providing traffic signal synchronization in the Project area (Mitigation Measure MV 4.23-7/2-7).

Comment No. F52-4:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F52-4:

This comment states that there are no “clear standards” to ensure that carbon offsets purchased by the Applicant for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 will result in GHG reductions beyond what would have otherwise occurred.

The performance standards underpinning the GHG Reduction Plan ensure that all GHG reductions used for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 are consistent with CEQA Guidelines Section 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by “[o]ff-site measures, including offsets that are not otherwise required” and “[m]easures that sequester greenhouse gases”). The GHG Reduction Plan, through the implementation of Direct Reduction Activities and the purchase of carbon offsets, meets the requirements of CEQA. Please also see **Response to Comment No. F52-3**, **Response to Comment No. F13-5**, and **Response to Comment Nos. O9-32** and **O9-36** within **Letter No. E13**, and CDFW’s responses to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for additional discussion of the GHG Reduction Plan and reliance on offsite GHG reductions.

All GHG reductions used to implement the GHG Reduction Plan must meet the performance standards in Section IX of the GHG Reduction Plan, as revised (see Appendix 2.7.1 of the Final Recirculated Analysis). Among other standards, this requires a Direct Reduction Activity to meet additional requirements and to be fully implemented and confirmed by an accredited, independent third party in accordance with approved methodologies from an approved climate registry.

As explained above in **Response to Comment No. F52-2**, the GHG emission reduction calculations in the Recirculated Analysis are consistent with those included in the RMDP/SCP Project’s AEA, which was determined by the ARB to be supported by “an adequate technical basis.”

In sum, the GHG Reduction Plan establishes a robust procedural framework and identifies specific performance standards to ensure the GHG reductions relied upon for compliance with Mitigation Measures MV 4.23-10/2-10 and MV 4.23-13/2-13 satisfy CEQA.

Comment No. F52-5:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F52-5:

This comment states that the Recirculated Analysis does not include safeguards to protect the unarmored threespine stickleback for the life of the Project. Please see **Response to Comment No. O9-71** within **Letter No. E13**, and CDFW’s response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of this issue. As explained therein, the modified bridge and bank stabilization construction methods avoid impacts to stickleback by eliminating the need for stream diversion, fish

collection, and fish relocation as previously required by Mitigation Measures MV 4.3-8 and MV 4.3-9, thereby eliminating the need for these two measures. As discussed in the Draft Recirculated Analysis, impacts from Project construction on the stickleback will be less than significant.

As also explained in **Response to Comment No. 09-71** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis); the long-term operational impacts of the bridges would be the same or less than those analyzed in the Project's 2011 Final EIR (2011 Final EIR), which did not identify significant and unavoidable operational impacts in this area. Further, any other "long-term impacts" resulting from bridge construction were raised or could have been raised in the prior legal challenge to the previously certified 2011 Final EIR; and, thus, any further challenge is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**).

Comment No. F52-6:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F52-6:

This comment asks the County to not certify the Project's EIR. It does not offer any specific critique of the Recirculated Analysis. No further response is required.

Please see the County's revised notice for the Recirculated Analysis, which limits requests for comments to the two topics addressed in the Recirculated Analysis (the significance of the Project's GHG emissions and the validity of two mitigation measures for the unarmored threespine stickleback under Fish and Game Code Section 5515). Please also see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for further discussion.

Comment No. F52-7:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F52-7:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F52-8:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F52-8:

This comment asks the County to conduct a "full" environmental review for the Project and criticizes the CEQA process used for the Recirculated Analysis, suggesting it has piecemealed environmental review. The comment does not provide any basis to support the statement that additional environmental review is needed beyond what is provided in the Recirculated Analysis. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for information regarding the scope of the Recirculated Analysis.

Additionally, the environmental review process for the Project complies fully with CEQA and does not constitute "piecemealing." The Newhall Ranch Specific Plan was adopted by the County in 2003, based upon an environmental impact report. The Specific Plan provides a comprehensive guide for future development of the Specific Plan area and complies fully with Government Code sections 65450 et seq. Specific plans do not expire.

However, the Specific Plan does not entitle the Applicant to build the Mission Village Project; therefore, additional, project-level environmental review under CEQA is required for the Mission Village Project as part of the permitting and entitlement process. The Recirculated Analysis is part of the environmental review for the Mission Village Project (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). The Mission Village Project has undergone thorough environmental review for consistency with all applicable laws and regulations, including the Specific Plan itself.

COMMENT LETTER NO. F53

Nina Danza
Ventura, CA 93004 US

Comment No. F53-1:

Use some foresight. How many times does a study have to be done to show that urbanization is the root cause of escalating flood cost damages?

Response No. F53-1:

The comment states that urbanization is the root cause of “escalating flood cost damages.” The comment does not raise a specific environmental issue concerning the adequacy of the Project’s Draft Recirculated Portions of the EIR (Recirculated Analysis); as such, no additional response can be provided or is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F53-2:

the reason for poor ground and surface water quality?

Response No. F53-2:

The comment expresses concern for poor ground and surface water quality. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to ground and surface water quality would occur based on the information and analysis presented in the Recirculated Analysis. As such, no further response is required or can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F53-3:

the reason for plant and animal habitat destruction? the reason for marine pollution?

Response No. F53-3:

The comment expresses concern for plant and animal habitat destruction and marine pollution. The comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see

Topical Response 1: Scope of the Recirculated Portions of the EIR for related information). The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. As such, no additional response can be provided or is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F53-4:

Ask me for some citations.

Response No. F53-4:

This comment requests contact for additional citations. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F53-5:

Plan for a different better way to generate revenue, to house residents, and to stimulate the economy.

Response No. F53-5:

The comment requests a plan “for a different better way to generate revenue, to house residents, and to stimulate the economy”. The comment does not raise any specific environmental issue regarding the Recirculated Analysis; therefore, no further response is required or can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Mission Village Project.

Comment No. F53-6:

BACK OFF the Santa Clara River. Do not alter the floodplain one iota because of this project.

Response No. F53-6:

The comment states that the Mission Village Project needs to be backed away from the Santa Clara River and to “not alter the floodplain.” The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Further, the comment appears to raise issues that are beyond the scope of the Recirculated Analysis, which – as discussed in Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016) – was delineated to be responsive to pertinent court decisions (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Further, the comment does not offer any evidence that the

proposed modifications covered by the Recirculated Analysis affect the size or scale of the overall development; therefore, this issue has not changed since the Project's 2011 Final EIR (hereafter also referred to as the "prior EIR"). Nonetheless, for informational purposes, the following discussion is provided.

Impacts to the Santa Clara River and its floodplain were comprehensively evaluated in the 2011 Final EIR (see, e.g., Section 4.2, Hydrology; Section 4.21, Floodplain Modifications), and those analyses were not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. The comment has identified no changed circumstances that would trigger a re-evaluation of such impacts. There is no evidence that new impacts or substantially more severe impacts to the floodplain would occur based on the information and analysis presented in the Recirculated Analysis. Further, Project-related development would be elevated out of the floodplain; and, the Clean Water Act Section 401 water quality certification and waste discharge requirements issued by the Los Angeles Regional Water Quality Control Board contain requirements relating to stream diversion and dewatering that are protective of the floodplain. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F53-7:

Newhall Ranch project will increase the peak flow downstream through Ventura County. Are the pre and post construction storm run off [sic] rates equal?

Response No. F53-7:

The comment states that the Mission Village Project will increase peak flow downstream and asks if the pre- and post-construction storm runoff rates are equal. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F53-8:

Who is going to pay for increases in flood insurance rates in Fillmore, Santa Paula, Oxnard and Ventura?

Response No. F53-8:

The comment expresses concern as to who will “pay for increases” in flood insurance rates in Fillmore, Santa Paula, Oxnard, and Ventura. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F53-9:

Are the pre and post construction surface water run off quality characteristics equivalent? The state water quality control board rules are not robust enough to provide confidence to say they will be. Based on years of history in LA County, the answer is NO, the flows off this project will be polluted with metals, bacteria, trash, and the environment will suffer.

Response No. F53-9:

This comment expresses concern regarding pre- and post-construction surface water run off quality and characteristics. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F53-10:

Reject these projects and do not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F53-10:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR). No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F53-11:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F53-11:

This comment expresses general disapproval of the Mission Village project, and does not offer any specific critique of the Recirculated Analysis. No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F53-12:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F53-12:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here. No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F54

Pat Doherty
10145 Nancy Ave
Cherry Valley, CA 92223 US

Comment No. F54-1:

I urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F54-1:

This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for relevant information that is responsive to this comment. Additionally, the comment's opposition to the Mission Village Project is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F54-2:

With the current president totally destroying every bit of the environment and open space that he possibly can, it seriously needs to be up to all planning commissions to fight against the destruction everywhere and keep as much open space as possible. We do NOT need more development. We need rapidly disappearing open space.

Response No. F54-2:

The comment expresses general concern regarding the preservation of open space, and opposition to the policies of U.S. President Trump. The comment does not raise any issue concerning the adequacy of the Project's Recirculated Portions of the EIR (Recirculated Analysis). As such, no further response is required. For informational purposes, it is noted that the Project would provide approximately 693 acres of open space (see Table 1.0-1 of the Draft Recirculated Analysis).

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COMMENT LETTER NO. F55

Deanna Hanashiro
Santa Clarita, CA 91380 US

Comment No. F55-1:

Please reject Newhall Ranch's proposed Mission and Landmark Villages. Please focus on protecting the Santa Clara River.

Response No. F55-1:

This comment requests that the decision makers reject the Mission Village Project, and focus on the protection of the Santa Clara River. It does not comment on any specific aspect of the Project's Recirculated Portions of the EIR (Recirculated Analysis). No further response is required. However, the comment's opposition to the Project is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F55-2:

Why? The current environmental impact report focuses solely on:

Response No. F55-2:

The comment is an introduction to the comments that follow. No further response is required.

Comment No. F55-3:

1.) Greenhouse gas emissions: In reality, many of the emissions reductions won't occur on site or even in California.

Response No. F55-3:

The comment correctly notes that the Project's Recirculated Analysis addresses GHG emissions. As for the comment's characterization of the locational attributes of the Project's GHG emissions reductions, please refer to **Response to Comment No. F52-3** for relevant responsive information.

Comment No. F55-4:

2.) Imperiled stickleback fish: No safeguards are in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F55-4:

The comment correctly notes that the Recirculated Analysis addresses the Project's take avoidance strategy for the unarmored threespine stickleback. Please refer to **Response to Comment No. F52-5** for discussion of safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F55-5:

The County must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F55-5:

The comment requests that the County undertake a "full" environmental review for the Mission Village Project. Because this comment is substantively the same as Comment No. F52-8, please refer to **Response to Comment No. F52-8** for discussion of the Mission Village Project's environmental review process.

Comment No. F55-6:

Why are there plans to enlarge the nearby Chiquita Landfill and not closed as promised to the residents who are neighbors to the proposed Mission and Landmark Villages?

Response No. F55-6:

The comment inquires why Chiquita Canyon Landfill is not being closed, as promised to Valley residents. This comment is beyond the scope of the Project's Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**), and addresses an unrelated project proposed by a different applicant (see County of Los Angeles Project No. R2004-00559-(5); SCH No. 2005081071). As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F55-7:

Why is there such an uproar about trucks on the Highway 14 should the Cemex Mine be built yet there is no comment about the already congested Interstate 5 and the impact the Mission and Landmark Villages will have should they be constructed. For those in Valencia needing to be in downtown LA by 8 a.m., they currently need to leave before 6:30 a.m. Those in Castaic and Saugus need to leave even earlier. All would need to leave earlier if the Mission and Landmark Villages are built.

Response No. F55-7:

The comment expresses concern regarding the traffic impacts associated with the Project, particularly on Interstate 5. The comment does not address any particular aspect of the Recirculated Analysis. The issue raised by the comment is also outside the scope of the Recirculated Analysis. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. As such, no further response is required or can be provided. Further, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F55-8:

Why are there plans to destroy the last remaining free flowing river? And concerted effort is being made to restore the Los Angeles River after it was destroyed by development?

Response No. F55-8:

The comment expresses a preference that the Santa Clara River not be "destroyed." The comment does not address any particular aspect of Recirculated Analysis and, therefore, no further response is required. For informational purposes, it is noted that the Mission Village Project includes a portion of the River Corridor Special Management Area (SMA) that was delineated in the Newhall Ranch Specific Plan. The River Corridor SMA land use designation provides for the preservation, enhancement, public use, and management of the Santa Clara River, and is located on the northern boundary of the Mission Village Project site.

Comment No. F55-9:

All three instances above reflect a dysfunctional personality of the left side doing the total opposite of the right side.

Response No. F55-9:

The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F55-10:

Thank you for your consideration of rejecting the proposed Mission and Landmark Villages, Deanna Hanashiro Santa Clarita resident

Response No. F55-10:

This comment requests that the Mission Village Project be rejected, and does not offer any specific critique of the Recirculated Analysis. No further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F56

Lesley Hunt
236 Warwick Dr
Walnut Creek, CA 94598 US

Comment No. F56-1:

I'm writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F56-1:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F56-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F56-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F56-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F56-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F56-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F56-4:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F56-5:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F56-5:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F56-6:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F56-6:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F56-7:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F56-7:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

Comment No. F56-8:

Although I don't live in LA County, I visit, and the reason I come is for the wild areas. Please turn down this ill-conceived development.

Response No. F56-8:

This comment expresses general disapproval of the Mission Village Project, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

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COMMENT LETTER NO. F57

Gwynn Mackellen

Comment No. F57-1:

I'm writing to urge you to reject the Newhall Ranch proposal.

Response No. F57-1:

This comment requests that the Newhall Ranch Project be rejected. The comment does not raise any environmental issue concerning the adequacy of the Mission Village Project's Draft Recirculated Portions of the EIR (Recirculated Analysis); as such, no additional response is required or can be provided. The comment will be included as part of the record and made available to the decision-makers prior to a final decision on the Project.

Comment No. F57-2:

The village projects will destroy habitat for the endangered stickleback fish and many other species.

Response No. F57-2:

The comment expresses general concern regarding the unarmored threespine stickleback and other species. The comment does not address any particular aspect of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for discussion of issues related to water quality, endangered fish species, and the proximity of the Mission Village Project to the Santa Clara River.

Comment No. F57-3:

We don't need more suburban sprawl; we need density around transit.

Response No. F57-3:

This comment states that urban sprawl is not needed, and that density around transit is needed. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis; as such, no additional response is needed. Please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Nonetheless, for informational purposes, the Project's impacts to traffic previously were studied and evaluated in Section 4.5, Traffic/Access, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. (Section 4.5 concluded that the Project's impacts would be reduced to less-than-significant levels with implementation of the identified mitigation measures.) The comment does not

identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to traffic would occur based on the information and analysis presented in the Recirculated Analysis. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis Update**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways. With regard to the issue of sprawl, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F57-4:

We don't need to repeat the California Mistake of repeatedly paving over much of our farmland and openspace [sic]; we need to keep what little of it we have left.

Response No. F57-4:

The comment expresses a general opinion regarding the preservation of farmland and open space. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). As such, no further response is required or can be provided.

However, for informational purposes, please note that the Mission Village Project includes 692.7 acres of open space (see Table 1.0-1, Mission Village Tract Map Statistical Summary, of the Recirculated Analysis). Additionally, the Mission Village Project is part of the Newhall Ranch Specific Plan, which was approved by the County of Los Angeles in 2003 for the development of a master-planned community that accords to regional population and employment projections. Finally, farmland loss and the corresponding impacts were studied in Section 4.16, Agricultural Resources, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to farmland or open space would occur because of the information and analysis presented in the

Recirculated Analysis. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F57-5:

We don't need greenwashing and promises of dubious offsets from developers; we need urban infill development--which is *actually* green.

Response No. F57-5:

This comment is substantively the same as Comment Nos. F52-3 and F52-4. Please refer to **Responses to Comment Nos. F52-3 and F52-4**, and Response to Comment Nos. F13-5 and F13-11, for a discussion of issues related to carbon offsets and the Direct Reduction Activities associated with the Mission Village Project. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F57-6:

The proposed development will spur far more vehicle-miles-traveled than building a similar amount of housing and commercial space in a more urban area. You cannot "offset" all those VMTs, nor the traffic collisions, health care costs, and dead wildlife all that driving will cause.

Response No. F57-6:

This comment raises concerns related to vehicle miles traveled, carbon offsets, and impacts related to traffic. Please refer to **Response to Comment Nos. F52-3 and F52-4**, and Response to Comment Nos. F13-5 and F13-11, for a discussion of issues related to carbon offsets and the Direct Reduction Activities associated with the Mission Village Project. In addition, please see **Topical Response 3: Traffic Impact Analysis** for discussion of traffic impacts related to the Project. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F57-7:

Please do not be enamored of big flashy projects. This is not the type of development we need.

Response No. F57-7:

The comment expresses general opposition to the development proposed for the Mission Village Project. As an initial matter, the comment does not raise any specific issue as to the adequacy of the Recirculated Analysis; therefore, no further response is required or can be provided. Moreover, the Recirculated Analysis is focused exclusively on the Mission Village Project's GHG emissions and No Water Contact approach to constructing bridges and bank stabilization (please see Section 1.1: Executive

Summary/Introduction of the Recirculated Analysis (November 2016) for information regarding the Recirculated Analysis scope) (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Further, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F57-8:

Please do not approve this disaster of a project.

Response No. F57-8:

The comment requests that Mission Village Project not be approved. The comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis; as such, no additional response can be provided or is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F57-9:

At a minimum, the county should undertake a full, updated environmental review that includes an analysis of VMTs.

Response No. F57-9:

This comment requests a full, updated environmental review that includes analysis of vehicle miles traveled. Please refer to **Response to Comment No. F57-3** for a discussion of the issues related to vehicle miles traveled associated with the Mission Village Project. In addition, please see **Response to Comment No. F52-8** and **Topical Response 1: Scope of the Recirculated Portions of the EIR** for discussion of the scope of the Recirculated Analysis and its relationship to the 2011 Final EIR for the Mission Village project, and the completeness of the environmental analysis.

COMMENT LETTER NO. F58

Randy Martin - 2

Comment No. F58-1:

Houses should not be built over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes.

Response No. F58-1:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks.

Comment No. F58-2:

The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F58-2:

This comment is substantively the same as Comment Nos. F1-4 and F13-2. Please refer to **Response to Comments Nos. F1-4 and F13-2**, as well as Section 4.5, Traffic/Access, of the Project's 2011 Final EIR, for discussion of issues related to the traffic analysis conducted for the Mission Village Project.

Comment No. F58-3:

Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F58-3:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion. Please also see **Topical Response 3: Traffic Impact Analysis and Topical Response No. 1: Scope of the Recirculated Portions of the EIR**.

Comment No. F58-4:

The promise of zero GHGs sounds good on paper but the enforcement reality is lacking:

Response No. F58-4:

This comment is substantively the same as Comment No. F13-4. Please refer to **Response to Comment No. F13-4** for discussion of issues related to the enforcement of the Mission Village Project's commitment to achieve net zero GHG emissions.

Comment No. F58-5:

There are no safeguards to track the future offsets that will need to be bought;

Will the offsets actually exist to be bought? Will enough offsets be available? Who will assure that the offsets are actually bought?

Who will assure that the offsets are actually effective to offset the amount of GHGs needed to be offset?

Response No. F58-5:

This comment is substantively the same as Comment No. F13-5. Please refer to **Response to Comment No. F13-5** for discussion of issues related to the use of carbon offsets to mitigate the Mission Village Project's GHG emissions.

Comment No. F58-6:

How will the use of electric cars be monitored and enforced in order to gauge if the touted GHG reductions actually occur?

Response No. F58-6:

This comment is substantively the same as Comment No. F13-6. Please refer to **Response to Comment No. F13-6** for discussion of issues related to how the use of electric cars will be monitored and enforced.

Comment No. F58-7:

All these assurances need to be codified as enforceable mitigation measures.

Response No. F58-7:

This comment is substantively the same as Comment No. F13-7. Please refer to **Response to Comment No. F13-7** for discussion regarding the monitoring and enforcement of the Mission Village Project's mitigation measures.

Comment No. F58-8:

The project is still too big and impactful to the Valley and flies in the face of 21st century smart planning – it needs to be significantly scaled back and away from the Santa Clara River

Response No. F58-8:

This comment is substantively the same as Comment No. F13-8. Please refer to **Response to Comment No. F13-8** for discussion of issues related to the amount and location of proposed development.

Comment No. F58-9:

Where's the analysis of the methane that will be generated from trash created by this massive project, what about emissions from trash truck – the GHG analysis is not sufficient

Response No. F58-9:

This comment is substantively the same as Comment No. F13-9. Please refer to **Response to Comment No. F13-9** for discussion of issues related to methane emissions associated with solid waste disposal, as well as GHG emissions associated with the haul truck trips necessary to transport Mission Village Project-related solid waste.

Comment No. F58-10:

The severe water cutbacks required in the SCV in the last six years are new information showing that we cannot accommodate this massive project with our current water resources. That water table dropped 70 feet and several wells went dry.

Response No. F58-10:

This comment is substantively the same as Comment No. F13-10. Please refer to **Response to Comment No. F13-10** for discussion of issues related to the availability of water from “current water resources” to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F58-11:

There have been a lot of articles about how offsets are often a green washing scam. What guarantee do we have that the offsets being purchased as GHG mitigation will result in measurable, provable, reductions in GHG emissions beyond what would have otherwise occurred?

Response No. F58-11:

This comment is substantively the same as Comment No. F13-11. Please refer to **Response to Comment No. F13-11** for discussion of issues related to whether the carbon offsets, which may be purchased by

the Mission Village Project Applicant will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F58-12:

Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F58-12:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for a discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be handled by the County of Los Angeles, as well as local air quality conditions.

Comment No. F58-13:

No mention or itemization of the external creators of GHG for this project, like methane from waste disposal, energy production for water delivery and desalination of waste water, off site energy production for infrastructure, auto and truck deliveries and other uses is not in the Environmental document because those chapters are excluded from the document. These issues must be discussed in order for the document to be valid.

Response No. F58-13:

This comment is substantively the same as Comment No. F13-13. Please refer to **Response to Comment No. F13-13** for discussion of issues related to indirect emissions associated with waste disposal, energy production, and mobile sources.

Comment No. F58-14:

Our Valley is already out of federal compliance for dust pollution (PM10 and PM mil) that causes asthma and permanent lung damage and affects our children's health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F58-14:

This comment is substantively the same as Comment Nos. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7** and **F1-8** for discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities.

Comment No. F58-15:

To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F58-15:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for discussion of issues related to water quality, endangered fish species, and the proximity of the Mission Village Project to the Santa Clara River.

Comment No. F58-16:

Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F58-16:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for discussion of issues related to the intersection of floodplain-related grading activities and air quality, as well as issues related to water replenishment.

Comment No. F58-17:

There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has

happened in the valley oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, oaks dying)

Response No. F58-17:

This comment is substantively the same as Comment No. F13-17. Please refer to **Response to Comment No. F13-17** for discussion of issues related to the buffer distance around the spineflower preserves and the endowment for the spineflower preserve system.

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COMMENT LETTER NO. F59

Sue Iri
2755 Angus Street
Los Angeles, CA 90039 US

Comment No. F59-1:

I'm writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F59-1:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F59-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F59-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F59-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F59-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F59-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F59-4:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F59-5:

This type of project should never be considered for an ecologically sensitive area.

Response No. F59-5:

This comment indicates that developments such as the Mission Village project should not be considered within ecologically sensitive areas. The comment does not offer any specific critique of the Recirculated Analysis, and thus no further response is needed or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F59-6:

We know better than to create high density projects in areas such as this, it just takes the will to protect them. Please do not go forward with this or any similar project!

Response No. F59-6:

This comment expresses general disapproval of the Mission Village Project, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F59-7:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F59-7:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F59-8:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F59-8:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F59-9:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F59-9:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F60

Candace Hyde-Wang
950 Regal Road
Berkeley, CA 94708 US

Comment No. F60-1:

I'm writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F60-1:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F60-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F60-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F60-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F60-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F60-4:

We need housing close to urban centers.

Response No. F60-4:

The comment expresses preference for the placement of housing close to urban centers. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, and the issue of sprawl is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, on the issue of the location of Project housing, it is noted that the Mission Village Project site is located within the planning area of the Newhall Ranch Specific Plan, which was approved by the County of Los Angeles in 2003 for the development of a master-planned community designed to accommodate regional population and employment projections. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F60-5:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F60-5:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F60-6:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F60-6:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F60-7:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F60-7:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F60-8:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F60-8:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F61

Marilyn Paladin
18645 Hatteras Street, Unit 233
Tarzana, California 91356-1872

Comment No. F61-1:

I am opposed to the Newhall Ranch phases 2 and 3 in their current size.

Response No. F61-1:

The comment expresses general opposition to Newhall Ranch phases 2 and 3 in their current size. Based on the subject line of this letter, Newhall Ranch phase 2 is the Mission Village Project. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-2:

The Santa Clara River is one of the last free-flowing rivers in Southern California. It should be preserved and not altered. It should not be filled in or paved in any way. The river is a scenic area which should not be damaged.

Response No. F61-2:

The comment expresses a preference that the Santa Clara River be preserved and not altered, filled in, or paved in any way, and states that the river is a scenic area which should not be damaged. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-3:

Endangered species should receive better protections for their environment.

Response No. F61-3:

The comment expresses general opinion that endangered species should receive better protections for their environment. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-4:

There should be at least a 250 yard undeveloped buffer zone on the sides of the river and around endangered plants which cannot be developed.

Response No. F61-4:

The comment expresses a preference that there should be at least a 250-yard undeveloped buffer zone on the sides of the river and around endangered plants which cannot be developed. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Please also refer to **Response to Comment Nos. F13-15** and **F13-17** for a discussion of issues related to the buffer distance around the Santa Clara River and spineflower preserves, and the endowment for the spineflower preserve system. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-5:

No runoff should be allowed to enter the river.

Response No. F61-5:

The comment expresses a preference that no runoff should be allowed to enter the river. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-6:

It is improper to build homes over an oil field (Mission Village) because of health risks and environmental risks in that area.

Response No. F61-6:

This comment is substantively the same as Comment No. F1-3. Please refer to **Response to Comment No. F1-3** for a discussion of issues related to the location of the proposed housing development with regard to potential health and environmental risks. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-7:

The traffic analysis is not adequate because it is outdated and it does not account for current or future traffic levels.

Response No. F61-7:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the 2011 Final EIR, for a discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-8:

There is a limit to the proper amount of density in a particular area. There has already been extensive development in the Santa Clarita Valley. The current proposal creates excessive development and excessive traffic in an area which should be left as agricultural land, parks and open space.

Response No. F61-8:

The comment expresses concerns regarding the amount of development associated with the Mission Village Project and states that the area should be left as agricultural land, parks and open space. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Nonetheless, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-9:

It is not OK to keep building as much density as possible in every open area. The free-flowing river and the open space should be preserved with a minimum of development.

Response No. F61-9:

The comment expresses concerns regarding the location of proposed development and states that the "free-flowing river and the open space should be preserved with a minimum of development". The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. Refer to **Response to Comment No. F61-8** for information

regarding the location of the development associated with the Mission Village Project. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-10:

The claim of “net zero” greenhouse gas emissions is not believable from a large development in an open area which is experiencing global warming.

Response No. F61-10:

The comment states that the “claim of ‘net zero’ greenhouse gas emission is not believable from a large development in an open area which is experiencing global warming”. This comment is substantively the same as Comment Nos. F13-4 and F13-5. Please refer to **Response to Comment Nos. F13-4 and F13-5** for a discussion of issues related to net zero greenhouse gas (GHG) emissions. The Recirculated Analysis’ determination that the Mission Village Project would result in net zero GHG emissions is reasonable and is supported by substantial evidence. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F61-11:

The river area in its natural state is an important asset which should be preserved as much as possible in its natural state.

Response No. F61-11:

The comment expresses a preference that the river should be preserved as much as possible in its natural state. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F62

Ellen Malinda Pennoyer
4218 Faria Rd
Ventura Ca 93001

Comment No. F62-1:

I have been writing for decades against plans by Newhall Ranch to destroy agriculture in the Santa Clara River Basin.

Response No. F62-1:

This comment states that the commenter has been writing for decades against plans by Newhall Ranch to destroy agriculture in the Santa Clara River Basin. The comment does not address any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F62-2:

It is a dangerous place for people to put their life savings. The Big Flood will wipe them out

Response No. F62-2:

The comment states the Project is a dangerous place for people to put their life savings, and posits that a big flood will wipe them out. The issue raised by the comment is beyond the scope of the Recirculated Analysis (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Additionally, the issue previously was evaluated in the Mission Village Project's 2011 Final EIR (see, e.g., Section 4.21, Floodplain Modification; Section 4.3, Biota), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. This comment offers no significant new information requiring additional analysis with respect to floodplain and wetlands issues. Additionally, please see responses to the floodplain-specific comment letter, as provided in **Response to Comment No. F44-1** through **F44-12**. Accordingly, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F62-3:

the methane and dust will make the beleaguered home owners sick and worse.

Response No. F62-3:

The comment states that methane and dust will make home owners sick and worse. The comment does not raise any specific environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). The Mission Village 2011 Final EIR (see Section 4.19, Environmental Safety, therein) provides a detailed analysis of the potential environmental safety impacts relative to development of the Mission Village Project site. The comment does not identify any specific flaws or omissions with the Project's 2011 Final EIR that require additional considerations based on the Recirculated Analysis. And, there is no evidence that new impacts or substantially more severe impacts would occur because of the information and analysis presented in the Recirculated Analysis. As such, no further response is required or can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.

Comment No. F62-4:

It will destroy the wildlife corridors, endangered plants, and finish off the protected Steelhead.

Response No. F62-4:

The comment expresses general concern regarding wildlife corridors, endangered plants, and the protected steelhead. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis and, therefore, no further response is required or can be provided. As for wildlife movement and endangered plants, these issues are beyond the scope of the Recirculated Analysis (see also **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Further, wildlife movement, special status plants, and steelhead were previously studied and evaluated by the County in Section 4.3, Biota, of the Mission Village Project's 2011 Final EIR. The comment does not identify any flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis. The comment does not offer any evidence that the proposed modifications covered by the Recirculated Analysis would cause new impacts or substantially more severe impacts. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F62-5:

Protect agriculture in the Santa Clara River.

Response No. F62-5:

The comment expresses general concern about protecting agricultural areas located in the Santa Clara River. The comment does not raise any issue as to the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). Further, the comment also raises issues that were fully evaluated in 2011 Mission Village Final EIR (see Section 4.16, Agricultural Resources). The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F63

Katherine Rinne
1700 Virginia St
Berkeley, CA 94703 US

Comment No. F63-1:

As a former planner and urban designer working in Los Angeles I am well acquainted with the Newhall Ranch and the Santa Clara River Valley. The owners and developers of Newhall Ranch keep thinking that "this time we will get our ill-conceived plans through," "this time we will fool everyone," with cute nostalgic development names for our "villages."

Response No. F63-1:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F63-2:

They tie their promise to "net zero" greenhouse gas emissions.

Response No. F63-2:

The comment references the Project's Net Zero commitments. The comment is vague and does not raise any environmental issue as to the adequacy of the Recirculated Analysis. As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F63-3:

Really? Is that what carbon offsets are being called now?

Response No. F63-3:

The comment questions the definition of carbon offsets. The comment is vague and does not raise any environmental issue as to the adequacy of the Recirculated Analysis. As such, no further response is required or can be provided. Please also refer to **Response to Comment Nos. O9-32** through **O9-67** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis), for a discussion of the use of direct reduction activities and carbon offsets to mitigate the Project's emissions through the GHG Reduction Plan. Please also see **Response to Comment No. F13-5**,

13-11, and **13-12**. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F63-4:

My concerns go deeper than the "stickleback fish," endangered though it may be.

Response No. F63-4:

The comment expresses general concern beyond the unarmored threespine stickleback, but does not provide additional commentary. The comment does not identify any flaws or omissions with the prior analysis that require additional considerations based on the Recirculated Analysis, and does not raise any issue as to the adequacy of the Recirculated Analysis. As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F63-5:

Rather, my concern is with water quality, with imperiled water resources, and with diminishing water supplies -- supplies that diminish in spite of the fact that we have experienced a fair amount of rain recently. 10,000 additional residents on the Newhall Ranch won't help.

Response No. F63-5:

The comment expresses concern about water quality and water supply. The comment raises issues that are beyond the scope of the Mission Village Project's Recirculated Analysis; please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for additional relevant information on this point. Further, the Project's impacts to water quality and water supply previously were studied and evaluated (see, e.g., Section 4.8 Water Service, and Section 4.22 Water Quality); and, those analyses were not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the Project's 2011 Final EIR that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F63-6:

For these reasons I urge the county to reject the newly packaged Newhall projects and to not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F63-6:

The comment expresses general opposition to the Newhall Ranch Project. The comment does not address any particular aspect of the Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F63-7

There must be a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F63-7:

This comment is substantively similar to Comment No. F52-8. Please see **Response to Comment No. F52-8** for information responsive to this comment. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F64

Jeffrey Jacobson
24172 Mentry Drive
Newhall, CA 91321 US

Comment No. F64-1:

I'm writing to urge you to please consider saving our precious environment! We all love progress, but we really need to consider the health and safety of our future generations. Not leaving a better world for our grandchildren and their offspring would be a horrible crime!!

Response No. F64-1:

This comment expresses concern regarding the preservation of the environment for future generations. The comment does not raise any issue concerning the adequacy of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F64-2:

So, I highly recommend that you please reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F64-2:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F64-3:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F64-3:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F64-4:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F64-4:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F64-5:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F64-5:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F64-6:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F64-6:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F64-7:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F64-7:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F64-8:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F64-8:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F65

Kathryn Wild
7275 Canyon Breeze
San Diego, CA 92126 US

Comment No. F65-1:

Newhall Ranch's latest proposal of the Mission and Landmark "villages" are not reliably "net zero" greenhouse gas emissions for California

Response No. F65-1:

This comment states that the Mission Village Project is not reliably net zero for greenhouse gas (GHG). This comment is substantively similar to Comment No. F13-4. Please see **Response to Comment No. F13-4** for information responsive to this comment. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F65-2:

and cannot honestly promise a "no water contact" bridge construction.

Response No. F65-2:

The comment expresses doubt regarding the "no water contact" construction approach for the Project's bridges. The concerns raised by the comment are substantively the same as Comment Nos. O9-70 and O9-71 within Letter No. E13. As such, please refer to **Response to Comment Nos. O9-70 through O9-71** within **Letter No. E13**, and CDFW's response to this issue (see Appendix 2.2 of the Final Recirculated Analysis). No further response is required. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F65-3:

We are counting on you to see past the promises and to look deeply into the environmental impact an ill-conceived new city cloaked in feel-good promises of "net zero" with no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F65-3:

The comment is substantially the same as Comment F65-1; As such, please refer to **Response to Comment No. F65-1**. Please also refer to **Response to Comment Nos. F52-2 and F52-4**.

Comment No. F65-4:

The county must have a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F65-4:

This comment is substantively similar to Comment No. F52-8. Please see **Response to Comment No. F52-8** for information responsive to this comment. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F66

Lynne Winner
31202 Quail Valley Road
Castaic, CA

Comment No. F66-1:

Because they are paving over the flood area of our last free flowing river.

Response No. F66-1:

The comment expresses general opposition regarding paving over the flood area of the last free flowing river. The comment does not identify any deficiency in the Recirculated Analysis and does not address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's greenhouse gas (GHG) emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the Project's 2011 Final EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect the level of floodplain development allowed by this Project. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Recirculated Analysis, no further response is required or can be provided (**see Topical Response 1: Scope of the Recirculated Portions of the EIR**). The comment is also substantively similar to Comment No. F35-2. As such, please refer to **Response to Comment No. F35-2**. No further response is required or can be provided.

Comment No. F66-2:

Because our failing infrastructure already has more traffic than it can handle.

Response No. F66-2:

The comment expresses concern about failing transportation infrastructure. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis. The issues raised by the comment are also outside the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). As such, no further response is required or can be provided. Further, the issues referenced were evaluated and studied in the 2011 Final EIR (see, e.g., Section 4.5, Traffic/Access), and the subject analyses were not determined to be inadequate by the courts. The comment does not identify any specific flaws or omissions with the prior traffic analysis that require additional consideration based on the Recirculated Analysis. And, the comment offers no significant new

information requiring additional analysis with respect to traffic. For informational purposes, please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F66-3

Because we live in a desert and our water must be more carefully managed

Response No. F66-3:

The comment states that water must be more carefully managed. The comment does not identify any specific deficiency in the Recirculated Analysis nor address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's GHG emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the prior EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) in no way impact or relate to water supply. Because this comment could have been raised during the prior EIR process and is beyond the scope of the Recirculated Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The previously certified 2011 Final EIR thoroughly evaluated water supply impacts. The prior EIR's water supply/demand assessment also extensively addressed California's drought conditions and its effect on state and local water supplies. For further information, please refer to Section 4.8 Water Service, of the 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. Based on the comment and the water supply impacts already assessed, the County has determined there are no identified substantial changes in the Mission Village Project or its circumstances that warrant any further review or analysis of the Mission Village Project's water supply impacts. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F66-4:

Because the water they are saying they will use, has been agriculture water that is probably polluted

Response No. F66-4:

The comment suggests the water is probably polluted. The issue raised by the comment is outside the scope of the Recirculated Portions of the EIR (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)); as such, no further response is required (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Relatedly, the issues referenced were evaluated and studied in the 2011 Final EIR (see, e.g., Section 4.8 Water Service, and Section 4.22 Water Quality), and the subject analyses were not determined to be inadequate by the courts. This comment offers no significant new information requiring additional analysis with respect to water supply and water quality. Therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F66-5:

Because our local landfill is already subjecting residents to noxious fumes and is over capacity'

Response No. F66-5:

The comment suggests the local landfill is over capacity and subjecting residents to noxious fumes. This comment is beyond the scope of the Recirculated Analysis because it addresses aspects of the County's prior environmental analysis that were *not* found to be inadequate by the California Supreme Court (see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F66-6:

Because our earth needs a place to breathe

Response No. F66-5:

The comment expresses general opposition to the Project and states earth needs a place to breathe. This comment does not offer any specific critique of the Recirculated Analysis. No further response is required or can be provided.

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COMMENT LETTER NO. F67

Denise Brown
27206 Blakely Pl.
Valencia, CA 91354

Comment No. F67-1:

I am a resident of the Santa Clarita Valley, and do not support the proposed Mission Village and Landmark Projects in Newhall Ranch. They are poor planning on the last free flowing river in Los Angeles County, for the following reasons:

Response No. F67-1:

The comment is an introduction to the comments that follow, and expresses general opposition to the Mission Village Project. The comment does not raise a specific issue regarding the adequacy of the Project's Recirculated Portions of the EIR (Recirculated Analysis); therefore, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F67-2:

Houses should not be built over a closed oil field (Mission Village). There is too great a chance that airborne VOCs will leak up into the homes.

Response No. F67-2:

This comment is substantively the same as Comment No. F33-2. Please refer to **Response to Comment No. F1-3** for discussion of issues related to the location of proposed housing development with regard to potential health and environmental risks.

Comment No. F67-3:

The exclusion of a traffic chapter make the supplemental document inadequate because traffic has greatly increased since the 2007 review was released and new projects have been approved. A chapter updating the traffic analysis should be added.

Response No. F67-3:

This comment is substantively the same as Comment No. F1-4. Please refer to **Response to Comment No. F1-4**, as well as Section 4.5, Traffic/Access, of the Project's 2011 Final EIR, for discussion of issues related to the traffic analysis conducted for the Mission Village Project. Please also see **Topical Response 3: Traffic Impact Analysis**, which explains that the traffic analysis presented in the County's 2011 Final

EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis.

Comment No. F67-4:

Controlling greenhouse gases and traffic congestion are intimately related. Traffic congestion in the Santa Clarita area is already over the top and will only get worse if Landmark Village and Mission Village are built as planned. It is necessary to consider these two factors together and absolutely ensure no net increase in GHG for these projects.

Response No. F67-4:

This comment is substantively the same as Comment No. F13-3. Please refer to **Response to Comment No. F13-3** for discussion of issues related to the relationship between greenhouse gas (GHG) emissions and traffic congestion. Please also see **Topical Response 3: Traffic Impact Analysis and Topical Response No. 1: Scope of the Recirculated Portions of the EIR.**

Comment No. F67-5:

The promise of zero GHGs sounds good on paper but the enforcement reality is lacking:

Response No. F67-5:

This comment is substantively the same as Comment No. F13-4. Please refer to **Response to Comment No. F13-4** for discussion of issues related to the enforcement of the Mission Village Project's commitment to achieve net zero GHG emissions.

Comment No. F67-6:

There are no safeguards to track the future offsets that will need to be bought; Will the offsets actually exist to be bought? Will enough offsets be available?

Who will assure that the offsets are actually bought?

Who will assure that the offsets are actually effective to offset the amount of GHGs needed to be offset?

Response No. F67-6:

This comment is substantively the same as Comment No. F13-5. Please refer to **Response to Comment No. F13-5** for discussion of issues related to the use of carbon offsets to mitigate the Mission Village Project's GHG emissions.

Comment No. F67-7:

How will the use of electric cars be monitored and enforced in order to gauge if the touted GHG reductions actually occur?

Response No. F67-7:

This comment is substantively the same as Comment No. F13-6. Please refer to **Response to Comment No. F13-6** for discussion of issues related to how the use of electric cars will be monitored and enforced.

Comment No. F67-8:

All these assurances need to be codified as enforceable mitigation measures.

Response No. F67-8:

This comment is substantively the same as Comment No. F13-7. Please refer to **Response to Comment No. F13-7** for discussion regarding the monitoring and enforcement of the Mission Village Project's mitigation measures.

Comment No. F67-9:

The project is still too big and impactful to the Valley and flies in the face of 21st century smart planning – it needs to be significantly scaled back and away from the Santa Clara River

Response No. F67-9:

This comment is substantively the same as Comment No. F13-8. Please refer to **Response to Comment No. F13-8** for discussion of issues related to the amount and location of proposed development.

Comment No. F67-10:

Where's the analysis of the methane that will be generated from trash created by this massive project, what about emissions from trash truck – the GHG analysis is not sufficient

Response No. F67-10:

This comment is substantively the same as Comment No. F13-9. Please refer to **Response to Comment No. F13-9** for discussion of issues related to methane emissions associated with solid waste disposal, as well as GHG emissions associated with the haul truck trips necessary to transport Mission Village Project-related solid waste.

Comment No. F67-11:

The severe water cutbacks required in the SCV in the last six years are new information showing that we cannot accommodate this massive project with our current water resources. That water table dropped 70 feet and several wells went dry.

Response No. F67-11:

This comment is substantively the same as Comment No. F13-10. Please refer to **Response to Comment No. F13-10** for discussion of issues related to the availability of water from “current water resources” to meet the water demand attributable to development associated with the Mission Village Project.

Comment No. F67-12:

There have been a lot of articles about how offsets are often a green washing scam. What guarantee do we have that the offsets being purchased as GHG mitigation will result in measurable, provable, reductions in GHG emissions beyond what would have otherwise occurred?

Response No. F67-12:

This comment is substantively the same as Comment No. F13-11. Please refer to **Response to Comment No. F13-11** for discussion of issues related to whether the carbon offsets which may be purchased by the Mission Village Project Applicant will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F67-13:

Mitigation for GHG that is proposed to be bought as pollution credits in other countries is unenforceable and unverifiable. AND it will not help our local air pollution problems.

Response No. F67-13:

This comment is substantively the same as Comment No. F13-12. Please refer to **Response to Comment No. F13-12** for discussion regarding the GHG Reduction Plan and the enforceability of mitigation compliance, which will be enforced by the County, as well as local air quality conditions.

Comment No. F67-14:

No mention or itemization of the external creators of GHG for this project, like methane from waste disposal, energy production for water delivery and desalination of waste water, off site energy production for infrastructure, auto and truck deliveries and other uses is not in the Environmental document because those chapters are excluded from the document. These issues must be discussed in order for the document to be valid.

Response No. F67-14:

This comment is substantively the same as Comment No. F13-13. Please refer to **Response to Comment No. F13-13** for discussion of issues related to indirect emissions associated with waste disposal, energy production, and mobile sources.

Comment No. F67-15:

Our Valley is already out of federal compliance for dust pollution (PM10 and PM_{2.5}) that causes asthma and permanent lung damage and affects our children's health. Filling the flood plain with 200 million cubic yards of dirt will substantially add to this pollution.

Response No. F67-15:

This comment is substantively the same as Comment Nos. F1-7 and F1-8. Please refer to **Response to Comment Nos. F1-7 and F1-8** for discussion of issues related to dust emissions associated with the Mission Village Project's floodplain-related grading activities.

Comment No. F67-16:

To protect the river water quality and the endangered fish, the project should be moved away from the Santa Clara River.

Response No. F67-16:

This comment is substantively the same as Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for discussion of issues related to water quality, endangered fish species, and the proximity of the Mission Village Project to the Santa Clara River.

Comment No. F67-17:

Filling the floodplain with 200 million cubic yards of dirt hurts water replenishment and will massively add to dust pollution in the Santa Clarita Valley.

Response No. F67-17:

This comment is substantively the same as Comment No. F13-16. Please refer to **Response to Comment No. F13-16** for discussion of issues related to the intersection of floodplain-related grading activities and air quality, as well as issues related to water replenishment.

Comment No. F67-18:

There should be a .25 mile buffer around the spine flower preserves to protect this endangered flower. The proposed endowment is not sufficient to provide protection. We see what has happened in the

valley oaks Savannah (SEA 64 – no trails as promised, inadequate management to preserve the oaks, oaks dying)

Response No. F67-18:

This comment is substantively the same as Comment No. F13-17. Please refer to **Response to Comment No. F13-17** for discussion of issues related to buffer distance around the spineflower preserves and the endowment for the spineflower preserve system.

Comment No. F67-19:

Thank you for your action to defeat these flawed proposals.

Response No. F67-19:

This comment expresses gratitude for actions taken to defeat the Mission Village Project, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

COMMENT LETTER NO. F68

Barbara Cogswell
29638 Wisteria Valley Road
Canyon Country, CA 91387

Comment No. F68-1:

I am concerned that to proceed with building this many new housing units will have both short term and long term problems for the citizens already in or near these areas.

Response No. F68-1:

The comment expresses general concern regarding the short-term and long-term impacts associated with the development of the Mission Village Project. It does not comment on any specific aspect of the Project's Recirculated Portions of the EIR (Recirculated Analysis). No further response is required.

Comment No. F68-2:

We already have traffic, air pollution, waste disposal problems that need to be addressed.

Response No. F68-2:

The comment expresses general concern regarding traffic, air pollution, and waste disposal. The comment does not raise any issue as to the adequacy of the Recirculated Analysis, nor does it raise any issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's greenhouse gas (GHG) emissions and take avoidance of the unarmored threespine stickleback. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect the amount of development allowed by this Project. As such, the issues raised by comment have not changed since preparation of the Project's 2011 Final EIR (2011 Final EIR), and no further response is needed (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational purposes, the following discussion is provided.

The previously certified 2011 Final EIR evaluated traffic, air quality, and solid waste (please refer to Section 4.5, Traffic/Access, Section 4.7, Air Quality, and Section 4.10, Solid Waste Services of the 2011 Final EIR). The analysis of those issues was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. Furthermore, **Topical Response 3: Traffic Impact Analysis** provides additional information that is responsive to this comment. As discussed therein, the traffic analysis presented in the County's 2011

Final EIR accounted for future increases in traffic volumes on study area roadways; since completion of that EIR, there have been no substantial changes requiring major revisions to the subject traffic analysis. Additionally, for purposes of air quality, it is noted that elements of the Mission Village Project's mitigation framework for GHG emissions are anticipated to achieve co-benefits in the Southern California Air Basin due to corresponding emission reductions in criteria air pollutants.

Comment No. F68-3:

Building projects as named above can only exacerbate these problems.

Response No. F68-3:

The comment states that the development associated with the Mission Village Project would exacerbate the issues previously identified in Comment No. F68-2. It does not comment on any specific aspect of the Recirculated Analysis. Further, as previously discussed in **Response to Comment No. F68-2**, the impacts associated with traffic, air quality, and solid waste impacts are beyond the scope of the Recirculated Analysis, and previously were studied in the Project's 2011 Final EIR. No further response is required.

Comment No. F68-4:

Further, these projects is [sic] likely to create population migrations affecting our schools in surrounding areas.

Response No. F68-4:

The comment expresses general concern regarding population migration, and its impacts on schools. The issue raised by the comment is beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**); as such, no further response is required. For informational purposes, Section 4.13, Education, of the 2011 Final EIR addressed the Project's impacts on schools, and that analysis was not found deficient by the courts. It also is noted that the Project includes the development of a new elementary school. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis.

Comment No. F68-5:

Although this increased building will create jobs for a few years, it will draw on energy reserves best left in the ground.

Response No. F68-5:

The comment states that the Project will “draw on energy reserves best left in the ground.” The comment does not specifically address the Recirculated Analysis; as such, no further response is required. However, for informational purposes, it is noted that the Project’s mitigation framework for GHG emissions includes many elements that will serve to reduce the Project’s demand for energy, as defined to include electricity, natural gas and petroleum-based resources. For example, Mitigation Measures MV 4.23-1/2-1 and MV 4.23-3/2-2 will reduce the Project’s demand for electricity and natural gas by requiring the Project’s residences and non-residential buildings to achieve the California Energy Commission’s Zero Net Energy standards. Additionally, Mitigation Measures MV 4.23-4/2-4 through 4.23-6/2-6 will reduce the Project’s demand for petroleum-based fuels by facilitating the utilization of zero emission vehicles and providing a suite of multi-modal transportation options to Project residents, employees and visitors.

Comment No. F68-6:

Bill McKibben or 350 in his 2012 Film, "Do the Math" postulated that we already have enough oil above ground to put us over the edge climate wise.. [sic]

Response No. F68-6:

The comment refers to a film that addresses the use of oil. The comment does not raise any issue as to the adequacy of the Recirculated Analysis, nor does it raise any issue within the scope of the Recirculated Analysis. As such, no further response is required. However, as noted in **Response to Comment No. F68-5** above, the Project’s mitigation framework for GHG emissions includes measures that will reduce the consumption of petroleum-based fuels, including oil.

Comment No. F68-7:

The aim of the L A County Planning Department should focus on stabilizing [sic] the core, the inner city schools, homeless housing, and clean industry throughout the area.

Response No. F68-7:

The comment opines that the County should focus on stabilizing the “core,” including schools, housing for homeless individuals, and clean industry. The comment does not raise any issue as to the adequacy of the Recirculated Analysis, nor does it raise any issue within the scope of the Recirculated Analysis. As such, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

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COMMENT LETTER NO. F69

Kae Bender
42955 Cherbourg Lane
Lancaster, CA 93536 US

Comment No. F69-1:

There are plenty of spaces to develop in LA County; a coastal wildlife habitat is NOT one of the areas that should be considered for dense new development.

Response No. F69-1:

The comment expresses a preference that coastal wildlife habitat be preserved and not considered for new development. The comment does not address any particular aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis) and, therefore, no further response is required or can be provided. Nonetheless, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F69-2:

Furthermore, development in a flood plain is asking for trouble.

Response No. F69-2:

The comment expresses general concern for development in the flood plain.

The comment does not identify any deficiency in the Recirculated Analysis nor address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's greenhouse gas (GHG) emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the Project's 2011 Final EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect the level of fill placement. Because this comment could have been raised during the Project's 2011 Final EIR process and is beyond the scope of the Recirculated Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). However, for informational

purposes, the Project's impacts to the floodplain of the Santa Clara River previously were studied and evaluated in the Mission Village Project's 2011 Final EIR (see, e.g., Section 4.2, Hydrology; Section 4.21, Floodplain Modifications), and those analyses were not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts to the floodplain would occur based on the information and analysis presented in the Recirculated Analysis. Further, Project-related development would be elevated out of the floodplain; and, the Clean Water Act Section 401 water quality certification and waste discharge requirements issued by the Los Angeles Regional Water Quality Control Board contain requirements relating to stream diversion and dewatering that are protective of the floodplain. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F69-3:

I urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good but unachievable promises.

Response No. F69-3:

This comment expresses general disapproval of the proposals for the Mission Village and Landmark Village projects. It does not comment on any specific aspect of the Recirculated Analysis. No further response is required or can be provided. Nonetheless, please refer to Response to Comment No. F52-2 for further responsive information.

Comment No. F69-4:

Real carbon neutral development does not pollute an already-overly-dirty environment, and pretending to be "net zero" on greenhouse emissions by using cap and trade credits is NOT environmentally conscientious or beneficial to the LA basin.

Response No. F69-4:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis. As such, no further response is required. Please refer to **Response to Comment Nos. F13-3 through F13-12** and **Response to Comment No. F52-2**, for discussions of issues related to the enforcement of the Project's commitment to achieve net zero greenhouse gas (GHG) emissions.

Comment No. F69-5:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F69-5:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F69-6:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F69-6:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F69-7:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F69-7:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F69-8:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F69-8:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the commenter's request to reject the Project and that the current Environmental Impact Report (EIR) not be certified.

Comment No. F69-9:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F69-9:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required or can be provided.

Comment No. F69-10:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F69-10:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

COMMENT LETTER NO. F70

Rosalind Bresnahan
500 Edgerton Dr.
San Bernardino, CA 92405

Comment No. F70-1:

I strongly urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F70-1:

This comment expresses general disapproval of the proposals for the Mission Village and Landmark Village projects. It does not comment on any specific aspect of the Recirculated Analysis. No further response is required. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for a discussion of issues related to the enforcement of the Project's commitment to achieve net zero greenhouse gas (GHG) emissions.

Comment No. F70-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F70-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F70-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F70-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F70-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F70-4:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F70-5:

Therefore I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F70-5:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F70-6:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F70-6:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F70-7:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F70-7:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

COMMENT LETTER NO. F71

John Brooks
246 Mountain View
Oak View, CA 93022 US

Comment No. F71-1:

I'm writing to urge you to reject Newhall Ranch's latest misguided proposal; the Mission and Landmark "villages".

Response No. F71-1:

This comment expresses general disapproval of the proposals for the Mission Village and Landmark Village projects. It does not address any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required or can be provided.

Comment No. F71-2:

The river should be protected, not destroyed.

Response No. F71-2:

The comment expresses a preference that the Santa Clara River be preserved and not destroyed. The comment does not address any particular aspect of the Recirculated Analysis and, therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F71-3:

Once again the charade of creating smog and pollution in our neighborhoods in exchange for purchasing credits will kill us and possibly help someone else.

Response No. F71-3:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F71-4:

More homes in established cities is good, urban sprawl is bad.

Response No. F71-4:

The comment expresses a preference for more homes in established cities as opposed to urban sprawl. The comment does not address any particular aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis) and, therefore, no further response is required or can be provided. Nonetheless, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F71-5:

The environmental impact reports contain no clear standards to ensure that greenhouse gas offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F71-5:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F71-6:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F71-6:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F71-7:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F71-7:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the commenter's request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F71-8:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F71-8:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F71-9:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F71-9:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F72

Lynne Cadman
6285 Lake Atlin Ave
San Diego, CA 92119 US

Comment No. F72-1:

We are all in this together, and since San Diego Audubon is constantly working on restoring habitat for the least Bell's Viero in woodlands down here, and this development would even further diminish their habitat along the Santa Clarita River,

Response No. F72-1:

The comment expresses a concern that the habitat along the Santa Clara River would “diminish” habitat for the least Bell’s vireo. The comment does not identify any deficiency in the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis) and does not address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project’s greenhouse gas (GHG) emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Further, the commenter raises an issue that has not changed since the Project’s 2011 Final EIR. The proposed modifications associated with the Recirculated Analysis (bridge design measures and GHG mitigation measures) will not affect least Bell’s vireo habitat issues. Because this comment could have been raised during the Project’s 2011 Final EIR process and is beyond the scope of the Recirculated Analysis, no additional response is needed (see **Topical Response 1: Scope of the Recirculated Portions of the EIR**). Nonetheless, for informational purposes, the least Bell’s vireo was previously studied and evaluated by the County in Section 4.3, Biota, of the Mission Village Project’s 2011 Final EIR. The 2011 Final EIR concluded that impacts would be mitigated below the level of significance with applicable mitigation measures, including SP 4.6-53 and SP 4.6-59, MV 4.3-15, and MV 4.3-26. That portion of the 2011 Final EIR was not found inadequate by the courts and is no longer subject to review or challenge. The comment does not identify any flaws or omissions with the prior analysis that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. The comment offers no evidence of changed circumstances or a deficiency with the prior analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F72-2:

I'm writing to urge you to reject Newhall Ranch's latest proposal.

Response No. F72-2:

This comment expresses general disapproval of the proposals for the Mission Village and Landmark Village projects. It does not comment on any specific aspect of the Recirculated Analysis. No further response is required.

Comment No. F72-3:

The Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F72-3:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F72-4:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from CARBON MARKETEERS selling offsets of unknown quantity.

Response No. F72-4:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F72-5:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F72-5:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F72-6:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F72-6:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F72-7:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F72-7:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F72-8:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F72-8:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F72-9:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F72-9:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F73

Helen Campbell
28126 Bryce Drive
Castaic, CA 91384 US

Comment No. F73-1:

I'm writing to strongly object to Newhall Ranch's latest proposal; the Mission and Landmark "villages" - an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F73-1:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F73-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F73-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F73-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F73-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F73-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F73-4:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F73-5:

In addition, the issue of the Chiquita Canyon expansion remains unresolved. It is my earnest hope that the County will not renege on the existing agreement that is in place and will instruct the landfill operator to comply and CLOSE this facility this year.

Response No. F73-5:

The comment expresses concern about the Chiquita Canyon expansion and closing of the facility this year.

The comment does not identify any deficiency in the Recirculated Analysis and does not address an issue within the scope of the Recirculated Analysis, which is limited to the analysis of the Project's GHG emissions and take avoidance of the unarmored threespine stickleback (see Section 1.1: Executive Summary/Introduction of the Recirculated Analysis (November 2016)). Accordingly, no further response is required or can be provided (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). Further, the environmental safety impacts with respect to the Chiquita Canyon landfill previously were studied and evaluated in Section 4.19, Environmental Safety, of the Mission Village Project's 2011 Final EIR, and that analysis was not found to be deficient by the courts. The comment does not identify any specific flaws or omissions with the Project's 2011 Final EIR that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts with respect to Chiquita Canyon Landfill would occur based on the information and analysis presented in the Recirculated Analysis. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F73-6:

Since "PROFIT BEFORE PEOPLE" seems to be the universal motivation at this time, the outcome remains to be seen. If the County goes ahead and permits the expansion, then there is a potentially polluted groundwater problem for any new development in this area - especially below the landfill site.

Response No. F73-6:

This comment expresses concern regarding "profit before people" and the expansion of the landfill and associated potential impacts to groundwater quality. This comment is substantively the same as

Comment No. F73-5. Please refer to **Response to Comment No. F73-5** for additional responsive information.

Comment No. F73-7:

"Garbage In, Garbage Out", means that over time the health hazard from this facility will increase rather than diminish. The future residents of any new development in this area are therefore being cynically exposed to long term risk.

Response No. F73-7:

This comment is substantively the same as Comment No. F73-5. Please refer to **Response to Comment No. F73-5** for a discussion of issues related to the Chiquita Canyon landfill.

Comment No. F73-8:

I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F73-8:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F73-9:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F73-9:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F73-10:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F73-10:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

COMMENT LETTER NO. F74

Ron Capri
11870 Santa Monica
Los Angeles, CA 90025 US

Comment No. F74-1:

Lame proposal, uncreative, lacks imagination, lacks vision, lacks foresight, lacks understanding. Housing and new cities are the last, last, things we need in southern cal. right now. L.A. County: Fix what you've got. Maintain what you've got. THEN grow.

Response No. F74-1:

The comment expresses general opinions concerning the Project and the need for the Project. The comment does not address any particular aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis) and, therefore, no further response is required or can be provided. Nonetheless, for informational purposes, the development that would be facilitated by approval of the Mission Village Project is designed to accommodate projected regional population and employment growth. Relatedly, approval of the Mission Village Project would facilitate the development of a master-planned community that implements principles of sustainable design on a Project site that has been slated for comparable development since the County of Los Angeles' 2003 approval of the Newhall Ranch Specific Plan. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F74-2:

I'm writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F74-2:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F74-3:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F74-3:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F74-4:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F74-4:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F74-5:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F74-5:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F74-6:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F74-6:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F74-7:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F74-7:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F74-8:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old “Newhall Specific Plan” through piecemeal environmental review.

Response No. F74-8:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F75

Dudley and Candace Campbell
13167 Ortleby Place
Valley Glen, CA 91401 US

Comment No. F75-1:

We are writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F75-1:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F75-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F75-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F75-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F75-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F75-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F75-4:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F75-5:

That's why we urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F75-5:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F75-6:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F75-6:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F75-7:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F75-7:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

COMMENT LETTER NO. F76

Craig Dremann
P.O. Box 361
Redwood City, CA 94064 US

Comment No. F76-1:

I'm writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages".

Response No. F76-1:

This comment expresses general disapproval of the proposals for the Mission Village and Landmark Village projects. It does not comment on any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required or can be provided.

Comment No. F76-2:

Although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F76-2:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F76-3:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F76-3:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the commenter's request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F76-4:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F76-4:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F76-5:

The county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F76-5:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

Comment No. F76-6:

Piecemeal environmental review is illegal under both CEQA and EPA.

Response No. F76-6:

The comment expresses disagreement with the overall process and timing utilized to prepare and issue the Recirculated Analysis. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the CEQA process used here. Additionally, please see **Topical Response 1: Scope of the Recirculated Portions of the EIR**, which provides relevant information regarding the court directives and proceedings, and CEQA requirements, that informed the County of Los Angeles' preparation of the Recirculated Analysis. As the comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, no further response is required. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

COMMENT LETTER NO. F77

Dorothy Dent
6876 Sabado Tarde Rd
Isla Vista, CA 93117 US

Comment No. F77-1:

Please save our last natural flood plains and preserve a beautiful scenic drive through our rural farming areas that reflect our California agricultural heritage and natural beauty and provide habitat to our wildlife.

Response No. F77-1:

The comment expresses concerns regarding the Santa Clara River flood plain, scenic views of farming, and habitat. The comment does not raise an environmental issue concerning the adequacy of the Recirculated Analysis, but instead raises issues that are beyond the scope of the Recirculated Analysis (please see **Topical Response 1: Scope of the Recirculated Portions of the EIR** for related information). The issues raised in the comment have been evaluated in the 2011 Final EIR. The comment does not identify any specific flaws or omissions with the 2011 Final EIR that require additional consideration based on the Recirculated Analysis. There is no evidence that new impacts or substantially more severe impacts would occur based on the information and analysis presented in the Recirculated Analysis. Therefore, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F77-2:

I'm writing to urge you to reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F77-2:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F77-3:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F77-3:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F77-4:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F77-4:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F77-5:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F77-5:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F77-6:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F77-6:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F77-7:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F77-7:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F77-8:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F77-8:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F78

Mr. & Mrs. Dennis Ely
122 Centrala Ave.
Los Gatos, CA 95030 US

Comment No. F78-1:

We're writing to sincerely have you lead, by urging you to absolutely reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F78-1:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F78-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F78-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F78-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F78-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F78-4:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F78-4:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F78-5:

As often as we travel to southern California, this is why we urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F78-5:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F78-6:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F78-6:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F78-7:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F78-7:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

COMMENT LETTER NO. F79

Jeremiah George
869 17th Street
Manhattan Beach, CA 90266 US

Comment No. F79-1:

As an agricultural landowner nearby to this project, a fifth generation [sic] resident of Los Angeles County and an opponent of any future sprawl- I'm writing to urge you to reject Newhall Ranch's latest proposal.

Response No. F79-1:

This comment expresses general disapproval of the proposals for the Mission Village and Landmark Village projects. The comment does not address any specific aspect of the Recirculated Portions of the EIR for the Mission Village Project (Recirculated Analysis). No further response is required or can be provided.

Comment No. F79-2:

The Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F79-2:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F79-3:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F79-3:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F79-4:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F79-4:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F79-5:

What's more, although Newhall is now promising "no water contact" bridge construction to protect the highly imperiled stickleback fish, there are no safeguards in place to ensure this federally protected species won't be harmed through the life of the project.

Response No. F79-5:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F79-6:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F79-6:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F79-7:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F79-7:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F79-8:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F79-8:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

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COMMENT LETTER NO. F80

Martin Hanzlik
P.O. Box 521
Seal Beach, CA 90740 US

Comment No. F80-1:

I urge you to protect the Santa Clara River because it is the last free flowing river in all of Southern California. It is home to rare plants and animals including the California condor.

Response No. F80-1:

This comment urges protection of the Santa Clara River. The comment does not raise an environmental issue concerning the adequacy of the Draft Recirculated Portions of the EIR (Recirculated Analysis) and, therefore, no further response is required. The comment is similar to Comment No. F13-15. Please refer to **Response to Comment No. F13-15** for additional responsive information. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F80-2:

While the Mission and Landmark "villages" promise "net zero" greenhouse gas emissions, many of the emissions reductions won't occur on site, or even in California. More likely they will come from carbon marketers selling offsets of unknown quantity.

Response No. F80-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F80-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F80-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F80-4:

That's why I urge the county to reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F80-4:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request to reject the Project and not certify the current Environmental Impact Report (EIR).

Comment No. F80-5:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F80-5:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F80-6:

And at a minimum the county must embark on a full environmental review that reflects current standards for smart growth instead of trying to implement an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F80-6:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

COMMENT LETTER NO. F81

Nancy Hotaling
Devore Road
Devore, CA 92407

Comment No. F81-1:

You must reject Newhall Ranch's latest proposal; the Mission and Landmark "villages" are an ill-conceived new city cloaked in feel-good promises of "net zero" greenhouse gas emissions.

Response No. F81-1:

This comment does not raise a specific environmental issue concerning the adequacy of the Recirculated Analysis and, as such, no further response is required or can be provided. This comment is substantively the same as Comment No. F52-2. Please refer to **Response to Comment No. F52-2** for further responsive information.

Comment No. F81-2:

In reality many of the emissions reductions won't occur on site, or even in California, but instead would come from carbon marketers selling offsets of unknown quantity.

Response No. F81-2:

This comment is substantively the same as Comment No. F52-3. Please refer to **Response to Comment No. F52-3** for a discussion of issues related to the locational aspects of the Project's GHG Direct Reduction Activities.

Comment No. F81-3:

The environmental impact reports contain no clear standards to ensure that offsets represent real, enforceable, verifiable reductions that wouldn't have occurred anyway.

Response No. F81-3:

This comment is substantively the same as Comment No. F52-4. Please refer to **Response to Comment No. F52-4** for a discussion of issues related to whether Carbon Offsets, which may be purchased by the Applicant, will result in measurable GHG reductions beyond what would have otherwise occurred.

Comment No. F81-4:

The Mission and Landmark projects remain a disaster for the Santa Clara River and valley.

Response No. F81-4:

This comment expresses general disapproval of the Mission Village and Landmark Village projects, and does not offer any specific critique of the Recirculated Analysis. No further response is required.

Comment No. F81-5:

It is important the county embark on a full environmental review that reflects current standards. Not relying on an outdated, 14-year-old "Newhall Specific Plan" through piecemeal environmental review.

Response No. F81-5:

This comment is substantively the same as Comment No. F52-8. Please refer to **Response to Comment No. F52-8** for a discussion of issues related to the request that the County conduct an environmental review, including elements of smart growth, and the CEQA process used here.

Comment No. F81-6:

That's why the county must reject these projects and not certify the current environmental impact reports, which focus solely on greenhouse gases and stickleback.

Response No. F81-6:

This comment is substantively the same as Comment No. F52-6. Please refer to **Response to Comment No. F52-6** for a discussion of issues related to the request not certify the current Environmental Impact Report (EIR).

Comment No. F81-7:

Newhall is now promising a "no water contact" bridge construction to protect the highly imperiled stickleback fish, but there are no safeguards in place to ensure this federally protected species.

Response No. F81-7:

This comment is substantively the same as Comment No. F52-5. Please refer to **Response to Comment No. F52-5** for a discussion of issues related to the Project, including safeguards to protect the unarmored threespine stickleback for the life of the Project.

Comment No. F81-8:

With the population proposed, thousands of children and adults will be tromping up and down this beautiful, but vulnerable watershed.

Response No. F81-8:

The comment expresses concern regarding the population proposed and the “tromping up and down this beautiful, but vulnerable watershed.” The comment does not raise any issue concerning the adequacy of the Recirculated Analysis. As such, no further response is required or can be provided. This comment is noted for the record and is included in this Final EIR for review and consideration by the decision-makers.

Comment No. F81-9:

This is the smart way to proceed to avoid unnecessary challenges in court.

Response No. F81-9:

The comment expresses general concern regarding the proposed developments. The comment does not raise any issue concerning the adequacy of the Recirculated Portions of the EIR (Recirculated Analysis) for the Mission Village Project. As such, no further response is required or can be provided.

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