



# **NorthLake Specific Plan Project**

## **Final Supplemental Environmental Impact Report**

**Northlake Specific Plan Project**  
**County Project No. R2015-00408-(5)**  
**Vesting Tentative Tract Map No. TR073336**  
**Conditional Use Permit No. 201500019**  
**Environmental Review No. 201500030**  
**State Clearinghouse No. 2015031080**

Lead Agency:	County of Los Angeles Department of Regional Planning Hall of Records, 13 <sup>th</sup> Floor, Room 1362 320 West Temple Street Los Angeles, California 90012
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January 2018

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## **NorthLake Specific Plan Los Angeles County, California**

**SCH No. 2015031080**

Lead Agency:

County of Los Angeles  
Department of Regional Planning  
Hall of Records, 13<sup>th</sup> Floor, Room 1362  
320 West Temple Street  
Los Angeles, California 90012

January 2018



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## SECTION 1.0 INTRODUCTION

In accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the County of Los Angeles, as the Lead Agency, has evaluated the comments received on the Draft Supplemental Environmental Impact Report (SEIR) for the NorthLake Specific Plan Project (State Clearinghouse [SCH] No. 2015031080) and has prepared written responses to these comments. This document has been prepared in accordance with CEQA and represents the independent judgment of the Lead Agency.

A Program EIR was completed and certified in 1992 (1992 SP EIR) to address the development of the adopted *NorthLake Specific Plan*. Under the current Project proposal, there are minor additions and changes made to the 1992 SP EIR to adequately analyze: (1) modifications to the Specific Plan, as defined in Section 4.0, Project Description of the Draft SEIR, and (2) changes to environmental conditions and the addition of project-specific analysis since its adoption. A lead agency can approve subsequent actions without additional environmental documentation, unless otherwise required by Section 15162 and 15163 of the State CEQA Guidelines (*California Public Resources Code*, Section 21166). An SEIR has therefore, been prepared in accordance with the State CEQA Guidelines (Section 15163).

According to State CEQA Guidelines Section 15132, the Final EIR shall consist of:

- (a) The Draft EIR or a revision of the draft;
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

The Los Angeles County Regional Planning Commission will also consider adoption of a Mitigation Monitoring and Reporting Program (MMRP) and a Statement of Findings of Fact as part of the approval process for the proposed Project.

This Final SEIR document is organized as follows:

**Section 1.0** provides a brief introduction to this document, a summary of the public review process, and a list of commenters.

**Section 2.0** provides responses to the public comments received on the Draft SEIR during the public review period. Responses are provided in the form of individual responses to comment letters received. For each comment letter, the letter is provided and is followed immediately by the responses to each letter.

**Section 3.0** contains revisions and clarifications to the Draft SEIR as a result of the comments received from all commenting parties. County staff have reviewed this information and determined that it does not constitute significant new information, so recirculation of the Draft SEIR for further comment (pursuant to State CEQA Guidelines, Section 15088.5) is not required.

## 1.1 **PUBLIC REVIEW PROCESS**

In compliance with Section 15201 of the State CEQA Guidelines, the County has taken steps to provide opportunities for public participation in the environmental process. An Initial Study (IS) and Notice of Preparation (NOP) was distributed on March 24, 2015 to 551 interested agencies, organizations, and individuals for a 30-day public review period, and was also made available on the County's website, to solicit input on the scope of the Draft SEIR and to inform agencies and the public of the proposed Project. The Project was described; potential environmental effects associated with Project implementation were identified; and agencies and the public were invited to review and comment on the IS and NOP. A copy of the IS/NOP and responses received are included in Appendix A of the Draft SEIR. The County received 18 comment letters in response to the IS/NOP. Table 2-2 of the Draft SEIR provides a brief summary of the NOP comments received addressing environmental and related issues.

The County of Los Angeles held a scoping meeting for the Draft SEIR on April 8, 2015. The purpose of the meeting was to solicit input from interested agencies, individuals, and organizations regarding the Project, alternatives, mitigation measures, and significant effects to be analyzed in the SEIR.

CEQA requires that a Draft EIR have a review period lasting at least 45 days for projects that have been submitted to the State Clearinghouse for review (State CEQA Guidelines, Section 15105[a]). The Draft SEIR for the proposed Project was released for public review on May 2, 2017, and circulated for public review and comment for a 45-day period ending on June 15, 2017. In compliance with Section 15087 of the State CEQA Guidelines, the County of Los Angeles provided public Notice of Availability (NOA) of the Draft SEIR at the same time it sent a Notice of Completion to the Office of Planning and Research. The County of Los Angeles used several methods to solicit comments on the Draft SEIR. The NOA, along with a CD containing the Draft SEIR and technical appendices, was mailed to various agencies and organizations and to individuals who had previously requested such notice. The Draft SEIR was submitted to the State Clearinghouse for distribution to and review by State agencies. The NOA was also mailed to all property owners and occupants within 500 feet of the Project site; homeowners associations within 500 feet of the Project site; and all interested parties who previously called, corresponded, attended an EIR scoping session, and/or provided comments on the IS/NOP. Additionally, the NOA was posted on site and off site at two separate locations. Copies of the Draft SEIR were available for review at three (3) public libraries and at the County Department of Regional Planning Counter. The Draft SEIR was also available on the County's website by typing "Northlake" or "R2015-00408" into the case archive search box at this web address: <http://planning.lacounty.gov/case>.

As identified below, in addition to correspondence from the Governor's Office of Planning and Research, 22 comment letters were received by the County; 4 of these letters were received after the end of the 45-day public review period. All of the comment letters received by the County have been included and responded to within this Final SEIR. Additionally, a transcript of the Hearing Examiner meeting, held on May 24, 2017 for the proposed Project, is included as Letter 23. Comments contained in the letters that address environmental issues are thoroughly responded to in Section 2.0.

A Planning Commission public hearing is scheduled for February 21, 2018; the Planning Commission as the final approval body will consider the certification of the Final SEIR for the proposed Project.

## 1.2 LIST OF ENVIRONMENTAL IMPACT REPORT COMMENTERS

In accordance with Section 15132 of the State CEQA Guidelines, following is a list of the agencies, organizations, and individuals that submitted comments on the Draft SEIR. The date the comments were received by the County is noted. Late-arriving comment letters (identified with an \*) were received after the end of the 45-day public review period, which ended on June 15, 2017. Responses to all comments received are provided in Section 2.0, Responses to Comments.

Each comment letter received has been divided into sequential numbered comments (i.e., Letter 1, comments 1.1, 1.2, 1.3 etc.).

### LIST OF COMMENTERS

Commenter		Date of Correspondence	Follows Page Number
No.	Commenter		
State Agencies			
1	Department of Parks and Recreation	June 12, 2017	2-4
2	Department of Fish and Wildlife	June 15, 2017	2-16
3	Department of Transportation, District 7	June 15, 2017	2-31
4	Office of Planning and Research, State Clearinghouse	June 16, 2017*	2-40
Local and Regional Agencies			
5	County of Los Angeles Fire Department	May 25, 2017	2-41
6	County of Los Angeles Airport Land Use Commission	June 1, 2017	2-43
7	County of Los Angeles Department of Public Works	June 7, 2017	2-44
8	City of Santa Clarita	June 8, 2017	2-45
9	County Sanitation Districts of Los Angeles County	June 14, 2017	2-46
10	County of Los Angeles Public Health	June 16, 2017*	2-49
Organizations and Companies			
11	San Manuel Band of Mission Indians	May 5, 2017	2-50
12	Santa Monica Mountains Conservancy	May 22, 2017	2-51
13	Fernandeño Tataviam Band of Mission Indians	June 14, 2017	2-60
14	Castaic Universal Investors, LLC	June 15, 2017	2-61
15	Blum Collins LLP (Golden State Environmental & Social Justice Alliance)	June 16, 2017*	2-62
16	Center for Biological Diversity	No Date	2-79
Individuals			
17	Joe Bourgeois	May 14, 2017	2-122
18	Ed and Karen Coch	May 17, 2017	2-123
19	Diane Slauson	May 20, 2017	2-124
20	Shawn Smallwood, PhD	June 13, 2017	2-125
21	Carolyn Poore	June 15, 2017	2-144
22	Joe Bourgeois	June 17, 2017*	2-145
Testimony Hearing and Responses			
23	Regional Planning staff member Gina Natoli	May 24, 2017	2-146

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## SECTION 2.0 RESPONSES TO COMMENTS

All of the comment letters received by the County have been included and responded to in this Final SEIR. Comments that raise substantive environmental issues have been thoroughly addressed in these responses. Comments that do not require a response include those that (1) do not address the adequacy or completeness of the Draft SEIR; (2) do not raise substantive environmental issues; (3) do not address the proposed project; or (4) request the incorporation of additional information not relevant to environmental issues.

Section 15088 of the CEQA Guidelines, Evaluation of and Response to Comments, states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- b) The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report.
- c) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.
- d) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:
  - 1. Revise the text in the body of the EIR; or
  - 2. Include marginal notes showing that the information is revised in the response to comments.

Revisions to the Draft SEIR have been prepared to make minor corrections and clarifications to the Draft SEIR as a result of County review and comments received during the public review period (refer to Section 3.0, Draft SEIR Clarifications and Revisions, of this document). Therefore, this Response to Comments section, along with the Draft SEIR Clarifications and Revisions section, are included as part of this Final SEIR along with the Draft SEIR for consideration by the County of Los Angeles prior to a vote to certify the SEIR. Section 15088.5, Recirculation of an EIR Prior to Certification, of the CEQA Guidelines, states:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not

“significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
  - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
  - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
- (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
- (d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
- (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.
- (f) The lead agency shall evaluate and respond to comments as provided in Section 15088. Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. The following are two ways in which the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.
- (1) When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR.



- (2) When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.
  - (3) As part of providing notice of recirculation as required by Public Resources Code Section 21092.1, the lead agency shall send a notice of recirculation to every agency, person, or organization that commented on the prior EIR. The notice shall indicate, at a minimum, whether new comments may be submitted only on the recirculated portions of the EIR or on the entire EIR in order to be considered by the agency.
- (g) When recirculating a revised EIR, either in whole or in part, the lead agency shall, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR.

The Draft SEIR revisions and information presented in the responses to comments do not result in any of the conditions set forth in Section 15088.5 of the State CEQA Guidelines requiring that the SEIR be recirculated prior to its certification.

## **2.1 RESPONSES TO COMMENT LETTERS RECEIVED**

This section includes responses to substantive Draft SEIR comments received by the County. With respect to comments letters received, aside from certain courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the County's responses to each applicable comment are included in this section. Brackets delineating the individual comments and a numeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter. Responses to comments were sent to the agencies, organizations, and individuals that provided comments at least 10 days prior to the County's consideration of the Final SEIR.

In the process of responding to the comments, there were minor revisions to the text of the Draft SEIR shown in both this section and in Section 3.0, Draft SEIR Clarifications and Revisions, of this Final SEIR. None of the comments or responses constitute "significant new information" or any of the conditions set forth in Section 15088.5 of the State CEQA Guidelines that would require recirculation of the Draft SEIR.

# Letter 1



State of California • Natural Resources Agency

Edmund G. Brown Jr., Governor

DEPARTMENT OF PARKS AND RECREATION

Lisa Ann L. Mangat, Director

Angeles District  
1925 Las Virgenes Road  
Calabasas, CA 91302

June 12, 2017

Jodie Sackett  
County of Los Angeles  
Department of Regional Planning  
Hall of Records, 13<sup>th</sup> Floor, Room 1348  
320 West Temple Street  
Los Angeles, CA 90012

RE: Draft Supplemental Environmental Impact Report  
NorthLake Specific Plan Project – SCH No. 2015031080  
Vesting Tentative Tract Map No. TR 073336

Dear Mr. Sackett:

California State Parks, Angeles District (DPR), has reviewed the Draft Supplemental Environmental Impact Report for the NorthLake Specific Plan Project and would like to provide the following comments:

## Pipeline Relocation

DPR does not intend to grant permission to relocate the Pacific Oil pipeline on State Parks owned land. When previously approached by the applicant, DPR very clearly denied permission to relocate the pipeline on State Parks property. The DSEIR statement that agreements between the applicant and DPR, which are a condition of approval for initiation of development, are pending, is incorrect.

1.1

The relocation of the pipeline would violate the Declaration of Purpose in the General Plan for Castaic Lake SRA (1985): "The purpose of Castaic Lake SRA is to provide opportunities for outdoor recreation experience for the people, by assuring optimum use and enjoyment of the natural, cultural, recreational, and scenic resources of the lake, its shoreline, and surrounding lands within the SRA... and to provide for the protection, enhancement, and interpretation of the wildlife, natural, and historic resources of the area."

1.2

The proposed pipeline relocation would impact California sagebrush, a special status vegetation type that provides habitat for the federally listed coastal California gnatcatcher. The degradation and fragmentation of this habitat would impact the only species occurrence in Los Angeles County north of Montebello Hills. It would also increase the likelihood of invasive plant species movement into the area. Relocating the pipeline closer to Castaic Lake, a drinking water source, is not prudent. There are

1.3  
1.4

concerns about the integrity of the pipeline currently located on DPR land, and Pacific Pipeline has needed to install equipment to monitor slope stability.

} 1.4 cont.

### **Biological Resources**

The DSEIR is deficient because the data and analyses are insufficient to accurately assess project impacts. The proposed project would impact the entire watershed. The large scale and scope of this proposed project requires a thorough impact analysis, mitigation measures, and success criteria.

} 1.5

There has been no assessment of the impact of filling in the blue line stream in Grasshopper Canyon on the downstream riparian vegetation on State Parks property that supports the Least Bell's vireo (federally endangered, state endangered).

} 1.6

The DSEIR is deficient because it does not contain a detailed relocation plan for the western spadefoot toad, burrowing owl and sensitive plant species within the proposed project area. This plan should be part of the DSEIR, and should include protocols, mitigation measures, and success criteria.

} 1.7

The DSEIR should also address the impact of increased density, noise, and night lighting on wildlife in the adjacent Castaic SRA. Noise and light sources can disorient nocturnal wildlife and act as a barrier to movement.

} 1.8

### **Wildlife Corridors**

The DSEIR is deficient because it claims that the proposed project would not impact wildlife connectivity along the Sierra Madre-Castaic inter-mountain range. The biological report contradicts the technical expertise provided in the *South Coast Missing Linkages* (2005) and *South Coast Missing Linkages Project: A Linkage Design for the Sierra Madre-Castaic Connection* (2005) reports, and minimizes the value of the habitat that connects the two Interstate 5 tunnels directly west of the project.

} 1.9

### **Cultural Resources**

The DSEIR is deficient because the data on archaeological sites are incomplete.

Two additional archaeological sites (CA-LAN-4478H and CA-LAN-4475) identified during 2014 surveys of the Castaic Lake Drawdown Project by DWR, which would fall within the ½ mile record search boundary, are not described in this report. It seems that

} 1.10

the two projects were going on concurrently, so those records would not yet have been available at the Information Center, but it does show the general sensitivity of the area for cultural resources, and that due to limited previous surveys, additional previously unrecorded archaeological resources in the area could be likely, especially along creek channels, where sites are generally found along adjacent (and former) Castaic Creek.

1.10 cont.

In the cultural resources technical report, the prehistoric context uses an older chronology and could benefit from using more recent and project-area specific references to demonstrate the potential for the presence of archaeological sites within the project area. For example, numerous studies have been conducted in the Upper Santa Clara River Valley area related to developments by the Newhall Land and Farming Company, as well as studies of the Elderberry Canyon site nearby in adjacent Castaic Canyon. In contract, the historical background provides a good, region-specific context for the project area.

1.11

The ethnographic section suggests that a Tataviam community is no longer present, which is incorrect. King's (2004) ethnographic study prepared for the Angeles National Forest provides a good, relatively recent description of ethnographic-period Tataviam settlements, including those near the project area.

1.12

The site number is written incorrectly for the Old Ridge Route throughout the DSEIR and the cultural resources technical study – it should be noted as CA-LAN-990H (the number zero, not the letter "O").

1.13

The project area totals 1,330 acres straddling Grasshopper Canyon, an intermittent blue line stream. The low number of sites found during surveys of the project area are surprising given the nature and density of sites in adjacent Castaic Canyon, although the report does note that the ground surface visibility was poor in several areas. The DSEIR also states that much of the project area is underlain by landslide deposits which could indicate a high potential for deeply buried archaeological sites. Given the poor prehistoric and ethnographic contextual information, as well as the geological context and potential for immense grading (33 million cubic yards) of the project area, it does not appear from the given documentation that sufficient effort has been made in the identification of cultural resources given the scope and scale of the proposed project.

1.14

On page 5.3-14 of the DSEIR, the document describes four previously recorded archaeological sites, three newly recorded archaeological sites and five archaeological isolates. The document then goes on to say, and repeats in Section 5.3.8, that no archaeological resources are located within the project site boundaries. But reading of the cultural resources technical report suggests that the newly recorded sites were identified during surveys of the project area. I am unclear why consultants would be surveying and recording sites outside of the proposed project area.

1.15

The cultural resources document recommends that an archaeologist be present to "observe grading activities in the uppermost layers of sediment," but the DSEIR only states that an archaeologist be called in if artifacts are found during grading (MM 5.3-2). Since some sites may be small, they could go unnoticed by construction personnel untrained in archaeological material identification, and because surface visibility was poor during archaeological field surveys and the archaeological context and tribal consultation indicates a high cultural sensitivity in at least some portions of the project area, the original recommendations to have archaeologists present during all grading should be followed. This appears to be covered by MM 5.3-7 for project specific mitigation measures, but the meaning of the term "archaeological sensitive sediments" is unclear.

1.16

Sincerely,

A handwritten signature in blue ink, appearing to read 'Craig Sap', with a stylized, looping design.

Craig Sap  
Angeles District Superintendent

Cc  
Los Angeles County Department of Regional Planning  
NorthLake Associates, LLC  
Public Utilities Commission  
LADWP

## **Response to Comment Letter 1**

**Department of Parks and Recreation**  
**June 12, 2017**

**Response 1.1.** The comment states that State Department of Parks and Recreation (DPR) does not intent to grant permission to allow the pipeline relocation on State Park owned land and the Draft SEIR is incorrect in stating that agreements between DPR and the applicant are pending. A revised pipeline relocation plan has been prepared which proposes to relocate the existing oil pipeline to the east but within the grading footprint associated with the NorthLake Specific Plan Project, as described in Section 4.0, Project Description, of the Draft SEIR and not on State Parks owned land. The revised pipeline relocation occurs completely within the limits of the Northlake property and does not propose to relocate the pipeline onto State or County property. The revised pipeline relocation plan includes two phases to correspond with anticipated buildout of the NorthLake Specific Plan.

The first phase of the revised pipeline relocation plan would relocate the southern portion of the oil pipeline, depicted as a solid red line on the attached relocation plan (refer to Appendix A of the Final SEIR), to jog eastward along the southern edge of the proposed development area. The relocated pipeline alignment would stay within the grading footprint of the Project and would stay outside of the Los Angeles Department of Water and Power (LADWP) property. North of the proposed development associated with Phase 1 of the NorthLake Specific Plan, the relocated pipeline would jog west and cross the Project site to connect back with the existing pipeline.

The second phase of the revised pipeline relocation plan would occur during grading activities associated with future development phases of the NorthLake Specific Plan, as shown as a solid blue line on the attached relocation plan (refer to Appendix A of the Final SEIR). As shown, the pipeline will be relocated along the easterly edge of the NorthLake property.

Because the pipeline would be entirely relocated within the development footprint of the proposed Project, and within an area anticipated for disturbance associated with grading and development, no new impacts would occur. The relocation would place the pipeline closer to residential land uses than the previously identified off-site location. However, as discussed in Sections 5.5.2 and 5.5.4 of the Draft SEIR, the relocated pipeline would be subject to compliance with existing regulations and subject to regulatory oversight. Therefore, potential impacts on such residential land uses would be less than significant.

The following revisions are hereby made to the Draft SEIR. However, it should be noted that these revisions and clarifications do not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.5-14, Project Design Features, second paragraph, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

The existing oil line that currently traverses the Project site would be relocated, prior to grading activities, to an alignment **along the eastern boundary** of the proposed development areas **and within the identified grading footprint**.

The following text on page 4-4, Site Constraints and Associated Approvals Required, second paragraph, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

An existing crude oil pipeline easement containing two oil pipelines that traverse the entire north-south length of the Project site will be relocated ~~approximately 1,500 to~~

~~2,000 feet~~ **to an alignment along the eastern boundary** of the **proposed development area and within the identified grading footprint** ~~property within a new easement. The relocation of the alignment for one of the oil pipelines, the Pacific Oil pipeline, is proposed through adjacent lands owned by the Los Angeles Department of Water and Power (LADWP) and the Castaic Lake State Recreation Area (SRA). Agreements between the Applicant and both agencies for receipt of easements to realign the pipeline through these publicly owned properties are pending and would be a condition of approval prior to initiation of development.~~

The following text on page 4-17, Relocation of Facilities, last sentence, of the Draft SEIR, is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

One of the crude oil pipelines (the 14-inch Pacific Pipeline) would be relocated **to an alignment along the eastern boundary of the proposed development area and within the identified grading footprint** ~~approximately 1,500 to 2,000 feet to the east within property owned by the LADWP and the Castaic Lake SRA.~~

**Response 1.2.** The comment states that the proposed pipeline relocation would violate the Declaration of Purpose in the General Plan for Castaic Lake SRA (1985). The revised pipeline relocation plan would be located entirely within the identified grading footprint of the NorthLake Specific Plan as noted above and would, therefore, avoid any impacts to the Castaic Lake State Recreation Area located east of the NorthLake Specific Plan Project site.

**Response 1.3.** The comment states the proposed pipeline relocation would impact California sagebrush, which is the only species occurrence in Los Angeles County north of Montebello Hills. The comment further asserts that this would increase the likelihood of invasive plant species movement in the area. As discussed previously, the revised pipeline relocation plan involves a two-phased relocation of the existing pipeline to the east and within the previously described grading footprint. Therefore, no additional impacts beyond those identified throughout the Draft SEIR would occur. As discussed in Section 5.2, Biological Resources of the Draft SEIR, all impacts related to biological resources, including California sagebrush, would be reduced to less than significant levels through implementation of MM 5.2-1 through MM 5.2-21 identified in Section 5.2, Biological Resources of the Draft SEIR.

**Response 1.4.** The comment states that relocating the pipeline closer to Castaic Lake is not prudent. Further, the comment expresses concern for the integrity of the existing pipeline, including the need to monitor slope stability. The revised pipeline relocation plan would relocate the existing pipeline to the east and within the previously described grading footprint. This relocation would be further from Castaic Lake than what was originally proposed. This area would be subject to mass grading and remedial grading to ensure future slope stability. All pipeline construction would be conducted in accordance with all federal, State, and local requirements, as well as all safety standards established by the pipeline carrier, including regulations summarized in Section 5.5, Hazards and Hazardous Materials, of the Draft SEIR.

**Response 1.5.** The comment asserts that the data and analyses in the Draft SEIR is insufficient to accurately assess Project impacts. Additionally, the comment asserts that the Project would impact the entire watershed. Focused surveys for special status species, as well as general wildlife and plant surveys over the course of 20 years informed Section 5.2, Biological Resources, of the Draft SEIR. Section 5.2 contains a thorough impact analysis, mitigation measures, and success criteria per State CEQA Guidelines. The comment that the entire watershed is impacted by the proposed Project is unclear. The Project site (totaling 1,330 acres) lies within the Santa Clara River watershed (totaling 659,200 acres), the Castaic Creek sub-watershed (totaling



129,920 acres), the Grasshopper Canyon sub-watershed (totaling 2,685 acres), and several smaller unnamed tributaries sub-watersheds. Due to its size and location, the Project does not impact the entire watershed of any of the three named watersheds. If the commenter intended to refer only to the Grasshopper Canyon watershed, the Project will impact 697 of the 2,685 acres with the watershed, representing only 26 percent of the Grasshopper Canyon watershed. The Project would only impact 0.11 acre of the Santa Clara River watershed and 0.54 acre of the Castaic Creek sub-watershed.

**Response 1.6.** The comment states that there is no assessment of the impact of filling in the blue line stream in Grasshopper Canyon on the downstream riparian vegetation on State Parks property that supports Least Bell's vireo. The Project impact assessment on biological resources provided in Section 5.2.7 of the Draft SEIR is inclusive of downstream indirect impacts potentially caused by the Project as mentioned on page 5.2-40 and 5.2-41. In addition, a separate technical memo assessing potential impacts on downstream biological resources was prepared and is attached to the Final SEIR as Appendix B, *Biological Resources Downstream Impacts Assessment*. In summary, downstream riparian and other aquatic biological resources are not expected to be negatively impacted by the proposed Project in any measurable degree. Although significant land use changes will occur and many drainages on-site will be substantially altered as a result of Project implementation, the hydrologically modeled differences between pre-Project and post-Project flows downstream of the Project are negligible. As a result, vegetation communities and plant and wildlife species dependent on downstream drainages are not expected to decline or be modified. Existing community species composition and approximate local population size are likely to remain intact within downstream areas following Project implementation. In summary, land development has the potential to disrupt hydrologic conditions, and the biological resources that depend on those conditions, without incorporation of the appropriate type and location of storm water management features as part of engineering design. The results of the hydrologic analysis prepared for the Project demonstrate that the parcel-based (for Marple Creek discharges) and regional (Grasshopper Canyon Basins) Project features capture the flows that are increased due to the increase in impervious surface area such that there are negligible changes in the downstream hydrologic regime (see (NLSP WQTR Geosyntec; September 2015 in Appendix H-2 of the Draft SEIR). Accordingly, Project impacts on biological resources in the downstream drainages will be negligible. The negligible impact on downstream vegetation supports the conclusion that there will be no impact on the least Bell's vireo. Additionally, potential impacts may be further reduced through implementation of MM 5.2-21 which requires compliance with all provisions of an NPDES permit including development of a Storm Water Pollution Prevention Plan prior to issuance of grading permits as described on page 5.2-57 of the Draft SEIR. To provide further clarification, the following revisions are hereby made to the Draft SEIR. However, it should be noted that these revisions and clarifications do not materially change the description of the Project or the findings of the Draft SEIR. The following text will be inserted on page 5.2-41 at the bottom of page above the last line of text:

#### **Hydrologic Changes to Downstream Areas**

**Without appropriate engineering considerations, modification of undeveloped and/or undisturbed lands have the potential to result in hydrologic changes downstream of modified areas. Changes may include increases and/or decreases in stream flow characteristics such as volume, velocity, sediment transport, and duration of surface flow. Such changes may in turn result in impacts on many other factors such as turbidity, erosion, depth, and width (i.e., hydromodification). Stream ecosystems have typically evolved under existing conditions for many years resulting in consistent suitable conditions for a particular suite of biological resources. Impacts resulting from hydrologic modifications have the potential to disrupt these conditions, which may result in less than suitable or unsuitable**

conditions for plant and wildlife species occupying the area. Many aquatic species have maximum and/or minimum thresholds of various habitat parameters such as turbidity, velocity, and temperature which may change as a result of Project induced flow modification. Ultimately, the impacts may result in the loss of particular vegetation types and/or plant and wildlife populations from affected areas.

Los Angeles County has adopted a Low Impact Development (LID) Ordinance, consistent with the requirements of the Los Angeles Regional Water Quality Control Board's latest Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (National Pollutant Discharge Elimination Program No. CAS004001). A primary purpose of the LID Ordinance, which includes a hydromodification standard, is to "lessen the adverse impacts of stormwater runoff from development and urban runoff on natural drainage systems, receiving waters and other water bodies" (Section 12.84.410 of the County of Los Angeles Municipal Code). As described in Section 1.2, the Project design incorporates a regional detention/retention basin system, which complies with the LID ordinance and reduces potential impacts downstream such that associated biological resources are not expected to be effected by the Project. Additional details can be found in *Biological Resources Downstream Impacts Assessment* technical memo in Appendix B of the Final SEIR. As a result, downstream impacts on biological resources resulting from hydrologic changes are considered less than significant.

**Response 1.7.** The comment states that the Draft SEIR does not contain a detailed relocation plan for the western spadefoot toad, burrowing owl and sensitive plant species within the Project area. The comment states that this plan should be included as part of the Draft SEIR. Mitigation measures requiring the development of a plan, inclusive of a set of success criteria, with required lead agency approvals prior to Project implementation is an industry standard to mitigation approach. However, in an effort to provide the public with biological mitigation planning details beyond the Draft SEIR where feasible, a draft Western Spadefoot Mitigation Plan and a Draft Special Status Plant Species Mitigation Plan have been included in Appendix C of the Final SEIR. Survey for the burrowing owl (*Athene cunicularia*) have been conducted in 2007, 2014, 2015, and 2017. The repeated years of focused surveys determined that this species does not breed onsite, but has been documented occurring on site in the winter. The most recent surveys resulted in negative findings for the 2017 breeding season and are included in this document, the Final SEIR, in Appendix C. Mitigation for wintering burrows has been included in Section 5.2.7, Impact Analysis and Mitigation Measures, MM 5.2-7, 5.2-8, 5.2-13, and 5.2-14. Based on the most recent survey effort, the burrowing owl does not breed on site; therefore, a management plan which typically details the approach to relocating breeding individuals and creating alternative breeding burrows is not warranted.

**Response 1.8.** The comment states that the Draft SEIR should also address the impact of increased density, noise, and night lighting on wildlife in the adjacent Castaic SRA. Indirect impacts such as increased density, light, and noise have been analyzed and are addressed in Section 5.2.7, Impact Analysis and Mitigation Measures (pages 5.2-40 – 5.2.41). Mitigation measures intended to reduce potentially significant indirect impacts to wildlife are provided [MM 5.2-16 (noise) and MM 5.2-17 (light)].

**Response 1.9.** The comment asserts that the Draft SEIR is incorrect because it was determined that the Project would not impact wildlife connectivity along the Sierra Madre-Castaic intermountain range. Please refer to Response to Comment 2.3 below for a thorough discussion on wildlife movement adjacent to the Project site. In an effort to provide additional supporting data and discussion, the Wildlife Movement section of the Draft SEIR on page 5.2-14 will be modified as described in Response to Comment 2.3.

**Response 1.10.** The comment states that the Draft SEIR is deficient because the data on two archaeological sites — identified in the 2014 surveys of the Castaic Lake Drawdown Project DWR — are incomplete. These archaeological sites fall within the half-mile search radius of the NorthLake Specific Plan survey. The background data provided for the Phase I Cultural Resources Assessment for the NorthLake Specific Plan was based on the information made available from the South Central Coastal Information Center (SCCIC) when the records search was conducted for the Project on May 13, 2014. Unfortunately, due to the fact that the DWR surveys and Northlake Specific Plan survey were happening concurrently, data from the former was not available at the time of the Northlake Specific Plan study. In short, it was not possible to provide any information on the two sites at the time of the Northlake Specific Plan study. Therefore, a subsequent record search was conducted at the SCCIC on September 12, 2017. The additional records search did identify the two archaeological sites: CA-LAN-4475 and CA-LAN-4478H. Archaeological site CA-LAN-4475 is a prehistoric lithic scatter. CA-LAN-4478H is a historic telephone pole alignment. Neither archaeological site is located within the Northlake Specific Plan boundary; however, the presence of these two sites may be indicative of other resources in the area, including on the Project site.

Due to the archaeological sensitivity of the region and the presence of identified archaeological sites in the vicinity of the Project site, implementation of the recommended Project Specific Mitigation Measures MM 5.3-7 and MM 5.3-8, which will include preconstruction training and monitoring for ground disturbance within native soils by a qualified archaeologist and tribal participant, would reduce any potentially adverse effects on archaeological resources to a less than significant level.

**Response 1.11.** The comment states that in the Cultural Resources Technical Report, the prehistoric context could be updated with more recent and Project-area specific references to demonstrate the potential for presence of archaeological sites within the Project area. The suggested clarifying revisions to the prehistoric setting by including current references and citations will be incorporated into the Final SEIR and the Cultural Resources Technical Study. However, this addition does not change the results of Project findings or implementation of the recommended Project Specific Mitigation Measures that would reduce any potentially adverse effects on archaeological resources to a less than significant level.

The following text beginning on page 5.3-2, Existing Conditions, of the Draft SEIR and beginning on page 5 under the Prehistoric Background subhead is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

**Southern California has a long history of human occupation, with dates of the earliest evidence of occupation during the late Pleistocene (Glassow et al. 2007: 191; Jones and Kennett 2012: 40; Madsen 2015).** Several chronologies are generally used to describe the sequence of the prehistoric periods of Southern California. William Wallace (1955) developed the first comprehensive California chronologies and defines four periods for the southern coastal region. **This framework is divided into four major periods: Horizon I: Early Man or Paleo-Indian Period (11,000 BCE to 7,500 BCE); Horizon II: Milling Stone Assemblages (7,500 BCE to 1,000 BCE); Horizon III: Intermediate Cultures (1,000 BCE to 750 CE); and Horizon IV: Late Prehistoric Cultures (750 CE to 1769 CE).**

Wallace's synthesis is largely "descriptive and classificatory, emphasizing the content of archaeological cultures and the relationships among them" (Moratto 1984:159). Wallace relies on the concept of "cultural horizons", which are generally defined by the temporal and spatial distribution of a set of normative cultural traits, such as the distribution of a group of commonly associated artifact types. As a result, his model

does not allow for much cultural variation within the same time period, nor does it provide precise chronological dates for each temporal division. Nonetheless, although now more than 60 years old, the general schema of the Wallace chronology has provided a general framework for Southern California prehistory that remains valid today.

**Horizon I: Early Man or Paleo-Indian Period (11,000 BCE<sup>1</sup> to 7,500 BCE).** While Wallace (1955) initially termed this period the Early Man Horizon (I), this early stage of human occupation is commonly referred to as the Paleo-Indian Period today (Chartkoff and Chartkoff 1984:24). The precise start of this period is still a topic of considerable debate (Jones and Kennett 2012: 39-40). Archaeological evidence from coastal and inland sites during this period indicate that the economy was a diverse mixture of hunting and gathering, with a major emphasis on aquatic resources in many coastal areas (Jones et al. 2002). Although few Clovis-like or Folsom-like fluted points have been found in southern California, it is widely thought that there was a greater emphasis on hunting at near-coastal and inland sites during the Paleo-Indian Period than in later periods (e.g., Dillion 2002; Erlandson et al. 1987). At inland archaeological sites, the surviving material culture of this period is primarily lithic, consisting of large, extremely well made stone projectile points and tools such as scrapers and choppers. Encampments were probably temporary, located near major kills or important resource areas.

**Horizon II: Milling Stone Assemblages (7,500 BCE to 1,000 BCE).** Encompassing a broad expanse of time, the Milling Stone Period was named for the abundant milling stone tools associated with sites of this period and is the earliest well-established period of occupation in the southern California (Glassow et al. 2007: 192; Erlandson 2012: 30). This period is characterized by an ecological adaptation to collecting, accompanied by a dependence on ground stone implements (Hildebrandt and McGuire: 2010: 134) associated with the horizontal motion of grinding small seeds: milling stones (i.e., metates, slabs) and hand stones (i.e., manos, mullers). Milling stones are found in large numbers for the first time and become more numerous toward the end of this period. As evidenced by their tool kits and shell middens in coastal sites, people during this period practice a mixed food-procurement strategy. Subsistence patterns became more specialized as groups became better adapted to their regional or local environments. Projectile points from this period are relatively rare, but are large and generally leaf-shaped, and were probably employed with darts or spears thrown with atlatls. Bone tools, such as awls, and items made from shell, including beads, pendants, and abalone dishes, are also quite common. Evidence of weaving or basketry is present at a few sites. The mortar and pestle, associated with the vertical motion of pounding foods such as acorns, were introduced during the Milling Stone Period, but do not become common until the Intermediate Period. These tools, the mano and metate, were used to process small, hard seeds from plants associated with shrub-scrub vegetation communities. An annual round of seasonal migrations was likely practiced, with movements coinciding with ripening vegetal resources and the periods of maximal availability of various animal resources. Along the coast, shell midden sites are common site types. Some formal burials, occasionally with associated grave goods, are also evident. This period of time is roughly equivalent to Warren's (1968) Encinitas Tradition. Warren (1968) suggests that, as

<sup>1</sup> BCE is defined as "Before Common Era" and generally refers to that time period commonly referred to as "Before Christ" (B.C.).

~~millingstones are common and projectile points are comparatively rare during this period of time, hunting was less important than the gathering of vegetal resources.~~

~~More recent studies suggest that a diversity of subsistence activities, including hunting of various game animals, were practiced during this period. At present, little is known about cultural change during this time period in Southern California. While this lack of noticeable change gives the appearance of cultural stasis, almost certainly many regional and temporal cultural shifts did occur. Future research that is focused on temporal change within the Milling Stone Period would greatly benefit the current understanding of Southern California prehistory.~~

**Horizon III: Intermediate Cultures (1,000 BCE to 750 CE<sup>2</sup>).** The Intermediate Period is identified by a mixed strategy of plant exploitation, terrestrial hunting, and maritime subsistence strategies. Chipped stone tools, such as projectile points, generally decrease in size, but increase in number. Abundant bone and shell remains have been recovered from sites dating to these time periods. In coastal areas, the introduction of the circular shell fishhook and the growing abundance of fish remains in sites over the course of the period suggest a substantial increase in fishing activity during the Intermediate Horizon. It is also during this time period that mortar and pestle use intensified dramatically (Glassow et al. 2007: 199). The mano and metate continued to be in use on a reduced scale, but the greatly intensified use of the mortar and pestle signaled a shift away from a subsistence strategy based on seed resources to that of the acorn and other pulpy plant foods (Glassow et al. 2007: 200). It is probably during this time that the acorn became the food staple of the majority of the indigenous tribes in Southern California. This subsistence strategy continued until European contact. Material culture became more diverse and elaborate and included steatite containers, perforated stones, bone tools, ornamental items, and asphalt adhesive.

**Response 1.12.** The comment states that the ethnographic section of the Cultural Resources Technical Report which suggests that a Tataviam community is no longer present is incorrect. The suggested clarifying revisions to the ethnographic setting by including some of the recommended suggestions will be made to the Final SEIR and the Cultural Resources Technical Study. However, it should be noted that this addition does not change the results of Project findings or implementation of the recommended Project Specific Mitigation Measures that would reduce any potentially adverse effects on archaeological or tribal cultural resources to a less than significant level. The following text beginning on page 5.3-4, Existing Conditions, of the Draft SEIR and beginning on page 6 under the Prehistoric Background subhead is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

**The NorthLake Specific Plan Project area is the traditional use area of the Native American group known as the Tataviam.** The Tataviam were hunter-gatherers that spoke a variant of the indigenous Takic language. Takic-speakers are believed to have migrated into Southern California from the Great Basin sometime between 1,000 and 3,000 years ago, an event some archaeologists believe interrupted the long-standing Milling Stone way of life. Tataviam subsistence centered upon the seasonal gathering of plant foods (yucca, acorns, sage seeds, and juniper berries) and hunting (rabbit, rodents, deer, and antelope). Acorns, the staple food of most Late Period groups in California, may have been less important to the Tataviam, who utilized yucca more

<sup>2</sup> CE is defined as "Common Era" and generally refers to that time period commonly referred to as "annō Domini" (A.D.).

extensively. The plant was roasted in stone-lined earth ovens, often identified archaeologically.

The Tataviam territory was known to include the upper reaches of the Santa Clara River drainages and traveled north to the southwestern edge of the Antelope Valley (King and Blackburn 1978). However, it should be noted that these boundaries were defined in the early 1900s as part of the Bureau of American Ethnology mapping of Native American groups and (Robinson et al. 2012: 275) and there is a possibility the traditional use area for the Tataviam encompasses a much larger area. Nonetheless, most of what is known about the Tataviam has been gleaned from raw field notes taken by anthropologists John P. Harrington and Alfred L. Kroeber; from records at Mission San Fernando, where many Tataviam were taken; and diaries of early Spanish explorers. At the time of historic contact, the total Tataviam population was approximately fewer than 1,000 people. In 1776, Francisco Garces explored the area that the Tataviam inhabited and found them to share similar culture traits to their southern Takic neighbors in dress, political organization, and language (King and Blackburn 1978). These southern neighbors included the Cahuilla, Luiseno, Juaneno, Gabrielino, and Serrano.

Late Period archaeology is generally better understood because the late nineteenth and early twentieth century descendants of these groups provided additional information to early anthropologists. Similar associations between the Tataviam and the Takic groups have been found in the archaeological record, including the types of artifacts found and the internal organization of cemeteries and villages. Possible shared concepts of ritual and religion may have also existed between the Tataviam and the neighboring Chumash as evidenced from ritual paraphernalia documented in caves, such the nearby Bowers Cave (Elsasser and Heizer 1963, Robinson et al. 2012: 283-284).

With the establishment of the mission system within California beginning in 1769, nearly all the Tataviam had been baptized at the San Fernando Mission (King and Blackburn 1978). Furthermore, the descendants of most of the Tataviam had married members of other Native American groups at the mission or in the Tejon region.

However, so few descendants could be identified from the Tataviam or Alliklik, whose territory included the Castaic Creek area, that very little of them is known. By the time anthropologists began to collect data about traditional native cultures in California (about 1900), the opportunity to learn first-hand and collect more information about the group became increasingly difficult. Fortunately, groups such as the Fernandeno Tataviam Band of Mission Indians is dedicated to preserving the cultural identity of the Tataviam for future generations through member participation in cultural education, linguistic and ethnographic research, archaeological analysis, and oral tradition.

Decimated by Spanish missionization and absorbed by other groups through inter-marriage, the Tataviam vanished rapidly from the cultural landscape. What is known about their culture has been reconstructed through linguistic and ethnohistoric research, archaeological analysis, and remembrances of individuals from neighboring bands.

~~Recent work with these materials has helped considerably in understanding more about Tataviam life. Their territory encompassed a roughly triangular area from the Piru area, eastward along the upper Santa Clara River through the Newhall area to Soledad Pass, and northward across the Sierra Pelona, Sawmill, and Liebre Mountains to the westernmost edge of the Antelope Valley and southernmost slopes of the Tehachapi Mountains.~~

~~With the Santa Clara River Valley and Antelope Valley acting as east-west corridors between the deserts and coast, the Tataviam likely participated in “down the line” long-distance trade. Shell beads found in the western Mojave Desert, for example were acquired by the Takic-speaking Kitanemuk through a trade network in which the Tataviam may have been linked with Hokan-speaking Chumash on the coast.~~

**Response 1.13.** The comment states that the correct site number for Old Ridge Route throughout the Draft SEIR and the Cultural Resources Technical Study should be CA-LAN-990H, not CA-LAN-990H. The suggested clarifying revision will be made to the Draft SEIR and the Cultural Resources Technical Report. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.3-11, Threshold 5.3-2, of the Final SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

Based on consultation with the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, two known historic resource sites are located within ½ mile of the Project site:

- **CA-LAN-990H.** ~~CA-LAN-990H.~~ This historic resource, known as Old Ridge Route, is a roadway listed on the National Register of Historic Places (NRHP) and on the CRHR. This road was opened in 1915 and was the most direct automobile and truck route connecting Los Angeles to Northern California (P.5.3-11).
- The Old Ridge Route (**CA-LAN-990H**) ~~(CA-LAN-990H)~~, which is adjacent to a portion of the Project site, is a roadway listed on the NRHP as well as on the CRHR (P.5.3-13).

The following revision is hereby made to the Cultural Resources Technical Report. However, it should be noted that this addition does not materially change the description of Project or the findings of the Cultural Resources Technical Report. The following text on pages 12 through 14 of the Cultural Resources Technical Report is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

### CULTURAL RESOURCES SITES WITHIN ONE-HALF MILE OF THE PROJECT SITE

Site Trinomial	Year	Description
CA-LAN-323	1965	Prehistoric lithic artifacts, midden, and bedrock mortar features.
CA-LAN-325	1965	Prehistoric rock shelter containing basketry and beads.
CA-LAN-1222	1985	Prehistoric rock shelter with lithic artifact.
CA-LAN-1672H	1989	Historic ranch remains with ceramic, glass, and metal artifacts.
19-186861	2003	Historic electrical transmission line dating to 1913.
<del>CA-LAN-990H</del> <del>CA-LAN-990H</del>	Unknown?	Old Ridge Route.
CA-LAN-4475	2014	Prehistoric lithic artifacts
CA-LAN-4478H	2014	Historic telephone pole alignment

The survey resulted in the re-location of the two previously recorded Historic Resource sites, the Ridge Route Road (~~CA-LAN-990H~~) (~~CA-LAN-990H~~), and the Bailey-Pardee and Pardee-Pastoria 220-kilovolt Transmission Lines (19-186861; Table 3); the discovery of three new historic archaeological sites (NL-1, NL-2, and NL-3; Table 3), and one new historic resource site (NL-4; Table 3) (P.13).

### HISTORIC ARCHAEOLOGICAL SITES AND HISTORIC RESOURCES

Temporary Number	Site Type	Description
19-186861	2003	Historic electrical transmission line dating to 1913.
<del>CA-LAN-990H</del> <del>CA-LAN-990H</del>	Roadway	Old Ridge Route.
NL-1	Residential/commercial refuse	Washer, dryer, box spring, bicycle frames, etc.
NL-2	Residential/ commercial refuse	Glass bottles, tin cans, assorted rusted metal
NL-3	Building debris	Milled lumber, window pane, bricks, enamelware
NL-4	Petroleum Pipeline	14-inch crude oil pipeline

The Old Ridge Route (~~CA-LAN-990H~~) (~~CA-LAN-990H~~), which is adjacent to a portion of the Project site, is a roadway listed on the NRHP as well as on the CRHR Inventory (P.14).

**Response 1.14.** The comment suggests that sufficient effort was not made in the identification of cultural resources, stating that the low number of resources for the 1,330 acres is surprising given the nature and density of sites in adjacent Castaic Canyon. While the area may be sensitive for cultural resources, as stated on the Draft SEIR page 5.3-1 under the heading “Methodology”, the Cultural Resources Assessment for the Project included a cultural resources records search, Native American scoping, and a pedestrian survey of the property to identify known resources and formally record any cultural resources discovered as a result of the survey. These efforts are consistent with recognized best practices related to surveys on large scale projects. The results of the records searches are discussed on page 5.3-11 and page 5.3-14 of the Draft SEIR and include two known historic resources sites and four known archaeological sites. Although visibility was limited, Project archaeologists were able to identify new and unknown sites as stated on page 5.3-14 of the Draft SEIR. Specifically, the cultural resources survey resulted in the discovery of three new historic archaeological sites (NL-1, NL-2 and NL-3) as well as five previously



unrecorded isolated occurrences (isolates) of prehistoric artifacts. Discovery of these resources would not have occurred if sufficient effort was not made during the pedestrian survey.

Based on the sensitivity of the site and the identified historic archaeological sites, it is anticipated that the Project may encounter additional resources. Therefore, Project Specific Mitigation Measures MM 5.3-7 and MM 5.3-8 are recommended, which will include preconstruction training and monitoring for ground disturbance within native soils by a qualified archaeologist and tribal participant, would reduce any potentially adverse effects on newly identified archaeological resources to a less than significant level.

**Response 1.15.** The comment questions why the Project consultants would be surveying and recording sites outside of the proposed Project area. The suggested clarifying revision will be made to the Draft SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.3-14, Threshold 5.3-3 and Threshold 5.3-4, of the Draft SEIR and on page 5.3-17 under the Cumulative Impacts Heading is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

Based on consultation with the SCCIC, ~~four~~ **six previously recorded** archaeological sites are located within ½ mile **search radius** of the Project site:

- **CA-LAN-323.** This resource consists of prehistoric lithic artifacts, midden, and bedrock mortar features. The site was first recorded in 1965.
- **CA-LAN-325.** This resource consists of a prehistoric rock shelter containing basketry and beads. The site was first recorded in 1965.
- **CA-LAN-1222.** This resource consists of a prehistoric rock shelter and an associated lithic artifact. This site was first recorded in 1985.
- **CA-LAN-1672H.** This resource consists of the remains of a historic ranch, including ceramic, glass, and metal artifacts. This site was first recorded in 1989.
- **CA-LAN-4475. This resource was first recorded in 2014 and consists of a prehistoric lithic scatter.**
- **CA-LAN-4478H. This resource consists of a historic telephone pole alignment. The site was recorded in 2014.**

In addition **to the previously recorded archaeological sites identified within the search radius**, the cultural resources survey resulted in the discovery of three new historic archaeological sites (NL-1, NL-2, and NL-3) **within the NorthLake Specific Plan Boundary**. The historic archaeological sites consist of two historic refuse deposits (NL-1 and NL-2) and the remains of a wooden structure (NL-3). These sites lack sufficient density, diversity, and integrity for inclusion in the CRHR (BonTerra Psomas 2015). The survey also discovered five previously unrecorded isolated occurrences (isolates) of prehistoric artifacts. The prehistoric isolates consist of ground and chipped stone artifacts. Isolated artifacts will not meet the criteria for inclusion in the CRHR (BonTerra Psomas 2015). Therefore, **these sites neither the three newly identified historic archaeological site nor the five prehistoric isolates** are ~~not~~ archaeological resources under CEQA.

None of the identified archaeological resources **discussed above** occur within ~~Project site boundaries~~ **the Project Disturbance Area** or in the External Improvements Area; therefore, implementation of the *NorthLake Specific Plan* would not impact these recorded resources.

### 5.3.8 Cumulative Impacts

The SCCIC records searches identified six previously recorded cultural resources within the 1/2 -mile search radius of the Project area (CA-LAN-323, CA-LAN-325, CA-LAN-1222, CA-LAN-1672H, CA-LAN-4475, and CA-LAN-4478H). The previously recorded resources include four prehistoric sites and two historic sites. The prehistoric sites include rock shelters and a habitation site. The historic sites include a historic electrical transmission line dating to 1913 and the historic Old Ridge Route. Of the six previously recorded cultural resources identified in the search radius, the two historic sites are located within the NorthLake Specific Plan boundary. In addition to the previously recorded archaeological sites identified within the search radius, the cultural resources survey resulted in the discovery of three new historic archaeological sites and five prehistoric isolates within the NorthLake Specific Plan boundary.

The resources indicated that human occupation occurred on the Project area during both the prehistoric and historic periods. However, none of the identified archaeological resources discussed above occur within the Project Disturbance Area or in the External Improvements Area; therefore, implementation of the NorthLake Specific Plan would not impact these recorded cultural resources.

Additionally, the paleontological resources records search results were negative for paleontological resources within the NorthLake Specific Plan boundary. Therefore, unless ground disturbing activities occur within buried geologically sensitive sediments in is unlikely that the NorthLake Specific Plan will impact significant paleontological resources.

~~The known archaeological resources in the vicinity are either inundated by the water in Castaic Lake or on the opposite side of the freeway from the Project site. There are no known archaeological or paleontological resources on the Project site.~~

~~Impacts to potential historical, archaeological, and paleontological resources as a result of the proposed Project are less than significant with the implementation of the recommended mitigation measures. Therefore, the proposed Project would not generate cumulative impacts to historical, archaeological or paleontological resources~~

**Response 1.16.** The comment states that the original recommendations to have archaeologists present during all grading activities should be followed. The comment further states that MM 5.3-7 appears to include archaeologist monitoring during grading but questions the term “archaeological sensitive sediments” in the mitigation measure. The suggested clarifying revision will be made to the Draft SEIR and the Cultural Resources Technical Report. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR or technical report. The following text on page 5.3-16, MM 5.3-1, first sentence, from the Draft SEIR under the Recommended Project Specific Mitigation Measures Heading is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

All Project-related ground-disturbing activities in **native sediments** ~~archaeologically sensitive sediments~~ shall be monitored by a qualified Archaeologist to reduce any archaeological resources impacts to a level considered less than significant.

## Letter 2



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
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EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



June 15, 2017

Mr. Jodie Sackett  
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**Northlake Specific Plan Project (PROJECT)**  
**DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR)**  
**SCH# 2015031080**

Dear Mr. Sackett:

The California Department of Fish and Wildlife (Department) received a Notice of Availability of a DSEIR from Los Angeles County for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

### DEPARTMENT'S ROLE

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

The Department is also submitting comments as a **Responsible Agency** under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). The Department expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish &

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Game Code, § 2050 et seq.), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish and Game Code §1900 et seq.) authorization as provided by the applicable Fish and Game Code will be required.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Northlake Associates, LLC

**Objective:** The proposed Project involves implementation of the previously approved Specific Plan; specifically, it would involve development of up to 3,150 residential units, 9.2 acres of commercial uses, 13.9 acres of industrial uses, 297 acres of open space (not 791 as described in the DSEIR), 494 acres of park and manufactured slopes, a 23-acre school site in the Phase 2 area, and a 1.4-acre pad for a future fire station. Additionally, off-site improvements, potentially on State Park/National Forest Land, include fuel modification, connection to existing utilities and relocation of existing utility lines, drainage facilities, and other infrastructure, would occur outside of area specified as the proposed Project site.

Additional Project-related improvements that would extend outside of the Specific Plan boundary include a 4.64-acre connection of Grasshopper Creek Park, a debris basin, 2.39 acres in trail connections, a 5.1-acre pad for a water tank, 29.79 acres of manufactured slopes, and 11.98 acres of natural open space.

The Project site is approximately 1,330 acres of undeveloped land in unincorporated Los Angeles County. The Project area is located between Interstate 5 to the west, Castaic Lake to the east, and the Angeles National Forest to the west, north, and east. The town of Castaic is located to the south of the proposed Project.

**Location:** Los Angeles County.

**Timeframe:** Developed in two phases, with completion in 2028.

## **COMMENTS AND RECOMMENDATIONS**

The Department offers the comments and recommendations below to assist Los Angeles County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

### **Project Description and Related Impact Shortcoming**

#### **Comment #1: Range of Alternatives Considered.**

**Issue:** The DSEIR considers 4 alternatives, 1) no project, 2) the proposed Project, 3) no industrial development (loss of 13-acres of industrial development), and 4) development of Phase 1 only. A no creek impact alternative was considered but deemed infeasible and not included in the alternatives analysis.

The Department is concerned that there does not appear to include an alternative that reduce impacts to the sensitive biological resources on the Project in a biologically meaningful way.

} 2.1



Alternative 4 appears to reduce biological impacts by potentially avoiding 4 of the 9 vernal pools on-site; however, the overwhelming majority of rare plants, sensitive vegetation communities, a perennial seep, burrowing owl (*Athene cinularia*) burrows, known western spadefoot toad (*Spea hammondi*) locations, and the majority of Grasshopper Creek will still be impacted under this alternative. No alternative except the no project (alternative 1) reduces impacts to these biological resources.

The Department requests a range of alternative be looked at that avoid and reduce the impacts to sensitive resources on-site including 1) an unknown number of vernal pools (Appendix D includes maps of surveys in 2006 and 2014 that map vernal pools in different locations and use different numbering systems and terminology, making it difficult to determine which pool is being referred to in various sections of the DSEIR), 2) in-stream seep (documented in Appendix D Red Legged Frog Survey Report, Exhibit 3), 3) documented western spadefoot toad occurrences (vernal pool 2, 3, 4, 6, 7, and 8 have all been documented as having western spadefoot toad), 4) Grasshopper Creek, 5) rare plants, 6) burrowing owl and 7) sensitive vegetation communities.

Of the four alternatives presented, the Department recommends alternative four be considered to help reduce significant impacts to biological resources. However, the Department suggests an alternative that includes developing Phase 2 and conserving Phase 1 as natural open space be considered.

**Specific impact:** CEQA guidelines states "For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (15126.6[f][2][A])." The Department contends that the Project includes significant effects to biological resources that have 1) not been addressed in the DSEIR, and 2) not been mitigated to below significant with the mitigation measures proposed. The Department recommends the County recirculate the DSEIR with additional alternatives that avoid and minimize impacts to the resources discussed above and are described in further detail below.

#### **Comment #2: Clustered Development, Edge Effect and Value of Proposed OpenSpace**

**Issue:** The Department's comment letter on the Notice of Preparation (NOP) included a recommendation to cluster development to keep the development footprint as small as possible. The DSEIR contains virtually the same project description as the NOP.

The Department is concerned that the Project spans the entire western length of Castaic Lake from north to south. The 297 acres of open space (the DSEIR states 624 acres of open space but this includes manufactured slopes, which the Department considers an impact from the development) proposed is scattered around the development in relatively small patches within and between the development uses. All of the open space areas have trails proposed for construction and most have a park component within them. All of the open space locations appear to be 600 feet wide or less, except the northernmost patch associated with the North Valley Paseo trail.

**Specific impact:** The Department is concerned the biological value of the proposed open space is relatively low, and does not mitigate for the impacts to resources on-site.

2.1 cont.

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**Why impact would occur:** Smaller patch size of land means the land is subject to greater influences of edge effect. These include argentine ant invasions known to occur when irrigation is introduced, as well as competition from non-native species, heat island effect, shading, noise, lighting, human disturbance, fuel modification, and not having enough land to properly establish territories and/or carry out all parts of a lifecycle.

**Evidence impact would be significant:** Large concrete slabs, paving, v-ditches, and irrigated areas retain moisture in the soil. Invasive Argentine ants thrive in this perennially moist zone. Invasion and establishment of Argentine ant colonies may occur due to soil disturbance, introduction of hardened surfaces (paving, cement, storm drains and structures), and irrigation<sup>2</sup>. Sites within 200 meters (656 feet) of urban areas are more likely to have been invaded by Argentine ants<sup>3</sup>. This is significant because Argentine ants negatively impact and displace native ants, altering the ecosystem. Studies show native honeybees spend 75 percent less time foraging on inflorescences with Argentine ants, reducing seed production and long-term population viability of native plants<sup>4</sup>. Since all but the northernmost open space area is approximately 600 feet from a park, irrigated slope, or development, the value of this open space will be dramatically reduced for native plants and animals.

The Department, using Exhibit 4-1 of the DSEIR, estimates there are 15 patches of Natural Open Space proposed. This averages out to 20 acres per patch. Studies have demonstrated that habitat patches without roads that are inaccessible to humans serve to better conserve many target species than do areas with roads and accessible habitat patches<sup>5</sup>. Additionally, studies show that habitat remnants from 24-247 acres do not retain their complement of native vertebrate species for longer than a few decades, leading to collapse of the ecosystem<sup>6</sup>.

From the DSEIR, it is not clear if fuel modification will occur in areas classified as Natural Open Space (297 acres of undisturbed open space). The DSEIR should clearly define areas that will be subject to fuel modification and remove this acreage from Natural Open Space calculations. The Department considers areas subject to fuel modification (e.g., thinning, trimming, irrigating) impacts to the ecosystem needing to be mitigated.

**Recommended Potentially Feasible Mitigation Measure(s):** The Department recommends clustering development, reducing the footprint of the development, and/or eliminating parks and development to reduce the disturbance acreage. The Department also recommends combining any open space into fewer, larger areas that will be less affected by edge effect, thereby increasing their biological value.

### **Comment #3: DSEIR Analysis of Wildlife Crossing and Use of Site**

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<sup>2</sup> S. B. Menke, r. N. Fisher, w. Jetz, and d. A. Holway 2007. Biotic and abiotic controls of argentine ant invasion success at local and landscape scales. *Ecology* 88:3164–3173

<sup>3</sup> *Conservation Biology*, Volume 24, No. 5, 1239–1248 Journal compilation C 2010 Society for Conservation Biology.

<sup>4</sup> *Journal of Conservation Biogeography*, Volume 14, Issue 2 March 2008 Pages 281–290

<sup>5</sup> Science and the Endangered Species Act By National Research Council, Commission on Life Sciences, Board on Environmental Studies and Toxicology, Committee on Scientific Issues in the Endangered Species Act

<sup>6</sup> Soulé, Michael E., et al. "The Effects of Habitat Fragmentation on Chaparral Plants and Vertebrates." *Oikos*, vol. 63, no. 1, 1992, pp. 39–47. JSTOR, [www.jstor.org/stable/3545514](http://www.jstor.org/stable/3545514).

2.2 cont.

2.3



**Issue:** The DSEIR includes a brief analysis concluding the Project will not affect wildlife crossings under Interstate 5 (I-5), wildlife access to Castaic Lake, nor affect the availability of wildlife to access water.

The DSEIR does not provide any data or maps to support these conclusions. The DSEIR only identifies one undercrossing below I-5, while a Google Earth search shows 2 (34°31'59.08"N 118°38'40.25"W and 34°32'43.11"N 118°39'19.91"W) adjacent crossings under northbound I-5. Additionally, a third crossing under both north and southbound lanes occurs just north of the Project at Templin Highway. This crossing is significant as it is the only crossing of the I-5 from the Castaic Ranges to the Whitaker Peak/U.S. Forest Service land west of I-5, south of Pyramid Lake.

The South Coast Wildlands Missing Linkages Report<sup>7</sup> (2005) identified the Project area and adjacent crossings in their linkage design (Figure 37 of the South Coast Missing Linkages Project – A linkage design for the Sierra Madre-Castaic Connection) and considers this area highly suitable for regional wildlife movement and connectivity including mountain lion (*Puma concolor*), American badger (*Taxidea taxus*), mule deer (*Odocoileus hemionus*), pacific kangaroo rat (*Dipodomys agilis*), California spotted owl (*Strix occidentalis*), and western pond turtle (*Actinemys marmorata*)— the latter two being species of special concern.

**Specific impact:** The Project, as proposed, will eliminate several perennial water sources that have historically been available to regional wildlife. The Project will also affect the ability of wildlife to use the I-5 under-crossings and may substantially affect the larger under-crossing at Templin. This Templin under-crossing is currently the only under-crossing from the Castaic Range under the I-5 to the adjacent national forest for large animals in the area.

**Evidence impact is significant:** Aspects of the Project could create physical barriers to wildlife movement from direct or indirect Project-related activities. Impacts from increased traffic, lighting, noise, dust, and increased human activity may interfere with wildlife movement and use of under-crossings. Additionally, mammals from the region may rely on the perennial water sources found on the Project.

**Recommended Potentially Feasible Mitigation Measure(s):** The Department recommends the DSEIR include studies that track wildlife dispersal, including that for large mammals, across the Project site and across the three under-crossings discussed above, and discuss how the Project will affect the use and dispersal patterns. The Department also recommends the DSEIR include maps showing local and regional wildlife movement patterns and analyze how the Project will affect these corridors. The DSEIR asserts the Project will not have a significant effect on wildlife movement. The Department requests the DSEIR include data and maps to support these conclusions.

The Department recommends conducting the above-mentioned studies and including this data along with maps in a recirculated DSEIR. The Department is not able to make further recommendations for avoiding impacts to wildlife corridors, without knowing what animals use these areas and how the Project will affect these uses. However, given the current Project

2.3 cont.

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<sup>7</sup> South Coast Missing Linkages Project – A linkage design for the Sierra Madre-Castaic Connection, Matrch 2005.

footprint, the Department does recommend, consistent with the South Coast Wildlands report, that a land bridge over the I-5 be constructed to continue to allow safe and protected exchange of wildlife between the Castaic Range and Sierra Madre Range.

2.3 cont.

#### **Comment #4: Western Spadefoot Toad Presence and Mitigation**

**Issue:** The DSEIR appears inconsistent with disclosing the extent and location of western spadefoot toad within the Project area. Figure 5.2-2 of the DSEIR indicates western spadefoot in only 2 ponds (Pond 1 and Pond 2). Appendix C and D of the DSEIR contain surveys for fairy shrimp (2006 report) that disclose western spadefoot toad in 8 ponds.

The October 2014 Bonterra Psomas report indicates only 2 pools were surveyed for western spadefoot and arroyo toad and does not mention the other vernal pools with western spadefoot that were documented in earlier surveys. Given the 2014 surveys took place during an extended drought and not all pools were filled, the Department considers the 2014 surveys not adequate for determining the extent of western spadefoot toad:

- 2006 fairy shrimp report in Appendix C of the DSEIR (Appendix A Summary of Field Data) states western spadefoot toad were found in pools 2, 3, 4, 5, 6, 7, 8 and 9.
- Sept. 24, 2014 fairy shrimp report states western spadefoot toad were present in vernal pools 7 and 8.
- Oct. 2, 2014 arroyo toad report states western spadefoot toad present in pools 1 and 2 (presumably same pools as in 2014 fairy shrimp report called 7 and 8?).

**Evidence impact would be significant.** The DSEIR states "Since the Grasshopper Canyon population is one of few known populations in the region [of western spadefoot toad], impacts on this species would be considered significant according to Section 15380 of the State CEQA Guidelines. Implementation of Mitigation Measure 9 would reduce this impact to a less than significant level."

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#### **"6.3.2 Mitigation Measure 9: Western Spadefoot**

A relocation program for western spadefoot toad will be conducted during the spring prior to construction at the height of the breeding season for this species (February through May, as determined by a qualified Biologist who is monitoring a known location of this species). A detailed method for this effort will be approved by the CDFW and LACDRP prior to implementation of the relocation program. The results of the relocation program will be provided to the CDFW and the LACDRP. The intent of the relocation plan will be to capture and relocate as many western spadefoots as possible. Western spadefoots will be relocated to an area of suitable habitat, as approved by the CDFW and LACDRP. The relocation-site shall be of similar (or better) quality as the habitat within the Project impact area where the western spadefoot are captured. If no suitable habitat is available for the relocation, suitable habitat shall be created."

Given that the DSEIR states the Project supports one of the few populations of western spadefoot toad in the region, the Department is concerned Mitigation Measure 9 does not demonstrate clearly how impacts would be mitigated below a significant level. The mitigation measure relies on the development of a future plan, possible avoidance (even though it is clear the Project will impact all western spadefoot toad locations), or moving them on or off site.



Given that western spadefoot toad have an average home range of 1,355 feet from their breeding pool (Hunt, 2013), and most stable populations are distributed around a series of ponds connected by dispersal, it is not clear how moving western spadefoot toads within the development is feasible. The Department approximates the average width of open space proposed on the Project is only an average of 600 feet wide. This does not meet the upland home range necessary for a viable population, nor does the fragmented nature of the open space proposed allow for a series of ponds to facilitate dispersal. Based on the proposed impacts and the home range requirements of the species, The Department does not agree with the findings of the DSEIR that impacts to this species would be minimized or mitigated through the adoption and implementation of the mitigation measures. The Department requests the Project be redesigned to further minimize or avoid impacts to western spadefoot toad. Specific details as to where and how toads or habitat would be moved or created, as well as long-term protection and management details are necessary for this analysis.

2.4 cont.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact Shortcoming):** The Department recommends reducing or clustering the development footprint to reduce the total area impacted and providing a larger buffer between housing and preserving the vernal pools, seeps, and Grasshopper Creek.

**Comment #5: Impacts to Vernal Pools are not adequately described or disclosed**

**Issue:** The earlier reports in the DSEIR Appendix D (California red-legged frog, several fairy shrimp reports) describe 8-9 pools and classify 8 of them as vernal pools and 1-2 as stock ponds that were man made. The reports do not use consistent numbering of the vernal pools, and the report maps seem to have pools in different locations leading to the conclusion that there are more than 8-9 vernal pools.

The DSEIR should include a discussion as to the local significance and distribution of vernal pools regionally. CEQA Guidelines section 15125(c) require the Lead Agency to include information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis placed on analyzing resources that are or unique to the region.

**Specific impact:** The Department considers vernal pools a rare resource, as it is estimated over 95% of vernal pools in California have been destroyed. There are very few vernal pools left in Los Angeles County and the loss of this complex of pools is deemed regionally biologically significant by the Department.

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**Recommended Potentially Feasible Mitigation Measure(s):** The DSEIR should be recirculated with detailed information on the vernal pools to allow the Department to assess potential impacts and recommend meaningful mitigation. As a general rule, the Department recommends redesign of the Project to avoid the vernal pool complex(es) on-site. If avoidance is not feasible, the Department recommends the preservation of existing vernal pool complexes at a ratio of no less than 3:1 (including necessary ratio of upland to pool acreage). If this is not feasible, restoration and preservation of damaged pools and associated upland habitat that supports the pool at a ratio of no less than 4:1 (including necessary ratio of upland habitat). The Department generally does not recommend creation of vernal pools as this is experimental in nature and difficult to create the hydrology and ecosystem necessary to be successful. This option, if used, should include long term monitoring (ten years) and at a ratio of no less than 5:1 creation of both pool and supporting upland acreage.

**Comment #6: Impacts to Grasshopper Creek and its Tributaries**

**Issue:** The Department is concerned that a majority of the 15.09 acres of Grasshopper Creek and its tributaries are being filled, with little avoidance. It is not clear if vernal pools or perennial seeps have been included in this acreage.

As a Responsible Agency under CEQA Guidelines section 15381, the Department has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream, or use material from a streambed. For any such activities, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. As a Responsible Agency, the Department may consider the Negative Declaration or Environmental Impact Report of the local jurisdiction (Lead Agency) for the project. To minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.

**Specific Impact:** The Department is concerned the Project is filling an entire drainage that is directly upstream to habitat supporting the endangered least Bell's vireo (*Vireo bellii pusillus*), the endangered willow flycatcher (*Empidonax traillii*), as well as a main tributary to Castaic Lagoon. The DSEIR did not contain sufficient information for the Department to determine potential impacts, direct and indirect, to these two listed birds as a result of filling Grasshopper Creek. The DSEIR did not make a clear distinction between southwestern willow flycatcher (*Empidonax traillii traillii*) and willow flycatcher, both of whom are considered State endangered. It is not clear if debris basins, off-site slope or utility construction, trails, or fuel modification would have the potential to cause take of these two listed species. If the Project has the potential to directly or indirectly cause take of a state listed species, consultation with the Department is necessary to determine the appropriate coverage under the state's endangered species act.

Castaic Lagoon is proposed to be listed under Section 303(d) of the Clean Water Act as Impaired for polychlorinated biphenyls. Additionally, nutrients and algal blooms continue to be an issue in this area. The DSEIR also states 13 debris basins will be built but does not analyze the impact of changing the available sediment load downstream or how the change in storm hydrograph will affect downstream resources.

**Why impact would occur:** Direct loss of stream and wetland habitat directly affects water quality downstream. Additionally, piping or undergrounding streams create sediment and erosion issues downstream, as well as change the hydrograph of the stream, altering geomorphic processes and the listed species that depend on them. Urban runoff has been shown to be high in nutrients, as well as other contaminants.

**Recommended potentially feasible mitigation measure(s):** The Department recommends redesigning the Project to avoid impacts to Grasshopper Creek and any associated vernal pools, springs, or seeps.



If this is not feasible, especially given that this segment of drainage is directly adjacent and tributary to vireo and flycatcher habitat, as well as facilitates regional wildlife movement and provides a perennial source of water to wildlife via seeps and/or springs, the Department recommends creation of similar habitat at a ratio of no less than 4:1. The Department also recommends constructing a wildlife over- crossing over I-5 to allow wildlife to continued access to Castaic Lake as the removal of seeps and springs from the site is an impact to wildlife regionally. The Department also recommends monitoring of vireo and flycatcher populations and habitat quality downstream of the Project and provide measure in case a decline of habitat is detected. The Department recommends implementing a long-term cowbird (*Molothrus ater*) trapping program in the adjacent flycatcher and vireo habitat areas.

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**Comment #7: Impacts to rare plants and vegetation communities not adequately mitigated**

A) Concerns with Proposed Mitigation. Mitigation measures for all rare plants and vegetation communities in the DSEIR state they "shall be preserved, restored, or enhanced on-site and/or off-site at a ratio to be determined by the County of Los Angeles Department of Regional Planning (LACDRP)". The Department does not consider this statement adequate in allowing the Department to compare the biological value of mitigation directly to the impacts. The Department does not consider the fragmented, small patch size, and highly affected by edge effect on-site preserved habitat as an appropriate place to move or mitigate any plant or vegetation community. These areas mainly serve as buffers to adjacent, higher quality habitat. The Department has concerns when the DSEIR states it will transplant species off-site as this implies other areas will be subject to impact by this action. This additional impact would then need mitigation as this ecosystem is now being altered. Additionally, the Department is concerned with moving individually collected plants and seed to an undisclosed, off-site location. The biological implication of mixing genes and specific alleles into new areas is not supported by the Department and may cause loss of both the transplanted species as well as the population they are being moved to/near.

B) Mariposa Lily Impacts. Impacts to club-haired mariposa lily (*Calochortus clavatus* var. *clavatus*) and over 3,000 slender mariposa lily (*Calochortus clavatus* var. *gracilis*) are proposed in Mitigation Measure 7 (MM7) that states the mitigation site will be located in dedicated open space in the study area or at an off-site mitigation site, and does not contain critical information including; numbers or densities, specific locations, techniques, or success criteria. The Department considers the loss of over 3,000 rare lilies regionally significant and MM7 does not demonstrate this population will survive long-term. The Department is not aware of any Mariposa lily seeding or translocation projects that have been successful at demonstrating a long-term self-sustaining population. The Department is aware of several large-scale lily seeding/translocation projects required by Los Angeles County in various CEQA documents; however, the Department has not received any evidence to demonstrate these undertakings are successful at securing a secure, self-sustaining population. A number of these projects involved transplanting bulbs into off-site areas already occupied with slender mariposa lily. The methods used in planting the bulbs ended up damaging the receptor site and caused more take of lily that occurred at this location.

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The Department recommends avoidance of this significant population of a regionally rare species. If avoidance is not feasible, specific information on how impacts will be mitigated are necessary for the Department to make meaningful comments or recommendations as to the



biological soundness of any proposal. As stated above, MM7 does not appear to contain mitigation that the Department considers adequate in providing long-term success or survival of this species. MM7 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, length of time monitoring is required, or the method proposed for long-term protection and funding.

The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and weed control has been completed as this is considered the installation or preparation phase. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant individuals (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years.

MM7(f) states 60 percent of the seeds and bulbs collected shall be planted the first year, in an undetermined location. The Department does not concur with planting 60 percent of the collected seed/plants in the first year. Small scale, in situ plots with a few individuals should be conducted first to establish the baseline that these plants will naturally grow and set seed in these locations. Preferably, these growth plots should occur several years before grading impacts, to allow suitable planting areas be identified based on successful seed set. This could take multiple growing seasons and require germination studies. MM7(j) specifies undisclosed donor sites for seed collection. The Department strongly discourages mixing different population alleles into new areas as it compromises the integrity of the entire regional population.

C) Round-leaved Filaree. 39 round-leaved filaree (*Erodium macrophyllum*) plants detected in 2003 should be assumed still present. Department protocol specifically states a negative survey where there is a known population does not mean the species is no longer present; especially given 2014 was during a prolonged drought. The Department recommends avoidance of this regionally rare species. If avoidance is not feasible, specific information on how impacts will be mitigated are necessary for the Department to make meaningful comments or recommendations as to the biological soundness of any proposal. As stated above for Mitigation Measure 7, Mitigation Measure 6 (MM6) does not appear to contain mitigation that the Department considers adequate in providing long-term success or survival of this species. MM6 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, funding adequacy, protection, or the length of time monitoring is required. The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and all weed control has been completed as this is considered the installation or preparation phase. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant individuals (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years. The Department disagrees with the 1:1 mitigation ratio for a regionally rare species and recommends a minimum 3:1 ratio for both the acreage of habitat and number of individual plants.

D) Paniculate tarplant. Paniculate tarplant (*Deinandra paniculata*) impacts do not appear adequately mitigated under MM6. The DSEIR states that there are only 3 populations of this plant known to the region; one on the Project site, one on Newhall Ranch and another population that has not been documented since 1935 in Bouquet Canyon. Given the local and regional significance and rarity of this plant, the Department recommends avoidance of this population. MM6 does not appear to contain mitigation that the Department considers adequate

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in providing long-term success or survival of this population. MM6 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, funding adequacy, protection, or the length of time monitoring is required. The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and all weed control has been completed. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant individuals (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years. The Department disagrees with the 1:1 mitigation ratio for a regionally rare species and recommends a minimum 3:1 ratio for both the acreage of habitat and number of individual plants.

E) Southwestern Spiny Rush. This project supports one of only six populations of southwestern spiny rush (*Juncus acutus* ssp. *leopoldii*) known to Los Angeles County. Given the local and regional significance and rarity of this plant, the Department recommends avoidance of this population. MM6 does not appear to contain mitigation that the Department considers adequate in providing long-term success or survival of this population. MM6 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, funding adequacy, protection, or the length of time monitoring is required. The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and weed control has been completed as this is considered the installation or preparation phase. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years. The Department disagrees with the 1:1 mitigation ratio for a regionally rare species and recommends a minimum 3:1 ratio for both the acreage of habitat and number of individual plants.

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F) Distance and Composition of Seed Collection. The DSEIR states seed and plant material may be collected up to 30 miles from the Project site. 30 miles extends well into Kern County's Tehachapi ranges as well as in a coastal watershed in Malibu. The Department recommends seed/plant collection occur from the Project site or the immediately adjacent (contiguous) property to preserve genetic integrity and species composition of the plant/community being impacted and any area proposed for restoration/creation also fall into this limited geographic scope. An example of collecting "buckwheat" (*Eriogonum fasciculatum*) from the greater Los Angeles area is that *Eriogonum fasciculatum* var. *fasciculatum* 1) is becoming invasive as it is being planted in areas it never occurred, 2) only occurred as a component with other *Eriogonum* species present 3) is being mistaken for *Eriogonum fasciculatum* var. *foliolosum* (present on the Project), and/or 4) other *Eriogonum* species are not being planted (*E. elongatum elongatum* as well as other *Eriogonum* species are documented on the Project).

G) Timing of Proposed Seed/Plant Collection. The DSEIR states rare plant seed will be collected and used for on-site or off-site restoration. Plants, especially the lily and filaree, do not bloom annually and may go dormant many years before conditions become favorable to germinate. The problem with relying on collection immediately before construction is that the plants may not germinate or germinate in far less numbers than are actually present. For this reason, the Department supports avoidance of on-site populations of lily and filaree populations. If seed collection is still proposed, the Department recommends multiple years of collection, ensuring collection during average rainfall years, to allow maximum genetic diversity to be represented in the seed/plant collections.



H) Facilities Certified to Store Rare Plant Parts. The only facility certified and approved to hold rare plant seed or material locally is Rancho Santa Ana Botanical Garden. Nurseries, seed suppliers, or consulting firms are not authorized to store rare plant seed or parts and do not possess the facilities necessary to maintain genetic isolation and pureness of collected material.

2.7 cont.

#### **Comment #8 Burrowing Owl (*Athene cunicularia*)**

**Issue:** In 2006, grading on a small portion of the Project site was authorized for another project. This resulted in the discovery of burrowing owls and a winter breeding survey being conducted in 2007. 5 burrows and 2 owls were discovered. In 2015, surveys were conducted. However only burrows identified in 2007 were visited during this 2015 survey and only during winter. Twenty burrows, most within active drainages, and 9 owls were documented in 2015.

**Specific Impact:** Burrowing owl surveys do not appear to have been conducted following the Department's guidelines<sup>8</sup>. According to the DSEIR, only burrows discovered 8 years prior were surveyed in 2015, and only during the winter. The entire site should be assessed during breeding and winter periods and all potentially suitable areas surveyed consistent with the burrowing owl survey protocol. Given the methodology used, it is likely additional owls and burrows have been missed and potentially breeding owls will be missed.

The Department does not consider the use of on-site natural open space appropriate as relocation sites for impacted burrowing owls. The 2007 burrowing owl survey report (Appendix D) specifies one owl using burrows 1, 18 and 19. These burrows are approximately 600-700 feet apart. Research has shown, based on telemetry studies and distribution of nests, foraging occurs around 600 meters (1968 feet) of their nests. Given the relative small patch size and fragmented nature of the proposed on-site natural open space areas, the Department does not feel it provides enough quality habitat or acreage to fully mitigate the impacted territories of the owls on-site.

2.8

**Recommended Potentially Feasible Mitigation Measure(s):** Before the Department can issue a permit under Fish and Game code Section 1600 *et seq* of the Fish and Game Code, surveys following Department protocol will be necessary to allow the Department to determine the extent of impacts to owls associated with drainages/riparian areas. The Department recommends the DSEIR be recirculated after these surveys are completed to fully disclose the potential impacts to owls and the number and kind of burrows. The Department recommends avoidance of on-site burrowing owls. The Department is unable to determine the effectiveness of the proposed mitigation due to lack of specific information on current burrow counts, use, territory size, number of owls and winter, and breeding protocol surveys. Additionally, any proposed mitigation area should include a discussion on the territory size and how the full territory will be mitigated.

#### **Comment #9: Deferred mitigation**

2.9

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<sup>8</sup> The California Burrowing Owl Consortium, 1993.  
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83842&inline>

**Issue:** CEQA Guidelines sections 15070 and 15071 require the DSEIR to analyze if the Project may have a significant effect on the environment as well as review if the Project will avoid the effect or mitigate to a point where clearly no significant effects would occur". Relying on future surveys, the preparation of future management plans, or mitigating by obtaining permits from the Department, are considered deferred mitigation under CEQA. In order to analyze if a project may have a significant effect on the environment, the Project related impacts, including survey results for species that occur in the Project footprint, need to be disclosed during the public comment period. This information is necessary to allow the Department to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).

2.9 cont.

**Comment #10: Bats**

**Issue:** Impacts to bats due to the implementation of the Project are not fully disclosed in the DSEIR. The DSEIR relies on future surveys at an undisclosed time and duration to detect bat species present. No bat mitigation is proposed other than 1 day of exclusion, which is not standard methodology when using exclusionary devices.

**Impacts to Bats:** The DSEIR states several species of bats have the potential to occur on-site; however, surveys were not conducted prior to circulation of the DSEIR. Therefore, the DSEIR does not adequately describe the potential for impacts to bats.

The Project site contains suitable habitat for several bat species that have the potential to occur on the Project site including; mature trees, rock outcrops, riparian habitat and is adjacent to a water source (Castaic Lagoon and Lake). Bats are considered non-game mammals and are protected by state law from take and/or harassment (Fish and Game Code § 4150, CCR § 251.1). Several bat species are also considered Species of Special Concern (SSC), which meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines §15065). The Department considers adverse impacts to a SSC, for the purposes of CEQA, to be significant without mitigation. Mitigation is not just avoiding maternity roosts, wintering sites, night roosts, mating roosts and foraging sites, but providing similarly functioning habitat to what is impacted. Additionally Mitigation Measure 13 recommends exclusion for 1 day prior to impacts. The Department does not agree with this methodology as this would likely lead to take of protected bat species.

2.10

Evidence Impact would be significant. Absent the above requested information, the DEIR does not analyze impacts to bats, and the DSEIR does not provide any alternatives discussion or any avoidance strategies to mitigate the loss of occupied bat habitat.

**Recommended Potentially Feasible Mitigation Measure(s):** Exclusion should be coupled with ensuring bats have suitable habitat available nearby to move and mitigating for the habitat lost, as well as monitoring the effectiveness of the exclusion.

The Department recommends bat surveys be conducted by a qualified bat specialist to determine baseline conditions within the Project and within a 500-foot buffer, and analyze the potential significant effects of the proposed Project on the species (CEQA Guidelines §15125). The Department recommends the DSEIR include the use of acoustic recognition technology to maximize detection of bat species to minimize impacts to sensitive bat species. The DSEIR



should document the presence of any bats and include species-specific mitigation measures to reduce impacts to below a level of significance.

To avoid the direct loss of bats that could result from removal of trees, rock crevices, structures, that may provide roosting habitat (winter hibernacula, summer, and maternity), the Department recommends the following steps are implemented:

- a) Identify the species of bats present on the site;
- b) Determine how and when these species utilize the site and what specific habitat requirements are necessary [thermal gradients throughout the year, size of crevices, tree types, location of hibernacula/roost (e.g., height, aspect, etc.)];
- c) Avoid the areas being utilized by bats for hibernacula/roosting; if avoidance is not feasible, a bat specialist should design alternative habitat that is specific to the species of bat being displaced and develop a relocation plan in coordination with the Department;
- d) The bat specialist should document all demolition monitoring activities, and prepare a summary report to the Lead Agency upon completion of tree/rock disturbance and/or building demolition activities. The Department requests copies of any reports prepared related to bat surveys (e.g., monitoring, demolition);
- e) If confirmed occupied or formerly occupied bat roosting/hibernacula and foraging habitat is destroyed, habitat of comparable size, function and quality should be created or preserved and maintained at a nearby suitable undisturbed area. The bat habitat (not bat houses) mitigation shall be determined by the bat specialist in consultation with the Department;
- f) A monitoring plan should be prepared and submitted to the Lead Agency. The monitoring plan should describe proposed mitigation habitat, and include performance standards for the use of replacement roosts/hibernacula by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats; and,
- g) Annual reports detailing the success of roost replacement and bat relocation should be prepared and submitted to Lead Agency and the Department for five years following relocation or until performance standards are met, whichever period is longer.

2.10 cont.

**Comment #11: Ringtail (*Bassariscus astutus*)**

**Issue:** The Department recommends the DSEIR address the potential for the Project to impact the fully protected ringtail. Suitable habitat is available on the Project site and ringtail is assumed present at Castaic Lake in an adjacent Federal Energy Regulatory Commission project. The Department recommends utilizing non-invasive survey techniques (e.g., the use of hair samples have been used in the past) to determine if ringtail is present on-site.

2.11

**Comment #12: Preconstruction Surveys as Mitigation.**

2.12



**Issue:** The DSEIR addressed the potential for sensitive species to occur within the Project footprint (DSEIR Table 5.2-4), and states Mitigation Measure 5.2-10, which requires limited preconstruction surveys and relocation, as mitigation that will bring impacts below the significance threshold. Specific surveys during appropriate seasons/times were not conducted to disclose if these resources would be impacted and if alternative Project design would avoid or lessen these impacts.

CEQA Guidelines Sections 15070 and 15071 require the document to analyze if the Project may have a significant effect on the environment as well as review if the Project will 'avoid the effect or mitigate to a point where clearly no significant effects would occur'. Relying on future surveys, the preparation of future management plans, or mitigating by obtaining permits from CDFW are considered deferred mitigation under CEQA. In order to analyze if a project may have a significant effect on the environment, the Project related impacts, including survey results for species that occur in the entire Project footprint need to be disclosed during the public comment period. This information is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).

2.12 cont.

## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

## FILING FEES

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

## CONCLUSION

The Department appreciates the opportunity to comment on the DSEIR to assist Los Angeles County in identifying and mitigating Project impacts on biological resources. The Department recommends addressing the information raised in this letter. The Department also recommends the County and Project Applicant consult with the Department regarding these issues.

Mr. Jodie Sackett  
County of Los Angeles Hall of Records  
June 15, 2017  
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Questions regarding this letter and further coordination on these issues should be directed to Kelly Schmoker at (949-581-1015), and [Kelly.Schmoker@wildlife.ca.gov](mailto:Kelly.Schmoker@wildlife.ca.gov).

Sincerely,

*Christine J. Gabeau*

*for*

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Environmental Program Manager I  
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ec: Brock Warmuth, CDFW, Los Alamitos  
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## **Response to Comment Letter 2**

**Department of Fish and Wildlife Letter  
June 15, 2017**

**Response 2.1.** The comment states that the Draft SEIR does not include an alternative that reduces impacts to sensitive biological resources on the Project site in a biologically meaningful way. The comment requests a range of alternatives be looked at that avoid and reduce the impacts to sensitive biological resources on-site. The comment further states that the Project includes significant effects to biological resources that have not been addressed in the Draft SEIR and not mitigated with the proposed mitigation. In accordance with Section 15126.6(a) of the State CEQA Guidelines, the discussion in Section 6.0, Alternatives to the Proposed Project, of the Draft SEIR focuses on a reasonable range of alternatives. Other than the “No Project” alternative(s), which are required by CEQA, each alternative must be capable of avoiding or substantially lessening potentially significant effects of the Project. As demonstrated in Section 5.2 of the Draft SEIR and further supported through supplemental analyses included as Appendices B through E, G and J to the Final SEIR and discussed throughout this Final SEIR, it has been determined that the proposed Project would not result in any significant and unavoidable impacts to biological resources. Rather, all impacts to biological resources would be reduced to less than significant levels with implementation of the recommended mitigation program. Therefore, because biological impacts are not considered to be significant effects of the Project, the Draft SEIR does not include an alternative primarily intended to reduce biological impacts. However, as noted on pages 6-9, 6-17, and 6-23 of the Draft SEIR, the quantity of impacts to biological resources would be reduced with the No Project/No Development Alternative, the No Industrial Development Alternative and the Phase 1 Development Alternative, respectively, when compared to the proposed Project.

It should be noted that the 1992 Specific Plan is still a valid approval. The purpose of Table 6-2 (included below) was to demonstrate how substantially the Project has been modified and downsized from what was previously approved in 1992. The proposed Project can be viewed as a less dense alternative to the previously approved 1992 NorthLake Specific Plan Project. The proposed Project, although still totaling 1,330 acres, has eliminated approximately 298.8 acres (or 22.5 percent) of development, thus reducing impacts related to development of the 1992 NorthLake Specific Plan such as air quality emissions, noise, and traffic (refer to pages 6-11 through 6-16 of the Draft SEIR, and placed this in open space, parks and trails. There is an increase of 156.5 acres (or 11.8 percent) of land that will be left as undeveloped open space in comparison to the previously approved project.

**TABLE 6-2  
LAND USE AREA COMPARISON**

	Existing NorthLake Specific Plan		Proposed Plan		Difference	
	(ac)	(du)	(ac)	(du)	(ac)	(du)
Residential	600.3	3,623	341.9	3,150	(258.4)	(473)
Commercial	13.2		9.2		(4.0)	
Industrial	50.1		13.7		(36.4)	
Open Space	476		632.5		156.5	
Recreation- Golf	167		0		(167)	
Recreation- Trails/Parks	0		167		167	
School/Park Facilities	23.1		43.5 <sup>a</sup>		20.4	
Right of Way <sup>b</sup>			120.5		120.5	
Public Services (Fire Station Pad) <sup>b</sup>			1.4		1.4	
<b>Total</b>	<b>1,330.0</b>		<b>1,330.0<sup>c</sup></b>			
ac: acres; du: dwelling units; (): negative						
<sup>a</sup> Northlake Hills Elementary School was previously constructed on a 20.4-acre site.						
<sup>b</sup> The NorthLake Specific Plan did not provide a breakdown of acreages for right of way, or public service facilities. Roadways were included in Residential.						
<sup>c</sup> Totals may not add due to rounding and mapping.						
Source: Sikand 2015.						

CEQA requires the identification of an environmentally superior alternative. Section 15126.6(e)(2) of the State CEQA Guidelines states that, if the No Project Alternative is the environmentally superior alternative, then the Draft SEIR shall also identify an environmentally superior alternative among the other alternatives. Table 6-5 in Section 6.0 of the Draft SEIR provides in summary format, a comparison of the level of impacts for each alternative to the proposed Project. CEQA does not require that the environmental superior alternative be selected as the proposed Project.

The Project includes a meaningful consideration of alternatives and mitigation measures. The reduction in the size of the Project in comparison to the approved 1992 Specific Plan should be taken into consideration when assessing the Project overall.

**Response 2.2.** The comment recommends keeping the development footprint as small as possible as an alternative to the proposed Project site plan, questions the value of the proposed open space and raises concerns about indirect impacts on biological resources. Please See Response 2.1 above regarding evaluation of Project alternatives and comparison to the approved Project. In addition, Section 5.2, Table 5.2-5 on page 5.2-60 of the Draft SEIR provides a calculation of 325.5 acres of un-impacted lands within the Project boundaries. This acreage does not include any manufactured slopes, which clearly fall within the “impacted” category. However, the land use designation of open space typically includes manufactured slopes, parks, and other “green spaces” of the post-Project land uses. Regardless, the biological impact assessment in the Draft SEIR considers all disturbed areas as impacted and plant, and wildlife impacts are based on this assessment.

While open space areas, based on the land use designation, contribute to the impact discussion, these areas are not considered as mitigation in and of themselves to reduce impacts to less than significant. Some mitigation measures, such as the second paragraph of MM 5.2-5 on page 5.2-44 of the Draft SEIR, indicate that mitigation activities should occur within open space if feasible. The MM states that if on-site open space is not suitable, off-site preserved lands would be utilized.

Some areas on-site, such as the undeveloped northwestern portion of the site, which is part of the open space land use designation, may potentially be suitable for such activities.

Furthermore, it is acknowledged that small patch size and edge effect also known as “the island effect” may reduce biological value of an area and many of the areas within the open space land use category are subject to such effects and the associated impacts of on plant and wildlife species within them. The discussion of indirect impacts beginning on page 5.2-40 of the Draft SEIR discusses these types of impacts that Project implementation may have on adjacent lands, in particular, natural open space. As described in Response to Comment 1.8 above, the potential indirect impacts of Project implementation on adjacent lands and the potential associated reduced biological value is understood and discussed beginning on page 5.2-40 of the Draft SEIR. The impacts discussion on page 5.2-41 concludes that the impact is significant and mitigation is required.

It is acknowledged that the small size and adjacency to development of the majority of the open space land use designation areas are likely to be subject to the indirect impacts discussed on pages 5.2-40 and 5.2-41 of the Draft SEIR. As mentioned above, the impacts discussion on page 5.2-41 concludes that the impact is significant and mitigation is required.

The Draft SEIR impact boundary includes the fuel modification zone. In an effort to clarify, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.2-34 will have the following text inserted after the first sentence of this section (underline shows the additional text):

**This undeveloped natural open space would be undisturbed by the Project and does not include fuel modification areas. The development footprint impact area includes a fuel modification buffer zone.**

The Project evaluated in the Draft SEIR represents a modification to the previously approved NorthLake Specific Plan Project. Specifically, the proposed (modified) Project would involve development of a smaller project and less impactful development due to a reduced unit count, reduced development footprint, and reduced impacts associated with less development when compared to the previously approved NorthLake Specific Plan Project. Specific impacts that would be reduced should development occur pursuant to currently proposed Project include reduced traffic and related air pollutant emissions and noise; smaller demand for utility services such as water and electricity; and fewer physical impacts related to biological resources, cultural resources, geology and soils, and hydrology and water quality associated with a smaller development footprint. In addition, as illustrated in Table 4-2 on page 4-6 of the Draft SEIR, the proposed Project includes a total of 632.5 acres of open space, which represents an increase of 156.5 acres over what was approved for development in 1992. As part of the planning process, the NorthLake Specific Plan has been redesigned to fit the needs of the community and in an attempt to provide a more environmentally friendly Project which greater opportunities for preservation and conservation through a reduced development footprint and a reduction in overall development. Although the Project has open space scattered throughout the Project site, there is a substantial amount (over 160 acres) of natural open space concentrated at the north end of the site, with additional acreage along the Project site boundaries. The Project is also leaving much more undeveloped property than allowed by the approved NorthLake Specific Plan. The intent of the design is to cluster the development areas closer together and allow for larger undeveloped open space areas to occur on the outer edge of the development and at the north end of the site to buffer open space of adjacent lands and minimize wildlife incidentally moving into the development areas to avoid conflicts.

**Response 2.3.** The comment asserts that the Project will eliminate several perennial water sources that have historically been available to regional wildlife and the Project will affect the ability of wildlife to use the I-5 undercrossings. As set forth below, the proposed Project would not have a significant impact with respect to wildlife crossings. Therefore, no additional mitigation measures are warranted. In an effort to provide additional supporting data and discussion, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The following text on page 5.2-14, in the Wildlife Movement section of the Draft SEIR, is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

West of the Project site, a single underpass beneath **the southbound lanes of I-5** is ~~likely~~ **feasible** to be utilized by a variety of wildlife as a safe crossing to and from either side of the highway. **However, use of this undercrossing is expected to be minimal for a variety of factors. The location of the crossing is not associated with any notable natural landscape feature, which typically would concentrate movement such as a ridge line, water feature, or drainage. The location is associated with an unimproved road but the road travels across a slope providing vehicular access to transmission towers but offering little to no cover for wildlife. In addition, the location is not associated with any corresponding crossing in the vicinity that allows wildlife to travel under the north bound lanes of the I-5. There are no ridge lines or drainages or similar features that typically convey concentrated movement to or from a crossing of the northbound lanes of I-5. In fact, the nearest under-crossings of the northbound lanes are located approximately one mile north and approximately two miles south of this crossing. As a result, potential undercrossing events of both the northbound lanes and the southbound lanes at this location are expected to be rare at best.**

**A second crossing west of the southern tip of the Project includes both northbound and southbound lanes. However, the southbound crossing stretches over 700 feet within a narrow concrete-lined channel rendering it as low potential for use by most wildlife. Furthermore, the northern entrance extends upstream into the un-vegetated concrete lined-channel with adjacent developed land offering no cover for wildlife.**

**A third under-crossing of the southbound lanes is located immediately west of the northwestern portion of the site. Similar to the undercrossing to the south described above, this location is not associated with any notable natural landscape feature, which typically would concentrate movement such as a ridge line, water feature, or drainage. However, this location does have a corresponding undercrossing directly opposite under the northbound lanes, 1,600 feet to the west, which may render it more likely than others to be utilized on occasion. In addition, the east side of this crossing provides access to the northeast without significantly steep slopes rendering it more compatible to movement events.** Due to the constraints of the southern and eastern edges of the site, wildlife using **these** ~~this crossings~~ are expected to move to and from the crossing and areas north of the Project site to allow continued east-west movement. Under existing conditions, the Project site itself does not represent an important component of the regional movement of the area. **Consequently, although the Project may inhibit access for wildlife moving from south of the Project, such movement is only expected to represent infrequent local movement due to existing impediments east and south of the Project site.**

**One additional I-5 undercrossing in the area is likely to represent the greatest potential for wildlife movement traversing the I-5 in the area. At this location, the I-5 freeway lanes are combined so that the single underpass, Templin Highway, traverses both the northbound and southbound lanes. In addition, the crossing is aligned and associated with a canyon bottom and drainage leading from the west and the east, which include areas of significant vegetative cover. Furthermore, the open space linkage opportunities are minimally constrained from this crossing. Of all the crossing described, this is the only one that provides for movement to the east/northeast without the formidable barrier of Castaic Lake.**

**It should be noted that the Project site is partially within the Linkage Design of the South Coast Wildlands Missing Linkages Sierra Madre-Castaic Connection (Penrod et al. 2005). However, only the northern tip of the Project site falls within the southern edge of Linkage Design, which has a width of approximately 17 miles within the area. The Project represents an extremely small percentage of the linkage width. In addition, the Linkage Design provides further evidence that Castaic Lake represent a formidable barrier and excludes movement other than shallow areas at the northern tip of the lake.**

Regarding wildlife access to Castaic Lake, most native regional wildlife populations are highly unlikely to be dependent on artificial features such as Castaic Lake to sustain them. The native populations of the region have evolved for millennia without dependency on this large water body or any other similarly large waterbody in the region. In addition, riparian habitat typically associated with natural waterbodies is extremely limited due to the steep cut slopes surrounding the Castaic Lake reservoir. Waterfowl and aquatic species that are dependent entirely on the lake are not expected to be impacted by the Project because they either remain at the lake or immediate buffer area or they are able to fly to and from the lake and over the disturbances of the region and would likely be able to fly over the NorthLake Project site with similar ability.

It is acknowledged that the Project site is partially within the Linkage Design of the South Coast Wildlands Missing Linkages Sierra Madres-Castaic Connection. However, only the northern tip of the Project site falls within the southern edge of Linkage Design which has a width of approximately 17 miles within the area. The Project represents an extremely small percentage of the linkage width. In addition, the Linkage Design provides further evidence that Castaic Lake represents a formidable barrier and excludes movement other than shallow areas at the northern tip of the lake. To provide additional data, this discussion has been added to the Draft SEIR text as shown above.

Perennial water sources impacted by the Project are extremely limited and consists of seeps which are typically unable to pool water for much of the year because the low flow and the constructed cattle pond. Although historically available to wildlife, these features would not be expected to be a significant source of water for regional wildlife populations. A discussion of the Templin undercrossing has been added to the Draft SEIR per the edits described above. This crossing is located greater than 2.5 miles northwest of the Project site and, as such, is not expected to have any effect on wildlife utilization. Wildlife utilizing this crossing will continue to be able to access and travel from all current linkages in the vicinity of the undercrossing.

As noted above, a discussion of the indirect impacts of the Project on adjacent lands is provided in the Indirect Impacts section on pages 5.2-40 and 5.2-41 of the Draft SEIR.

In response to the comment, an additional study of the undercrossings in the area has been conducted. The following revision is hereby made to the Final SEIR. However, it should be noted



that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The following text will be added to the end of the Wildlife Surveys section of the Draft SEIR on page 5.2-4 (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

**Wildlife movement within and surrounding the Project site was assessed through a literature review, including South Coast Missing Linkages (Penrod et al. 2005) and site surveys (see Wildlife Crossing Assessment Technical Memo in Appendix D to the Final SEIR). Each of the I-5 under-crossing with potential to support wildlife movement was visited on multiple occasions in the Summer of 2017 by Psomas Senior Biologist Marc Blain and Psomas Biologist Sarah Thomas. Initial visits include photographic documentation of the crossing followed by recording dimensions and assessing the topographic features and vegetative cover within the area. Each visit included a search for evidence of wildlife use such as tracks or scat.**

In addition, Exhibit 5.2-2 of the Draft SEIR on page 5.2-15 has been modified to depict the location of the three southbound lane under-crossings described in the new text as well local and regional movement patterns, and is included as Appendix D of the Final SEIR. The fourth crossing is not reflected due to the large distance off-site. Additional tracking studies are not warranted given the lack of any indication that the crossing or the site would or could represent an essential pathway(s) for regional wildlife movement. Based on the analysis, inclusive of the additions to the Draft SEIR, mitigation such as installation of a bridge over the I-5 is not required.

**Response 2.4.** The comment states that the Draft SEIR is inconsistent with disclosing the extent and location of western spadefoot toad within the Project area. The Draft SEIR reflects the most current findings of focused surveys for the spadefoot which is considered the most applicable. However, it is acknowledged that this species has been observed incidentally at other locations on the Project site during past surveys. As such, the following revision is hereby made in the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The following text in Table 5.2-4, top row, last cell on the right, on page 5.2-22 of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

Species	Status		Potential to Occur on the Project site; Results of Surveys
	USFWS	CDFW	
<i>Spea hammondi</i> western spadefoot	—	SSC	Observed during 2014 focused surveys <b><u>and incidentally during other surveys in 2005 and 2015</u></b> ; suitable habitat

In addition, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The fourth sentence under Amphibians on page 5.2-26 of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

However, during all the 2014 surveys and during incidental observations in 2005 and 2015, the western spadefoot was observed both in the cattle pond in the northwestern portion of the site and in both ephemeral ponds located in the central portion of the site



**(see Attachment D of Appendix D, the Biological Technical Report, of the Draft SEIR).**

In addition, the following revision is hereby made to the Final SEIR. Exhibit 5.2-2 of the Draft SEIR on page 5.2-15 will be modified to note that the spadefoot locations are current only. As mentioned in Response 2.3, the Exhibit is included as Appendix E of the Final EIR. It should be noted that these additions do not materially change the description of Project or the findings of the Draft SEIR or technical report.

Regarding providing more details about Mitigation Measure MM 5.2-9 and the relocation plan, a draft plan has been prepared and is provided in Final SEIR Appendix C. The draft plan provides a qualitative analysis of how the final relocation plan will be prepared and how it will be successfully implemented. It is acknowledged that most open space areas remaining on the Project site after buildout may be too small for establishing ponds and relocating spadefoot. The draft relocation plan indicates that if the on-site locations are deemed to be unsuitable for creating artificial ponds and relocating spadefoot, either due to the small size of the open space patch or other factors, off-site options will be required to be used. The draft plan also discusses the appropriate dimensions for pond and home range to meet spadefoot requirements. In addition, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. MM 5.2-9 on page 5.2-52 is hereby revised to insert as the first bullet the following (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

- **Prior to implementing the Spadefoot Relocation Plan, a focused survey will be conducted within the prior appropriate season. If any additional ephemeral ponds are determined to be occupied besides those identified in recent surveys (i.e. 2015), the Spadefoot Relocation Plan will be modified to include replacement of the additional occupied pond as well as others.**

Regarding the comment's suggestion regarding clustered development, the Project is substantially clustered with its current design. The Project has been designed to minimize impact areas with large open areas between them. The development footprint is largely contiguous with only small areas of undeveloped land within. The intent of the design is to cluster the development into a single area and allow as much undeveloped open space as feasible to occur on the outer edge of the development to buffer open space of adjacent lands and minimize wildlife incidentally moving into the development areas to avoid conflicts. As discussed in Section 5.2 of the Draft SEIR, all significant impacts related to biological resources would be reduced to less than significant levels with implementation of the recommended mitigation program; therefore, there is no need to further cluster development in an effort to reduce significant biological impacts. Furthermore, the Project evaluated in the Draft SEIR represents a modification to the previously approved NorthLake Specific Plan Project. Specifically, the proposed (modified) Project would involve development of a smaller Project and less impactful development due to a reduced unit count, reduced development footprint, and reduced impacts associated with less development when compared to the previously approved NorthLake Specific Plan Project. Specific impacts that would be reduced should development occur pursuant to currently proposed Project include reduced traffic and related air pollutant emissions and noise; smaller demand for utility services such as water and electricity; and fewer physical impacts related to biological resources, cultural resources, geology and soils, and hydrology and water quality associated with a smaller development footprint. No vernal pools have been identified on the Project site. In addition, the seeps impacted by the Project are typically unable to pool water for much of the year because the very low upwelling flow. Although historically available to wildlife, these features would not be expected to be a significant source of water for regional wildlife populations and avoidance is not considered vital to regional populations.

Regarding avoidance of Grasshopper Creek specifically, as discussed in Section 6.5.1 of the Draft SEIR, the lead agency did explore a Creek Avoidance Alternative. The Creek Avoidance Alternative would be designed to avoid building or grading in the blueline area of Grasshopper Canyon; however, this alternative would (1) require the export of over 10 million cubic yards of soil, (2) eliminate commercial, multi-family, and single-family development, (3) require buttressing of all west facing slopes along Grasshopper Canyon, and (4) require construction of at least three bridges to allow for access and circulation. The amount of developable land allowed under this alternative would be greatly reduced in comparison to the proposed Project due to avoidance of Grasshopper Canyon; all development would be located east of Grasshopper Canyon, which is a central feature that runs through the approximate center of the Project site. Because of this, the number of residential units and amount of commercial and industrial development would be greatly reduced in comparison to the proposed Project. This alternative would not fully meet the Project objectives to enhance local economic well-being with commercial uses that would create jobs, provide a mix of uses to reduce offsite vehicle trips and VMT, and provide a significant amount of housing onsite with a wide range of home sizes and prices. Additional detail on this topic can be found in Response 12.12.

**Response 2.5.** The comment states that the Draft SEIR does not use consistent numbering of the vernal pools and the report maps seem to lead to the conclusion that there are more than the reported 8 to 9 vernal pools. As mentioned in Response 2.4 above, no vernal pools have been identified on-site. Although some technical reports have referred to seasonal ponds as vernal pools, this is not the appropriate term. Vernal pools, as defined by the CDFW, support plants and animals that are specifically adapted to living with very wet winter and spring conditions followed by very dry summer and fall conditions (CDFW 2017). Botanical surveys have evaluated the entire Project site in multiple years, including as recently as 2014. Vernal pool plant species have never been detected at any of the seasonal pond locations. In fact, nearly all the vegetation within these depressions consists of non-native European grasses with the same composition as in adjacent non-depressional areas. There is no evidence of botanical uniqueness at any of the seasonal ponds. While animal species known to occupy vernal pools can and do occupy features that retain water in spring but have no other ecological feature related to vernal pools, this is not true for vernal pool plants. Therefore, the presence of species such as the spadefoot toad with a seasonal pond does not automatically indicate a vernal pool. Consequently, the depressions on site are appropriately not referred to as vernal pools in the Draft SEIR. Therefore, the addition of a discussion of vernal pools in the Draft SEIR is unwarranted, and no associated mitigation would be required.

Response Reference: CDFW 2017; <https://www.wildlife.ca.gov/Conservation/Plants/Vernal-Pools>

**Response 2.6.** This comment concerns potential impacts to Grasshopper Creek and certain avian species. It is acknowledged that a Section 1600 Streambed Alteration Agreement with the CDFW would be required prior to disturbance of any State waters and that the impacts should be fully identified in the CEQA document to facilitate processing of that agreement.

The Project is not expected to have any effect on either the least Bell's vireo or the willow flycatcher (inclusive of the southwestern willow flycatcher subspecies). Focused surveys for these species were conducted in 1997; annually from 2000 through 2006; 2014, and in 2015 (See page 5.2-26 of the Draft SEIR). The Draft SEIR documents that there have been no least Bell's vireo breeding on the Project site. Although a single willow flycatcher was observed in 2006, the protocol survey determined that no willow flycatchers bred on-site. Based on repeated protocol survey results, all willow flycatchers observed on the Project site have been considered migrant and not breeding. Off-site, there have been repeated observation of breeding least Bell's vireo at the lower end of Grasshopper Canyon at Castaic Lagoon. However, the Project is not expected

to have any effect on the off-site lower end of Grasshopper Canyon at Castaic Lagoon. The Project impact assessment on biological resources provided in Section 5.2.7 of the Draft SEIR is inclusive of downstream indirect impacts potentially caused by the Project as mentioned on page 5.2-40 and 5.2-41. In addition, a separate technical memo assessing potential impacts on downstream biological resources was prepared and shall be attached to the Final SEIR as Appendix B, *Biological Resources Downstream Impacts Assessment*. In summary, downstream riparian and other aquatic biological resources are not expected to be negatively impacted by the proposed Project in any measurable degree. Although significant land use changes will occur and many drainages on-site will be substantially altered as a result of Project implementation, the hydrologically modeled differences between pre-Project and post-Project flows and sediment transport downstream of the Project are negligible. As a result, vegetation communities and plant and wildlife species dependent on downstream drainages are not expected to decline or to be modified. Existing community species composition and approximate local population size are expected to remain intact within downstream areas following Project implementation. In summary, land development has the potential to disrupt hydrologic conditions, and the biological resources that depend on those conditions, without incorporation of the appropriate type and location of storm water management features as part of engineering design. The results of the hydrologic analysis prepared for the Project (refer to Appendix B to the Final SEIR) demonstrate that the parcel-based (for Marple Creek discharges) and regional (Grasshopper Canyon Basins) Project features capture the flows that are increased due to the increase in impervious surface area such that there are negligible changes in the downstream hydrologic regime. Accordingly, Project impacts on biological resources in the downstream drainages will be negligible. The negligible impact on downstream vegetation supports the conclusion that there will be no impact on the least Bell's vireo as well. Additionally, potential impacts may be further reduced through implementation of MM 5.2-21, which requires compliance with all provisions of an NPDES permit including development of a Storm Water Pollution Prevention Plan prior to issuance of grading permits as described on page 5.2-57 of the Draft SEIR. For further information on this topic please see Response 1.6.

Similarly, off-site impacts associated with the Project, such as slope or utility construction, trails, and fuel modification are also included and addressed within the Project's drainage plan and will be included within the Storm Water Pollution Prevention Plan as required by the NPDES.

To provide clarification, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text of the last sentence in the second paragraph on page 5.2-37, in the Special Status Wildlife section, is hereby revised to read as follows (**bold, underline** shows the additional text and strikethrough show the deletions):

These measures would ensure **that potentially suitable habitat** for these species would persist in the region through replacing potentially suitable habitat impacted at a 2:1 ratio. **Additionally, due to the migrant and confirmed non-breeding nature of individuals detected over multiple years of focused surveys, occupied breeding habitat is not expected to be impacted.**

As described above, the Project is not expected to have any effect on the off-site lower end of Grasshopper Canyon at Castaic Lagoon due to the requirements of the drainage plan and Los Angeles County and RWQCB MS4 requirements to retain the quantity and quality of water within the drainage that is the same as the pre-Project condition. Additional text has been added to clarify as noted above in Response 1.6. Consequently, no impacts on downstream habitat are expected.

Regarding avoidance of on-site impacts to Grasshopper Canyon, as discussed in Section 6.5.1 of the Draft SEIR, the lead agency did explore a Creek Avoidance Alternative. The Creek Avoidance Alternative would be designed to avoid building or grading in the blueline area of Grasshopper Canyon; however, this alternative would (1) require the export of over 10 million cubic yards of soil, (2) eliminate commercial, multi-family, and single-family development, (3) require buttressing of all west facing slopes along Grasshopper Canyon, and (4) require construction of at least three bridges to allow for access and circulation.. This alternative would not meet the Project objectives to enhance local economic well-being with commercial uses that would create jobs, provide a mix of uses to reduce offsite vehicle trips and VMT, and provide a significant amount of housing onsite with a wide range of home sizes and prices. Please see Response 12.12 for additional details on this topic.

Furthermore, in regard to the request for a 4:1 replacement ratio if avoidance of Grasshopper Canyon and seeps is not feasible, the proposed minimum ratio of 2:1 is consistent with replacing lost functions and values of jurisdictional resources to a level that reduces the impact to less than significant. Although it is feasible that State and federal agencies may require additional mitigation through conditions of regulatory permits, the minimum 2:1 ratio included in the SDEIR mitigation measure adequately mitigates the impact per CEQA guidelines. In addition, the requested cowbird trapping mitigation is more appropriate when there are substantial impacts to riparian woodland habitat occupied by listed riparian species as a measure to increase habitat quality and off-set such impacts. The Project's impact on riparian woodland habitat is extremely limited as well as unoccupied by these species for breeding. Consequently, cowbird trapping, as well as recommended monitoring of these species, is unwarranted for the Project. In regard to the recommendation to create a bridge over Interstate 5 to mitigate for lost seeps and springs on the Project, the seeps/springs features are not expected to be a significant source of water or associated resources for regional wildlife populations as most seldom contain sufficient flow for pooling as described in Response 2.3 and 2.4 above. Based on the limited use of these features, regional wildlife populations are not expected to be significantly impacted in this regard and the recommended mitigation is unwarranted. Furthermore, the mitigation measures include replacement of lost vegetation at various ratios. The ratio for riparian vegetation is a minimum of 2:1 to meet CEQA requirements of less than significant. This ratio is expected to result in the feasible replacement of lost functions and values of these vegetation types with an equal or greater value and is also consistent with CEQA lead agency mitigation protocols. The requirement of a ratio greater than 1:1 specifically recognizes and allows for a larger area of habitat to offset the time required for replacement habitat to meet or exceed the habitat values of the impacted areas. It is noted that the mitigation ratio is set at a minimum and that through the 1600 process CDFW, as described in the beginning of this response, may request a greater ratio for impacts to streambeds and vegetation communities associated with streambeds.

**Response 2.7.** The comment indicates that the impacts to rare plants and vegetation communities are not adequately mitigated. The Draft SEIR states a minimum ratio in all applicable rare plant and vegetation replacement mitigation measures. The selection of the ratios is based on the feasibility of a reasonable expectation that it will achieve success criteria in the replacement of lost functions and values of these vegetation types with an equal or greater value than the impacted areas. Furthermore, the determination is consistent with the typical approach to mitigation for such resources in the region. It is acknowledged that on-site opportunities are limited to implement these mitigation measures; however, there are off-site opportunities. Based on a preliminary review of off-site habitat mitigation opportunities (i.e., prior to detailed negotiations with prospective sellers), there are ecologically suitable parcels available for this purpose, such as a 6,000-acre Temescal Canyon property. The Temescal Canyon property is a large, contiguous, undeveloped land area located less than two miles west of the NorthLake property, along the southern boundary of Angeles National Forest. Other lands demonstrate similar opportunities such as the Petersen Mitigation Bank and Santa Paula Creek Mitigation Bank.

Therefore, off-site mitigation is considered a viable option to satisfy some or all of the habitat mitigation requirements of the Project. Therefore, the Draft SEIR is correct in noting the various options, inclusive of on-site areas. In addition, the final Habitat Mitigation Plan required by mitigation measures MM 5.2-6, 5.2-7, and 5.2-8 would include more detailed parameters defining what types of land will be considered suitable for mitigation. To provide further information, a Draft Conceptual Habitat Mitigation Plan has been prepared and is provided as Appendix C of the Final SEIR. In addition, a Draft Special Status Plant Mitigation Plan has been prepared and is provided as Appendix C of the Final SEIR. Per the plan, plant relocation would only occur within areas where impacts to existing communities are considered beneficial and genetic similarity is expected due to close proximity.

Regarding lilies, it is acknowledged that relocating lilies can be challenging, however, the method may salvage genetics of the impacted populations whereas preservation off-site alone would not. Greater specificity on the methods and potential locations is provided in the Draft Special Status Plant Mitigation Plan which has been prepared and is provided as Appendix C of this document (Final SEIR). The various suggested methods for plant monitoring are noted and taken into account in development of the Draft Special Status Plant Mitigation Plan. In regard to reducing the percentage from 60 percent seed planting in the first year, the following edits are made to the fourth and fifth bullets of MM 5.2-4 on page 5.2-43.

- Approximately ~~60~~**20** percent of the seeds and bulbs collected shall be spread and/or placed in the fall following soil preparation. ~~Forty~~ **Eighty** percent of the seed and bulbs shall be kept in storage for subsequent seeding, if necessary.
- ~~Approximately 60 percent of the seeds and bulbs collected shall be spread and/or placed in the fall following soil preparation. Forty percent of the seed and bulbs shall be kept in storage for subsequent seeding, if necessary.~~

Round-leaved filaree is considered present and impacts potentially significant, with mitigation required to reduce these impacts to less than significant. Greater specificity on the methods and potential locations for round-leaved filaree is provided in the Draft Special Status Plant Mitigation Plan which has been prepared and is provided as Appendix C of the Final SEIR. The various suggested methods for plant monitoring are noted and taken into account in development of the Draft Special Status Plant Mitigation Plan.

Greater specificity on the methods and potential locations for paniculate tarplant is provided in the Draft Special Status Plant Mitigation Plan which has been prepared and is provided as Appendix C of the Final SEIR. The various suggested methods for plant monitoring are noted and taken into account in development of the Draft Special Status Plant Mitigation Plan. Regarding the suggested 10-year monitoring period, the Draft Plan includes a 5-year plan with a contingency at the 3-year annual monitoring check to extend the monitoring an additional 5 years from that point if success criteria are not meeting 3-year expectations. The suggested approach to monitoring will allow for greater flexibility while ensuring monitoring until success criteria are met and is expected to achieve intended goals of the suggested monitoring period.

Greater specificity on the methods and potential locations for southwestern spiny rush is provided in the Draft Special Status Plant Mitigation Plan which has been prepared and is provided as Appendix C of the Final SEIR. The various suggested methods for plant monitoring are noted and taken into account in development of the Draft Special Status Plant Mitigation Plan.

The suggested refinement to seed collection distance is acknowledged and Part 'd' of the second paragraph of the mitigation measure on page 5.2-45 will be modified as follows: All seed mixes shall be of local origin; i.e., collected within ~~30~~ **15** miles, and within the same Watershed (Santa

Clara River Watershed), as the selected restoration/enhancement site(s), to ensure genetic integrity.

Per the first sentence of Part 'd' of the second paragraph of the mitigation measure (MM 5.2-6) on page 5.2-45, a minimum of two years is required. In order to provide greater assurance of collection feasibility, an additional year will be added. The following revision is hereby made to the Final SEIR. However, it should be noted that this revision does not materially change the description of the Project or the findings of the Draft SEIR. In MM 5.2-6, on page 5.2-45, the first sentence under Part "d", the sentence is hereby revised to read as follows (**bold, underline** shows the additional text and strikethrough show the deletions):

At least ~~two~~ **three** years prior to mitigation implementation of the Project Applicant or its consultants/contractors shall initiate collection of the native seed materials specified in the HMMP.

For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 2.8.** The comment asserts that the burrowing owl surveys do not appear to have been conducted following the CDFW's guidelines. The comment further states that the use of on-site natural space is not appropriate as relocation sites for impacted owls. During each burrowing owl survey, including the 2015 winter surveys, the entire Project site was surveyed for burrowing owls. The assessment of potential burrows naturally resulted in similar results of previous years, hence the surveys of the potential burrows matched previous surveys.

Although the evidence indicating lack of breeding burrowing owls described in the Draft SEIR is very strong, in order to provide additional assurances, a breeding season survey was conducted in 2017 using the CDFW 2012 protocol. Results of the survey are included in Appendix C of the Final SEIR. Consistent with the Draft SEIR, no breeding burrowing owls were detected.

The limitations of on-site mitigation for burrowing owl are acknowledged and are consistent with the discussions of limited vegetation/habitat mitigation described in the Draft Conceptual Habitat Mitigation Plan provided in Appendix C of the Final SEIR. Please also note that MM 5.2-7 on page 5.2-47 of the Draft SEIR indicates that habitat replacement would occur on-site and/or off-site. Therefore, the mitigation is not restricted to on-site and would only occur on-site if and where suitable. Avoidance of burrowing owl habitat was attempted through Project design to reduce the overall Project footprint and reduction was achieved. As previously mentioned, the Project evaluated in the Draft SEIR represents a modification to the previously approved NorthLake Specific Plan Project. Specifically, the proposed (modified) Project would involve development of a smaller Project and less impactful development due to a reduced unit count, reduced development footprint, and reduced impacts associated with less development when compared to the previously approved NorthLake Specific Plan Project. Specific impacts that would be reduced should development occur pursuant to currently proposed Project include reduced traffic and related air pollutant emissions and noise; smaller demand for utility services such as water and electricity; and fewer physical impacts related to biological resources, cultural resources, geology and soils, and hydrology and water quality associated with a smaller development footprint. Although avoidance of all winter burrowing owl habitat was not possible, habitat impacts were reduced. The Draft Conceptual Habitat Mitigation Plan addresses burrowing owl habitat requirements. For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 2.9.** The comment alleges biology mitigation measures are inappropriate deferred mitigation. This is incorrect. All necessary species surveys have been conducted and results

reported within the Draft and Final SEIR. Draft Conceptual Habitat plan and relocation plans are included in Appendix C to this Final SEIR. The plans and the various mitigation measures include objective performance criteria as well and general protocols. The exact date of Project commencement could vary depending on a variety of factors, including availability of financing and market conditions. Therefore, survey updates in the future are appropriate to confirm site conditions and species status on the Project site have not changed and to provide the most current information to allow for implementation of mitigation measures. Finalizing all mitigation plan details is often not feasible because specific mitigation sites have not been identified or acquired preventing a detailed level of planning from occurring. This type of performance-based mitigation is common, especially with biological resources, and is recognized as valid under CEQA. Therefore, the mitigation measures are not inappropriately deferred mitigation.

**Response 2.10.** The comment suggests the Draft SEIR contained insufficient information on the possible impacts to bats on the Project site. In order to provide additional data on potential impacts to bats, a focused survey for bats using acoustic recognition instruments was conducted in the summer of 2017 and the results are incorporated into Final SEIR. Edits to the Draft SEIR have been made to incorporate the methods and results of this survey. Results of the survey are also included in Appendix C of the Final SEIR. Based on results of the survey, the mitigation described in MM 5.2-20 on page 5.2-57 that is adopted for other species will also lessen the impact on bats by providing replacement foraging habitat. The less than significant determination identified in the Draft SEIR does not change.

Habitat replacement described within various mitigation measures of Section 5.2 of the Draft SEIR, requires a substantial replacement of impacted vegetation and consequently impacted bat habitat. As a result, bat habitat is largely replaced through implementations of these measures. The following revisions to MM 5.2-20 on page 5.2-57 are hereby made to the Final SEIR. However, it should be noted that these additions do not materially change the description of the Project or the findings of the Draft SEIR. MM 5.2-20 on page 5.2-57 is hereby revised to read as follows (**bold, underline** shows the additional text and strikethrough show the deletions):

If the potential for colonial roosting is determined, **CDFW will be consulted** and those rocky outcrops or trees shall not be removed during the bat maternity roost season (March 1 to July 31).

In addition, the following sentence shall be inserted as the last sentence of Mitigation Measure 5.2-20 on page 5.2-57 (**bold, underline** shows the additional text and strikethrough show the deletions):

**In addition, the habitat replacement requirements of other Mitigation Measures further reduce the impact to bats through the preservation, enhancement, restoration and/or creation of impacted vegetation, which shall be generally suitable for impacted bat species.**

In addition, MM 5.2-20 on page 5.2-57 is hereby revised to insert the following sentence at the end of the mitigation measure (**bold, underline** shows the additional text and strikethrough show the deletions):

**Prior to disturbance of any roosting habitat, a Bat Relocation Monitoring Plan (BRMP) shall be submitted and approved by the CDFW and the LADRP. The BRMP shall include, at a minimum, the following discussion items: (1) species of bats present onsite, (2) habitat uses of the site (i.e., roosting, hibernating, etc.) (3) roosting habitat replacement feature guidelines, (4) construction monitoring guidelines, (5) habitat replacement feature monitoring, and (6) reporting**

**requirements. Reporting shall occur annually to LADRP and CDFW. The BRMPs will be submitted annually for five years.**

As described above, a focused survey for bats using acoustic recognition instruments was implemented and results incorporated into Final SEIR. Based on results of the survey, mitigation measure 5.2-20 is considered appropriate to reduce impacts to less than significant.

The Draft SEIR considers the site occupies and/or utilized and considers Project implementation a potentially significant impact on bats. Additional details regarding specific bat ecology on the site is unnecessary in order to refine the proposed mitigation.

As mentioned above, an edit to Mitigation Measure 5.2-20 has been made to indicate a requirement for consultation with CDFW. In addition, the Draft Conceptual Habitat Mitigation Plan includes requirement for a bat specialist to ensure replaced habitat meets bat suitability criteria.

**Response 2.11.** The comment requests that the Project address the potential for impacts to the fully protected ringtail since suitable habitat is available on the Project site and assumed present at Castaic Lake. The initial Project general field surveys conducted by experienced and qualified biologists included a habitat assessment coupled with a current literature review and subsequent review of all species known to occur or potentially occurring in the region. The results of the assessment concluded that the Project site is not expected to support ringtail. One of the primary factors in that determination is the known range of the ringtail. CDFW records through the California Natural Diversity Database (CNDDDB) indicate that the species has never been detected within the Project region. In addition, a substantial number of experienced biologists have traversed the site spending hundreds of hours making observation about species occurrences or potential occurrences on the site and there have been no detections of ringtail nor evidence of ringtail or potentially suitable habitat. A listing of the various field surveys for common and special status species over the course of 20 years is provided in Section 5.2, Biological Resources, of the Draft SEIR. This level of analysis is appropriate for reaching the conclusions in the DSEIR and represent the industry standard approach for impact assessments for undetected species. Although the adjacent land owner may have made a determination that the ringtail may occur within the Castaic Lake area, there is no reported evidence of occurrence of the ringtail within the CNDDDB. Although this data base does not identify all occupied habitat, it is unlikely to exclude entire regions especially where they contain a high level of active development, which include a high level of biological surveys, which require observations to be reported to the CNDDDB. The ringtail has not been recorded within the applicable mountain range nor within 20 miles of the Project site. Similar to other species with no potential to occur in the Project region, the Draft SEIR correctly assumes no impact to this species.

**Response 2.12.** The comment asserts that specific surveys during appropriate seasons/times were not conducted to disclose if these resources would be impacted and if alternative Project design would avoid or lessen impacts. The initial Project general field surveys conducted by experienced and qualified biologists included a habitat assessment coupled with a current literature review and subsequent review of all species known to occur or potentially occurring in the region. During these general surveys, biologists explored all areas of the Project site, looking at vegetation and habitat conditions. While performing surveys, the biologists carefully evaluated the site to determine if the minimum habitat requirements for any species occurring in the region are present on or adjacent to the site. It is not uncommon to have no detection of a species, and yet still make a determination that the species may occur on or adjacent to the site. Most species do not have a specific protocol for determining presence or absence. Only a very small percentage of species have an approved protocol survey. The determination of species presence or absence for the NorthLake Project utilized this approach, consistent with industry standards. All species with agency required or accepted survey protocol guidelines for determining presence or absence



were implemented for the Project as described in Section 5.2.3, beginning on page 5.2-2. The results of all surveys were adequate to make all impact determinations for the Draft SEIR, inclusive of those species that were assumed to be present or absent. The Draft SEIR impacts analysis assumes presence for applicable species and that impacts may occur. Where applicable, the determination was that the impact may be potentially significant and mitigation was required. Pre-construction surveys required within mitigation measures are not anticipated to change these results. The surveys are part of the mitigation process to determine current conditions in the future so that mitigation measures are implemented accordingly. In order to relocate a species, years in the future, a survey would need to be done to determine where and how many individuals are present at that time. All impacts assessments included the information necessary to make those determinations as outlined in the Draft SEIR. Similarly, the approach of preparing a plan with very specific details and having that plan approved by the Lead Agency is a widely utilized and accepted practice in CEQA documents. However, in order to provide some additional data where feasible, a Draft Conceptual Habitat Mitigation Plan, a Draft Spadefoot Relocation Plan, and a Draft Special Status Plant Mitigation Plan have been included in Appendix C of the Final SEIR. For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

Furthermore, to provide additional data on potential impacts to bats, a bat survey was conducted in summer 2017. Edits to the Draft SEIR have been made to incorporate the methods and results of this survey. Results of the survey are also included in Appendix C of the Final SEIR. Although the evidence indicating lack of breeding burrowing owls described in the Draft SEIR is very strong, to provide additional confirmation, a protocol breeding season survey was implemented in 2017 using the CDFW 2012 protocol. Edits to the Draft SEIR have been made to incorporate the methods and results of this survey. Results of the survey are also included in Appendix C of the Final SEIR. Lastly, a Conceptual Habitat Mitigation Plan, Special Status Plant Species Mitigation Plan, and a Spadefoot Relocation Plan have been prepared to provide additional data for the public and are included in Appendix C of the Final SEIR. The proposed mitigation measures all include objective performance standards to ensure a mitigation process and minimum thresholds for success. As a result, the Draft SEIR approach does not constitute deferral of mitigation as suggested.

## Letter 3

### DEPARTMENT OF TRANSPORTATION

#### DISTRICT 7

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June 15, 2017

Mr. Jodie Sackett  
County of Regional Planning  
Department of Regional Planning  
320 West Temple Street, Rm 1348  
Los Angeles, CA 90012

RE: Northlake Specific Plan  
SCH # 2015031080  
Ref. IGR/CEQA No. 150361AL-NOP  
GTS # LA-2017-00897-DEIR-AL  
Vic. LA-05/PM R59.0508 to R59.007

Dear Mr. Sackett:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The North Lake Specific Plan site is approximately 1,330 acres of undeveloped land in unincorporated Los Angeles County.

The proposed project, which involves implementation of the previously approved Northlake Specific Plan, proposes to development up to 3,150 residential units, 9.2 acres of commercial uses, 13.9 acres of industrial uses, 791.6 acres of parks and open space, a 23-acre school site, and a fire station that will support project residents.

Senate Bill 743 (2013) mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. However, the City may use the Level of Service (LOS) methodology until The Governor's Office of Planning and Research (OPR) complete its CEQA Guideline to implement SB743 ([https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php)).

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, this development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

Based on the information received, Caltrans has the following comments:

1. According to Caltrans' Guide for the Preparation of Traffic Impact Analysis, the updated Highway Capacity Manual (HCM) should be used to analyze State facilities. Many of Caltrans' concerns on NOP letter dated April 21, 2015 are not addressed (See attached). For analyzing on the State facilities, Los Angeles County CMP is not an adequate methodology to analyze the freeway system. 3.1
2. Northlake Development is in the vicinity of Castaic Lake, which is a recreational area. The traffic count data used in the traffic analysis was collected in January 2015 (winter season). This does not provide accurate traffic data because traffic volumes are usually at their lowest during the winter season. Traffic data should have been collected to yield more accurate analysis for the base year. 3.2
3. Within the project vicinity on I-5, there is a high percentage of truck volume which is not included in the traffic analysis. It should be noted that Lake Hughes and park Road Ramps are the last two off-ramps/exist before traveling through the mountains and first two on-ramps/entrances after traveling through the mountains. Truck volume plays a major role in the traffic analysis in this area. 3.3
4. For your reference, HOV lane capacity normally should not be used in the freeway capacity analysis. Any auxiliary lane and truck climbing lane capacity need to be validated by Caltrans in advance. On Table 5.11-10 Existing Conditions Freeway Peak Hour Volume and Volume to Capacity Summary and Table 5.11-21 Existing Plus Project Freeway Peak Hour Volumes and Volume-to-Capacity Ratio Summary, LOS needs to be disclosed. Caltrans has concerns for using accurate capacity, volume, and V/C ratio. We request that the County work with Caltrans to verify the existing LOS. Because of the size of the project, the traffic impact may extend to the Kern County line and SR-14. The "Source: Stantec 2016a" should be sent to Caltrans for review. 3.4
5. The specific plan project will generate 35,477 daily trips and 2,872/3,500 AM/PM peak hour trips. According to page 5.11-50, the project will assign 772 trips during the PM peak hours to NB I-5 and 756 trips during the AM peak hour to SB I-5. There are 37 related projects in the project vicinity. Therefore, cumulative impacts on the mainline would occur. As a reminder, the decision makers should be aware of this issue and be prepared to mitigate cumulative traffic impacts in the future. 3.5
6. On page 5.11-30 of DEIR, "However, although the Project increment exceeds the 0.02 threshold at the above-referenced freeway segments, the other criterion that would cause a Project to have a significant impact is for the freeway segment to operate deficiently (ie., worse than LOS E), and this would not occur..." Caltrans does not agree with this statement, as the existing LOS needs to be verified and the traffic impact would extend to Kern County line and SR-14 where LOS is at E/F on I-5 during the peak hours. 3.6
7. According to Table 5.11-18 (page 5.11-28), Caltrans concluded that the following locations 3.7

could have direct/cumulative significant traffic impacts on/near the State facilities:

- Location #1, The Old Road and I-5 SB Ramps (73% increase in ICU)
- Location #2, The Old Road and Sloan Canyon Rd/Lake Hughes Rd. (91% Increase in ICU)
- Location #3, I-5 NB Ramp and Lake Hughes Rd. (74% increase in ICU)
- Location #4, Castaic and Lake Hughes Rd. (74% increase in ICU)
- Location #7, I-5 SB on-ramp and Park Rd. (65% increase in ICU)
- Location #8, I-5 NB off-ramp and Ridge Route Rd. (89% increase in ICU)
- Location #9, Castaic and Ridge Route Rd. (79% increase in ICU)
- When traffic count is collected in traveling season, plus high truck volume, plus Grapevine and Centennial projects, the base LOS would produce a lot worse existing LOS, thus project would contribute significant traffic impact on those locations.

3.7 cont.

8. Caltrans concurs with MM 5.11-1, MM 5.11-2, and MM 5.11-3 conceptually. However, any new improvement should include other alternatives and an initial ICE (Intersection Control Evaluation) to examine the alternative methods of controlling the ramp intersections to traffic signals, including all way stop, roundabouts, off-set left turns, diverging diamond and signal point urban interchanges, etc. Caltrans is concerned that additional traffic may cause backup onto the mainline freeway, thus creating a safety issue. Caltrans requested a queuing analysis in our NOP comment letter to the lead agency dated April 21, 2015. We would like to explore more mitigation measures with you in detail before the County approves the project.

3.8

9. The cumulative analysis should consider large projects in the area, including the Grapevine Specific and Community Plan Project (Kern County) and the Centennial project. Both projects will contribute cumulative traffic impacts to the I-5 freeway mainline and a fair share contribution would be collected. This project has the potential to cause significant cumulative traffic impact as well.

3.9

10. Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without a storm water management plan.

3.10

11. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.

3.11

12. Please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications.

3.12

Mr. Jodie Sackett

June 15, 2017

Page 4 of 4

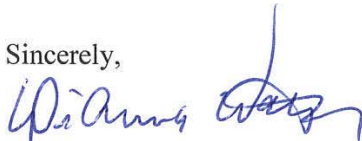
13. In addition, a truck/traffic construction management plan is needed for this project when implementing the mitigation measures. Traffic Management Plans involving lane closures or street detours which will impact the circulation system affecting traffic to and from freeway on/off-ramps should be coordinated with Caltrans.

3.13

Per your phone conversation on June 14, 2017 with Mr. Alan Lin, Caltrans Project Coordinator, both agencies agree to meet and discuss about this project traffic impact and mitigation measures. Caltrans will continue to work with the Lead Agency closely in an effort to evaluate traffic impacts, identify potential improvements, and establish a funding mechanism that helps mitigate cumulative transportation impacts in the project vicinity. Both agencies aim to resolve all Caltrans traffic concerns before the Response to Comment is released to the public.

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to GTS # 07-LA-2017-00897AL-DEIR.

Sincerely,



DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse



**DEPARTMENT OF TRANSPORTATION**  
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*Serious drought.  
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April 21, 2015

Mr. Kim K Szalay  
Los Angeles County  
Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

RE: NorthLake Specific Plan  
Vic. LA-05/PM R59.0508 to R59.007  
SCH # 2015031080  
IGR/CEQA No. 150361AL-NOP

Dear Mr. Szalay:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The North Lake Specific Plan site is approximately 1,330 acres of undeveloped land in unincorporated Los Angeles County.

The proposed project, which involves implementation of the previously approved Northlake Specific Plan, proposes to development up to 345 acres of residential uses (3,150 units), 4.4 acres of commercial uses (67,000 square feet), 17.5 acres of industrial uses (305,000 square feet), 880.3 acres of parks and open space (including manufactured slopes), and public facility uses if required including potential middle school, library, and fire department facilities that will support project residents. Based on the information received, we have the following comments:

This project may have a regional traffic impact to the State facilities. Caltrans is concerned that the additional vehicle traffic that the project is expected to generate, on the I-5 freeway, may further exacerbate an already congested facility. Caltrans is also concerned with capacity of the off-ramps in the project vicinity. If the storage capacity is not adequate to handle the additional traffic that the project will generate, vehicles could back up onto the mainline, which in turn may lead to rear-end accidents.

Caltrans acknowledges the following roadway improvements that the County of Los Angeles Department of Public Works has identified:

- Modernize the Lake Hughes Road/Interstate 5 Freeway interchange.
- Modernize the Parker Road/Interstate 5 Freeway interchange.
- Improve Ridge Route Road/Parker Road to Secondary highway standards from Lake Hughes Road to the Parker Road/Interstate 5 Freeway interchange. This improvement would require widening the bridge over Violin Creek.
- Contribute to the Parker Road/Interstate 5 Freeway interchange improvements

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*

In addition to the identified improvements, Caltrans is requesting that a traffic analysis be conducted for the following locations:

- The intersections along Parker Road between Sloan Canyon Road and Lake Hughes Road. This includes the NB I-05 Off-ramp to and SB I-5 On-ramp from Parker Road.
- The intersections along Lake Hughes Road/Sloan Canyon Road between Parker Road and Ridge Route Road. This includes the NB I-05 Off-ramp to Lake Hughes Road and the intersection of Lake Hughes Road and The Old Road.
- The intersections along the Old Road from Parker Road to Royal Road north of the SB I-5 Off-ramp to and On from Lake Hughes Road/Sloan Canyon Road.

To assist in evaluating the impacts of this project on State transportation facilities, please refer the project's traffic consultant to Caltrans' traffic study guide Website:

[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa\\_files/tisguide.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf)

Listed below are some elements of what is generally expected in the traffic study:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to I-5 and all off ramps at the project vicinity. The traffic consultant should work with Caltrans to identify and confirm off-ramp study locations prior to the preparation of the traffic study. The traffic study should also analyze the storage for left-turn pocket at on/off-ramps, if applicable.
2. A queuing analysis of the off-ramps utilizing the Highway Capacity Manual (HCM) queuing analysis methodology with the actual signal timings. Capacity of the off-ramp should be calculated by the actual length of the off-ramp between the terminuses to the gore point. The existing queue length should be calculated from the traffic counts, including the percentage of truck assignments to the ramp with a passenger car equivalent factor of 3.0 (worst case scenario) with 30 feet per car. The analyzed results may need to be calibrated with actual signal timing when necessary. Please include mitigation measures if forecasted vehicle queues are expected to exceed 85% of the total available storage capacity such that the storage will allow a 15% safety factor.
3. The report should include an initial ICE (Intersection Control Evaluation) to examine the alternative methods of controlling the ramp intersections to traffic signals, including all-way stop, roundabouts, off-set left turns, diverging diamond and single point urban interchanges, etc.
4. The report should also consider the impact of additional traffic on weaving in both directions of the I-5 approaching Lake Hughes Road and Park Road.
5. Project travel modeling should be consistent with other regional and local modeling forecasts and travel data. Caltrans uses the indices to verify the results and any



differences or inconsistencies must be thoroughly explained. Please submit modeling assumptions for Caltrans review and comment.

6. Trip generation rates for the project should be based on the nationally recognized recommendations contained in "Trip Generation" manual, 9<sup>th</sup> edition, published by the Institute of Transportation Engineers (ITE).
7. Analysis of ADT, AM and PM peak-hour volumes for both the existing and future conditions in the affected area with and without project. Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions should include build-out of all projects and any plan-horizon years.
8. Include all appropriate traffic volumes. The analysis should include existing traffic, traffic generated by the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments.
9. A discussion of mitigation measures appropriate to alleviate anticipated traffic impacts should also be included. Any mitigation involving transit or Transportation Demand Management (TDM) should be justified and the results conservatively estimated.
10. A fair share contribution toward pre-established or future improvements on the State Highway System is considered acceptable mitigation. (Please see Appendix "B" of the Guide for more information). Please note that for purposes of determining project share of costs, the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes, which include build-out of all approved and not yet approved projects and other sources of growth. Analytical methods such as select-zone travel forecast modeling should be used for this particular project.

Caltrans would like to extend an invitation to discuss working together to mitigate traffic impact on the State facilities. Should you wish to expedite the review process or receive early feedback from Caltrans please feel free to send a copy of the DEIR directly to our office.

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 150361AL.

Sincerely,



DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse



### **Response to Comment Letter 3**

**Department of Transportation, District 7**  
**June 15, 2017**

**Response 3.1.** The comment asserts that many of Caltrans' concerns on the NOP letter dated April 21, 2015 are not addressed. Additionally, the comment states that for State facilities, the Los Angeles CMP is not adequate methodology to analyze impacts to freeways. A traffic impact analysis (TIA) was prepared for the Northlake Specific Plan and served as the technical resource in support of the Draft SEIR (refer to Appendix J-1 of the Draft SEIR). In addition, a supplemental traffic memorandum (August 10, 2017) has been prepared to address impacts at the intersections requested by the City of Santa Clarita (refer to Response 8.2 in Letter 8) and is included as Appendix G to the Final SEIR. The TIA identified potential significant impacts of the Project for the CEQA determination. Elements from the Caltrans' Guide for the Preparation of Traffic Impact Analysis, the County of Los Angeles Department of Public Works Traffic Impact Analysis Report Guidelines and the County of Los Angeles Congestion Management Program (CMP) Guidelines for CMP Transportation Impact Analysis were used to develop the TIA scope and methodologies. HCM methodology was utilized to evaluate intersections that are a part of the State Highway system as recommended in the Caltrans guidelines. The Caltrans guidelines acknowledge that non-HCM methodologies can be used as well, and since the Caltrans guidelines do not provide thresholds of significance, the lead agency, here the County, exercised its discretion and adopted the Los Angeles CMP methodology and associated significance thresholds to analyze potential mainline freeway impacts.

The Caltrans April 21, 2015 NOP comment letter included requests for certain items to be analyzed in the EIR, which have been incorporated as applicable. These items, numbered 1 through 10 in the NOP comment letter, are addressed in the Draft SEIR traffic study as follows:

1. The presentation of assumptions and methods to develop trip generation distribution, mode choice, trip assignments to I-5, etc., are addressed in the Project's traffic study. Refer specifically to Section 3.2, Project Trip Generation, Section 3.3, Project Distribution, and Section 3.4, Project Traffic Forecasts for discussion of these elements of the study.
2. A detailed queuing analysis for the off-ramps for the purpose of impact determination was not prepared because the off-ramp intersections were identified as significantly impacted under cumulative conditions and mitigation to construct modifications to the ramps was identified. Therefore, additional analysis such as queuing calculations would not change the findings of the impact analysis since impacts, and the need for mitigation, was identified. Detailed queuing analysis would be prepared as part of the ramp Project development effort. However, since the modifications to the ramps are not under the control of the lead agency, impacts at those locations have been identified as significant and unavoidable.
3. Intersection Control Evaluation (ICE) analysis, the purpose of which is to identify alternative methods of intersection control, is not applicable to the Project impact analysis since CEQA requires only that feasible mitigation be identified that reduces impacts to less than significant. Since that was done here, additional alternatives of feasible mitigation is unnecessary.
4. The impact of additional traffic to weaving maneuvers (i.e., locations where traffic entering the freeway must cross paths with traffic exiting the freeway) on the I-5 mainline is not applicable to the Lake Hughes Road and Parker Road ramps since the Parker Road interchange does not have ramps to/from the north, therefore a weave condition does not exist. The next closest interchange to the Lake Hughes or Parker Road interchange is

approximately two miles south, which is outside the range of the maximum weaving distance. As such, weaving analysis is not applicable to the Project traffic study.

5. As requested in the comment letter, the traffic forecast modeling assumptions are described in Section 2.2.4, Future Freeway Volumes, which notes that the future year freeway volume forecasts were derived using data from the Caltrans Supplemental EIR for the I-5 HOT lane Project, as well as from the SCAG regional transportation model.
6. Trip generation rates are based on the ITE 9th edition Trip Generation Manual, as requested, together with other sources used by the County of Los Angeles Department of Public Works. Refer to Section 3.2, Project Trip Generation, for discussion.
7. The Project's traffic study includes analysis of average daily traffic (ADT), AM peak hour, and PM peak hour volumes for existing and future conditions, as requested in the comment letter (refer to Chapter 4, Impact Analysis), and the future conditions include the build-out of all known and reasonably foreseeable cumulative projects, as listed in the traffic study's Table 2-5, Defined Related Projects included in the Cumulative Database. Additionally, transit utilization is discussed in Section 4.4.2, Local and Regional Transit Systems.
8. As noted above, the Project's traffic study includes traffic volumes for all applicable scenarios, including existing conditions, the Project generated traffic, cumulative traffic (regional growth) and traffic from cumulative projects (see Sections 2.1, Existing Conditions, 3.4, Project Traffic Forecasts, and 2.2, Future Conditions, respectively).
9. Discussion of mitigation measures is provided in Section 4.1.2, Existing plus Project Mitigation, Section 4.2.3, Cumulative Conditions Mitigation, and Section 4.2.5, Cumulative Conditions (No Project) Mitigation.
10. The Project's impacts to the State highway system, as discussed in Section 4.2.3, Cumulative Conditions Mitigation, consists of locations that are a part of the County's Castaic Bridge and Major Thoroughfare District, and as such the payment of District fees will satisfy the Project's fair share obligations.

**Response 3.2.** The comment addresses the use of winter traffic counts. In addition to the traffic counts used in the TIA for impact analysis, a survey of traffic conditions near Castaic Lake was conducted during the lake's peak summer season (July 2017) and compared against the winter season (January 2015) data. Summer traffic counts were collected at roadway segments and intersections that provide entry/exit to the Castaic Lake area. The ADT volumes show that the summer season experiences a lesser or equal volume of daily traffic when compared to winter season.

Road Segment	Average Daily Traffic Count (ADT)	
	Winter	Summer
Lake Hughes w/o Ridge Route Rd	6,000	3,000
Ridge Route n/o Lake Hughes	4,000	4,000
Winter Count collected on 1/28/2015; Summer Count collected on 7/12/2017; ADT volumes are rounded to the nearest 000s.		

An ICU analysis comparing summer counts and winter counts likewise shows that ICU values in the summer season are lower or equal to the winter season ICUs.

Intersection		AM Peak Hour		PM Peak Hour		Count Date
		ICU	LOS	ICU	LOS	
WINTER SEASON						
2	The Old Road & Sloan/Lake Hughes	0.34	A	0.36	A	1/27/2015
5	Ridge Route & Lake Hughes	0.31	A	0.19	A	1/27/2015
9	Castaic & Ridge Route	0.33	A	0.41	A	1/22/2015
SUMMER SEASON						
2	The Old Road & Sloan/Lake Hughes	0.33	A	0.35	A	7/12/2017
5	Ridge Route & Lake Hughes	0.20	A	0.19	A	7/12/2017
9	Castaic & Ridge Route	0.32	A	0.37	A	7/12/2017
ICU = Intersection Capacity Utilization; LOS = Level of Service; Bold denotes where the ICU for summer conditions is worse than winter conditions.						

While Castaic Lake does generally experience higher levels of activity during the summer months, there is also a general decrease by the nearby residential and school traffic generators in the area. As shown by the traffic volume comparison above, any increase in traffic from recreational visitors are offset by reductions from other uses. As such, the impact analysis based on the winter 2015 counts remains valid.

**Response 3.3.** The comment asserts that within the Project vicinity on Interstate 5, there is a high percentage of truck volume which is not included in the traffic analysis. Truck volumes are reflected in the HCM calculations and are based on truck counts collected in the area, which reflect a higher than average proportion of heavy vehicles in the Castaic area. Truck volumes are assumed to increase over time consistent with the overall rate of traffic growth on the I-5, whereas the volume of passenger vehicles will increase at a much higher rate due to the addition of Project generated traffic, which is comprised primarily of passenger vehicles. Therefore, while the volume of trucks will be higher in the future, the percentage of trucks in the general vehicle stream will be lower.

**Response 3.4.** The comment states that HOV lane capacity normally should not be used in freeway capacity analysis. The comment further states concern for using accurate capacity, volume and V/C ratio in the analysis. HOV, truck, and auxiliary lanes are incorporated into the freeway mainline analysis to reflect an appropriate amount of additional capacity that is realized by having those additional lanes. The amount of added capacity is less than what is provided by a general-purpose lane, reflecting the limited use aspect of those lane types. The specific capacities used in the analysis are consistent with prior planning level studies for the I-5 corridor in this area, as well as the Los Angeles County CMP LOS calculations for freeways.

The V/C value corresponds with the LOS criteria for basic freeway segments shown in Table 5.11-4 (page 5.11-4) in the Draft SEIR. Table 5.11-28 (page 5.11-42 in the Draft SEIR) shows the LOS.

Existing volumes were derived using AADT and K and D factors obtained from the Caltrans Performance Measurement System (PeMS). The planning level capacities assumed for the general-purpose freeway lanes is consistent with the capacities used for the Los Angeles County CMP LOS calculations for freeways. Verification of the existing I-5 LOS has been made using speed data obtained from PeMS, which indicates that during the peak hours existing average speeds in the Lake Hughes and Parker Road area vary between approximately 59 mph to 69

mph. Farther south, on southbound I-5 approaching SR 14, the existing average speeds are approximately 55 mph in the AM peak hour and reduce to 46 mph in the PM peak hour. That particular segment is characterized by a steep uphill grade which results in significantly slower truck volumes in the right-hand lanes compared to the faster moving mixed-flow lanes. The planned Caltrans Project to add a second dedicated truck lane and a HOV lane to this segment of I-5 will further separate passenger vehicles from trucks and result in higher average speeds for the passenger vehicles.

Select zone traffic model data indicates that 4 percent of the Project's external trips would travel north towards Kern County (see Exhibit 5.11-5 of the Draft SEIR for trip distribution percentages). To the south, the same select zone model data indicates that 53 percent of the Project's trips would travel south on I-5 towards the City of Santa Clarita. Approximately 43 percent of the Project's trips would distribute throughout the Santa Clarita Valley area and the remaining 10 percent would pass through the SR-14 interchange. Approximately 2 percent of the Project's trips distribute to SR 14. As shown in Table 5.11-28 of the Draft SEIR, the Project increment would not exceed 0.02 (2 percent) of freeway capacity in the direction of Kern County under cumulative conditions. Analysis of Project impacts at the Kern County line is provided in the table below, which shows that the Project increment would likewise not exceed 0.02 north of SR-138 and at the LA County/Kern County Line. Also, as shown in Table 5.11-28 of the Draft SEIR, the Project's net impact on I-5 just north of the SR 14 interchange is less than 0.02 which is less than the County Congestion Management Program (CMP) threshold of significance. Similarly, with just 2 percent of Project trips on SR 14, the volume of Project traffic on SR 14 would result in an impact of less than 0.02 and would not be considered a significant impact.

### Freeway Peak Hour Volumes and V/C Summary at LA County/Kern County Line – Existing and 2028 Cumulative Conditions

No.	Segment	Lanes	Cap.	AADT	Without Project						With Project						Project Increment		
					AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour					
					Vol.	V/C	LOS	Vol.	V/C	LOS	Vol.	V/C	LOS	Vol.	V/C	LOS	AM	PM	
EXISTING CONDITIONS																			
Northbound																			
1	North of Kern County/LA County Line	4M	8,000	70,000	1,351	0.169	A	2,359	0.295	A	1,388	0.174	A	2,390	0.299	A	0.004	0.004	
2	North of SR-138	4M	8,000	67,000	1,293	0.162	A	2,258	0.282	A	1,330	0.166	A	2,288	0.286	A	0.004	0.004	
Southbound																			
1	North of Kern County/LA County Line	4M	8,000	70,000	1,309	0.164	A	2,240	0.280	A	1,330	0.166	A	2,280	0.285	A	0.002	0.005	
2	North of SR-138	4M	8,000	67,000	1,253	0.157	A	2,144	0.268	A	1,273	0.159	A	2,184	0.273	A	0.002	0.005	
2028 CUMULATIVE CONDITIONS																			
Northbound																			
1	North of Kern County/LA County Line	4M	8,000	102,000	3,876	0.485	B	4,315	0.539	C	3,901	0.488	B	4,330	0.541	C	0.003	0.002	
2	North of SR-138	4M	8,000	98,000	3,709	0.464	B	4,130	0.516	C	3,734	0.467	B	4,145	0.518	C	0.003	0.002	
Southbound																			
1	North of Kern County/LA County Line	4M	8,000	102,000	4,249	0.531	C	3,728	0.466	B	4,269	0.534	C	3,748	0.469	B	0.002	0.003	
2	North of SR-138	4M	8,000	98,000	4,066	0.508	B	3,567	0.446	B	4,086	0.511	C	3,587	0.448	B	0.002	0.003	
Notes: Existing AADT (Source: Caltrans) An annual growth rate of 2.73 percent per year was used to derive 2028 ADT volumes (Source: Caltrans Northwest Corridor Improvement Project Alternative 1) Peak hour volumes were derived using K and D factors from PeMS (Source: Northlake Traffic Impact Analysis) for existing conditions and the Caltrans Northwest Corridor Improvement Project Alternative 1 for 2028 conditions. Source: Stantec 2017																			

**Response 3.5.** The comment summarizes Project impacts to the northbound and southbound Interstate 5 and indicates that there would be cumulative impacts on the mainline. Comment noted. Refer to Section 5.11.7 of the Draft SEIR for analysis of cumulative impacts to the State highway system. As stated on DEIR page 5.11-40 (Year 2028 Horizon Year with Project and Cumulative Conditions – Freeway System), the freeway segments operate at LOS E or better – “Therefore, these segments [segments on I-5 from Lake Hughes Road interchange to south of the Parker Road interchange] are not considered to be significantly impacted by the Project.” Thus, there is no cumulative mainline segment to mitigate since Project impacts are less than significant. Specifically, at locations where the Project has an impact of 0.02 or more (the impact threshold specified in the County CMP), the traffic conditions are forecast to be LOS E or better.

**Response 3.6.** The comment states disagreement with the conclusion on page 5.11-30 of the Draft SEIR and indicates that the traffic impact would extend to Kern County line and SR-14 where LOS is at E/F on Interstate 5 during peak hours. Traffic data for existing conditions were derived using AADT and K and D factors obtained from the Caltrans PeMS. As noted in Response 3.4, above, verification of the existing LOS has been also made using speed data from the Caltrans PeMS. For the locations where the Project has been identified as exceeding the 0.02 threshold, the data from PeMS indicates speeds are approximately 59 mph or more, which corresponds to conditions of LOS E or better. The planning level capacities assumed for the general-purpose freeway lanes are consistent with the capacities used for the Los Angeles County CMP LOS calculations for freeways.

Project impacts north to the Kern County line are addressed in the Draft SEIR as noted in Response 3.4, above.

**Response 3.7.** The comment indicates that 9 locations could have direct/cumulative significant impacts on/near the State facilities. In addition, the comment states that the Project would contribute significant impact on these locations when the traffic count is collected during the travelling season in addition to existing high truck volume and the Grapevine and Centennial Projects. The EIR has identified improvements to mitigate the Project’s impact for each location where there is a significant impact, as summarized below. Mitigation would reduce impacts to less than significant levels for locations 2, 4 and 9, as stated below. However, the significant impact, even with implementation of the proposed mitigation, would be significant and unavoidable for locations 1, 3, 5, 7, and 8.

1. The EIR has identified improvements at this location to mitigate Project impacts for cumulative conditions (see page 5.11-37). This location has been identified as significant and unavoidable.
2. While there is an increase in ICU, the LOS is at an acceptable LOS C in the AM and PM peak hours with the Project (see Table 5.11-25). Therefore, impacts are less than significant, and no mitigation is warranted.
3. The EIR has identified improvements at this location to mitigate Project impacts for cumulative conditions (see page 5.11-38). This located has been identified as significant and unavoidable.
4. While there is an increase in ICU, the LOS is at an acceptable LOS A in the AM and PM peak hours with the Project (see Table 5.11-25). Therefore, impacts are less than significant, and no mitigation is warranted.

7. EIR has identified improvements at this location to mitigate Project impacts for cumulative conditions (see page 5.11-38). This located has been identified as significant and unavoidable.
8. The EIR has identified improvements at this location to mitigate Project impacts for cumulative conditions (see page 5.11-39). This located has been identified as significant and unavoidable.
9. The EIR has identified improvements at this location to mitigate Project impacts for cumulative conditions (see page 5.11-39). With implementation of the identified improvements, impacts are less than significant.

A traffic survey conducted by the Project traffic engineer determined that the summer high travel season traffic is lower or the same as winter season traffic as discussed in Response 3.2, above. Therefore, the impact of the Project during the summer would be comparable to the Project impact during the non-summer periods.

As noted in Response 3.3, above, the Project traffic study accounts for truck volumes as part of the level of service calculations.

Buildout of the NorthLake Specific Plan is anticipated to occur before 2028, while the Grapevine and Centennial Projects are anticipated to be built over a 20-year period. The Project traffic study accounts for the anticipated increases in traffic anticipated from reasonably foreseeable related Projects, including these two. The Grapevine and Centennial Projects have been designed to be self-sustaining communities with a balanced jobs/housing balance, thereby reducing trips and lessening their impact to the State highway system.

**Response 3.8.** The comment states agreement with proposed MM 5.11-1, MM 5.11-2, and MM 5.11-3, conceptually but is concerned that additional traffic may cause backup onto the mainline freeway. The traffic impact analysis identified specific improvements that would mitigate the Project's significant impacts at State Highway locations (MMs 5.11-1, 5.11-2, and 5.11-3). However, the County of Los Angeles and the Project applicant recognize that the Caltrans Project Development Process (PDP) will include consideration of alternative roadway improvements as part of the ICE procedure. Prior to implementing the mitigation measures, the PDP provides the opportunity to evaluate alternative methods of intersection control and will incorporate specific aspects of the design such as queue lengths, estimates of which are shown in the following table. Since the specific improvements will not be known until completion of the PDP, the Draft SEIR lists the impacts at the State Highway facilities as 'significant and unavoidable'.

#### Ramp Queue Lengths – 2028 Cumulative Conditions

Ramp	95 <sup>th</sup> Percentile Queue Lengths (Feet)		
	LT	RT-1	RT-2
I-5 NB at Parker	180	344	294
I-5 SB at Lake Hughes	138	60	n/a
I-5 NB at Lake Hughes	469	253	186
LT = Left-turn Lane RT = Right-turn Lane Source: Stantec 2017			

**Response 3.9.** The comment states that the cumulative analysis should consider large Projects in the area, including the Grapevine Specific and Community Plan Project (Kern County), and the

Centennial Project. Freeway mainline volumes were derived by using annual average growth rates from the HOT lane EIR (for segments south of Lake Hughes interchange) and the SCAG RTP/SCS travel demand model (segment north of Lake Hughes interchange). Both the HOT lane EIR and the SCAG RTP/SCS take into consideration growth consistent with the development of the Grapevine and Centennial Projects, as well as other known cumulative Projects that may impact the I-5 freeway. The Project's impact under cumulative conditions has been analyzed for the Project's buildout horizon of 2028 taking into account regional growth, as well as traffic from all known and reasonably foreseeable related Projects, as listed in the Project traffic study's Table 2-5, Defined Related Projects included in the Cumulative Database (included as Appendix J-1 of the Draft SEIR), and presented in Section 4.4.2, Cumulative Conditions Impact Analysis – Local Roadway System (addresses freeway ramp intersection impacts), and Section 4.3.2, Cumulative Conditions Impact Analysis – Freeway System (addresses freeway mainline impacts). As discussed, the Project would contribute to significant cumulative impacts at both the Lake Hughes Road and the Parker Road interchanges. Mitigation to address those impacts is discussed in Section 4.2.3, Cumulative Conditions Mitigation – Local Roadway System. The Project was found to not contribute to a significant cumulative impact to the freeway mainline. It is also acknowledged that both the Grapevine Specific and Community Plan and Centennial Projects will make fair share contributions to the I-5 freeway mainline. The Northlake project is located within a fee district established by the County of Los Angeles Public Works Department. Specifically, the fee district is called the Castaic Bridge and Major Thoroughfare Construction Fee District (B&T District). As stated by the County, the purpose of the B&T District is to collect fair share contributions from projects that create transportation impacts in order to provide "...an equitable financing mechanism by which new development within an identified area will share the costs of providing full mitigation improvements..." Parker Road/I-5 Interchange, Hughes Road/I-5 Interchange and associated I-5 projects are included in B&T District. The NorthLake project will participate fully in the B&T District and provide fair share contributions as prescribed therein.

**Response 3.10.** The comment states that Projects should be designed to discharge clean run-off water and that discharge of stormwater run-off is not permitted onto State highway facilities without a storm water management plan. As discussed in detail in Section 5.8, Hydrology and Water Quality, of the Draft SEIR, the Project would include best management practices (BMPs) to address surface water quality during the Project's construction phase, and site design, source control, low impact development (LID), and hydromodification control BMPs during the post-development (operational) phase. Further the Project would be subject to applicable regulatory requirements (RRs 5.8-1 through 5.8-3) regarding compliance with NPDES permit requirements. According to the analysis provided for Thresholds 5.8-1a, 5.8-2, and 5.8-3 of the Draft SEIR (refer to pages 5.8-47 through 5.8-71), implementation of the identified BMPs would ensure that impacts related to water quality of stormwater runoff would be less than significant. These BMPs would include, but not be limited to, infiltration of clean groundwater; on-site treatment using suitable treatment technologies; on-site or transport offsite for sanitary sewer discharge with local sewer district approval; or use of a sedimentation bag for small volumes of localized dewatering for short-term, construction-related operations, and pollutant removal BMPs; street sweeping; restricting use of zinc and copper downspouts; fertilizer control; trash control; and adherence to a Pest Integrated Management Plan for long-term operations.

**Response 3.11.** The comment states that transportation of heavy construction equipment and/or materials, which requires use of oversized-transport vehicles on State highways will require a transportation permit from Caltrans. The comment also recommends that large size truck trips be limited to off-peak hours. The Project applicant will comply with the recommendation by implementing a Construction Traffic Control Plan. Mitigation Measure 5.11-3 states that the Project applicant shall prepare and submit a detailed Construction Traffic Control Plan to the County of Los Angeles Department of Public Works for review and approval. As requested,



coordination will also be made with Caltrans for any closures or street detours which will impact the state facilities.

**Response 3.12.** The comment provides a reminder that work performed within the State right-of-way will require a Caltrans Encroachment Permit. The Project applicant will comply with Caltrans encroachment permit requirements and as mentioned in Response 3.8, future analyses will be conducted during the design phase of the Project in order to evaluate the area's needs at that time. Future improvements to State highway facilities will follow the Caltrans Project Development Process.

**Response 3.13.** The comment states that a truck/traffic constructions management plan is needed when implementing Project mitigation measures. As noted in Response 3.11, the Project applicant will comply with the recommendation with a Construction Traffic Control Plan. Mitigation Measure 5.11-3 states that the Project applicant shall prepare and submit a detailed Construction Traffic Control Plan to the County of Los Angeles Department of Public Works for review and approval. As requested, coordination will also be made with Caltrans for any closures or street detours which will impact the state facilities.



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

June 16, 2017

Jodie Sackett  
Los Angeles County  
320 W. Temple Street, Rm. 1632  
Los Angeles, CA 90012

Subject: NorthLake Specific Plan Project  
SCH#: 2015031080

Dear Jodie Sackett:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 15, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

4.1

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** .2015031080  
**Project Title** NorthLake Specific Plan Project  
**Lead Agency** Los Angeles County

**Type** EIR Draft EIR

**Description** The proposed project includes development of phase 1 of the Northlake Specific Plan to be implemented via Vesting Tentative Tract Map No. 73336 (VTM 73336), which includes approx 720 acres of the southern portion of the specific plan area and the remaining property for phase 2 to be developed at a future time. The proposed project would involve development of up to 3,150 residential units, 9.2 acres of commercial uses, 13.9 acres of industrial uses, 791.6 acres of parks and open space, a 23-acre school site, and a 1.4-acre pad for future fire station. Of the total development, 1,974 dwelling units, 13.9 acres of light industrial uses, 9.2 acres of commercial development, 407.3 acres of open space and parks, 6.7 acres utilities, 84.3 acres of roadways, and a 1.4 acre-fire station pad are proposed within the proposed within the proposed VTM07336.

**Lead Agency Contact**

<b>Name</b>	Jodie Sackett	
<b>Agency</b>	Los Angeles County	
<b>Phone</b>	213-974-6443	<b>Fax</b>
<b>email</b>		
<b>Address</b>	320 W. Temple Street, Rm. 1632	
<b>City</b>	Los Angeles	<b>State</b> CA <b>Zip</b> 90012

**Project Location**

<b>County</b>	Los Angeles
<b>City</b>	
<b>Region</b>	
<b>Lat / Long</b>	34° 32' 17.1" N / 118° 38' 10.4" W
<b>Cross Streets</b>	Ridge Route Road and Lake Hughes road
<b>Parcel No.</b>	Multiple
<b>Township</b>	

**Range**

**Section**

**Base**

**Proximity to:**

<b>Highways</b>	I-5
<b>Airports</b>	
<b>Railways</b>	
<b>Waterways</b>	Castaic Lake, Castaic Lagoon
<b>Schools</b>	NorthLake Hills Elem.
<b>Land Use</b>	Undeveloped land/SP-Specific Plan/SP-NorthLake Specific Plan

**Project Issues** Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Noise; Public Services; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects

**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Office of Emergency Services, California; State Water Resources Control Board, Division of Drinking Water; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; Other Agency(ies)

<b>Date Received</b>	05/02/2017	<b>Start of Review</b>	05/02/2017	<b>End of Review</b>	06/15/2017
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## DEPARTMENT OF TRANSPORTATION

DISTRICT 7

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LOS ANGELES, CA 90012

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JUN 15 2017

STATE CLEARINGHOUSE

June 15, 2017

Mr. Jodie Sackett  
County of Regional Planning  
Department of Regional Planning  
320 West Temple Street, Rm 1348  
Los Angeles, CA 90012

RE: Northlake Specific Plan  
SCH # 2015031080  
Ref. IGR/CEQA No. 150361AL-NOP  
GTS # LA-2017-00897-DEIR-AL  
Vic. LA-05/PM R59.0508 to R59.007

Dear Mr. Sackett:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The North Lake Specific Plan site is approximately 1,330 acres of undeveloped land in unincorporated Los Angeles County.

The proposed project, which involves implementation of the previously approved Northlake Specific Plan, proposes to development up to 3,150 residential units, 9.2 acres of commercial uses, 13.9 acres of industrial uses, 791.6 acres of parks and open space, a 23-acre school site, and a fire station that will support project residents.

Senate Bill 743 (2013) mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. However, the City may use the Level of Service (LOS) methodology until The Governor's Office of Planning and Research (OPR) complete its CEQA Guideline to implement SB743 ([https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php)).

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, this development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

Based on the information received, Caltrans has the following comments:

1. According to Caltrans' Guide for the Preparation of Traffic Impact Analysis, the updated Highway Capacity Manual (HCM) should be used to analyze State facilities. Many of Caltrans' concerns on NOP letter dated April 21, 2015 are not addressed (See attached). For analyzing on the State facilities, Los Angeles County CMP is not an adequate methodology to analyze the freeway system.
2. Northlake Development is in the vicinity of Castaic Lake, which is a recreational area. The traffic count data used in the traffic analysis was collected in January 2015 (winter season). This does not provide accurate traffic data because traffic volumes are usually at their lowest during the winter season. Traffic data should have been collected to yield more accurate analysis for the base year.
3. Within the project vicinity on I-5, there is a high percentage of truck volume which is not included in the traffic analysis. It should be noted that Lake Hughes and park Road Ramps are the last two off-ramps/exist before traveling through the mountains and first two on-ramps/entrances after traveling through the mountains. Truck volume plays a major role in the traffic analysis in this area.
4. For your reference, HOV lane capacity normally should not be used in the freeway capacity analysis. Any auxiliary lane and truck climbing lane capacity need to be validated by Caltrans in advance. On Table 5.11-10 Existing Conditions Freeway Peak Hour Volume and Volume to Capacity Summary and Table 5.11-21 Existing Plus Project Freeway Peak Hour Volumes and Volume-to-Capacity Ratio Summary, LOS needs to be disclosed. Caltrans has concerns for using accurate capacity, volume, and V/C ratio. We request that the County work with Caltrans to verify the existing LOS. Because of the size of the project, the traffic impact may extend to the Kern County line and SR-14. The "Source: Stantec 2016a" should be sent to Caltrans for review.
5. The specific plan project will generate 35,477 daily trips and 2,872/3,500 AM/PM peak hour trips. According to page 5.11-50, the project will assign 772 trips during the PM peak hours to NB I-5 and 756 trips during the AM peak hour to SB I-5. There are 37 related projects in the project vicinity. Therefore, cumulative impacts on the mainline would occur. As a reminder, the decision makers should be aware of this issue and be prepared to mitigate cumulative traffic impacts in the future.
6. On page 5.11-30 of DEIR, "However, although the Project increment exceeds the 0.02 threshold at the above-referenced freeway segments, the other criterion that would cause a Project to have a significant impact is for the freeway segment to operate deficiently (ie., worse than LOS E), and this would not occur..." Caltrans does not agree with this statement, as the existing LOS needs to be verified and the traffic impact would extend to Kern County line and SR-14 where LOS is at E/F on I-5 during the peak hours.
7. According to Table 5.11-18 (page 5.11-28), Caltrans concluded that the following locations

could have direct/cumulative significant traffic impacts on/near the State facilities:

- Location #1, The Old Road and I-5 SB Ramps (73% increase in ICU)
  - Location #2, The Old Road and Sloan Canyon Rd/Lake Hughes Rd. (91% Increase in ICU)
  - Location #3, I-5 NB Ramp and Lake Hughes Rd. (74% increase in ICU)
  - Location #4, Castaic and Lake Hughes Rd. (74% increase in ICU)
  - Location #7, I-5 SB on-ramp and Park Rd. (65% increase in ICU)
  - Location #8, I-5 NB off-ramp and Ridge Route Rd. (89% increase in ICU)
  - Location #9, Castaic and Ridge Route Rd. (79% increase in ICU)
  - When traffic count is collected in traveling season, plus high truck volume, plus Grapevine and Centennial projects, the base LOS would produce a lot worse existing LOS, thus project would contribute significant traffic impact on those locations.
8. Caltrans concurs with MM 5.11-1, MM 5.11-2, and MM 5.11-3 conceptually. However, any new improvement should include other alternatives and an initial ICE (Intersection Control Evaluation) to examine the alternative methods of controlling the ramp intersections to traffic signals, including all way stop, roundabouts, off-set left turns, diverging diamond and signal point urban interchanges, etc. Caltrans is concerned that additional traffic may cause backup onto the mainline freeway, thus creating a safety issue. Caltrans requested a queuing analysis in our NOP comment letter to the lead agency dated April 21, 2015. We would like to explore more mitigation measures with you in detail before the County approves the project.
9. The cumulative analysis should consider large projects in the area, including the Grapevine Specific and Community Plan Project (Kern County) and the Centennial project. Both projects will contribute cumulative traffic impacts to the I-5 freeway mainline and a fair share contribution would be collected. This project has the potential to cause significant cumulative traffic impact as well.
10. Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without a storm water management plan.
11. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.
12. Please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications.

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to enhance California's economy and livability"*

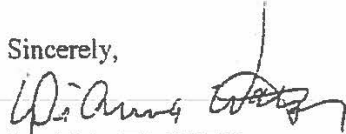
Mr. Jodie Sackett  
June 15, 2017  
Page 4 of 4

13. In addition, a truck/traffic construction management plan is needed for this project when implementing the mitigation measures. Traffic Management Plans involving lane closures or street detours which will impact the circulation system affecting traffic to and from freeway on/off-ramps should be coordinated with Caltrans.

Per your phone conversation on June 14, 2017 with Mr. Alan Lin, Caltrans Project Coordinator, both agencies agree to meet and discuss about this project traffic impact and mitigation measures. Caltrans will continue to work with the Lead Agency closely in an effort to evaluate traffic impacts, identify potential improvements, and establish a funding mechanism that helps mitigate cumulative transportation impacts in the project vicinity. Both agencies aim to resolve all Caltrans traffic concerns before the Response to Comment is released to the public.

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to GTS # 07-LA-2017-00897AL-DEIR.

Sincerely,



DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Attachment

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION  
DISTRICT 7-OFFICE OF TRANSPORTATION PLANNING  
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April 21, 2015

Governor's Office of Planning & Research

JUN 15 2017

STATE CLEARINGHOUSE

Mr. Kim K. Szalay  
Los Angeles County  
Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

RE: NorthLake Specific Plan  
Vic. LA-05/PM R59.0508 to R59.007  
SCH # 2015031080  
IGR/CEQA No. 150361AL-NOP

Dear Mr. Szalay:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The North Lake Specific Plan site is approximately 1,330 acres of undeveloped land in unincorporated Los Angeles County.

The proposed project, which involves implementation of the previously approved Northlake Specific Plan, proposes to development up to 345 acres of residential uses (3,150 units), 4.4 acres of commercial uses (67,000 square feet), 17.5 acres of industrial uses (305,000 square feet), 880.3 acres of parks and open space (including manufactured slopes), and public facility uses if required including potential middle school, library, and fire department facilities that will support project residents. Based on the information received, we have the following comments:

This project may have a regional traffic impact to the State facilities. Caltrans is concerned that the additional vehicle traffic that the project is expected to generate, on the I-5 freeway, may further exacerbate an already congested facility. Caltrans is also concerned with capacity of the off-ramps in the project vicinity. If the storage capacity is not adequate to handle the additional traffic that the project will generate, vehicles could back up onto the mainline, which in turn may lead to rear-end accidents.

Caltrans acknowledges the following roadway improvements that the County of Los Angeles Department of Public Works has identified:

- Modernize the Lake Hughes Road/Interstate 5 Freeway interchange.
- Modernize the Parker Road/Interstate 5 Freeway interchange.
- Improve Ridge Route Road/Parker Road to Secondary highway standards from Lake Hughes Road to the Parker Road/Interstate 5 Freeway interchange. This improvement would require widening the bridge over Violin Creek.
- Contribute to the Parker Road/Interstate 5 Freeway interchange improvements

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to enhance California's economy and livability"*



Mr. Kim K Szalay  
April 21, 2015  
Page 2

In addition to the identified improvements, Caltrans is requesting that a traffic analysis be conducted for the following locations:

- The intersections along Parker Road between Sloan Canyon Road and Lake Hughes Road. This includes the NB I-05 Off-ramp to and SB I-5 On-ramp from Parker Road.
- The intersections along Lake Hughes Road/Sloan Canyon Road between Parker Road and Ridge Route Road. This includes the NB I-05 Off-ramp to Lake Hughes Road and the intersection of Lake Hughes Road and The Old Road.
- The intersections along the Old Road from Parker Road to Royal Road north of the SB I-5 Off-ramp to and On from Lake Hughes Road/Sloan Canyon Road.

To assist in evaluating the impacts of this project on State transportation facilities, please refer the project's traffic consultant to Caltrans' traffic study guide Website:

[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_cesa\\_files/tisguide.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_cesa_files/tisguide.pdf)

Listed below are some elements of what is generally expected in the traffic study:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to I-5 and all off ramps at the project vicinity. The traffic consultant should work with Caltrans to identify and confirm off-ramp study locations prior to the preparation of the traffic study. The traffic study should also analyze the storage for left-turn pocket at on/off-ramps, if applicable.
2. A queuing analysis of the off-ramps utilizing the Highway Capacity Manual (HCM) queuing analysis methodology with the actual signal timings. Capacity of the off-ramp should be calculated by the actual length of the off-ramp between the terminuses to the gore point. The existing queue length should be calculated from the traffic counts, including the percentage of truck assignments to the ramp with a passenger car equivalent factor of 3.0 (worst case scenario) with 30 feet per car. The analyzed results may need to be calibrated with actual signal timing when necessary. Please include mitigation measures if forecasted vehicle queues are expected to exceed 85% of the total available storage capacity such that the storage will allow a 15% safety factor.
3. The report should include an initial ICE (Intersection Control Evaluation) to examine the alternative methods of controlling the ramp intersections to traffic signals, including all-way stop, roundabouts, off-set left turns, diverging diamond and single point urban interchanges, etc.
4. The report should also consider the impact of additional traffic on weaving in both directions of the I-5 approaching Lake Hughes Road and Park Road.
5. Project travel modeling should be consistent with other regional and local modeling forecasts and travel data. Caltrans uses the indices to verify the results and any

Mr. Kim K Szalay  
April 21, 2015  
Page 3

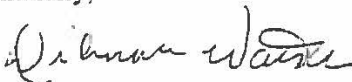
differences or inconsistencies must be thoroughly explained. Please submit modeling assumptions for Caltrans review and comment.

6. Trip generation rates for the project should be based on the nationally recognized recommendations contained in "Trip Generation" manual, 9<sup>th</sup> edition, published by the Institute of Transportation Engineers (ITE).
7. Analysis of ADT, AM and PM peak-hour volumes for both the existing and future conditions in the affected area with and without project. Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions should include build-out of all projects and any plan-horizon years.
8. Include all appropriate traffic volumes. The analysis should include existing traffic, traffic generated by the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments.
9. A discussion of mitigation measures appropriate to alleviate anticipated traffic impacts should also be included. Any mitigation involving transit or Transportation Demand Management (TDM) should be justified and the results conservatively estimated.
10. A fair share contribution toward pre-established or future improvements on the State Highway System is considered acceptable mitigation. (Please see Appendix "B" of the Guide for more information). Please note that for purposes of determining project share of costs, the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes, which include build-out of all approved and not yet approved projects and other sources of growth. Analytical methods such as select-zone travel forecast modeling should be used for this particular project.

Caltrans would like to extend an invitation to discuss working together to mitigate traffic impact on the State facilities. Should you wish to expedite the review process or receive early feedback from Caltrans please feel free to send a copy of the DEIR directly to our office.

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 150361AL.

Sincerely,



DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse



State of California – Natural Resources Agency  
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South Coast Region  
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EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



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June 15, 2017

Governor's Office of Planning & Research

Mr. Jodie Sackett  
Department of Regional Planning  
County of Los Angeles Hall of Records  
320 W. Temple Street, 13<sup>th</sup> Floor, Room 1348  
Los Angeles, CA 90012  
jsackett@planning.lacounty.gov

JUN 15 2017

STATE CLEARINGHOUSE

**Northlake Specific Plan Project (PROJECT)**  
**DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR)**  
**SCH# 2015031080**

Dear Mr. Sackett:

The California Department of Fish and Wildlife (Department) received a Notice of Availability of a DSEIR from Los Angeles County for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

#### DEPARTMENT'S ROLE

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

The Department is also submitting comments as a **Responsible Agency** under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). The Department expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish &

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Mr. Jodie Sackett  
County of Los Angeles Hall of Records  
June 15, 2017  
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Game Code, § 2050 et seq.), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish and Game Code §1900 et seq.) authorization as provided by the applicable Fish and Game Code will be required.

#### **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Northlake Associates, LLC

**Objective:** The proposed Project involves implementation of the previously approved Specific Plan; specifically, it would involve development of up to 3,150 residential units, 9.2 acres of commercial uses, 13.9 acres of industrial uses, 297 acres of open space (not 791 as described in the DSEIR), 494 acres of park and manufactured slopes, a 23-acre school site in the Phase 2 area, and a 1.4-acre pad for a future fire station. Additionally, off-site improvements, potentially on State Park/National Forest Land, include fuel modification, connection to existing utilities and relocation of existing utility lines, drainage facilities, and other infrastructure, would occur outside of area specified as the proposed Project site.

Additional Project-related improvements that would extend outside of the Specific Plan boundary include a 4.64-acre connection of Grasshopper Creek Park, a debris basin, 2.39 acres in trail connections, a 5.1-acre pad for a water tank, 29.79 acres of manufactured slopes, and 11.98 acres of natural open space.

The Project site is approximately 1,330 acres of undeveloped land in unincorporated Los Angeles County. The Project area is located between Interstate 5 to the west, Castaic Lake to the east, and the Angeles National Forest to the west, north, and east. The town of Castaic is located to the south of the proposed Project.

**Location:** Los Angeles County.

**Timeframe:** Developed in two phases, with completion in 2028.

#### **COMMENTS AND RECOMMENDATIONS**

The Department offers the comments and recommendations below to assist Los Angeles County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

##### **Project Description and Related Impact Shortcoming**

###### **Comment #1: Range of Alternatives Considered.**

**Issue:** The DSEIR considers 4 alternatives, 1) no project, 2) the proposed Project, 3) no industrial development (loss of 13-acres of industrial development), and 4) development of Phase 1 only. A no creek impact alternative was considered but deemed infeasible and not included in the alternatives analysis.

The Department is concerned that there does not appear to include an alternative that reduce impacts to the sensitive biological resources on the Project in a biologically meaningful way.

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Alternative 4 appears to reduce biological impacts by potentially avoiding 4 of the 9 vernal pools on-site; however, the overwhelming majority of rare plants, sensitive vegetation communities, a perennial seep, burrowing owl (*Athene cinularia*) burrows, known western spadefoot toad (*Spea hammondi*) locations, and the majority of Grasshopper Creek will still be impacted under this alternative. No alternative except the no project (alternative 1) reduces impacts to these biological resources.

The Department requests a range of alternative be looked at that avoid and reduce the impacts to sensitive resources on-site including 1) an unknown number of vernal pools (Appendix D includes maps of surveys in 2006 and 2014 that map vernal pools in different locations and use different numbering systems and terminology, making it difficult to determine which pool is being referred to in various sections of the DSEIR), 2) in-stream seep (documented in Appendix D Red Legged Frog Survey Report, Exhibit 3), 3) documented western spadefoot toad occurrences (vernal pool 2, 3, 4, 6, 7, and 8 have all been documented as having western spadefoot toad), 4) Grasshopper Creek, 5) rare plants, 6) burrowing owl and 7) sensitive vegetation communities.

Of the four alternatives presented, the Department recommends alternative four be considered to help reduce significant impacts to biological resources. However, the Department suggests an alternative that includes developing Phase 2 and conserving Phase 1 as natural open space be considered.

**Specific impact:** CEQA guidelines states "For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (15126.6[f][2][A])". The Department contends that the Project includes significant effects to biological resources that have 1) not been addressed in the DSEIR, and 2) not been mitigated to below significant with the mitigation measures proposed. The Department recommends the County recirculate the DSEIR with additional alternatives that avoid and minimize impacts to the resources discussed above and are described in further detail below.

#### **Comment #2: Clustered Development, Edge Effect and Value of Proposed OpenSpace**

**Issue:** The Department's comment letter on the Notice of Preparation (NOP) included a recommendation to cluster development to keep the development footprint as small as possible. The DSEIR contains virtually the same project description as the NOP.

The Department is concerned that the Project spans the entire western length of Castaic Lake from north to south. The 297 acres of open space (the DSEIR states 624 acres of open space but this includes manufactured slopes, which the Department considers an impact from the development) proposed is scattered around the development in relatively small patches within and between the development uses. All of the open space areas have trails proposed for construction and most have a park component within them. All of the open space locations appear to be 600 feet wide or less, except the northernmost patch associated with the North Valley Paseo trail.

**Specific impact:** The Department is concerned the biological value of the proposed open space is relatively low, and does not mitigate for the impacts to resources on-site.

**Why impact would occur:** Smaller patch size of land means the land is subject to greater influences of edge effect. These include Argentine ant invasions known to occur when irrigation is introduced, as well as competition from non-native species, heat island effect, shading, noise, lighting, human disturbance, fuel modification, and not having enough land to properly establish territories and/or carry out all parts of a lifecycle.

**Evidence impact would be significant:** Large concrete slabs, paving, v-ditches, and irrigated areas retain moisture in the soil. Invasive Argentine ants thrive in this perennially moist zone. Invasion and establishment of Argentine ant colonies may occur due to soil disturbance, introduction of hardened surfaces (paving, cement, storm drains and structures), and irrigation<sup>2</sup>. Sites within 200 meters (656 feet) of urban areas are more likely to have been invaded by Argentine ants<sup>3</sup>. This is significant because Argentine ants negatively impact and displace native ants, altering the ecosystem. Studies show native honeybees spend 75 percent less time foraging on inflorescences with Argentine ants, reducing seed production and long-term population viability of native plants<sup>4</sup>. Since all but the northernmost open space area is approximately 600 feet from a park, irrigated slope, or development, the value of this open space will be dramatically reduced for native plants and animals.

The Department, using Exhibit 4-1 of the DSEIR, estimates there are 15 patches of Natural Open Space proposed. This averages out to 20 acres per patch. Studies have demonstrated that habitat patches without roads that are inaccessible to humans serve to better conserve many target species than do areas with roads and accessible habitat patches<sup>5</sup>. Additionally, studies show that habitat remnants from 24-247 acres do not retain their complement of native vertebrate species for longer than a few decades, leading to collapse of the ecosystem<sup>6</sup>.

From the DSEIR, it is not clear if fuel modification will occur in areas classified as Natural Open Space (297 acres of undisturbed open space). The DSEIR should clearly define areas that will be subject to fuel modification and remove this acreage from Natural Open Space calculations. The Department considers areas subject to fuel modification (e.g., thinning, trimming, irrigating) impacts to the ecosystem needing to be mitigated.

**Recommended Potentially Feasible Mitigation Measure(s):** The Department recommends clustering development, reducing the footprint of the development, and/or eliminating parks and development to reduce the disturbance acreage. The Department also recommends combining any open space into fewer, larger areas that will be less affected by edge effect, thereby increasing their biological value.

### **Comment #3: DSEIR Analysis of Wildlife Crossing and Use of Site**

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<sup>2</sup> S. B. Menke, T. N. Fisher, W. Jetz, and D. A. Holway 2007. Biotic and abiotic controls of Argentine ant invasion success at local and landscape scales. *Ecology* 88, 3164–3173

<sup>3</sup> *Conservation Biology*, Volume 24, No. 5, 1239–1248 Journal compilation © 2010 Society for Conservation Biology

<sup>4</sup> *Journal of Conservation Biogeography*, Volume 14, Issue 2 March 2008 Pages 281–290

<sup>5</sup> Science and the Endangered Species Act By National Research Council, Commission on Life Sciences, Board on Environmental Studies and Toxicology, Committee on Scientific Issues in the Endangered Species Act

<sup>6</sup> Soulé, Michael E., et al. "The Effects of Habitat Fragmentation on Chaparral Plants and Vertebrates." *Oikos*, vol. 63, no. 1, 1992, pp. 39–47. JSTOR, [www.jstor.org/stable/3545514](http://www.jstor.org/stable/3545514).



**Issue:** The DSEIR includes a brief analysis concluding the Project will not affect wildlife crossings under Interstate 5 (I-5), wildlife access to Castaic Lake, nor affect the availability of wildlife to access water.

The DSEIR does not provide any data or maps to support these conclusions. The DSEIR only identifies one undercrossing below I-5, while a Google Earth search shows 2 (34°31'59.08"N 118°38'40.25"W and 34°32'43.11"N 118°39'19.91"W) adjacent crossings under northbound I-5. Additionally, a third crossing under both north and southbound lanes occurs just north of the Project at Templin Highway. This crossing is significant as it is the only crossing of the I-5 from the Castaic Ranges to the Whitaker Peak/U.S. Forest Service land west of I-5, south of Pyramid Lake.

The South Coast Wildlands Missing Linkages Report<sup>7</sup> (2005) identified the Project area and adjacent crossings in their linkage design (Figure 37 of the South Coast Missing Linkages Project – A linkage design for the Sierra Madre-Castaic Connection) and considers this area highly suitable for regional wildlife movement and connectivity including mountain lion (*Puma concolor*), American badger (*Taxidea taxus*), mule deer (*Odocoileus hemionus*), pacific kangaroo rat (*Dipodomys agilis*), California spotted owl (*Strix occidentalis*), and western pond turtle (*Actinemys marmorata*)— the latter two being species of special concern.

**Specific impact:** The Project, as proposed, will eliminate several perennial water sources that have historically been available to regional wildlife. The Project will also affect the ability of wildlife to use the I-5 under-crossings and may substantially affect the larger under-crossing at Templin. This Templin under-crossing is currently the only under-crossing from the Castaic Range under the I-5 to the adjacent national forest for large animals in the area.

**Evidence impact is significant:** Aspects of the Project could create physical barriers to wildlife movement from direct or indirect Project-related activities. Impacts from increased traffic, lighting, noise, dust, and increased human activity may interfere with wildlife movement and use of under-crossings. Additionally, mammals from the region may rely on the perennial water sources found on the Project.

**Recommended Potentially Feasible Mitigation Measure(s):** The Department recommends the DSEIR include studies that track wildlife dispersal, including that for large mammals, across the Project site and across the three under-crossings discussed above, and discuss how the Project will affect the use and dispersal patterns. The Department also recommends the DSEIR include maps showing local and regional wildlife movement patterns and analyze how the Project will affect these corridors. The DSEIR asserts the Project will not have a significant effect on wildlife movement. The Department requests the DSEIR include data and maps to support these conclusions.

The Department recommends conducting the above-mentioned studies and including this data along with maps in a recirculated DSEIR. The Department is not able to make further recommendations for avoiding impacts to wildlife corridors, without knowing what animals use these areas and how the Project will affect these uses. However, given the current Project

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<sup>7</sup> South Coast Missing Linkages Project – A linkage design for the Sierra Madre-Castaic Connection, March 2005.

footprint, the Department does recommend, consistent with the South Coast Wildlands report, that a land bridge over the I-5 be constructed to continue to allow safe and protected exchange of wildlife between the Castaic Range and Sierra Madre Range.

**Comment #4: Western Spadefoot Toad Presence and Mitigation**

**Issue:** The DSEIR appears inconsistent with disclosing the extent and location of western spadefoot toad within the Project area. Figure 5.2-2 of the DSEIR indicates western spadefoot in only 2 ponds (Pond 1 and Pond 2). Appendix C and D of the DSEIR contain surveys for fairy shrimp (2006 report) that disclose western spadefoot toad in 8 ponds.

The October 2014 Bonterra Psomas report indicates only 2 pools were surveyed for western spadefoot and arroyo toad and does not mention the other vernal pools with western spadefoot that were documented in earlier surveys. Given the 2014 surveys took place during an extended drought and not all pools were filled, the Department considers the 2014 surveys not adequate for determining the extent of western spadefoot toad:

- 2006 fairy shrimp report in Appendix C of the DSEIR (Appendix A Summary of Field Data) states western spadefoot toad were found in pools 2, 3, 4, 5, 6, 7, 8 and 9.
- Sept. 24, 2014 fairy shrimp report states western spadefoot toad were present in vernal pools 7 and 8.
- Oct. 2, 2014 arroyo toad report states western spadefoot toad present in pools 1 and 2 (presumably same pools as in 2014 fairy shrimp report called 7 and 8?).

**Evidence impact would be significant.** The DSEIR states "Since the Grasshopper Canyon population is one of few known populations in the region [of western spadefoot toad], impacts on this species would be considered significant according to Section 15380 of the State CEQA Guidelines. Implementation of Mitigation Measure 9 would reduce this impact to a less than significant level."

**"6.3.2 Mitigation Measure 9: Western Spadefoot**

A relocation program for western spadefoot toad will be conducted during the spring prior to construction at the height of the breeding season for this species (February through May, as determined by a qualified Biologist who is monitoring a known location of this species). A detailed method for this effort will be approved by the CDFW and LACDRP prior to implementation of the relocation program. The results of the relocation program will be provided to the CDFW and the LACDRP. The intent of the relocation plan will be to capture and relocate as many western spadefoots as possible. Western spadefoots will be relocated to an area of suitable habitat, as approved by the CDFW and LACDRP. The relocation-site shall be of similar (or better) quality as the habitat within the Project impact area where the western spadefoot are captured. If no suitable habitat is available for the relocation, suitable habitat shall be created."

Given that the DSEIR states the Project supports one of the few populations of western spadefoot toad in the region, the Department is concerned Mitigation Measure 9 does not demonstrate clearly how impacts would be mitigated below a significant level. The mitigation measure relies on the development of a future plan, possible avoidance (even though it is clear the Project will impact all western spadefoot toad locations), or moving them on or off site.

Given that western spadefoot toads have an average home range of 1,355 feet from their breeding pool (Hunt, 2013), and most stable populations are distributed around a series of ponds connected by dispersal, it is not clear how moving western spadefoot toads within the development is feasible. The Department approximates the average width of open space proposed on the Project is only an average of 600 feet wide. This does not meet the upland home range necessary for a viable population, nor does the fragmented nature of the open space proposed allow for a series of ponds to facilitate dispersal. Based on the proposed impacts and the home range requirements of the species, The Department does not agree with the findings of the DSEIR that impacts to this species would be minimized or mitigated through the adoption and implementation of the mitigation measures. The Department requests the Project be redesigned to further minimize or avoid impacts to western spadefoot toad. Specific details as to where and how toads or habitat would be moved or created, as well as long-term protection and management details are necessary for this analysis.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact Shortcoming):** The Department recommends reducing or clustering the development footprint to reduce the total area impacted and providing a larger buffer between housing and preserving the vernal pools, seeps, and Grasshopper Creek.

**Comment #5: Impacts to Vernal Pools are not adequately described or disclosed**

**Issue:** The earlier reports in the DSEIR Appendix D (California red-legged frog, several fairy shrimp reports) describe 8-9 pools and classify 8 of them as vernal pools and 1-2 as stock ponds that were man made. The reports do not use consistent numbering of the vernal pools, and the report maps seem to have pools in different locations leading to the conclusion that there are more than 8-9 vernal pools.

The DSEIR should include a discussion as to the local significance and distribution of vernal pools regionally. CEQA Guidelines section 15125(c) require the Lead Agency to include information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis placed on analyzing resources that are or unique to the region.

**Specific impact:** The Department considers vernal pools a rare resource, as it is estimated over 95% of vernal pools in California have been destroyed. There are very few vernal pools left in Los Angeles County and the loss of this complex of pools is deemed regionally biologically significant by the Department.

**Recommended Potentially Feasible Mitigation Measure(s):** The DSEIR should be recirculated with detailed information on the vernal pools to allow the Department to assess potential impacts and recommend meaningful mitigation. As a general rule, the Department recommends redesign of the Project to avoid the vernal pool complex(es) on-site. If avoidance is not feasible, the Department recommends the preservation of existing vernal pool complexes at a ratio of no less than 3:1 (including necessary ratio of upland to pool acreage). If this is not feasible, restoration and preservation of damaged pools and associated upland habitat that supports the pool at a ratio of no less than 4:1 (including necessary ratio of upland habitat). The Department generally does not recommend creation of vernal pools as this is experimental in nature and difficult to create the hydrology and ecosystem necessary to be successful. This option, if used, should include long term monitoring (ten years) and at a ratio of no less than 5:1 creation of both pool and supporting upland acreage.

**Comment #6: Impacts to Grasshopper Creek and its Tributaries**

**Issue:** The Department is concerned that a majority of the 15.09 acres of Grasshopper Creek and its tributaries are being filled, with little avoidance. It is not clear if vernal pools or perennial seeps have been included in this acreage.

As a Responsible Agency under CEQA Guidelines section 15381, the Department has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream, or use material from a streambed. For any such activities, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. As a Responsible Agency, the Department may consider the Negative Declaration or Environmental Impact Report of the local jurisdiction (Lead Agency) for the project. To minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.

**Specific Impact:** The Department is concerned the Project is filling an entire drainage that is directly upstream to habitat supporting the endangered least Bell's vireo (*Vireo bellii pusillus*), the endangered willow flycatcher (*Empidonax traillii*), as well as a main tributary to Castaic Lagoon. The DSEIR did not contain sufficient information for the Department to determine potential impacts, direct and indirect, to these two listed birds as a result of filling Grasshopper Creek. The DSEIR did not make a clear distinction between southwestern willow flycatcher (*Empidonax traillii traillii*) and willow flycatcher, both of whom are considered State endangered. It is not clear if debris basins, off-site slope or utility construction, trails, or fuel modification would have the potential to cause take of these two listed species. If the Project has the potential to directly or indirectly cause take of a state listed species, consultation with the Department is necessary to determine the appropriate coverage under the state's endangered species act.

Castaic Lagoon is proposed to be listed under Section 303(d) of the Clean Water Act as Impaired for polychlorinated biphenyls. Additionally, nutrients and algal blooms continue to be an issue in this area. The DSEIR also states 13 debris basins will be built but does not analyze the impact of changing the available sediment load downstream or how the change in storm hydrograph will affect downstream resources.

**Why impact would occur:** Direct loss of stream and wetland habitat directly affects water quality downstream. Additionally, piping or undergrounding streams create sediment and erosion issues downstream, as well as change the hydrograph of the stream, altering geomorphic processes and the listed species that depend on them. Urban runoff has been shown to be high in nutrients, as well as other contaminants.

**Recommended potentially feasible mitigation measure(s):** The Department recommends redesigning the Project to avoid impacts to Grasshopper Creek and any associated vernal pools, springs, or seeps.

If this is not feasible, especially given that this segment of drainage is directly adjacent and tributary to vireo and flycatcher habitat, as well as facilitates regional wildlife movement and provides a perennial source of water to wildlife via seeps and/or springs, the Department recommends creation of similar habitat at a ratio of no less than 4:1. The Department also recommends constructing a wildlife over- crossing over I-5 to allow wildlife to continued access to Castaic Lake as the removal of seeps and springs from the site is an impact to wildlife regionally. The Department also recommends monitoring of vireo and flycatcher populations and habitat quality downstream of the Project and provide measure in case a decline of habitat is detected. The Department recommends implementing a long-term cowbird (*Molothrus ater*) trapping program in the adjacent flycatcher and vireo habitat areas.

**Comment #7: Impacts to rare plants and vegetation communities not adequately mitigated**

A) Concerns with Proposed Mitigation. Mitigation measures for all rare plants and vegetation communities in the DSEIR state they "shall be preserved, restored, or enhanced on-site and/or off-site at a ratio to be determined by the County of Los Angeles Department of Regional Planning (LACDRP)". The Department does not consider this statement adequate in allowing the Department to compare the biological value of mitigation directly to the impacts. The Department does not consider the fragmented, small patch size, and highly affected by edge effect on-site preserved habitat as an appropriate place to move or mitigate any plant or vegetation community. These areas mainly serve as buffers to adjacent, higher quality habitat. The Department has concerns when the DSEIR states it will transplant species off-site as this implies other areas will be subject to impact by this action. This additional impact would then need mitigation as this ecosystem is now being altered. Additionally, the Department is concerned with moving individually collected plants and seed to an undisclosed, off-site location. The biological implication of mixing genes and specific alleles into new areas is not supported by the Department and may cause loss of both the transplanted species as well as the population they are being moved to/near.

B) Mariposa Lily Impacts. Impacts to club-haired mariposa lily (*Calochortus clavatus* var. *clavatus*) and over 3,000 slender mariposa lily (*Calochortus clavatus* var. *gracilis*) are proposed in Mitigation Measure 7 (MM7) that states the mitigation site will be located in dedicated open space in the study area or at an off-site mitigation site, and does not contain critical information including; numbers or densities, specific locations, techniques, or success criteria. The Department considers the loss of over 3,000 rare lilies regionally significant and MM7 does not demonstrate this population will survive long-term. The Department is not aware of any Mariposa lily seeding or translocation projects that have been successful at demonstrating a long-term self-sustaining population. The Department is aware of several large-scale lily seeding/translocation projects required by Los Angeles County in various CEQA documents; however, the Department has not received any evidence to demonstrate these undertakings are successful at securing a secure, self-sustaining population. A number of these projects involved transplanting bulbs into off-site areas already occupied with slender mariposa lily. The methods used in planting the bulbs ended up damaging the receptor site and caused more take of lily that occurred at this location.

The Department recommends avoidance of this significant population of a regionally rare species. If avoidance is not feasible, specific information on how impacts will be mitigated are necessary for the Department to make meaningful comments or recommendations as to the



biological soundness of any proposal. As stated above, MM7 does not appear to contain mitigation that the Department considers adequate in providing long-term success or survival of this species. MM7 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, length of time monitoring is required, or the method proposed for long-term protection and funding.

The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and weed control has been completed as this is considered the installation or preparation phase. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant individuals (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years.

MM7(f) states 60 percent of the seeds and bulbs collected shall be planted the first year, in an undetermined location. The Department does not concur with planting 60 percent of the collected seed/plants in the first year. Small scale, in situ plots with a few individuals should be conducted first to establish the baseline that these plants will naturally grow and set seed in these locations. Preferably, these growth plots should occur several years before grading impacts, to allow suitable planting areas be identified based on successful seed set. This could take multiple growing seasons and require germination studies. MM7(j) specifies undisclosed donor sites for seed collection. The Department strongly discourages mixing different population alleles into new areas as it compromises the integrity of the entire regional population.

C) Round-leaved Filaree. 39 round-leaved filaree (*Erodium macrophyllum*) plants detected in 2003 should be assumed still present. Department protocol specifically states a negative survey where there is a known population does not mean the species is no longer present; especially given 2014 was during a prolonged drought. The Department recommends avoidance of this regionally rare species. If avoidance is not feasible, specific information on how impacts will be mitigated are necessary for the Department to make meaningful comments or recommendations as to the biological soundness of any proposal. As stated above for Mitigation Measure 7, Mitigation Measure 6 (MM6) does not appear to contain mitigation that the Department considers adequate in providing long-term success or survival of this species. MM6 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, funding adequacy, protection, or the length of time monitoring is required. The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and all weed control has been completed as this is considered the installation or preparation phase. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant individuals (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years. The Department disagrees with the 1:1 mitigation ratio for a regionally rare species and recommends a minimum 3:1 ratio for both the acreage of habitat and number of individual plants.

D) Paniculate tarplant. Paniculate tarplant (*Deinandra paniculata*) impacts do not appear adequately mitigated under MM6. The DSEIR states that there are only 3 populations of this plant known to the region; one on the Project site, one on Newhall Ranch and another population that has not been documented since 1935 in Bouquet Canyon. Given the local and regional significance and rarity of this plant, the Department recommends avoidance of this population. MM6 does not appear to contain mitigation that the Department considers adequate



in providing long-term success or survival of this population. MM6 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, funding adequacy, protection, or the length of time monitoring is required. The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and all weed control has been completed. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant individuals (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years. The Department disagrees with the 1:1 mitigation ratio for a regionally rare species and recommends a minimum 3:1 ratio for both the acreage of habitat and number of individual plants.

E) Southwestern Spiny Rush. This project supports one of only six populations of southwestern spiny rush (*Juncus acutus ssp. leopoldii*) known to Los Angeles County. Given the local and regional significance and rarity of this plant, the Department recommends avoidance of this population. MM6 does not appear to contain mitigation that the Department considers adequate in providing long-term success or survival of this population. MM6 does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, funding adequacy, protection, or the length of time monitoring is required. The Department does not support the use of irrigation, and any monitoring should begin after any irrigation and weed control has been completed as this is considered the installation or preparation phase. Monitoring for rare plants should occur for a minimum of 10 years to allow trends to be analyzed. No negative trend in rare plant (counted separately as flowering, seed set and non-flowering individuals), and no positive trend in non-native plant cover should occur over the 10 years. The Department disagrees with the 1:1 mitigation ratio for a regionally rare species and recommends a minimum 3:1 ratio for both the acreage of habitat and number of individual plants.

F) Distance and Composition of Seed Collection. The DSEIR states seed and plant material may be collected up to 30 miles from the Project site. 30 miles extends well into Kern County's Tehachapi ranges as well as in a coastal watershed in Malibu. The Department recommends seed/plant collection occur from the Project site or the immediately adjacent (contiguous) property to preserve genetic integrity and species composition of the plant/community being impacted and any area proposed for restoration/creation also fall into this limited geographic scope. An example of collecting "buckwheat" (*Eriogonum fasciculatum*) from the greater Los Angeles area is that *Eriogonum fasciculatum* var. *fasciculatum* 1) is becoming invasive as it is being planted in areas it never occurred, 2) only occurred as a component with other *Eriogonum* species present 3) is being mistaken for *Eriogonum fasciculatum* var. *foliolosum* (present on the Project), and/or 4) other *Eriogonum* species are not being planted (*E. elongatum elongatum* as well as other *Eriogonum* species are documented on the Project).

G) Timing of Proposed Seed/Plant Collection. The DSEIR states rare plant seed will be collected and used for on-site or off-site restoration. Plants, especially the lily and filaree, do not bloom annually and may go dormant many years before conditions become favorable to germinate. The problem with relying on collection immediately before construction is that the plants may not germinate or germinate in far less numbers than are actually present. For this reason, the Department supports avoidance of on-site populations of lily and filaree populations. If seed collection is still proposed, the Department recommends multiple years of collection, ensuring collection during average rainfall years, to allow maximum genetic diversity to be represented in the seed/plant collections.

H) Facilities Certified to Store Rare Plant Parts. The only facility certified and approved to hold rare plant seed or material locally is Rancho Santa Ana Botanical Garden. Nurseries, seed suppliers, or consulting firms are not authorized to store rare plant seed or parts and do not possess the facilities necessary to maintain genetic isolation and pureness of collected material.

**Comment #8 Burrowing Owl (*Athene cunicularia*)**

**Issue:** In 2006, grading on a small portion of the Project site was authorized for another project. This resulted in the discovery of burrowing owls and a winter breeding survey being conducted in 2007. 5 burrows and 2 owls were discovered. In 2015, surveys were conducted. However only burrows identified in 2007 were visited during this 2015 survey and only during winter. Twenty burrows, most within active drainages, and 9 owls were documented in 2015.

**Specific Impact:** Burrowing owl surveys do not appear to have been conducted following the Department's guidelines<sup>8</sup>. According to the DSEIR, only burrows discovered 8 years prior were surveyed in 2015, and only during the winter. The entire site should be assessed during breeding and winter periods and all potentially suitable areas surveyed consistent with the burrowing owl survey protocol. Given the methodology used, it is likely additional owls and burrows have been missed and potentially breeding owls will be missed.

The Department does not consider the use of on-site natural open space appropriate as relocation sites for impacted burrowing owls. The 2007 burrowing owl survey report (Appendix D) specifies one owl using burrows 1, 18 and 19. These burrows are approximately 600-700 feet apart. Research has shown, based on telemetry studies and distribution of nests, foraging occurs around 600 meters (1968 feet) of their nests. Given the relative small patch size and fragmented nature of the proposed on-site natural open space areas, the Department does not feel it provides enough quality habitat or acreage to fully mitigate the impacted territories of the owls on-site.

**Recommended Potentially Feasible Mitigation Measure(s):** Before the Department can issue a permit under Fish and Game code Section 1600 *et seq* of the Fish and Game Code, surveys following Department protocol will be necessary to allow the Department to determine the extent of impacts to owls associated with drainages/riparian areas. The Department recommends the DSEIR be recirculated after these surveys are completed to fully disclose the potential impacts to owls and the number and kind of burrows. The Department recommends avoidance of on-site burrowing owls. The Department is unable to determine the effectiveness of the proposed mitigation due to lack of specific information on current burrow counts, use, territory size, number of owls and winter, and breeding protocol surveys. Additionally, any proposed mitigation area should include a discussion on the territory size and how the full territory will be mitigated.

**Comment #9: Deferred mitigation**

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<sup>8</sup> The California Burrowing Owl Consortium, 1993.  
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83842&inline>

**Issue:** CEQA Guidelines sections 15070 and 15071 require the DSEIR to analyze if the Project may have a significant effect on the environment as well as review if the Project will avoid the effect or mitigate to a point where clearly no significant effects would occur". Relying on future surveys, the preparation of future management plans, or mitigating by obtaining permits from the Department, are considered deferred mitigation under CEQA. In order to analyze if a project may have a significant effect on the environment, the Project related impacts, including survey results for species that occur in the Project footprint, need to be disclosed during the public comment period. This information is necessary to allow the Department to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).

**Comment #10: Bats**

**Issue:** Impacts to bats due to the implementation of the Project are not fully disclosed in the DSEIR. The DSEIR relies on future surveys at an undisclosed time and duration to detect bat species present. No bat mitigation is proposed other than 1 day of exclusion, which is not standard methodology when using exclusionary devices.

**Impacts to Bats:** The DSEIR states several species of bats have the potential to occur on-site; however, surveys were not conducted prior to circulation of the DSEIR. Therefore, the DSEIR does not adequately describe the potential for impacts to bats.

The Project site contains suitable habitat for several bat species that have the potential to occur on the Project site including; mature trees, rock outcrops, riparian habitat and is adjacent to a water source (Castaic Lagoon and Lake). Bats are considered non-game mammals and are protected by state law from take and/or harassment (Fish and Game Code § 4150, CCR § 251.1). Several bat species are also considered Species of Special Concern (SSC), which meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines §15065). The Department considers adverse impacts to a SSC, for the purposes of CEQA, to be significant without mitigation. Mitigation is not just avoiding maternity roosts, wintering sites, night roosts, mating roosts and foraging sites, but providing similarly functioning habitat to what is impacted. Additionally Mitigation Measure 13 recommends exclusion for 1 day prior to impacts. The Department does not agree with this methodology as this would likely lead to take of protected bat species.

Evidence Impact would be significant. Absent the above requested information, the DEIR does not analyze impacts to bats, and the DSEIR does not provide any alternatives discussion or any avoidance strategies to mitigate the loss of occupied bat habitat.

**Recommended Potentially Feasible Mitigation Measure(s):** Exclusion should be coupled with ensuring bats have suitable habitat available nearby to move and mitigating for the habitat lost, as well as monitoring the effectiveness of the exclusion.

The Department recommends bat surveys be conducted by a qualified bat specialist to determine baseline conditions within the Project and within a 500-foot buffer, and analyze the potential significant effects of the proposed Project on the species (CEQA Guidelines §15125). The Department recommends the DSEIR include the use of acoustic recognition technology to maximize detection of bat species to minimize impacts to sensitive bat species. The DSEIR

should document the presence of any bats and include species-specific mitigation measures to reduce impacts to below a level of significance.

To avoid the direct loss of bats that could result from removal of trees, rock crevices, structures, that may provide roosting habitat (winter hibernacula, summer, and maternity), the Department recommends the following steps are implemented:

- a) Identify the species of bats present on the site;
- b) Determine how and when these species utilize the site and what specific habitat requirements are necessary [thermal gradients throughout the year, size of crevices, tree types, location of hibernacula/roost (e.g., height, aspect, etc.)];
- c) Avoid the areas being utilized by bats for hibernacula/roosting; if avoidance is not feasible, a bat specialist should design alternative habitat that is specific to the species of bat being displaced and develop a relocation plan in coordination with the Department;
- d) The bat specialist should document all demolition monitoring activities, and prepare a summary report to the Lead Agency upon completion of tree/rock disturbance and/or building demolition activities. The Department requests copies of any reports prepared related to bat surveys (e.g., monitoring, demolition);
- e) If confirmed occupied or formerly occupied bat roosting/hibernacula and foraging habitat is destroyed, habitat of comparable size, function and quality should be created or ~~preserved and maintained at a nearby suitable undisturbed area. The bat habitat (not bat~~ houses) mitigation shall be determined by the bat specialist in consultation with the Department;
- f) A monitoring plan should be prepared and submitted to the Lead Agency. The monitoring plan should describe proposed mitigation habitat, and include performance standards for the use of replacement roosts/hibernacula by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats; and,
- g) Annual reports detailing the success of roost replacement and bat relocation should be prepared and submitted to Lead Agency and the Department for five years following relocation or until performance standards are met, whichever period is longer.

**Comment #11: Ringtail (*Bassariscus astutus*)**

**Issue:** The Department recommends the DSEIR address the potential for the Project to impact the fully protected ringtail. Suitable habitat is available on the Project site and ringtail is assumed present at Castaic Lake in an adjacent Federal Energy Regulatory Commission project. The Department recommends utilizing non-invasive survey techniques (e.g., the use of hair samples have been used in the past) to determine if ringtail is present on-site.

**Comment #12: Preconstruction Surveys as Mitigation.**

**Issue:** The DSEIR addressed the potential for sensitive species to occur within the Project footprint (DSEIR Table 5.2-4), and states Mitigation Measure 5.2-10, which requires limited preconstruction surveys and relocation, as mitigation that will bring impacts below the significance threshold. Specific surveys during appropriate seasons/times were not conducted to disclose if these resources would be impacted and if alternative Project design would avoid or lessen these impacts.

CEQA Guidelines Sections 15070 and 15071 require the document to analyze if the Project may have a significant effect on the environment as well as review if the Project will 'avoid the effect or mitigate to a point where clearly no significant effects would occur'. Relying on future surveys, the preparation of future management plans, or mitigating by obtaining permits from CDFW are considered deferred mitigation under CEQA. In order to analyze if a project may have a significant effect on the environment, the Project related impacts, including survey results for species that occur in the entire Project footprint need to be disclosed during the public comment period. This information is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).

#### **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDB at the following email address: [CNDDB@wildlife.ca.gov](mailto:CNDDB@wildlife.ca.gov). The types of information reported to CNDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

#### **FILING FEES**

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

#### **CONCLUSION**

The Department appreciates the opportunity to comment on the DSEIR to assist Los Angeles County in identifying and mitigating Project impacts on biological resources. The Department recommends addressing the information raised in this letter. The Department also recommends the County and Project Applicant consult with the Department regarding these issues.



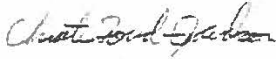
Mr. Jodie Sackett  
County of Los Angeles Hall of Records  
June 15, 2017  
Page 16 of 16

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Questions regarding this letter and further coordination on these issues should be directed to Kelly Schmoker at (949-581-1015), and [Kelly.Schmoker@wildlife.ca.gov](mailto:Kelly.Schmoker@wildlife.ca.gov).

Sincerely,



 Betty J. Courtney  
Environmental Program Manager I  
South Coast Region

cc: Brock Warmuth, CDFW, Los Alamitos  
Scott Harris, CDFW, Ventura  
Erinn Wilson, CDFW, Los Alamitos  
Robert Taylor, USFS, San Bernardino  
Leslie Welch, USFS, Arcadia  
Office of Planning and Research, State Clearinghouse, Sacramento

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California Regional Water Quality Control Board, Los Angeles Region  
320 W. 4th St., Suite 200  
Los Angeles, CA 90013  
Office of Planning and Research, State Clearinghouse, Sacramento

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## **Response to Comment Letter 4**

**Office of Planning and Research  
June 16, 2017**

**Response 4.1.** The comment letter identified the agencies that received the document through the State Clearinghouse. The comment letters provided by the State Clearinghouse include comments from the Department of Transportation and the Department of Fish and Wildlife, are individually addressed here as Comment letters (refer to comment letters 3 and 2, respectively).



## COUNTY OF LOS ANGELES

### FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294

Letter 5

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

May 25, 2017

Jodie Sackett, Principal Planner  
Department of Regional Planning  
Zoning Permits North  
320 West Temple Street  
Los Angeles, CA 90012

Dear Jodie Sackett:

**NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, "NORTHLAKE PROJECT," PROJECT NO. R2015-00408-(5), WOULD INVOLVE DEVELOPMENT OF UP TO 3,150 RESIDENTIAL UNITS, 9.2 ACRES OF COMMERCIAL USES, 13.9 ACRES OF INDUSTRIAL USES, 791.6 ACRES OF PARKS AND OPEN SPACE, A 23-ACRE SCHOOL SITE, AND A 1.4-ACRE PAD FOR A FUTURE FIRE STATION, CASTAIC, FFER 201700054**

The Notice of Completion and Availability of Draft Supplemental Environmental Impact Report 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:

#### **PLANNING DIVISION:**

Under the heading "Santa Clarita Area Fire Department Resources" within Section 5.5.3, much of the information that is referenced in the first paragraph is taken from the 2012 SCVAP and should be updated as follows:

Sentence two should state that there are 172 fire stations operated by the LACFD.

} 5.1

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	WALNUT
BELL GARDENS	COMMERCE	GLENDALE	IRVINDALE	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WESTLAKE VILLAGE
						SANTA CLARITA	WHITTIER

Sentence three should reflect that there are a total of 15 LACFD stations in the Santa Clarita Valley as of 2017 (including one temporary station) with plans to replace the temporary station with a permanent one by 2020.

Sentence five should clarify that it is a paramedic squad at Fire Station 149.

Sentence six should be updated to state, "The next closest stations in the area include one station in the unincorporated Castaic area, Fire Station 143 located at 28580 Hasley Canyon Road, and two stations in the City of Santa Clarita, Station 76 located at 27223 Henry Mayo Drive, and Station 156 located at 24525 Copper Hill Drive."

5.1 cont.

#### **LAND DEVELOPMENT UNIT:**

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

5.2

The Fire Prevention Division, Land Development Unit, has no additional comments regarding this project at this time. The Fire Department's comments and requirements have been addressed in the Environmental Impact Report.

The Fire Prevention Division, Land Development Unit, appreciates the opportunity to comment on this project. Should any questions arise, please contact Juan Padilla at (323) 890-4243 or [Juan.Padilla@fire.lacounty.gov](mailto:Juan.Padilla@fire.lacounty.gov).

#### **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. Potential impacts in these areas should be addressed.

5.3

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

#### **HEALTH HAZARDOUS MATERIALS DIVISION:**

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department recommends that a Phase I Environmental Site Assessment (ESA) be conducted to evaluate whether or not recognized environmental conditions (RECs) exist at (or near) the project site, especially petroleum oil wells and associated piping. If RECs are

5.4

Jodie Sackett, Principal Planner  
May 25, 2017  
Page 3

found to exist at (or near) the project site, then a Phase II ESA would likely have to be conducted which could lead to environmental oversight by the appropriate authorized government agencies such as, the California Division of Oil Gas & Geothermal Resources, the California Department of Toxic Substances Control (DTSC), the Los Angeles Regional Water Quality Control Board, and/or the HHMD Site Mitigation Unit. Also, the construction of any new public schools at the project site would require environmental oversight by the DTSC.

5.4 cont.

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

Very truly yours,



MICHAEL Y. TAKESHITA, ACTING CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

MYT:ac

## **Response to Comment Letter 5**

**County of Los Angeles Fire Department  
May 25, 2017**

**Response 5.1.** The comment provides some updated revisions to the existing information that is provided in Section 5.5.3 of the Draft SEIR. The suggested revision will be made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.5-6, Santa Clarita Area Fire Department Resources, first paragraph, of the Draft SEIR is hereby revised to read as follows ( shows the additional text and ~~strikethrough~~ show the deletions):

The Santa Clarita Valley area receives primary fire protection services from the LACFD as part of the Consolidated Fire Protection District. There are 416 fire stations within Los Angeles County, **172** ~~470~~ of which are operated by LACFD (**LACFD 2017**) (~~FireDepartment.net 2015~~). According to the SCVAP 2012, ~~There were a total of 15~~ **13** LACFD stations as of **2015** ~~2009~~ (including **1** ~~3~~ temporary stations) **with plans to replace the temporary station with a permanent one by 2020 (LACFD 2017)** ~~serving the area with plans to build 15 new, permanent stations by 2016 (LACDRP 2012b)~~. The Project site is approximately 2.7 miles from the nearest station, No. 149, located to the south at 31770 Ridge Route Road in the Community of Castaic. This station houses one engine company, one patrol unit and one **paramedic** squad unit (~~FireDepartment.net 2015~~, **LACFD 2017**). Other stations in the area include 3 stations in the City of Santa Clarita: Station 76 located at 27223 Henry Mayo Drive, Station 156 located at 24525 Copper Hills Drive, and Station 126 located at 26320 Citrus Street (~~FireDepartment.net 2015~~). Should a significant incident occur, the resources of the entire LACFD, not just the stations closest to the Project Site, would be used.

**Response 5.2.** The comment states that the Project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants. The comment is noted. As discussed in Section 5.5, Fire Hazards, of the Draft SEIR, the Project would comply with all applicable codes and ordinances. Specifically, the text of the Draft SEIR provides a summary of Title 32 of the Los Angeles County Code of Ordinances, referred to as the Fire Code. Additionally, discussion provided for Impacts 5.5-4, 5.5-5, and 5.5-7 in the Draft SEIR states that the Project would comply with the County Fire Code and discusses specific methods of compliance.

**Response 5.3.** The comment provides a statement about the statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division which include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archaeological and cultural resources and the County Oak Tree Ordinance. The comment states that Project impacts in these areas should be addressed. The Draft SEIR provided a full analysis of impacts to the environment. Impacts related to erosion control are addressed in Section 5.6, Geology and Soils as well as Section 5.8, Hydrology and Water Quality. Impacts related to watershed management are addressed in Section 5.8, Hydrology and Water Quality. Impacts related to rare and endangered species and vegetation are addressed in Section 5.2, Biological Resources. Impacts related to fuel modification, Very High Fire Hazard Severity Zone, and Fire Zone 4 are addressed in Section 5.5, Fire Hazards, Emergency Response, and Environmental Safety. Impacts related to archaeology and cultural resources are addressed in Section 5.3, Cultural Resources. The lack of anticipated impacts related to oak trees, oak woodlands and the County's Oak Tree Ordinance is addressed in Section 7.1.4 of the Draft SEIR.



**Response 5.4.** The Commenter requests that a Phase I Environmental Site Assessment (ESA) be conducted for the Project site. A Phase I ESA was completed on December 23, 2013 by Cardno ATC. It is attached to this Final SEIR as Appendix F. As detailed in the Phase I ESA, no recognized environmental conditions were identified in connection with the Project site and no further action is recommended. Based on the conclusions of the Phase I ESA, a Phase II ESA would not be required. It is also noted that the Project, as described in the Schools discussion on pages 4-12 through 4-14 of the Draft SEIR, identifies an optional school site. Should the school district pursue construction of a school on the Project site, the Department of Toxic Substances Control (DTSC) would be contacted regarding the need for an Environmental Oversight Agreement and Preliminary Endangerment Assessment as well as School Facilities and Transportation Services Division approvals, pursuant to required DTSC Procedures.



COUNTY OF LOS ANGELES  
AIRPORT LAND USE COMMISSION

Letter 6

June 1, 2017

County of Los Angeles  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles, CA 90012  
Attention: Jodie Sackett

**SUBJECT: ALUC REFERRAL CASE NO. RPPL2017007622  
NOTICE OF AVAILABILITY OF ENVIRONMENTAL IMPACT REPORT AND  
CONDITIONAL USE PERMIT NO. 201500019 – NORTHLAKE SPECIFIC  
PLAN PROJECT**

Dear Jodie Sackett,

Thank you for the opportunity to comment on the above referenced project. Staff of the Los Angeles County Airport Land Use Commission (ALUC) has reviewed the submitted document and has the following comments:

The proposed project is not located within an Airport Influence Area (AIA) of any airport in Los Angeles County. The nearest airport to the project in Los Angeles County is approximately 18 miles to the east. Therefore, the proposed project is not subject to L.A. County ALUC review in accordance with the Public Utilities Code (PUC), Section 21676.

} 6.1

If you have any questions regarding this matter, please contact Alyson Stewart at (213) 974-6432 or via email at [astewart@planning.lacounty.gov](mailto:astewart@planning.lacounty.gov), between 7:30 am and 5:30 PM, Monday through Thursday. Our office is closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

Bruce Durbin, Supervising Regional Planner  
Ordinance Studies Section

BD:as

**Response to Comment Letter 6**

**County of Los Angeles Airport Land Use Commission**  
**June 1, 2017**

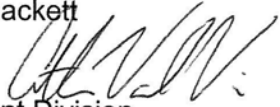
**Response 6.1.** The comment confirms that the Project is not within an Airport Influence Area and not subject to L.A. Country ALUC review. No further response is necessary.

## Letter 7

June 7, 2017

TO: Sam Dea  
Zoning Permits - North Area Section  
Department of Regional Planning

Attention Jodie Sackett

FROM: Art Vander Vis   
Land Development Division  
Department of Public Works

**NORTHLAKE SPECIFIC PLAN  
NORTHLAKE DRAFT SUPPLEMENTAL ENVIROMENTAL IMPACT REPORT-MAY 2017\_V2  
ADMINISTRATIVE DRAFT ENVIRONMENTAL IMPACT REPORT (ADEIR)/TR 073336  
UNINCORPORATED COUNTY CASTAIC AREA**

Thank you for the opportunity to review the ADEIR for the Northlake Specific Plan. The proposed site comprises of approximately 1,330 acres of undeveloped land east of Interstate 5 (I-5), west of Castaic Lake, and north of the community of Castaic in unincorporated Los Angeles County. The proposed land uses for the Project site includes the Phase 1 development area, also known as Vesting Tentative Tract Map 073336 and the Phase 2 development site which is set aside for future development.

Public Works has no comments on the ADEIR.

If you have any other questions or require additional information, please contact Henry Wong of Public Works' Land Development Division at (626) 458-4910 or [hwong@dpw.lacounty.gov](mailto:hwong@dpw.lacounty.gov).

HW:

File:\TR 073336\NORTHLAKE SPECIFIC PLAN ADEIR, Northlake Draft Supplemental Environmental Impact Report-May 2017\_v2\DPW\_Cleared\_RENV-201500030 Northlake Specific Plan ADEIR\_2017-06-07.doc

7.1

**Response to Comment Letter 7**

**County of Los Angeles Department of Public Works**  
**June 7, 2017**

**Response 7.1.** Commenter acknowledged review opportunity and had no comments. No further response is necessary.



City of  
**SANTA CLARITA**

23920 Valencia Boulevard • Suite 300 • Santa Clarita, California 91355-2196

Phone: (661) 259-2489 • FAX: (661) 259-8125

[www.santa-clarita.com](http://www.santa-clarita.com)

June 8, 2017

Mr. Jodie Sackett  
County of Los Angeles  
Department of Regional Planning  
Hall of Records, 13<sup>th</sup> Floor, Room 1348  
Los Angeles, CA 90012

Subject: Comments on Notice of Completion and Availability of the Draft Environmental Impact Report (DEIR) for Vesting Tentative Tract Map No. 73336 of the Northlake Specific Plan Area

Thank you for the opportunity to review and comment on the above referenced Notice of Completion and Availability.

The Northlake Specific Plan is comprised of a 1,330-acre development consisting of up to 3,150 residential units, 9.2 acres of commercial uses, 13.9 acres of industrial uses, 791 acres of parks and open space, a 23-acre school site, and a 1.4-acre pad for a future fire station. The proposed project (VTM 73336), consists of a 720-acre portion of the Northlake Specific Plan and includes 1,974 dwelling units (588 single family units, 1,041 multi-family units, 345 senior multi-family units), 13.9 acres of light industrial uses, 9.2 acres of commercial development, 407.3 acres of open space and parks (16.3 acre public park, 6.7 acres of private parks, 190.9 acres of manufactured slopes, and 167 acres of natural open space), and a 1.4-acre fire station pad.

The City requests additional specific discussion and/or particular analytic emphasis in the following areas:

*Jobs/Housing Balance*

The topic of jobs/housing balance has been an important issue addressed by the City and the County in the Santa Clarita General Plan and the Santa Clarita Valley Area Plan. The existing jobs/housing imbalance (baseline condition) results in existing impacts to traffic, air quality, and greenhouse gas emissions (GHG). The project EIR should include a further analysis or discussion of the effect of the project on jobs/housing balance, and the resulting effect of the project on traffic, air quality and GHG resulting from the jobs/housing balance impact of the project. A similar jobs/housing impact analysis should be conducted for each of the Alternatives, including the No Project Alternative.

8.1



Mr. Jodie Sackett  
June 8, 2017  
Page 2

*Traffic Analysis and Mitigation*

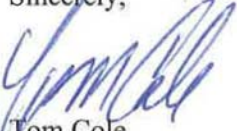
On April 20, 2015, the City of Santa Clarita submitted a comment letter in response to the Notice of Preparation of the DEIR for VTTM 73336. At that time, the City requested that specific intersections be analyzed as a part of the DEIR. Currently, the DEIR does not include an analysis of the identified intersections. At a minimum, the Traffic and Circulation section of the EIR should contain an analysis of project impacts at the following intersections:

I-5 NB Ramps & Newhall Ranch/SR-126  
Rye/Copper Hill & Newhall Ranch  
McBean & Newhall Ranch  
I-5 NB Ramps & Magic Mountain  
Ave Stanford & Rye Canyon  
McBean & Magic Mountain  
Tourney & Magic Mountain  
Ave Scott & Rye Canyon

8.2

Thank you again for the opportunity to comment on the DEIR. The City looks forward to reviewing the FEIR when it is available. If you have any additional questions, please contact me at (661) 255-4330.

Sincerely,



Tom Cole  
Director of Community Development

TC:MM:cf

cc: Jason Crawford, Planning Manager

<S:\CD\PLANNING DIVISION\CURRENT\County Monitoring\2017\Northlake Specific Plan\Northlake NOA DEIR comments 6-15-17.doc>

## **Response to Comment Letter 8**

**City of Santa Clarita**  
**June 8, 2017**

**Response 8.1.** This comment refers to the jobs/housing balance in the City of Santa Clarita and County stating that an imbalance impacts traffic, air quality and GHG emissions. The comment requests a further analysis of the Project on jobs/housing balance and its related impacts and with the same analysis for the Alternatives.

Implementation of the Project would result in (1) the introduction of a maximum of 3,150 housing units, 345 of which are senior designated; (2) the creation of an estimated 1,100 permanent jobs: approximately 780 jobs in office and retail and about 320 industrial positions<sup>3</sup>. The estimate of a buildout population of approximately 9,734 persons based on a 3.09 persons per household as identified in the Santa Clarita Valley Area Plan 2013 EIR. This serves as a conservative estimate used for impact analysis, since 345 of the dwelling units are senior designated and would likely have a lower persons per household rate. With 3,150 housing units and an estimated 1,100 jobs this equals a 0.35 job/housing balance.

It is acknowledged throughout the County of Los Angeles, especially in the Southern California Association of Government's (SCAG) 2016 Regional Transportation Plan/Sustainable Communities Strategy<sup>4</sup>, that there is an enormous housing deficit in the County. This Project will help alleviate the shortage and thus the Project's greater proportion of housing to jobs is justified. It is understood that the more and longer the commutes associated with a Project that the impacts increase in kind. However, the analysis of impacts for air quality, GHG emissions and traffic in the Draft SEIR take that into consideration. The traffic analysis and modeling is contained in Section 5.11 of the Draft SEIR. The traffic Projections are then used as input for the air quality and GHG analysis (Draft SEIR Sections 5.1 and 5.7). Therefore, the analysis in the Draft SEIR for the proposed Project and alternatives are based on the projected impacts associated with the Project.

**Response 8.2.** The comment states that the City of Santa Clarita submitted a letter in response to the NOP and requested specific intersections be analyzed as part of the Draft SEIR; however, these were not included in the Draft SEIR. A supplemental traffic memorandum (August 10, 2017) has been prepared to address impacts at the intersections requested by the commenter. As detailed in the attached supplemental analysis (Final SEIR Appendix G), the proposed Project would not significantly impact any of the eight study intersections identified in the comment under Existing plus Project conditions and 2028 with the Proposed Project Buildout Cumulative Conditions. It is noted that this supplemental analysis does not constitute significant new information because 1) no changes are required to the Project Description; 2) no new impacts have been identified; and 3) there has been no substantial increase in the severity of any identified impacts.

<sup>3</sup> OfficeFinder Information and Referral Network. How Much Office Space for This? How Much Office Space for That? (<http://www.officefinder.com/how.html>) and 2007 Buildable Lands Report Employment Density Study. (<https://snohomishcountywa.gov/DocumentCenter/View/7660>)

<sup>4</sup> Southern California Association of Governments 2016 Regional Transportation Plan/Sustainable Communities Strategy. (<http://scagrtpscscs.net/Documents/2016/final/f2016RTPSCS.pdf>)



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[www.lacsd.org](http://www.lacsd.org)

## Letter 9

# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

GRACE ROBINSON HYDE  
Chief Engineer and General Manager

June 14, 2017

Ref. Doc. No.: 4139722

Mr. Jodie Sackett  
County of Los Angeles  
Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Mr. Sackett:

### Response to the SDEIR for the Northlake Specific Plan Project

The Sanitation Districts of Los Angeles County (Districts) received a Supplemental Draft Environmental Impact Report (SDEIR) for the subject project on May 2, 2017. Previous comments submitted by the Districts in correspondence dated April 17, 2015 (copy enclosed), to Mr. Kim K. Szalay of your agency, still apply to the subject project with the following comments:

1. **1.3 PROJECT DESCRIPTION**, *page 1-2*, first paragraph under subtitle – Phase I of the proposed project includes the development of up to 13.9 acres of industrial uses. Industrial use developments may require a District's permit for Industrial Wastewater Discharge. Prior to the construction of any industrial use development, project developers should contact the District's Industrial Waste Section at (562) 908-4288, extension 2900, to reach a determination on this matter. If this permit is necessary, project developers will be required to forward copies of final plans and supporting information for the proposed project to the District for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, go to [http://www.lacsd.org/wastewater/industrial\\_waste/permit.asp](http://www.lacsd.org/wastewater/industrial_waste/permit.asp). 9.1
  2. **TABLE 1-3**, *page 1-65*, MM 5.12-4 – If an Industrial Wastewater Discharge Permit is required, connection fee charges will be determined by the Industrial Waste Section. 9.2
  3. **5.8.2 BACKGROUND INFORMATION**, *page 5.8-2*, third paragraph – "Treatment of the wastewater directed to the on-site facility or the Valencia Water Reclamation Plant (WRP) would be monitored by the County Sanitation Districts in accordance with the Water Reclamation Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for the facilities to ensure that discharge meets established water quality standards." 9.3
- Yes, treatment of the wastewater directed to the VWRP is monitored by LACSD in accordance with WRRs and NPDES permits issued to LACSD to ensure compliance with water quality

- standards. However, if an onsite facility was built for this project, all permitting and monitoring would be performed by the developer, unless arrangements and agreements are in place that state otherwise. The current wording implies that LACSD would be monitoring wastewater treatment and discharge if the wastewater is to be treated at an onsite facility. 9.3
4. **5.8.2 BACKGROUND INFORMATION**, *page 5.8-2*, third paragraph – The paragraph states, “The proposed project would result in an increase in wastewater generation requiring treatment”. The expected average wastewater flow from Phase I, described in the document as 1,974 dwelling units, 13.9 acres of light industrial uses, and 9.2 acres of commercial space, is 411,141 gallons per day. 9.4
5. **5.8.7 ENVIRONMENTAL IMPACTS**, *page 5.8-72*, third paragraph – The light industrial land uses being proposed are discussed as having the potential to generate wastewater effluent that violates waste discharge. Please refer to item no. 1 of this letter regarding the District’s industrial waste discharge requirements for potential developments. 9.5
6. **5.8.7 ENVIRONMENTAL IMPACTS**, *page 5.8-72*, fifth paragraph – Advanced treatment of the Valencia WRP effluent is necessary for the SCVSD to comply with the 100 mg/L chloride limit in the treated wastewater discharged by the SCVSD’s two wastewater treatment plants to the Santa Clara River. 9.6
7. **5.12.3 EXISTING CONDITIONS**, *page 5.12-10*, third paragraph – CLWA has a contract with LACSD for 1,600 afy of recycled water, not 1,700 afy. In the past, the Districts have authorized increases in this allotment on a temporary basis, but the current contract is for 1,600 afy. 9.7
8. **5.12.3 EXISTING CONDITIONS**, *page 5.12-11*, second paragraph – The Sanitation Districts’ 11 wastewater treatment plants have a combined total capacity of 650.8 million gallons per day. 9.8
9. **5.12.3 EXISTING CONDITIONS**, *page 5.12-11*, fourth paragraph – The wastewater flow originating from the proposed Northlake Development will discharge to a local sewer line for conveyance to District’s Castaic Trunk Sewer, located in Ridge Route Road at Lake Hughes Road. This 12-inch diameter trunk sewer has a design capacity of 1.8 million gallons per day (mgd) and conveyed a peak flow of 0.6 mgd when last measured in 2015. **This existing 12-inch diameter trunk sewer does not have sufficient capacity to accommodate the anticipated 1.2 mgd of wastewater from the proposed Northlake Development.** Please provide SCVSD with an updated schedule for the Northlake Development so that we may coordinate design of a relief sewer and mitigate any impacts that would result from additional flows from the proposed development. 9.9
10. **5.12.3 EXISTING CONDITIONS**, *page 5.12-12*, first paragraph – The SCVJSS currently produces an average recycled water flow of 17.9 mgd. 9.10
11. **5.12.3 EXISTING CONDITIONS**, *page 5.12-12*, first and second paragraph – The 2015 Santa Clarita Valley Joint Sewerage Systems Facilities Plan (2015 Plan) recommended two plant expansions (Stages V and VI) to bring the VWRP to its site capacity. The Stage V facilities completed in 2005 brought the VWRP to its current permitted capacity of 21.6 mgd. The Stage VI 9.11

Mr. Jodie Sackett

-3-

June 14, 2017

expansion would bring the VWRP's capacity to the site capacity of 27.6 mgd. Construction of Stage VI has not occurred because the need for the additional capacity has not yet materialized.

} 9.11 cont.

12. All other information concerning Districts' facilities and sewerage service contained in the document is current.

} 9.12

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza  
Customer Service Specialist  
Facilities Planning Department

AR:ar

Enclosure

cc: M. Sullivan  
M. Tatalovich



## COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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[www.lacsd.org](http://www.lacsd.org)

GRACE ROBINSON HYDE  
Chief Engineer and General Manager

April 17, 2015

Ref File No.: 3269787

Mr. Kim K. Szalay  
Special Projects Section  
County of Los Angeles  
Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Mr. Szalay:

### **NorthLake Specific Plan, Project No. R2015-00408-(5)**

The Santa Clarita Valley Sanitation District (District) received a Notice of Preparation of a Draft Environmental Impact Report for the subject project on March 24, 2015. We offer the following comments regarding sewerage service:

1. The project area is outside the jurisdictional boundaries of the District and will require annexation into the District before sewerage service can be provided to the proposed development. For a copy of the District's Annexation Information and Processing Fee sheets, go to [www.lacsd.org](http://www.lacsd.org), Wastewater & Sewer Systems, Will Serve Program, and click on the appropriate link. For more specific information regarding the annexation procedure and fees, please contact Ms. Donna Curry at (562) 908-4288, extension 2708.
2. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the District, for conveyance to the District's Castaic Trunk Sewer, located in Ridge Route Road at Lake Hughes Road. This 12-inch diameter trunk sewer has a design capacity of 1.8 million gallons per day (mgd) and conveyed a peak flow of 0.6 mgd when last measured in 2015.
3. The District operates two water reclamation plants (WRPs), the Saugus WRP and the Valencia WRP, which provide wastewater treatment in the Santa Clarita Valley. These facilities have a combined design capacity of 28.1 mgd and currently process an average flow of 19.3 mgd.
4. In order to estimate the volume of wastewater the project will generate, go to [www.lacsd.org](http://www.lacsd.org), Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link for a copy of the District's average wastewater generation factors.
5. The District is empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the District's Sewerage System for increasing the strength or quantity of wastewater attributable to a particular parcel or operation already

9.13



connected. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For a copy of the Connection Fee Information Sheet, go to [www.lacsd.org](http://www.lacsd.org), Wastewater & Sewer Systems, Will Serve Program, and click on the appropriate link. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at extension 2727.

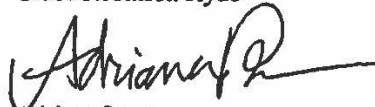
6. In order for the District to conform to the requirements of the Federal Clean Air Act (CAA), the design capacities of District wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CCA. All expansions of District facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of District treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the District intends to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of District facilities.

9.13

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Grace Robinson Hyde



Adriana Raza  
Customer Service Specialist  
Facilities Planning Department

AR:ar

cc: M. Sullivan  
J. Ganz

## **Response to Comment Letter 9**

### **County Sanitation Districts of Los Angeles County June 14, 2017**

**Response 9.1.** The comment refers to page 1-2, first paragraph under subtitle, of the Draft SEIR. The comment states that industrial use developments may require a County Sanitation Districts of Los Angeles County (LACSD) permit for Industrial Wastewater Discharge. The information provided by the Commenter is noted. The Project Applicant or Successor Developer will maintain communication with the County Sanitation District regarding the future need for permits for Industrial Waste Discharge as well as payment of any related fees.

**Response 9.2.** The comment refers to Table 1-3, page 1-65, MM 5.12-4 in the Draft SIER and indicates that if an Industrial Wastewater Discharge Permit is required, connection fee charges will be determined by the Industrial Waste Section. Refer to Response 9.1, above.

**Response 9.3.** The comment refers to page 5.8-2, third paragraph, of the Draft SEIR. The comment states that if an on-site facility is built for the Project, all permitting and monitoring would be performed by the Developer, not the LACSD, as the wording on page 5.8-2 of the Draft SEIR implies. Should an on-site facility be constructed in the future, all permitting and monitoring would be performed by the Project Applicant or Successor Developer.

**Response 9.4.** The comment summarizes information on page 5.8-2 of the Draft SEIR. No further response is required.

**Response 9.5.** The comment refers to page 5.8-72, third paragraph, of the Draft SEIR. The comment refers to the reader to comment 9.1 regarding the LACSD's industrial waste discharge requirements for potential developments. Refer to Response 9.1, above.

**Response 9.6.** The comment refers to page 5.8-72, fifth paragraph, of the Draft SEIR. The comment states that advanced treatment of the Valencia WRP effluent is necessary for the SCVSD to comply with the 100 mg/L chloride limit in the treated wastewater discharged by the SCVSD's two wastewater treatment plants to the Santa Clara River. The following text addition is identified to provide additional clarifying information and will be added to the Final SEIR. However, it should be noted that this revision does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.8-72, Wastewater Discharges, fourth paragraph, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

In order to comply with the Upper Santa Clara River Chloride TMDL, the SCVSD will need to add facilities because the existing treatment processes do not provide chloride removal. **Advanced treatment of the Valencia WRP effluent would be necessary for the SCVSD to comply with the 100 mg/L chloride limit in the treated wastewater discharged by the SCVSD's two wastewater treatment plants to the Santa Clara River.** The Valencia WRP NPDES Permit (Order No. R4-2015-0071) includes requirements and deadlines for several implementation actions related to adding chloride removal facilities, which are required to be constructed by July 1, 2019. During this period, an interim effluent limitation for chloride, which is a three-month rolling average that reflects the Saugus WRP and Valencia WRP monthly effluent flows and chloride concentrations, but not to exceed a maximum of 230 mg/L, is in effect. The Valencia WRP discharges have been in compliance with this interim effluent limitation.

**Response 9.7.** The comment refers to page 5.12-10, third paragraph of the Draft SEIR. The comment states that CLWA has a contract with LACSD for 1,600 afy of recycled water, not 1,700 afy, as stated in the Draft SEIR. The following text revision is identified to provide additional clarifying information. However, it should be noted that this revision does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.12-10, Water Supply Specific to Newhall County Water District, fourth paragraph, of the Draft SEIR under is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

CLWA currently has a contract with the Los Angeles County Sanitation District for 1,700 **1,600** afy of recycled water that became available in 2003). However, the NCWD does not currently have any infrastructure in place to utilize recycled water, but the NCWD does indirectly benefit because any recycled water use will allow for an offset of potable water supplies (including groundwater and SWP water) to be used in other areas of the Santa Clarita Valley, including the Proposed Project.

**Response 9.8.** The comment refers to page 5.12-11, second paragraph of the Draft SEIR. The comment states that the 11 wastewater treatment plants have a combined total capacity of 650.8 million gallons per day, not 634.6, as stated in the Draft SEIR. The following text revision is identified to provide additional clarifying information. However, it should be noted that this revision does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.12-11, Sanitation Districts of Los Angeles County, second paragraph, first sentence, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

Collectively, the Sanitation Districts own, operate, and maintain over 1,400 miles of main trunk sewers and 11 wastewater treatment plants with a total design capacity of ~~634.6~~ **650.8** million gallons per day (mgd) (LACSD 2016a).

**Response 9.9.** The comment refers to page 5.12-11, fourth paragraph. The comment states that the existing 12-inch diameter trunk sewer has insufficient capacity to accommodate the anticipated 1.2 mgd of wastewater from the Project. Consistent with MM 5.12-8 as stated in Section 5.12, Utilities and Service Systems, of the Draft SEIR, the Project Applicant or Successor Developer will coordinate with the LACSD to upsize the Castaic Trunk Sewer. The Project Applicant will provide an updated Project schedule when that information is available.

**Response 9.10.** The comment refers to page 5.12-12, first paragraph. The comment states that the SCVJSS currently produces an average recycled water flow of 17.9 mgd, instead of 19.3 mgd, as stated in the Draft SEIR. The following text revision is identified to provide additional clarifying information. However, it should be noted that this revision does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.12-12 of the Draft SEIR under Cumulative Design Capacity, first sentence, is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

The SCVJSS has a permitted treatment capacity of 28.1 mgd (6.5 mgd at SWRP and 21.6 mgd at the VWRP) and currently processes an average flow of ~~19.3~~ **17.9** mgd (LACSD).

**Response 9.11.** The comment refers to page 5.12-12, first and second paragraphs. The comment provides updated information pertaining to the 2015 Santa Clarita Valley Joint Sewerage Systems Facilities Plan. The following text revision is identified to provide additional clarifying information. However, it should be noted that this revision does not materially change the description of Project

or the findings of the Draft SEIR. The following text on page 5.12-12, Cumulative Design Capacity, second and third sentences, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

A 2-phase expansion of the VWRP (**Stages V and VI**) was approved and will ultimately increase the treatment capacity of the SCVJSS by a total of 15 mgd. The first phase (**Stage V**) of 9.0 mgd was completed in ~~2003~~ **2005**; the second phase (**Stage VI**), which has not been completed as of May 2015, will consist of an additional 6 mgd and would increase the total treatment capacity of the SCVJSS to 43.1 mgd. **Construction of Stage VI has not occurred because the need for the additional capacity has not yet materialized.**

**Response 9.12.** The comment indicates that all other information in the Draft SEIR is accurate. No response is required.

**Response 9.13.** The comment letter includes a previously submitted letter, dated April 17, 2015, in response to the IS/NOP. This letter was provided for reference and all comments included were previously included in preparation of the Draft SEIR.



Letter 10



**BARBARA FERRER, Ph.D., M.P.H., M.Ed.**  
Director

**CYNTHIA A. HARDING, M.P.H.**  
Chief Deputy Director

**JEFFREY D. GUNZENHAUSER, M.D., M.P.H.**  
Interim Health Officer

**ANGELO J. BELLOMO, REHS, QEP**  
Deputy Director for Health Protection

**TERRI S. WILLIAMS, REHS**  
Director of Environmental Health

**BRENDA J. LOPEZ, REHS**  
Assistant Director of Environmental Health

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**Kathryn Barger**  
Fifth District

June 16, 2017

TO: Jodie Sackett  
Senior Regional Planning Assistant  
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA, MPA  
Environmental Health Division  
Department of Public Health

SUBJECT: CEQA Consultation/ Draft Supplemental Environmental Impact Report (DEIR)  
PROJECT No. R2015-00408/ RENV-201500030  
Northlake Specific Plan  
Location: North of Castaic, East of HWY 5, and West of Castaic Lake

The Department of Public Health - Environmental Health Division has reviewed the information provided in the Draft Environmental Impact Report for the project identified above. The proposed project is to establish comprehensive guidance and regulations for the development of approximately 1,330 acres. We offer the following comments:

**Toxics Epidemiology Program**

Staff from Toxics Epidemiology Program (TEP) conducted a review of the North Lake Draft Supplemental Environmental Impact Report (DEIR). The following comments are presented:

**Noise**

- Air Quality MM 5.1-3 requires scheduling construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM and between 10:00 AM and 3:00 PM).

10.1

Scheduling constructions activities between 7:00 PM and 6:00 AM would conflict with Noise RR 5.10-1 unless a noise disturbance is not generated across property lines. We suggest to remove this time period option for construction activities.

10.1 cont.

#### Air Quality

- Air Quality MM 5.1-17 require crews to use masks or respirators that are adequate to restrict inhalation of particulates during Project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.

10.2

Suggest to replace MM 5.1-17 with the following: When worker exposure to dust is unavoidable, provide workers with NIOSH-approved respiratory protection with particulate filters in accordance with California Division of Occupational Safety and Health regulations.

For question regarding the above section, please contact Evenor Masis or Robert Vasquez at (213) 738-3220 or at [emasis@ph.lacounty.gov](mailto:emasis@ph.lacounty.gov) and [rvasquez@ph.lacounty.gov](mailto:rvasquez@ph.lacounty.gov).

For any other questions regarding this report, please contact me at (626) 430-5380 or at [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov).



## **Response to Comment Letter 10**

**County of Los Angeles Public Health  
June 16, 2017**

**Response 10.1.** The comment states that as stated in MM 5.1-3, scheduling construction activities between 7:00 PM and 6:00 AM would conflict with Noise RR 5.10-1 unless a noise disturbance is not generated across property lines. The following clarifying revision is hereby made to the Draft SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.1-25, MM 5.1-3, second bullet, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~striketrough~~ show the deletions):

- Schedule construction activities that affect traffic flow to off-peak hours (e.g., ~~between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM,~~ **and between 7:00 PM and 6:00 AM provided that a noise disturbance is not generated across a residential or commercial property line**).

It is noted that noise impacts related to construction traffic have been fully analyzed in Section 5.10, Noise, of the Draft SEIR, therefore, the above-noted revision would not create a new impact. Specifically, as discussed on page 5.10-20 of the Draft SEIR, noise impacts to off-site land uses resulting from construction traffic were analyzed, and it was determined that traffic volumes would temporarily increase along Ridge Route Road by 2 to 4 dBA  $L_{eq}$  during peak construction activity. This increase would increase the CNEL by approximately 2 dBA, which would be less than the 3 dBA CNEL threshold. Additionally, it was determined that construction traffic would also use Lake Hughes Road, which experiences higher volumes of traffic and higher associated levels of traffic noise under existing conditions than along Ridge Route Road; therefore a similar increase in traffic related to construction activities along Lake Hughes Road would represent a smaller increase in noise (i.e., less than the 2 dBA CNEL increase along Ridge Route Road) due to the louder ambient conditions along Lake Hughes Road. Therefore, the noise increase would also be less than the 3dBA CNEL threshold.

**Response 10.2.** The comment suggests replacement wording in MM 5.1-17 to indicate that when worker exposure to dust is unavoidable, provide workers with NIOSH-approved respiratory protection with particulate filters. The following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on pages 5.1-43, MM 5.1-17, second bullet, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~striketrough~~ show the deletions):

- Require crews to use **NIOSH-approved respiratory protection with particulate filters** ~~masks or respirators that are adequate~~ to restrict inhalation of particulates during Project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.

## Letter 11

**From:** Jodie Sackett  
**To:** ["John Arvin"](#); [Jennifer Marks](#)  
**Cc:** [Samuel Dea](#)  
**Subject:** FW: DEIR for Northlake Specific Plan Project, County Project No. R2015-00408-(5)  
**Date:** Wednesday, May 17, 2017 8:44:40 AM  
**Attachments:** [image002.png](#)

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FYI

Jodie Sackett  
Zoning Permits N^

---

**From:** Diane Versaggi [<mailto:dversaggi@sanmanuel-nsn.gov>]  
**Sent:** Friday, May 05, 2017 10:45 AM  
**To:** Jodie Sackett <[jsackett@planning.lacounty.gov](mailto:jsackett@planning.lacounty.gov)>  
**Subject:** DEIR for Northlake Specific Plan Project, County Project No. R2015-00408-(5)

Dear Mr. Sackett:

On May 2, 2017, the Cultural Resources Management Department for San Manuel Band of Mission Indians (SMBMI) received a Notice of Completion and availability of Draft Supplemental EIR for Northlake Specific Plan Project located in unincorporated L.A. County and the Santa Clarita Valley Planning Area. I am writing today to inform you and the County of Los Angeles DRP that the above-referenced project exists outside of Serrano ancestral territory and, as such, SMBMI will not be requesting consulting party status CEQA nor requesting to participate in the scoping, development, and/or review of documents created pursuant to these legal and regulatory mandates.

11.1

Should you have any questions about the content of this communication, please do not hesitate to contact Ms. Lee Clauss at your convenience.

Respectfully,

Diane Versaggi on Behalf of  
**Lee Clauss**  
**Cultural Resources Management Director**



O: (909) 864-8933 x3248  
M: (909) 633-5851  
[lclauss@sanmanuel-nsn.gov](mailto:lclauss@sanmanuel-nsn.gov)  
26569 Community Center Drive  
Highland, CA 92346

## Diane Versaggi

SENIOR ADMINISTRATIVE ASSISTANT

O: (909) 864-8933 x503096

Internal: 50-3096

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28569 Community Center Dr, Highland CA 92346

**SAN MANUEL**  
BAND OF MISSION INDIANS

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## **Response to Comment Letter 11**

**San Manuel Band of Mission Indians**  
**May 5, 2017**

**Response 11.1.** The comment acknowledges receipt of the Draft SEIR and indicated that the Project exists outside of Serrano ancestral territory; as such, the Commenter does not request consulting party status or to participate in scoping, development or review of documents. No response necessary.

**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
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May 22, 2017

Jodie Sackett  
County of Los Angeles  
Department of Regional Planning  
Hall of Records, 13<sup>th</sup> Floor, Room 1348  
320 West Temple Street  
Los Angeles, California 90012

**Draft Supplemental Environmental Impact Report Comments**  
**Northlake Specific Plan Project - SCH No. 2015031080**  
**Vesting Tentative Tract Map No. TR 073336**

Dear Mr. Sackett:

The subject property in the Santa Clara River watershed contains regionally significant day and night time viewsheds from Interstate 5 and comprises the eastern half of a regionally significant inter-mountain range habitat linkage across Interstate 5 between the Angeles and Los Padres National forests. The ecological integration of these two national forests has a direct affect on the long-term ecological viability of all the habitat located in the Santa Monica Mountains Conservancy's jurisdiction. The proposed 3.5 mile long development that requires 33 million cubic yards of initial grading would severely interfere with the integration of the two national forest ecosystems.

12.1

The Draft Supplemental Environmental Impact Report (DSEIR) concludes the counter opposite that the subject 1,330-acre property as is has inconsequential wildlife corridor value and if developed would not significantly impact public viewsheds because the subject natural segment of Interstate 5 viewshed is not a designated scenic highway. The DSEIR contains no actual viewshed analysis for potential impacts to public lands. The DSEIR is inadequate on both issues.

12.2

The proposed project would fill the entire length of 3.5-mile-long Grasshopper Canyon essentially converting an entire blueline stream watershed of the Santa Clara River into a massive impervious fill site directly bordering 2.5 miles of Castaic Lake State Recreation Area. The large fill would significantly reduce groundwater recharge into Castaic Lagoon and on intervening riparian habitat on State property.

12.3

The DSEIR concludes that the direct total elimination of 1,070 acres of core habitat can be mitigated below a level significance via both the future acquisition of totally unidentified land and the post-approval preparation and multi-year implementation of plant transplantation, rare amphibian relocation, and habitat restoration plans. In regards to western spadefoot toad relocation and burrowing owl nest site reestablishment, the DSEIR concludes there will be no significant impact just because some undefined number of animals are going to be moved at an undefined time to an undefined place with an undefined methodology or final resting place. Every single substantive DSEIR biological mitigation measure constitutes deferred mitigation. The feasibility of these biological mitigation measures and the timely availability of adequate mitigation lands is not at all demonstrated. The DSEIR provides no specific justification or analysis of how nebulous deferred mitigation would offset the loss of an entire remote watershed that is significantly enhanced ecologically by its 2.5-mile-along adjacency to the year-round, development-free water source of Castaic Lake.

12.4

The DSEIR is deficient for its total absence of recognition of how the subject property's adjacency to the protected public land around a year-round water lake significantly increases its per-acre habitat value. The DSEIR is further deficient for not addressing how the proposed preservation of offsite lands for multiple mitigation measures does not factor in the increased per-acre ecological value of Grasshopper Canyon lands because of their adjacency to protected land next to a 2.5-mile-long perennial water source. The County could factor that in but it must be disclosed in the DSEIR.

12.5

The proposed project would only result in 167 acres of open space that was not graded. The DSEIR is deficient for not disclosing that those 167 acres would be fragmented into approximately a dozen remnant pieces and that one third of the 167 acres would have to be cleared annually for mandatory brush clearance. The DSEIR does not address permanent onsite land protection measures, ownership, or stewardship. The DSEIR alternative project to only build Phase One on 720 acres makes no mention of permanent protection of the Phase Two area.

12.6

Where is the public benefit in this proposed project or any of its DSEIR alternative projects? They all eliminate a watershed, ruin an Interstate viewshed, degrade a State Recreation Area, require relocating a major oil pipeline onto State Park property, emit greenhouse gases from tens of millions of cubic yards of grading, and eliminate wildlife access to one of only two wildlife crossings under southbound I5 for a distance of 10 miles between

12.7



Castaic Creek and Templin Highway. How can Los Angeles County consider a statement of overriding considerations for a project so injurious to regionally significant public resources? Why would the Los Angeles Angeles County Sanitation District or Consolidated Sewer Maintenance District approve annexation of any large scale subdivision of this property? Why would Los Angeles County permit a major project access road, extensive grading in the I5 viewshed, and new utilities through its land adjacent to the Ridge Route? Such allowances may constitute a gift of public funds.

12.7 cont.

The DSEIR contains an inadequate range of alternative projects to avoid significant biological and visual impacts. Even the loss of a minimum of 720 acres of any habitat types from the Phase One project alternative would result in unavoidable significant adverse biological impacts. The DSEIR is deficient in stating that the project would not require a statement of overriding considerations for biological impact, including for the DSEIR's environmentally superior alternative which is just the Phase One project.

12.8

The Draft Supplemental Environmental Impact Report makes extensive reference back to both the 1992 Specific Plan Environmental Impact Report and the NorthLake Specific Plan. Any reliance on 1992 impact analyses and guidelines derived from such analyses cannot be valid anymore. For example the DSEIR just passes over any potential significant adverse ecological or night sky impacts from lighting up a 3.5-mile-long canyon and a 2.5-mile-long section of the Ridge Route based on the fact that all lighting would conform to lighting design guidelines set forth in the NorthLake Specific Plan. That reliance on the 1992 analysis for a poorly defined 2017 project makes the DSEIR further deficient. Because the proposed open space is fragmented into so many pieces, virtually no land in the project boundary would not be partially illuminated.

12.9

The DSEIR is totally deficient in multiple ways because it does not define the footprint for the proposed relocation of the major oil pipeline onto State Park and Department of Water and Power land. The relocation of the pipeline is an essential part of both the proposed project and every development alternative. Not only do the public and decision makers need to see where that pipeline would go, they need to know what its construction and lifetime maintenance impacts would be. The project description is thus also deficient. Most likely the State would also have to do a CEQA review for permanent damage and threat to State parkland and the water supply of southern California from potential oil spills.

12.10

The range of project alternatives is deficient because it lacks a project that does not require less than 15 million cubic yards of grading. Any project requiring 15 million cubic yards of grading and the loss of ten acres of wetlands in the wildlands of California next to State Park land and BLM land and located within one of the fifteen most imperiled habitat linkages in southern California defined in the 2000 South Coast Wildlands Missing Linkages Study cannot avoid regionally significant biological impacts. Just because a specific plan was approved in 1992 does not exempt the current land owner from 2017 conditions and information. The DSEIR shall remain deficient until it includes a feasible development alternative with less than 7 million cubic yards of grading and less than five acres of wetland habitat impact. The DSEIR is deficient for skirting this issue by determining that its dismissed Creek Avoidance Alternative was not feasible. The DSEIR states that that alternative is not feasible only because it would eliminate over half of the residential units and other uses. The DSEIR makes no mention of what entitles the project to more than half of the proposed residential uses. The DSEIR could have included an alternative with much more than half of the proposed residential units that partially filled the primary Grasshopper Canyon stream. That alternative would have greatly avoided biological impacts while also provide far more than half of the proposed residential units. Furthermore, the Project Objectives are so broad that this Conservancy-recommend DSEIR alternative for analysis could easily meet all of the project objectives.

12.11

12.12

#### **Interstate 5 - Inter-mountain Range Habitat Linkage Onsite**

The focus on inter-mountain range habitat linkages across Interstate 5 (I5) has sharpened greatly since the Northlake Specific Plan was adopted in 1992. The Conservancy's 2015 Notice of Preparation letter contains more extensive detail on this subject that was wholly dismissed from consideration in the DSEIR. Two underpasses beneath the southbound lanes of I5 provide excellent opportunity for wildlife to cross into the multi-hundred acre habitat area between the two south and north bound lane crossovers. One such underpass is located approximately parallel to the intersection of the northern boundary of Phase One and Old Ridge Route. The other undercrossing is located more northward, approximately in the center of the southwest quarter of Section 3. That is essentially the north-south mid-point of Phase Two. There may be additional undercrossings not uncovered by our analysis. These underpasses probably represent the southernmost, large animal routes under I5 until Castaic Creek crosses under by Highway 126.

12.13

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The DSEIR mentions that there is a tunnel under the southbound I5 lanes just across Ridge Road from the project. The DSEIR is deficient for not showing the relationship of this underpass to the project. The DSEIR is further deficient for not showing the relationship of both a second underpass under I5 to the north and the potential cross-I5 connectivity of the Violin Canyon flood control channel that enters the property and leads into a natural section of Castaic Creek. The attached figure shows the locations of these underpasses and related underpasses that go under the more westerly I5 lanes and the potential animal travel paths between existing protected public lands.

12.14

All of the subject underpasses are included within the linkage boundary shown in the South Coast Wildlands' "Missing Linkages" report as the Western and Eastern Sierra Madre Mountains Linkage. The linkage is further studied in the follow-up report "South Coast Missing Linkages Project - A Linkage Design for the Sierra Madre - Castaic Connection," completed in March 2005. The DSEIR is deficient for not addressing the importance of this study. The DSEIR is deficient for concluding that the habitat that connects to the two I5 tunnels directly west of the project is not important for cross-I5 connectivity because traveling around the north end Castaic Lake is too tough and out of the way for animals.

12.15

In 2016 the Mountains Recreation and Conservation Authority (MRCA) acquired the land between the Ridge Road and one of the subject tunnels. The property coordinates are 34°31'59.20"N and 118°38'40.33"W. The current APN is 3247-017-902 for the 7.2-acre parcel. The parcel was specifically acquired to protect wildlife connectivity to the tunnel. The proposed project would severely block habitat connectivity to both tunnels and severely degraded conditions for animals to reach the tunnels via proposed improvements to the Ridge Road and primary access road to the proposed development alternatives.

12.16

Please address any questions and future correspondence to the attention of Paul Edelman, Deputy Director of Natural Resources and Planning, at the above address and by phone at (310) 589-3200 ext. 128.

Sincerely,



IRMA MUNOZ  
Chairperson

## **Response to Comment Letter 12**

### **Santa Monica Mountains Conservancy May 22, 2017**

**Response 12.1.** The comment discusses the viewsheds and habitat linkage created by the integration of the Angeles and Los Padres National Forests. As discussed in Section 7.1.1 of the Draft SEIR, the visual impacts of the Project would be consistent with the NorthLake Specific Plan design guidelines and were determined to not result in a significant impact. Because the proposed Project would be within the development footprint of the original NorthLake Specific Plan Project as evaluated in the 1992 SP EIR, the findings of less than significant impacts related to Scenic Quality, as noted in Section 4.7 of the 1992 SP EIR would continue to apply to the currently proposed Project. In order to support these findings of less than significant impacts, view simulations of the proposed Project were prepared and are included as Appendix H to the Final SEIR. As shown in Appendix H of the Final SEIR, six separate view simulations were prepared to show the anticipated changes from areas surrounding the Project site, including known recreational areas associated with Castaic Lake, a residential neighborhood located west of I-5, areas within the national forest to the north, and motorists traveling along the I-5 freeway. The view simulations show minimal changes to the mid-ground views and do not show any changes that would significantly impact views of distant mountains. Further, although the Project would alter views on the Project site, consistent with the discussion provided in Section 7.1.1 of the Draft SEIR, the proposed development would occur within a canyon; therefore, views of the proposed development would be extremely limited from outside of the Project site, as illustrated in Appendix H of the Final SEIR.

**Response 12.2.** The comment states that analysis of viewsheds and habitat linkage in the Draft SEIR is inadequate. As discussed in Response 12.1, view simulations were prepared for the proposed Project and are included as Appendix H to the Final SEIR. Specifically, view simulations were prepared to represent views from surrounding public lands associated with Castaic Lake to the south and southeast and the national forest to the north. As discussed in Response 12.1, the proposed development would occur within a canyon; therefore, views of the proposed development would be extremely limited from outside of the Project site, as illustrated in Appendix H of the Final SEIR.

**Response 12.3.** That comment states that groundwater recharge would be significantly reduced due to the placement of the Project within Grasshopper Canyon. As discussed on pages 5.8-73 and 5.8.-74 of the Draft SEIR, the NorthLake Specific Plan Project site is not underlain by a groundwater basin. The nearest basin is the Santa Clara River Valley East Basin, which is located south and east of the Project site near Castaic Lake (see Exhibit 2-4 in the Water Quality Technical Report (WQTR) (see Appendix H-2 of the Draft SEIR)). The Project would introduce impervious surfaces to the Project site through development activities which would reduce the amount of permeable area within the Project site. However, because the proposed development area is not located in an area underlain by a groundwater basin, Project-related development would not directly interfere with groundwater recharge.

As discussed in the WQTR on pages 129-130 (see Appendix H-2 of the Draft SEIR), infiltration with a potential to recharge groundwater from the Project's developed areas could occur in three ways: (1) through general infiltration of irrigation water, (2) through infiltration of urban runoff in the proposed water quality facilities, and (3) infiltration of urban runoff, after treatment in the LID BMPs, in Grasshopper Creek and Castaic Lagoon.

As the Project area is not currently irrigated, the amount of water that is available to infiltrate within the Grasshopper Creek watershed due to landscape irrigation would increase.

Infiltration and evapotranspiration of stormwater would decrease within the developed portion of the Project due to the increase in impervious area. Geosyntec Consultants used the watershed-scale modeling analysis developed for the hydromodification impact analysis (see Appendix C of the WQTR, Appendix H-2 of the Draft SEIR) to estimate the decrease in infiltration that would result from the Project development. This estimation accounts for infiltration loss in the watershed due to the added impervious area and percolation through the bottom of the water quality facilities. The long-term volume of stormwater infiltrated in the Grasshopper Creek watershed would decrease by an estimated 51 ac-ft per year (1.5 percent) due to the proposed Project.

In contrast, the Project's surface water runoff is predicted to increase by 98 acre-feet per year on average (see Table 7-1 in the WQTR, Appendix H-2 of the Draft SEIR). This increase in surface runoff would flow primarily through Grasshopper Creek to the Castaic Lagoon, which will store the surface runoff and recharge it to the Santa Clara River Valley East Basin. Therefore, the Project is expected to increase groundwater recharge and the Project would not cause significant adverse groundwater recharge impacts.

**Response 12.4.** The comment addresses the adequacy of the MMs presented in the Draft SEIR and suggests that the measures to mitigate for impacts to biological resources are deferred mitigation.

Mitigation measures requiring the development of a plan, inclusive of a set of success criteria, with required lead agency approvals prior to Project implementation is a widely accepted mitigation approach. However, in an effort to provide the public with biological mitigation planning details beyond the Draft SEIR where feasible, a draft Western Spadefoot Mitigation Plan and a Draft Special Status Plant Species Mitigation Plan have been included in Appendix C of the Final SEIR. Burrowing owls have been documented wintering on the Project site; however, negative results of 2017 breeding season focused surveys and lack of detection in all cumulative years of wildlife surveys on the site clearly indicate that this species does not breed on the Project site. Mitigation for wintering burrows has been included in Section 5.2.7, Impact Analysis and Mitigation Measures, MM 5.2-7, 5.2-8, 5.2-13, and 5.2-14. Mitigation Measure 5.2-14 specifically address that if potentially suitable burrows are located in the assessment area, any burrows that may be impacted by the Project will be replaced with artificial burrows within on-site or off-site (if applicable) preserved areas with potentially suitable burrowing owl habitat.

The Draft SEIR states a minimum ratio in all applicable rare plant and vegetation replacement mitigation measures. The selection of the ratios is based on the feasibility of a reasonable expectation that it will achieve success criteria in the replacement of lost functions and values of these vegetation types with an equal or greater value than the impacted areas. Furthermore, the determination is consistent with the typical approach to mitigation for such resources in the region. It is acknowledged that on-site opportunities are limited to implement these mitigation measures, however, there are off-site opportunities. Based on a preliminary review of off-site habitat mitigation opportunities (i.e., prior to detailed negotiations with prospective sellers), there are ecologically suitable parcels available for this purpose, such as the 6,000-acre Temescal Canyon property. The Temescal Canyon property is a large, contiguous, undeveloped land area located less than two miles west of the NorthLake property, along the southern boundary of Angeles National Forest. Other lands demonstrate similar opportunities such as the Petersen Mitigation Bank and Santa Paula Creek Mitigation Bank. Therefore, off-site mitigation is considered a viable option to satisfy some or all of the habitat mitigation requirements of the Project. Therefore, the Draft SEIR is correct in noting the various options, inclusive of on-site areas. In addition, the final Habitat Mitigation Plan required by mitigation measures MM\_5.2-6, 5.2-7, and 5.2-8 would include more detailed parameters defining what types of land will be considered suitable for mitigation. To provide further information, a Draft Conceptual Habitat Mitigation Plan has been prepared and is provided as Appendix C of the Final SEIR. For additional information regarding

the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

In addition, a Draft Special Status Plant Mitigation Plan has been prepared and is provided as Appendix C of the Final SEIR. Per the plan, plant relocation would only occur within areas where impacts to existing communities are considered beneficial and genetic similarity is expected due to proximity.

**Response 12.5.** The comment states that the Draft SEIR is deficient due to the lack of recognition of habitat/ecological value. page 5.2-14 of the Draft EIR clearly states the habitat value of the Project site: “Grasshopper Canyon is undeveloped and is adjacent to open space in the Angeles National Forest (ANF) and Castaic Lake State Recreation Area (SRA), both of which provide high-quality wildlife habitat.” It is acknowledged that any offsite mitigation lands would be of great value should they connect to other areas of high value habitat. However, it should be noted that the preservation and purchase of offsite land is not necessary if a Project does not move forward that requires this type of mitigation.

**Response 12.6.** The comment discusses the 167 acres of open space included in the Project, on-site land protection measures, and Project alternatives. page 5.2-59 and -60 provide a detailed summary of the non-impacted habitat types on the Project site, which total 325.5 acres, not 167 acres. The non-impacted habitat types are located primarily along the periphery of the project adjacent to open space areas. The potential indirect impacts from human activity (including fragmentation) were deemed potentially significant and mitigation is required. As stated on pages 5.2-40 and 5.2-41:

The disturbance of natural open space remaining in or adjacent to the Project site would be increased by the human activity (i.e., noise, foot traffic) from the development. The value of the habitat in the study area would diminish as human disturbance from the development may disrupt normal foraging and breeding behavior of wildlife remaining in the study area and vicinity. The disturbance from human activity in conjunction with the increased edge effects from habitat fragmentation and habitat loss would be considered potentially significant as it would contribute to an additional incremental loss of habitat.

It should also be noted that habitat within the Fuel Modification Zone is included within the total impact areas for the Project. In an effort to clarify, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.2-34 will have the following text inserted after the first sentence of this section (underline shows the additional text):

**This undeveloped natural open space would be undisturbed by the Project and does not include fuel modification areas. The development footprint impact area includes a fuel modification buffer zone.**

The Project Applicant is responsible for implementation of all mitigation measures. The implementation of all mitigation measures shall be over seen by either the County and/or the wildlife agencies. This includes the long-term preservation of the mitigation sites, to ensure that the mitigation sites are not impacted by future development. A conservation easement and a performance bond shall be secured prior to implementation of mitigation programs, as stated in MM 5.2-6j and will be tracked in the MMRP.

The Commenter questions whether there will be permanent protection of Phase 2. page 1-1 of the Draft SEIR states “The proposed Project includes development of Phase 1 of the NorthLake



Specific Plan to be implemented via Vesting Tentative Tract Map No. 73336 (VTTM 73336), which includes approximately 720 acres of the southern portion of the Specific Plan area and the remaining property for Phase 2 to be developed at a future time.” This is restated in Section 1.0, Executive Summary in Section 1.3, Project Description, of the Draft SEIR.

Section 4.0, Project Description of the Draft SEIR and all subsequent sections also addresses future development of Phase 2. In order to provide additional clarity, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 4-2, first paragraph, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

Collectively, the proposed Project is defined as the entire 1,330-acre site, including ~~the 1) Phase 1 (defined as 720-acre VTTM No. 073336, totaling 720 acres); area and 2) the remainder property for Phase 2 to be developed at a future time (the “External Map Improvements”); and 3) associated off-site external map improvements totaling on 65.13 acres, more particularly which are~~ described on page 4-8 **and** ~~, which include remedial grading, drainage features and road and utility alignments, and the remainder property for Phase 2 to be developed at a future time (the “External Map Improvements”).~~ In addition to updating program-level information from the 1992 Specific Plan EIR, this SEIR evaluates Project-level impacts from implementation of the *NorthLake Specific Plan*, including both development of Phase 1 as well as future development of Phase 2.

**Response 12.7.** The commenter asks what is the public benefit of the Project or alternatives stating that there are impacts associated with the Project: eliminating a watershed, viewshed impacts, degradation of a State Recreation Area, relocating an oil pipeline onto State property, GHG emissions from grading, eliminating wildlife access crossing to one of two crossings under southbound I-5 for 10 miles. The question is also asked, why would the Sanitation District or Sewer Maintenance District approve annexation as well as permit a major access road, extensive grading and new utilities adjacent to the Ridge Route, stating that this may constitute a gift of major funds.

Contrary to the comment, no watershed is being eliminated. However, as discussed in Section 5.8, Hydrology, of the Draft SEIR, Project construction would alter several creeks onsite to provide for Project development. Regarding viewshed impacts, as stated in Section 7.1.1 Aesthetics of the Draft SEIR “Additionally, because the Project would be located in a canyon and because the trails are located east of the Project site and any significant views would be to the east of south, Project-related development would not obstruct distant views from the trails. Therefore, impacts related to visibility from or obstruction of views from a regional riding or hiking trail would be less than significant.” Please note that visual simulations have been prepared and are available as Appendix H. No impacts are projected to occur within the State Recreation Area as a result Project development. (The pipeline relocation will take place as specified by and compliance with all applicable State regulations. [See Responses to Comment Letter 1 regarding pipeline relocation.]) Section 5.7, Greenhouse Gas Emissions, of the Draft SEIR, provided an analysis of GHG and concluded that with implementation of the recommended mitigation measures (MM 5.7-1 through 5.7-17 and MM 5.1-13), the Project’s impact on GHG emissions would be less than significant.

See Response 2.3 for a thorough analysis of wildlife movement in the Project area.

The applicable Districts will do their own analysis along with Los Angeles County LAFCO to determine if the annexation is appropriate and may require other conditions if they determine if they are required. As to the access road, grading and utilities required for the Project, they are

considered to be part of the Project as described in Section 4.0, Project Description, of the Draft SEIR, and analyzed throughout the Draft SEIR.

As to the public benefit, there are 167 acres of publicly accessible park land included within the Project – active, hiking trails, dog park and vistas. There will also be the creation of an estimated 1,100 permanent jobs: approximately 780 jobs in office and retail and approximately 320 industrial positions<sup>5</sup>, in addition to the 3,150 housing units. Housing is at a critical point in Los Angeles County, with many new units needed to meet the growing needs of the area. The Project site is privately-owned property that has already been approved with a Specific Plan in place. This Project reduces the impacts and amount of development already approved for development on the Project site. One of the key provisions of the CEQA Guidelines on alternatives (Section 15126.6[b] through [f]) is that “the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objective, or would be more costly” (15126.6[b]).” Because all of the impacts identified for biological resources would be mitigated to a less than significant level, no significant biological resources impacts would occur. Additionally, no significant and unavoidable visual impacts were identified for the proposed Project, as noted in Section 7.1.1, Aesthetics, of the Draft SEIR. Based on Section 15126.6 of the State CEQA Guidelines, the Draft EIR did not identify any significant and unavoidable impacts to biological resources or visual resources; therefore, an alternative that reduces impacts to these resources was not evaluated.

**Response 12.8.** The comment states that the range of alternatives for the proposed Project is inadequate and that the Project would require a Statement of Overriding Consideration (SOC) for biological impacts. The identification and analysis of Project alternatives in the Draft SEIR is consistent with the emphasis of CEQA Guidelines Section 15126.6 that the selection of Project alternatives be based primarily on the ability to avoid or substantially lessen significant impacts relative to the proposed Project. CEQA Guidelines Section 15126.6 specifically states that an EIR need not consider every conceivable alternative to a Project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. Therefore, pursuant to CEQA, the Draft SEIR appropriately analyzed a reasonable range of feasible Project alternatives. With the inclusion of four alternatives (as well as 2 alternatives determined not to be feasible), the Draft EIR provides the decision-makers with a diverse set of alternatives that allow for a reasoned choice between varying densities, heights, designs, and land uses. The four alternatives to the Project selected for analysis were evaluated in Section 6.0, Alternatives, of the Draft SEIR. The analysis included in Section VI, Alternatives, of the Draft SEIR, is comprehensive and fully informs the decision makers regarding the alternatives and associated environmental impacts. Therefore, as demonstrated in Section VI, Alternatives, of the Draft SEIR, the County has made a good-faith effort to identify and analyze an appropriate set of alternatives. CEQA does not require analysis of alternatives suggested by commenters, and does not require an alternative to eliminate a potentially significant unmitigable impact, but rather the alternative should have a lesser impact than the Project. Additionally, contrary to the commenter’s assertion that there are a significant and unavoidable biology and visual impacts, the Draft SEIR concluded that biology and visual impacts were less than significant with implementation of mitigation where appropriate. As such, alternatives to less these less than significant impacts did not need to be analyzed.

<sup>5</sup> OfficeFinder Information and Referral Network. How Much Office Space for This? How Much Office Space for That? (<http://www.officefinder.com/how.html>) and 2007 Buildable Lands Report Employment Density Study. (<https://snohomishcountywa.gov/DocumentCenter/View/7660>)

**Response 12.9.** The comment suggests that the 1992 NorthLake Specific Plan EIR is too old to rely on its impact analysis. The NorthLake Specific Plan is an approved Project of record within the County of Los Angeles. As discussed in Section 2.2.2 of the Draft SEIR, the NorthLake Specific Plan was adopted by the County of Los Angeles in 1992; the current Project, as evaluated in the Draft SEIR, would implement the previously adopted Specific Plan and involves an area and intensity of physical development that is 25 percent less than what was previously considered in the 1992 SP EIR (refer to Table 4-2, Land Use Area Comparison, of the Draft SEIR for a comparison of what was originally evaluated and approved for the NorthLake Specific Plan and the revised Project evaluated in the Draft SEIR). Specifically, development of the Project site under current entitlements, which is discussed in detail in the No Development/Development Pursuant to the Approved NorthLake Specific Plan Alternative in Section 6.6.2 and pages 6-11 through 6-16 of the Draft SEIR, would result in a more impactful development due to a higher unit count, increased development footprint, and increased impacts associated with more development when compared to the modified Project being evaluated in the Draft SEIR.

As such, the EIR for that project is still a valid and instrumental document of reference the Draft SEIR serves as a supplemental EIR that focuses on additions and changes made to the 1992 SP EIR. The impacts associated with this Project have been carefully assessed where the impacts are different enough that documentation and analysis of those differences are required to assess the impacts and the difference between the previously approved Project and the currently proposed Project. Additionally, all new analyses are based on current data and accepted methodologies. In areas where the impacts are the same or less than the approved Project an analysis was not required as the Project impacts had already been assessed and an EIR was certified. Additionally, several topical areas were addressed through the Initial Study process, which are summarized in Section 7.0, Other CEQA Topics; specifically, on page 7-2 of the Draft SEIR, impacts related to new sources of substantial shadows, light, or glare are discussed. As discussed, the Project is anticipated to create new sources of light and glare during both construction and operation of the Project. However, it was determined that lighting would be confined to the Project boundaries, and proposed lighting would be shielded or directed downwards to minimize light spillover. Further, as discussed on page 7-2 of the Draft SEIR, all development would conform to the lighting design guidelines set forth in the *NorthLake Specific Plan*, which is included in its entirety as Appendix B to the Draft SEIR. Although the Project has open space scattered throughout the Project site, there is a substantial amount of open space concentrated at the north end of the site and along the Project site boundaries. The Project is also leaving much more undeveloped property than in the approved Project. These areas do have the potential to be exposed to lighting associated with the Project; however, as discussed on page 5.2-40 and 5.9-41 of the Draft SEIR in response to Policy CO-3.6.1 of the Santa Clarita Valley Area Plan, increased lighting would be addressed through preparation and submittal of a Lighting Plan which would limit lighting adjacent to open space areas, thus reducing the potential for sky glow (refer to MM 5.2-17 on page 5.2-56 of the Draft SEIR). However, the Specific Plan does not include a night sky plan or ordinance.

**Response 12.10.** The comment states that the Draft SEIR is deficient as it does not define the footprint for the relocated oil pipeline. As discussed in the Responses 1.1 through 1.4, a revised pipeline relocation plan has been prepared which proposes to relocate the existing oil pipeline to the east but within the grading footprint associated with the NorthLake Specific Plan Project, as described in Section 4.0, Project Description, of the Draft SEIR (refer to Appendix A of the Final SEIR). The revised pipeline relocation plan includes two phases to correspond with anticipated buildout of the NorthLake Specific Plan.

**Response 12.11.** The comment states that the range of alternatives for the proposed Project is inadequate. The commenter identifies that the Draft SEIR must evaluate an alternative that does not require less than 15 million cubic yards of grading and a loss of less than 10 acres of wetlands;

later in the comment, it is stated that the Draft SEIR must evaluate an alternative that is less than 7 million cubic yards of grading and a loss of less than 5 acres of wetlands. There are no requirements that the referenced alternatives be addressed. The only requirements for the range of alternatives addressed are identified in Section 15126.6 of the State CEQA Guidelines.

As discussed in Response 12.8, above, in accordance with Section 15126.6(a) of the State CEQA Guidelines, the discussion in Section 6.0, Alternatives to the Proposed Project, of the Draft EIR focuses on a reasonable range of alternatives. Other than the “No Project” alternative(s), which are required by CEQA, each alternative must be capable of avoiding or substantially lessening potentially significant effects of the Project. Alternatives in the Draft SEIR were selected to address impacts identified as significant and unavoidable, including significant and unavoidable traffic and air quality impacts. For this reason, Section 6.0, Alternatives, included a Phase 1 Development Alternative that reduced the potential development area to the approximately 720-acre Phase 1 development site. This alternative was found to substantially reduce the development area, by approximately 46 percent as noted on page 6-23 of the Draft SEIR. As also discussed on page 6-23 of the Draft SEIR, this alternative would reduce the level of impacts to biological resources as well as air quality emissions associated with a reduced grading footprint. Additionally, as discussed on page 6-26 of the Draft SEIR, this alternative would result in reduced vehicular trips and avoid impacts to three study intersections because of the reduction in development.

**Response 12.12.** The comment states that the range of alternatives for the proposed Project is inadequate. The commenter states that dismissing the Creek Avoidance Alternative as infeasible is inappropriate due to the potential to develop more residential units and avoid more biological impacts than with the proposed Project. As discussed in Section 6.5.1 of the Draft SEIR, the lead agency did explore a Creek Avoidance Alternative. An alternative designed to avoid building or grading in the blueline area of Grasshopper Canyon, such an alternative would require export of over 10 million cubic yards of soil, would eliminate commercial, multi-family, and single-family development, would require buttressing of all west facing slopes along Grasshopper Canyon, and would require construction of at least three bridges to allow for access and circulation. This alternative would not meet the Project objectives to enhance local economic well-being with commercial uses that would create jobs, provide a mix of uses to reduce offsite vehicle trips and VMT, and provide a significant amount of housing onsite with a wide range of home sizes and prices. The amount of developable land allowed under this alternative would be greatly reduced in comparison to the proposed Project due to avoidance of Grasshopper Canyon; all development would be located east of Grasshopper Canyon, which is a central feature that runs through the approximate center of the Project site. Because of this, the number of residential units and amount of commercial and industrial development would be greatly reduced in comparison to the proposed Project.

In addition, a Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations’ reliance on fuel-consuming mechanical equipment.

The discussion regarding the reasons for determining that the Creek Avoidance Alternative should not be considered has been modified to provide additional clarification.

The following clarifications are hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 6-7, Creek Avoidance Alternative, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

As the current applicant was re-initiating the Specific Plan a land plan was laid out that avoided the creek bottom that runs through the middle of the ~~p~~**Project**. This land plan placed development on one side of the creek with development terraced up the slope to minimize grading, **which would require export of over 10 million cubic yards of soil and extensive buttressing along all west facing slopes along Grasshopper Canyon**. This plan was attempted to avoid impacting the creek habitat, avoid jurisdictional wetlands (waters under the authority of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board).

Although this alternative would be less impactful **for some resource areas**, it would also eliminate more than half of the residential units and the other uses **due to the limited development area**. However ~~However~~ **Despite the reduction in developable area**, the infrastructure requirements would be largely the same **as access and utilities would be required to cross Grasshopper Canyon**. The road-ways would still be needed as well as the need for all of the services to be engineered in place: water, sewer, street lights, curbs and gutters, and other utility lines would be required to be brought to the site. **Up to three bridges would be required to provide for access and extension of utilities**. The development would also require **development of amenities including** schools, **and** parks. The amount of development would be reduced to the point of not making the development feasible.

**A Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations' reliance on fuel-consuming mechanical equipment.**

As stated in Section 15126.6(a) of the State CEQA Guidelines, “an EIR need not consider every conceivable alternative to a Project” and the range of alternatives should “avoid or substantially lessen any of the significant effects of the Project.” While the Creek Avoidance Alternative does have the potential to lessen impacts to biological resources by limiting development outside of the blueline area of Grasshopper Canyon, other impacts summarized above would occur. Additionally, this alternative would not meet the Project objectives to enhance local economic well-being, as discussed above, related to creation of jobs, providing a mix of land uses to reduce offsite vehicle trips and VMT, and provide a significant amount of housing. The amount of developable land allowed under this alternative would be greatly reduced in comparison to the proposed Project due to avoidance of Grasshopper Canyon; all development would be located east of Grasshopper Canyon, which is a central feature that runs through the approximate center of the Project site. Because of this, the number of residential units and amount of commercial and industrial development would be greatly reduced in comparison to the proposed Project. Further, it is noted that the range of alternatives that were analyzed in Section 6.6 of the Draft SEIR include three alternatives that would lessen impacts to biological resources to varying degrees, including

the No Project Alternative, No Industrial Development Alternative, Phase 1 Development Alternative.

**Response 12.13.** The comment discusses habitat linkage and wildlife undercrossings. Please refer to Response 2.3 for a thorough discussion on wildlife movement adjacent to the Project. In an effort to provide additional supporting data and discussion, the Wildlife Movement section of the Draft SEIR on page 5.2-14 will be modified as described in Response 2.3.

**Response 12.14.** The comment discusses the location of the wildlife undercrossings mentioned in the Draft SEIR. Please refer to Response 2.3 for a thorough discussion on wildlife movement adjacent to the Project. In an effort to provide additional supporting data and discussion, the Wildlife Movement section of the Draft SEIR on page 5.2-14 will be modified as described.

**Response 12.15.** The comment states that the Draft SEIR does not address a study related to habitat linkage and wildlife undercrossings and does not adequately analyze the importance of the existing habitat linkage. Please refer to Response 2.3 for a thorough discussion on wildlife movement adjacent to the Project. In an effort to provide additional supporting data and discussion, the Wildlife Movement section of the Draft SEIR on page 5.2-14 will be modified as described.

**Response 12.16.** The comment states that the Project would impede habitat connectivity. Please refer to Response 2.3 for a thorough discussion on wildlife movement adjacent to the Project. In an effort to provide additional supporting data and discussion, the Wildlife Movement section of the Draft SEIR on page 5.2-14 will be modified as described.





June 14, 2017

*By E-mail*  
*to [jsackett@planning.lacounty.gov](mailto:jsackett@planning.lacounty.gov)*

Mr. Jodie Sackett  
County of Los Angeles  
Department of Regional Planning

**Re: Comments of the Fernandeno Tataviam Band of Mission Indians on  
the Draft Supplemental Environmental Impact Report for Northlake Specific  
Plan Project (Project) (No. R2015-00408-(5))**

Dear Mr. Sackett:

Thank you for your notification to the Fernandeno Tataviam Band of Mission Indians ("the Tribe"). We appreciate the opportunity to provide comments on the Draft Supplemental Environmental Impact Report for Northlake Specific Plan Project (DSEIR).

Today, there exists no federally recognized tribe within the jurisdiction of Los Angeles County. The Tribe is the only historical tribe of Los Angeles County that is currently under review by the U.S. Department of Interior for federal acknowledgement to reestablish its federal status.<sup>1</sup>

The Tribe's distinct and autonomous community is traced to the lineages and culture that predate missionization in 1797. The natives of Mission San Fernando, or Fernandenos, were composed of members of different language groups. Among them were members of Tataviam lineages associated with the Project.

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 Fernandeno ancestors.

Under American rule, Indian Agents of the Department of interior maintained interaction with our Fernandeno 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 ancestors for their land and to

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<sup>1</sup> Federally recognized tribes and non-federally recognized tribes possess certain inherent rights of self-government

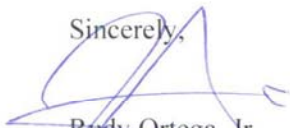
prevent their eviction, which was ultimately denied in Los Angeles County Superior Court. In 1892, Special Assistant U.S. Attorney for Mission Indians Frank Lewis submitted a series of brief reports to the United States Attorney General regarding the possibility of eligible land and to establish the Indians' continued interest in the land, but to no avail.

As the Indian Tribe in Los Angeles County with historical and consanguineal ties to the geographical area encompassing the above referenced Project, the Tribe's involvement with the land extends to time immemorial. Specifically, the area of Castaic is home to many of our ancestral lineages. *Piibit* had complex ties with the neighboring lineage *chaguayabit*, from which the majority of the Tribe's citizens descend.

The Tribe is currently reviewing *Section 5.3 Cultural Resources* of the DSEIR, which describes the potential cultural resources impacts relative to the proposed Project's ground-disturbing activities. In its role as tribal consultant, and to protect and preserve our tribal cultural resources proactively, the Tribe has provided and is currently providing consultation services to the Project.

13.1

Sincerely,



Rudy Ortega, Jr.  
Tribal President  
Fernandeño Tataviam Band of Mission Indians

**Response to Comment Letter 13**

**Fernandeño Tataviam Band of Mission Indians**  
**June 14, 2017**

**Response 13.1.** The commenter summarizes tribal history and notes that they are currently providing consultation services to the Project. No further response is necessary.

## Letter 14

Castaic Universal Investors, LLC • 149 S. Barrington Ave. #330 • Los Angeles, CA • 90049

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6/15/17

County of Los Angeles  
Department of Regional Planning  
Hall of Records, 13<sup>th</sup> Floor, Room 1348  
320 West Temple Street  
Los Angeles, CA 90012

Attn: Mr. Jodie Sackett

RE: Northlake Specific Plan Project Draft EIR, Project # R2015-00408

Dear Mr. Sackett:

Castaic Universal Investors, LLC is an owner of a multi-use commercial property in Castaic, CA along Castaic Road. Per the letter we received from the County's Department of Regional Planning dated 4/27/17 regarding a notice of a DEIR, I am writing to express our strong support for the above referenced project. Since the recession of 2008, the Castaic area has been depressed. Such a project will greatly benefit residents and existing property owners in the area and allow it to become a more vibrant and active community. We see the added population that will result from the construction of new homes benefiting commercial owners in the area by attracting new and diverse tenants that previously have been unwilling to locate in Castaic due to the lack of population.

14.1

Please do not hesitate to contact me should you wish to discuss with me further. I can be reached at 310-836-3900 or at [cbenson@equipoisegroup.com](mailto:cbenson@equipoisegroup.com)

Sincerely,



Charles Benson  
Member,  
Castaic Universal Investors, LLC

Cc: Kathryn Barger

**Response to Comment Letter 14**

**Castaic Universal Investors, LLC**  
**June 15, 2017**

**Response 14.1.** Commenter states its support for the Project. No further response is necessary.

## Letter 15

**BLUM | COLLINS** LLP

Aon Center  
707 Wilshire Boulevard  
Suite 4880  
Los Angeles, California  
90017

213.572.0400 phone  
213.572.0401 fax

June 16, 2017

Jodie Sackett  
Department of Regional Planning  
County of Los Angeles  
320 West Temple Street, Rm. 1362  
Los Angeles, CA 90012  
jsackett@planning.lacounty.gov

*VIA FIRST CLASS MAIL & EMAIL*

Re: *Northlake Specific Plan DSEIR Comments, State Clearinghouse No. 2015031080*

Dear Mr. Sackett and the County of Los Angeles:

On behalf of the Golden State Environmental & Social Justice Alliance, a California Social Purpose Corporation, Entity #C4017878, this is to submit comments under the California Environmental Quality Act ("CEQA") on the Draft Supplemental Environmental Impact Report ("DSEIR") for the Northlake or Northlake Hills Specific Plan project ("the Project"). These comments are in addition to those submitted herewith from biologist Shawn Smallwood relating to biological resources. Please include them as part of the administrative record on this project.

Our comments appear in the order in which they arise in response to the DEIR.

### **Project Description**

Your Project Description in the Executive Summary is one of the least clear we have ever seen.

At 1-2, the County asserts that "Collectively, the Project is defined as the entire 1,330 acre Specific Plan site including the 737-acre VTTM No. 073336 area and associated External Map improvements (Phase 1), and the remaining property for Phase 2 to be developed at a future time." We have no idea what this means. Are you evaluating impacts from the development of Phase 2 or not? We can't determine this from either the Executive Summary or Chapter 4, "Project Description." If you are not evaluating the impacts of Phase 2 of the development, this violates CEQA's requirement that you assess "the whole of an action," and constitutes improper segmentation. Chapter 4 seems to suggest that you evaluated biological impacts from development of the entire parcel, but not necessarily the air quality, GHG or traffic impacts. This omission would be improper, as it is clear that you intend to develop the entire parcel, and it seems that you actually intend to grade the Phase 2 site as well.

15.1



In addition, it appears that you are improperly relying upon the adopted 1992 NorthLake Specific Plan because you are adopting a Tentative Tract Map which is inconsistent with it, as can be observed by comparing the map at Exhibit 4-1 with the one at Exhibit 3-5. For one thing, there is now a school site in the middle of the area designated for industrial development (which is also poor and dangerous planning). For another, Table 4-4's Land Use area Comparison makes clear how much more dense the proposed Project is compared to the originally proposed and approved Specific Plan. The "Existing NorthLake Specific Plan" involves 600.3 acres for 3,623 dwelling units (du's) versus a proposed 333.4 acres for 3150 du's. The original plan was for 6.04 du's per acre on average and this plan is for 9.45 du's per acre. Such development is not within the "concept[]" of the original Specific Plan, and is effectively an amendment. As a third example, Exhibit 4-9 regarding planned sewer and wastewater utilities, is nothing like what is depicted in Specific Plan Exhibit II-10, the "Conceptual Wastewater Plan." The Conceptual Wastewater Plan is not adequate for a Specific Plan under Government Code § 65451(a)(2), which provides that a specific plan *shall* include a text and a diagram or diagrams which specify all of the following *in detail*: "(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support land uses described in the plan." And you are effectively amending it. *See also* Gov. Code § 65453(a), "A specific plan shall be prepared, adopted and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or ordinance and may be amended as often as deemed necessary by the legislative body." You are required to amend the Specific Plan here. Because you haven't done that, you have failed to comply with the notice provisions under Gov. Code §§ 65090, 65355, 65453(a) and 65867 and you have failed to provide for a public opportunity to respond under Gov. Code §§ 65033 and 65094. *See Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal. App. 4th 899, 909.

15.2

The sewage system you depict in Exhibit 4-9 is inconsistent even with Option 1 of the "Conceptual Wastewater Plan" in Specific Plan Exhibit II-10 because the sewer trunk line runs from NorthLake Blvd. whereas it runs from NorthLake Blvd. to Ridge Line Road and then south in Exhibit 4-9 (to the extent anything can be discerned from the low-resolution drawing provided).

15.3

At page 4-7 you contend that the Hillside Management Area ordinance does not apply because the Specific Plan was previously entitled. We disagree because you are effectively amending the Specific Plan.

15.4

Additionally, you state that the Phase 2 area of the site is planned for 35 large lot parcels of 20 acres or more for "future lease and finance purposes." Again, this is not in keeping with the Specific Plan, which calls for development into single family homes. You specified 1,176 such homes for Phase 2.

15.5

Again, with regard to putting a school in the middle of “Light Industrial” development, you should specify what “Light Industrial” uses are permitted under the zoning code in the DEIR in order to comply with CEQA’s mandates of full disclosure, and this is not good planning.

} 15.6

At 4-23, under “Sustainable Features,” as to “Water Conservation,” you claim that you are going to use “gray water systems.” Where? Gray water systems are for the use of water previously used in the home by for example a dishwasher or clothes washer, and they are not the same as using recycled water.

} 15.7

Under “Construction Waste Reduction, Disposal and Recycling,” you indicate that there will be 75% reuse or recycling of all waste by 2020. How does the Project propose to implement this? There are no specifics to give the public confidence that this will occur.

} 15.8

Under “Additional Project Design Features,” you state the Project will install “the equivalent of” 3 kW solar panel systems for 50% of the residential dwelling units. Is this also for Phase 2? What does “the equivalent of” mean?

} 15.9

You also assert that the Project will install at least 135 EV chargers at nonresidential parking spaces, “Assumed to be Level 2.” Level 2 should be required.

} 15.10

As to “Project TDM Features,” you assert “Expanding the local transit network by adding to the existing transit service to enhance the service near the Project sites.” The applicant and the County do not directly have authority to do this. What have you done to implement it? You also promise “Providing shuttles to major employment centers.” On what basis? Is the developer going to pay for this? For how long? Which “major employment centers?” Until credible details are provided, this is a hollow promise which does not provide substantial evidence for any reduced impacts on traffic or air quality.

} 15.11

### **Air Quality**

As a preliminary matter, while you assert that you have done a health risk assessment with respect to diesel particulate matter from construction on the site for adjacent residents, you have not conducted a health risk assessment from the existing school site from exposure to industrial pollutants from the 13.9 acres of industrial use that are to surround it. It is our position that the DEIR should have been circulated to all parents or potential future parents of students of the Elementary School under Health & Safety Code § 42301.6(a); while specific uses are at this time unspecified it is entirely within our anticipation, and it should be within yours, that logistics centers emitting diesel particulate matter (“DPM”) or other hazardous air pollutants or toxic air contaminants will be sited within 1,000 feet of the school since you have zoned the entire area industrial. The fact that industrial uses “would be required to meet all applicable air emission standards” does not absolve you of evaluating the risk factors to present or future students.

} 15.12

At 5.1-13, under “Relevant Regulations” as to the South Coast Air Quality Management District (“SCAQMD”), your discussion of the 2012 and 2016 Air Quality Management Plans (“AQMPs”) is misleading in that it does not reference EPA’s disapproval of them based on the RECLAIM program’s failure to meet RACM/RACT, which relates to both PM<sub>2.5</sub> and NO<sub>x</sub>.

15.13

*Threshold 5.1-1: Would the Project conflict with or obstruct implementation of an applicable AQMP?* Per the SCAQMD CEQA Handbook (1993), the questions you are required to address here are (1) whether the Project would cause an increase in the frequency or severity of existing violations, cause or contribute to new violations, or delay timely attainment of an ambient air quality standard, and (2) whether the Project would exceed the assumptions in an AQMP. Under the Handbook, if you answer either one of these questions in the affirmative, there is a significant impact. See Handbook, § 12.3. Therefore, you should make a finding of significance as to this threshold.

15.14

*Threshold 5.1-2: Would the Project violate an air quality standard or contribute substantially to an existing or projected air quality violation?* We first of all question, with respect to construction, your assumption that you would only conduct 1,000 hauling trips in clearing and grading a 1,330-acre site. You concede that you will have NO<sub>x</sub> emissions in excess of SCAQMD thresholds for 2018, 2019 and 2020 even with your mitigation measure for the use of Tier 3 equipment.<sup>1</sup> You claim that emissions of PM<sub>10</sub> and PM<sub>2.5</sub> from blasting will not occur for more than ¼ acre per day and at 8 lbs per ¼ acre, you will not exceed SCAQMD thresholds. There is no mitigation measure limiting the applicant from blasting more than ¼ acre per day so this simply provides no substantial evidence to support your conclusion.

15.15

With respect to your LST analysis, you did not use the LST lookup tables which means you probably exceeded the thresholds in those tables, a fact that the public should have been advised of. As it is, with your modeling Project plus ambient NO<sub>2</sub> would exceed federal standards. Also, you assert that PM<sub>10</sub> and PM<sub>2.5</sub> LSTs would not be exceeded, but there is no indication that you included blasting in your analysis.

15.16

MM 5.1-6 prohibits mass grading within 1600 feet of Northlake Hills Elementary School “when school is not in session,” which makes no sense: the prohibition should be on grading when school *is* in session. Moreover, the MM only requires this “to the maximum extent feasible,” which provides absolutely no assurances and is not substantial evidence supporting a conclusion of no significant impact.

15.17

And MM 5.7-22 provides that the “master developer” is to establish a “Transportation Management Association” which is to establish a rideshare program for employees of on-site commercial and industrial businesses as well as a commuter bus program to extend existing bus

15.18

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<sup>1</sup> Your mitigation measure (“MM”) actually calls for the use of Tier 4 equipment “where available,” which is hopelessly vague and unenforceable and it was thus appropriate for you to have evaluated impacts as if Tier 3 equipment would be used.

routes into the NorthLake Project area. What is the funding for this? How long will it last? Why is this substantial evidence in support of a conclusion that air quality impacts will be reduced for the significant impacts as to VOCs, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>?

15.18 cont.

We also do not believe you have properly correlated significant emissions to anticipable health impacts under *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal. App. 4th 1184.

15.19

At 5.1-35 your provision in MM 5.1-10 for changing/shower facilities in commercial or industrial buildings with more than ten tenant occupants is unlikely to come to pass, as this is an inordinately high number of tenant occupants.

15.20

### **Biological Resources**

At 5.2-4 under “Wildlife Surveys” you write that dry season surveys “are currently underway and results will be available in mid-summer 2015,” and they will be included in the Biological Technical Report. The DSEIR was not released until mid-2017 and the results of the surveys should have been included in it, not merely the Biological Technical Report, as the Supreme Court has made clear. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 442.

15.21

Like Dr. Smallwood, we do not believe there is substantial evidence for your assertion that “the Project site itself does not represent an important component of regional movement of the area.” (page 5.2-15).

15.22

Given your acknowledgement at 5.2-16 that sage scrub has declined 70-90% and native grasslands have declined by 99%, you should have recognized that there would be significant impacts to these special status vegetation types.

15.23

At 5.2-19 your Table 5.2-3 of Special Status Plant Species you contend that the round-leaved filaree was “not observed during 2014 surveys,” but in the text you acknowledge that 39 individuals were observed in 2003. Of course, 2014 was in the height of a drought, and you did not survey in 2017 after the rains and before the issuance of the DSEIR, though you could have. This is inadequate disclosure under CEQA.

15.24

As to Table 5.2-4, Special Status Wildlife Species, it appears that you did not survey for the California red-legged frog in 2014.

15.25

*Threshold 5.2-1: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any special status species?* You acknowledge having found 8 special status plants on the project site including the round-leaved filaree and the slender mariposa lily. With respect to both, you rely upon transplantation plans to as-yet unidentified sites, and for the

15.26

round-leaved filaree, you explicitly state that mitigation would be sufficient on a 1:1 basis.<sup>2</sup> There is no substantial evidence in support of your conclusion that impacts will be mitigated to a less-than-significant level given the expert opinion of the California Native Plant Society that “Alternatives such as site restoration and off-site introduction are generally unproven, and usually unsuccessful.” See Attachment A at 2. See also *id.* at 2 (Society does not endorse “alteration of naturally occurring plant communities through transplantation because the methodology for most rare plants is untested and therefore unreliable and because most past attempts have ultimately failed”), 3 (“In most instances off-site compensation does not fully reduce impacts to an insignificant level because a net loss of individuals or habitat that supports a natural self-sustaining rare plant population results.”) Additionally, the Native Plant Society makes clear that mitigation *must* exceed 1:1 in most cases. *Id.* at 4. Finally, “[i]f transfer of the threatened population is being attempted, an ecological study of the site, including an inventory of rare species, is needed to identify the feasibility of introduction.” *Id.* Obviously, you have not done this as you haven’t even identified a new site or sites. Therefore, you do not have substantial evidence in support of your conclusion that impacts to these plants will be less than significant.

15.26 cont.

With respect to the round-leaved filaree in particular, you state in MM 5.2-5 that “Due to the fact that the round-leaved filaree has not been detected since 2001 . . . the occurrence location will be checked prior to construction during the appropriate blooming period to determine if this species still occurs on the site. If it is not found, the population will be assumed extirpated.” First of all, earlier in the DEIR at 5.2-21 you state it was found in 2003. And the Biological Technical Report does not detail anything about the filaree’s findings other than to identify the location where the 49 individuals were found. You could have, but apparently did not, search the location in April of this year. And it would be a significant impact if you indeed failed to mitigate because you presumed the species extirpated.

15.27

Our comments regarding 1:1 mitigation, identifying a site in advance, and offsite mitigation not generally being adequate to reduce impacts to less than significant are equally applicable to the southwestern spiny rush and the paniculate tarplant.

15.28

With respect to wildlife species, you assert that through MM 5.2-9 you will reduce impacts to the western spadefoot to less than significant. But you haven’t identified a relocation site, and you assert with no basis or substantiation that you will “create” such habitat if you cannot find it. Thus, your conclusion of no significant impact is not based on substantial evidence.

15.29

With respect to special status reptiles such as the silvery legless lizard, coastal western whiptail, rosy boa, San Bernardino ring-necked snake, Blainville’s horned lizard, and coast patch-nosed snake, MM 5.2-10 says you will translocate them “if feasible” to “adjacent areas.” There is no guarantee here, and the “adjacent areas” may not be sufficient in quantity or quality to

15.30

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<sup>2</sup> With respect to the slender mariposa lily, you do not even specify a mitigation ratio, though the potential loss of this rare species onsite could number in the thousands of individuals.

accommodate the species. Therefore there is no substantial evidence in support of your conclusion of no significant impact.

15.30 cont.

With respect to the coastal California gnatcatcher (“CAGN”) you again assert no significant impact based on monitoring during vegetation removal and the “preservation,” creation and enhancement of habitat under MM’s 5.2-1, -2, -6, -12 and -13, as well as consultation with the USFWS under MM 5.2-15 (you inaccurately refer to this as consultation with CDFW). First, MM 5.2-6 which provides for sage scrub mitigation does *not* call for any sort of conservation easement, which would be necessary to assure that impacts are actually reduced, and second, you provide that “implementation shall begin not more than one year following project impacts to this habitat type.” The CAGN will plainly be impacted in the interim as there is an entire breeding season that will be missed. Mitigation must be complete *prior* to impacts to the sage scrub onsite. Additionally, the Habitat Mitigation and Monitoring Plan (“HMMP”) could easily have been developed already but you defer both it and its performance criteria to a future time (DSEIR at 5.2-45). And there is no provision for maintenance beyond 5 years, and the potential for monitoring for far less than that, which means that it would be impossible to sufficiently establish that performance criteria would be met.

15.31

Additionally, your MM’s specify at MM 5.2-13 that to comply with the Migratory Bird Treaty Act, you will establish buffers of a mere 25 feet around nests. This is entirely unacceptable; an appropriate buffer is more like 200 feet. *See* Attachment B at I-11. Finally, raptors begin nesting around January 1, not February 1. *See* Attachment C.

15.32

#### Fire Hazards

At 5.5-5 you document the Santa Clarita Valley recent wildfire history, acknowledging over 270 fires since 1960. Earlier you concede that the “growing wildland-urban interface has exposed communities to zones that are highly vulnerable to wildfires.” At 5.5-10 you state Santa Clarita is designated a “VHRHSZ” but you do not spell out what this means. At 5.5-12 you note that L.A. County General Plan policy S 3.1 requires discouraging high density and intensity development in VHFHSZ’s, which is precisely the opposite of what this Project does. For this if not other reasons, the Project conflicts with the County’s General Plan.

15.33

*Threshold 5.5-4: Would the Project expose people or structures to a significant risk of loss, injury or death involving fires, because the Project is located within a Very High Fire Hazard Severity Zone?, and Threshold 5.5-7: Would the Project expose people or structures to a significant risk of loss, injury or death involving fires?* You acknowledge that “The Project site is within a designated VHFHSZ area and would be essentially surrounded by undeveloped lands in the VHFHSZ category.” Nevertheless, you assert that with compliance with the County Code and a “Fire Management Program” that has apparently not yet been developed, “impacts . . . would be less than significant.” There is essentially no substantial evidence in support of this conclusion in light of your earlier comments and the L.A. County General Plan.

15.34



**Greenhouse Gas Emissions**

Here you refer to the Los Angeles County Climate Action Plan (“CCAP”), which has as its goal reducing greenhouse gas (“GHG”) emissions by at least 11% below 2010 levels by 2020. (DSEIR at 5.7-17.) You fail to mention that SB 32 significantly increased the statewide GHG reduction goal, to 40% below 1990 levels by 2030, and demonstrating compliance with the CCAP simply will not demonstrate that the Project will not conflict with the goals of SB 32. *See* CCAP, § 3.2 at page 3-2 (providing only for reduction of 11% below 2010 levels by 2020).

15.35

You assert at 5.7-18 that the DSEIR can “tier off” of a programmatic analysis of GHG emissions if it meets the requirements of Guidelines § 15183.5. This would be true of the CCAP if it demonstrated compliance with SB 32 but it does not. It is also definitely not true of the 2012 SCVAP because that document found significant and unavoidable impacts to GHGs. *See* Guidelines § 15183.5(b)(1)(B).

15.36

At 5.7-21 you claim you will measure the Project’s compliance against Executive Orders S-3-05 and B-30-15, but you never actually do this, sidestepping them on the ground that they are not regionally applicable. The same was argued as to AB 32 before, and the Supreme Court has made more than clear now that assessment of its mandates in the context of CEQA is both appropriate and necessary.

15.37

You ultimately calculate GHG emissions at 56,722 MTCO<sub>2</sub>e per year, though you claim the impacts of this number are insignificant. We disagree. This number is *highly* significant when measured against SCAQMD’s proposed thresholds of 1400 to 3500 MTCO<sub>2</sub>e per year depending on whether the Project is commercial, mixed use, or residential.

15.38

We also note you assert that the Project “is committing to the *equivalent* of installing solar power *equivalent* to 3 kW per residential dwelling unit for 50 percent of the residential dwelling units.” We’re not sure what this means. If solar power is not actually installed, for example if the applicant purchases wind or solar credits for a specified number of years, this is not “equivalent.”

15.39

At 5.7-37, you claim consistency with SCAG 2016-2040 RTP/SCS Goal 8, “Encourage land use and growth patterns that facilitate transit and non-motorized transportation.” We disagree that the Project is consistent; there is little to no evidence that the Project is amenable to sustainable work commutes.

15.40

At 5.7-43, Table 5.7-7, NorthLake Specific Plan GHG Emission Estimates, you compare a hypothetical BAU scenario to the Project but you do not reflect the underlying assumptions for the BAU numbers, and it is apparent that the reductions attributed to the Project are actually reductions coming from other regulatory programs, not any mitigations imposed by the Project. The Supreme Court recently disapproved of this tactic. The Table as a whole is highly misleading, and the percentage reduction attributable to the Project is actually the difference between the 66,083 MTCO<sub>2</sub>e and the 56,722, or about 14.2%, not 40.1%.

15.41

**Alternatives Analysis**

You assert that the “Creek Avoidance Alternative” was found infeasible because it still would require the same infrastructure. There appears to be no substantial evidence to support this conclusion. If development is reduced by, for example, ½, then an additional school site may well not be required.

} 15.42

**Conclusion**

Thank you for the opportunity to comment on this DSEIR. Please advise us of the availability of a Final SEIR, should you wish to prepare one, and of the further steps of your review of this Project at [bentley@blumcollins.com](mailto:bentley@blumcollins.com) and [collins@blumcollins.com](mailto:collins@blumcollins.com). We request notice of any action taken on this project. Thank you.

Sincerely,

/s/ Hannah Bentley

Hannah Bentley  
**BLUM | COLLINS LLP**

Attachments A-C

## **Response to Comment Letter 15**

**Blum Collins LLP (Golden State Environmental & Social Justice Alliance)**  
**June 16, 2017**

**Response 15.1.** The Commenter questions whether the Draft SEIR analyzed both Phase 1 and Phase 2, or just Phase 1. Page 1-1 of the Draft SEIR states “The proposed Project includes development of Phase 1 of the NorthLake Specific Plan to be implemented via Vesting Tentative Tract Map No. 73336 (VTTM 73336), which includes approximately 720 acres of the southern portion of the Specific Plan area and the remaining property for Phase 2 to be developed at a future time.” This is restated in Section 1.0, Executive Summary in Section 1.3, Project Description, of the Draft SEIR.

Section 4.0, Project Description of the Draft SEIR and all subsequent sections also addresses future development of Phase 2. In order to provide additional clarity, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 4-2, first paragraph, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

Collectively, the proposed Project is defined as the entire 1,330-acre site, including the **1) Phase 1 (defined as 720-acre VTTM No. 073336, totaling 720 acres); area and 2) the remainder property for Phase 2 to be developed at a future time (the “External Map Improvements”); and 3)** associated off-site external map improvements **totaling** on 65.13 acres, ~~more particularly~~ **which are** described on page 4-8 **and**, ~~which include remedial grading, drainage features and road and utility alignments, and the remainder property for Phase 2 to be developed at a future time (the “External Map Improvements”).~~ In addition to updating program-level information from the 1992 Specific Plan EIR, this SEIR evaluates Project-level impacts from implementation of the *NorthLake Specific Plan*, including both development of Phase 1 as well as future development of Phase 2.

Further, it is noted that as part of further design of the future phases, the number of large lot parcels has been modified. The analysis does not account for the number of parcels and, rather, relies on the area of disturbance which remains unchanged. The following revision is hereby made to the Final SEIR. However, it should be noted that these revisions do not materially change the description of Project or the findings of the Draft SEIR. The following text on page 4-9, Phase 2 Undeveloped Area, of the Draft SEIR is hereby modified and moved to page 4-8 immediately preceding the Off-Site/External Map Improvements subsection (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

### **Phase 2 Undeveloped Area**

The remainder of the Project site, referred to as the Phase 2 area, is included in VTTM 073336 and the CUP as ~~35~~ **21** large lot parcels (~~20~~ **40** acres or more) for future lease and finance purposes. Future development of the Phase 2 area is fully analyzed as part of this SEIR and proposed land uses are detailed previously in Table 4-3.

As noted throughout the Draft SEIR, the development footprint is inclusive of both Phases 1 and 2; however, a tentative tract map is only being considered for approval for Phase 1. This is further emphasized in the Conditional Use Permit No. 201500019 discussion, described on page 4-8 of the Draft SEIR, where it is specifically stated that development in Phase 2 will be covered under

a future Project-specific CUP. Additionally, it is noted that Traffic mitigation measures MM 5.11-1 and 5.11-2 are timed specific to the development phases of the Project.

**Response 15.2.** The commenter questions the 1992 NorthLake Specific Plan (Specific Plan) and the proposed Vesting Tentative Tract Map (VTTM). The Specific Plan is an approved planning document that is also referenced in both the current Santa Clarita Valley Area Plan and Los Angeles County General Plan. The Specific Plan includes conceptual plans that have been updated as part of the Draft SEIR based on the revised land use concept. The revisions to the land use concept were designed in response to the growing desire for more sustainable developments, as set forth in the current planning documents including the 2012 Santa Clarita Valley Area Plan and the Los Angeles County 2035 General Plan Project. As shown in Table 4-4 of the Draft SEIR, with the exception of the golf course, the proposed land use plan (inclusive of Phases 1 and 2) includes development of the same types of uses and is within the same specific plan footprint. Additionally, it is noted that the revised land use plan represents a reduction in overall development (residential, commercial and industrial land uses, and grading) and an increase in preserved open space (refer to Table 4-2, Land Use Area Comparison, of the Draft SEIR). Please refer to Response 15.6 for a discussion regarding the relocation of the school site. Due to market conditions, a VTTM has only been prepared for the southern 720 acres of the overall Project site. VTTM No. 073336, also known as Phase 1 of the Project, provides Project-level details for what was previously presented as a land use concept in the approved Specific Plan. As stated in Section 4.2, Project Background of the Draft SEIR, "The NorthLake Specific Plan and the associated NorthLake Specific Plan Environmental Impact Report (1992 Specific Plan EIR) addressed development of the Project site as a conceptual plan and not as a precise plan of development. The NorthLake Specific Plan included a statistical summary of uses allocated within very general land use areas, linked by a conceptual backbone roadway system. At the time of the 1992 approvals, it had been anticipated that a focused Site Plan review and follow-up CEQA review would be conducted, as more Project specific level details were developed to implement phases of the NorthLake Specific Plan."

The change in density is addressed in Section 5.9, Land Use. As noted on pages 5.9-54 and 5.9-55 of the Draft SEIR, the adjustment in total approved density is not considered significant because the total cumulative proposed density is approximately 8.3 dwelling units per net acre (i.e., excluding public roadways and major open spaces) in a more clustered development. As shown in Table II-1 of the NorthLake Specific Plan, conceptual residential densities ranges from 3.29 units per acre to 14.92 units per acre. As further discussed in Section III, Development Regulations, of the NorthLake Specific Plan, no specific density ranges are assigned for residential development. The proposed land use plan analyzed in the Draft SEIR was designed to comply with all stated regulations, including lot area. Therefore, the proposed land use plan would consistent with the Specific Plan and an amendment is not required, contrary to the commenter's suggestion.

Infrastructure and utility plans were also presented in the NorthLake Specific Plan as conceptual. As noted on page II-27 of the NorthLake Specific Plan, "Precise alignment and engineering of streets will be determined at the time of construction in conjunction with the County Public Works Department." This same concept is identified for the Conceptual Wastewater Plan, stated on page II-35 of the Specific Plan as "Mainline sizing will be determined at a more detailed stage of Project design." Therefore, the NorthLake Specific Plan makes it clear that the plans identified were conceptual in nature and would be subject to refinement as future design progressed. No amendment to the Specific Plan is required, therefore, the noticing requirements set forth in the Government Code for Specific Plan amendments are not applicable.

**Response 15.3.** The comment states that the sewage system shown in Exhibit 4-9 is inconsistent with Option 1 of the Conceptual Wastewater Plan in Specific Plan Exhibit II-10. Refer to Response 15.2, above.

**Response 15.4.** The commenter suggests that the Project is “effectively amending the Specific Plan” and as such the Hillside Management Area ordinance is applicable. This is incorrect, no amendment of the Specific Plan is being sought or is necessary as the Project is consistent with the Specific Plan. Section 4.0, Project Description, of the Draft SEIR, in subsection 4.4.2, provides a detailed review of the Project’s consistency with the NorthLake Specific Plan from a Project Description perspective. Additionally, a detailed consistency of the proposed Project with the existing NorthLake Specific Plan is provided in Section 5.9, Land Use and Planning, of the Draft SEIR on pages 5.9-54 through 5.9-59. As discussed in these sections, no amendments to the Specific Plan are required for implementation of the proposed Project; therefore, the NorthLake Specific Plan is the existing and applicable entitlement for the Project site, and the Project is not subject to the Hillside Management Area ordinance.

**Response 15.5.** The commenter questions the consistency with Specific Plan regarding Phase 2. Phase 2 includes 21 large lots that will be subject to a Tentative Tract Map in the future. As shown on Exhibit 4-1 of the Draft SEIR, eventually be developed as single-family homes, which is consistent with the intent of the NorthLake Specific Plan as approved in 1992. When compared to Exhibit 3-5 which illustrates the existing land use plan pursuant to the land use concept presented in the NorthLake Specific Plan, the land uses proposed for the area currently identified as Phase 2 (shown in Exhibit 4-1) would be consistent. Future development would require processing and approval of one or more tentative tract maps; however, for purposes of this Draft SEIR, analysis was performed at a program level since details of future development are not known at this time. It is acknowledged that future development would require some level of CEQA clearance to evaluate Project-level impacts.

**Response 15.6.** The commenter asks about the location of the proposed school in the Light Industrial area. Per page 4-12 of Project Description of the Draft SEIR, “The Light Industrial zone is similar in nature to the County of Los Angeles Light Manufacturing (M-1) zone, but is more limited to only the permitted uses listed in Section III.F.1 of the NorthLake Specific Plan.” This list is included in its entirety on pages II-52 through III-62 of the NorthLake Specific Plan, included as Appendix B to the Draft SEIR. Additionally, it is noted that these uses would be further limited to non-polluting light industrial uses, as stated in the response to Policy ED 2.2 in Table 5.9-2, County General Plan Consistency, in Section 5.9, Land Use of the Draft SEIR.

**Response 15.7.** The commenter asks where gray water systems would be used within the Project. The use of gray water would be encouraged by future residences of the Project. Specifically, all future homeowners shall receive an educational package noting safe and sanitary ways to re-use household gray water as a source for outdoor irrigation. It is noted that, although this is identified as a feature of the Project, no credits or reductions are associated with potential gray water usage. The water demand, as detailed in the Water Supply Assessment (refer to Appendix K-2 of the Draft SEIR and the analysis under Threshold 5.12-2 on pages 5.12-27 through 5.12-38 of the Draft SEIR).

**Response 15.8.** The commenter asks how the Project intends to achieve 75 percent reuse or recycling by 2020. The following text revision is identified to clarify how the Project will achieve the recycling goal. The following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 4-23, second bullet, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

**Construction Waste Reduction, Disposal and Recycling.** The Project will recycle and/or salvage a minimum of 65 percent of the non-hazardous construction and demolition debris or meet a local construction and demolition waste management ordinance. Additionally, in response to California's 75 Percent Initiative, at least 75 percent of all solid waste will be recycled or reused by 2020. **This will be accomplished through reuse, salvage, and recycling of construction materials and implementation of an on-going recycling program including use of recycling receptacles and pick-up of recyclable materials by the selected waste management service.**

It is noted that mitigation measures MM 5.12-29 through 5.12-34 in Section 5.12, Utilities of the Draft SEIR, also state requirements for waste reuse, salvage, and recycling for both construction activities and daily operation.

**Response 15.9.** The commenter asks for clarification on the solar panel equivalent stated on page 4-23 of the Draft SEIR. The Project is committed to achieving GHG reductions through the installation of solar panels. Specifically, the Project estimates it can achieve GHG reductions of approximately 1,560 MT CO<sub>2</sub>e per year at full build out through the installation of 3 kW systems (avg.) on 50 percent of the residential dwelling units. The "equivalent" language is to allow the Project to size and install the solar panel systems on individual dwelling units, while still achieving the overall solar energy benefit as identified. The Project Applicant or Successor Developer has the flexibility to install solar panels in areas that are most feasible and effective; however, the Project Applicant or Successor Developer will be responsible to ensure that the overall GHG reduction goal is achieved. For example, the overall reduction goal can be achieved by installing 3 kW systems on 50-percent of the homes, or by installing 1.5 kW systems on 100 percent of the homes, or any other combination that attains the overall GHG reduction goal. The Project buildings that do not have rooftop solar at the outset will be constructed to be solar ready consistent with Title 24 regulations and thus further solar panels can be installed over time. As discussed in the Draft SEIR, the proposed Project will not have a significant impact with respect to GHG emissions and therefore no mitigation is required.

**Response 15.10.** The Commenter suggests a word replacement for the EV chargers from "assumed" to "required." The suggested revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 4-23, footnote 2, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

~~Assumed~~ **Required** to be Level 2 chargers that can provide enough electricity to provide a 25-mile driving range per hour spent charging.

**Response 15.11.** The comment questions the Project TDM Features as provided in the Draft SEIR and that there are not enough details to provide substantial evidence for any reduced impacts on traffic or air quality. As noted in Section 5.7.6 of the Draft SEIR, the Project will provide public transportation for all the residents of NorthLake. The public transportation system will provide service to the schools and parks within the NorthLake community. It will also provide service to the Castaic Sports Complex and retail centers in downtown Castaic. Additionally, the public transportation system will provide NorthLake residents with service to and from the Valencia Commerce Center, a major employment area and link to the greater Santa Clarita Valley and Los Angeles public transportation systems. An excerpt from the NorthLake Design Guidebook, prepared as supplemental materials for the County Department of Regional Planning, that includes maps of the conceptual public transit route and stop locations is included in Appendix I to the Final SEIR.



**Response 15.12.** The commenter asks about the operational health risk assessment. The operational health risk assessment is provided on page 5.1-40 of the Draft SEIR, which details that the "emissions from commercial and industrial uses cannot be characterized without knowledge of the nature of the use". Potential commercial and industrial uses are listed in the NorthLake Specific Plan, as noted on page 4-12 of the Draft SEIR. The lists of permitted uses are extensive; it is noted that 124 separate commercial uses are listed as permitted uses and 199 separate industrial uses are listed as permitted uses. Since the proposed Project consists of a program level specific plan that only depicts which land may be utilized for commercial and industrial uses and does not specify the specific tenants, the placement of structures and onsite truck routes, the number of trucks, or any stationary sources of TAC emissions, that is required information for modeling of TAC emissions, it is not possible to provide a quantitative health risk assessment of operational emissions at this time. CEQA does not require analysis of speculation (CEQA Guidelines, § 15384). In order to address these unknown factors, the Draft SEIR provides a finding of a potentially significant impact from operational TAC emissions and provides Mitigation Measure 5.1-14 that requires a quantitative health risk assessment to be prepared prior to issuance of an occupancy permit for all industrial buildings built within the Specific Plan area.

Although Mitigation Measure 5.1-14 does not specifically address notification of the parents of the students of the Elementary School, SCAQMD Rule 212 requires that any permit to release TAC emissions that is located within a 1/4 mile (1,320 feet) of a school shall notify all parents of students at the school a minimum of 30 days prior to the date action is to be taken on the application. As such, the requested notification is already required and no revisions to MM 5.1-14 are needed to meet this request.

**Response 15.13.** This comment relates to on-going administrative proceedings within the SCAQMD associated with industrial facility air permits and does not directly impact the analysis or findings presented in the Draft SEIR as the proposed Project does not include the obtaining of an air permit for an industrial facility. Although the proposed Project includes development of potential light industrial uses, the tenants of these industrial uses are not known at this time. As noted in Response 15.12, the NorthLake Specific Plan includes a list of 199 industrial uses that would be permitted on the Project site; therefore, it would be too speculative to provide an assessment of the types of equipment and associated air permits that may be obtained in the future. CEQA does not require analysis of speculation (CEQA Guidelines, § 15384).

**Response 15.14.** The comment indicates that a finding of significance for Threshold 5.1-1 should be made for the Project. The Draft SEIR provides an analysis of development of a modified land use concept for the NorthLake Specific Plan, which would create less air emissions than implementation of the approved NorthLake Specific Plan for the Project site. The text on page 5.1-20 of the Draft SEIR states: "Because the approved NorthLake Specific Plan predates the 2012 AQMP and the 2012 RTP/SCS by many years, these plans anticipate the emissions that would result from the implementation of the proposed Project." Thus, since the Proposed Project is less intensive than what is allowed under the current adopted Specific Plan, which has been accounted for in the growth forecasts utilized in the preparation of the 2012 AQMP and 2012 RTP/SCS, the emissions created from the Project have been accounted for in the applicable AQMP and therefore would not conflict with application of the AQMP and a less than significant impact is the appropriate impact level for Threshold 5.1-1. The last paragraph of the analysis for Threshold 5.1-1 on page 5.1-20 of the Draft SEIR provides a finding of less than significant for Threshold 5.1-1.

**Response 15.15.** The comment asks about the 1,000 haul trucks. The Draft SEIR text currently calls out 1,000 hauling trucks plus additional haul trucks for the fine grading phase. The following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. In order to provide

more clarity, the following text on page 5.1-21, fifth paragraph of the Draft SEIR, is hereby revised to provide additional information regarding the total assumed haul trucks (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

~~For site preparation, 1,000 hauling trips were assumed. Additional haul trips were assumed for the fine grading phases.~~ **This analysis assumed that site preparation would require 2,000 hauling truck trips, Fine Grading of Phase 1 would require 1,000 haul truck trips, and Fine Grading of Phase 2 would require 1,000 haul truck trips.**

The above text revisions are consistent with the CalEEMod model runs provided in Appendix C of the Draft SEIR, 2,000 haul trucks were modeled for the Site Preparation phase and 1,000 haul trucks were modeled for both the Phase 1 Fine Grading and Phase 2 Fine Grading phases. It should be noted that grading on the Project site would be balanced with no dirt being imported or exported from the Project site, so the haul trucks would be limited to hauling vegetation and trash from the Project site during the site preparation phase and materials such as gravel during the fine grading phases. Since the proposed revisions to the Final SEIR are limited to a text change to match the modeling inputs shown in Appendix C of the Draft SEIR, the proposed text revision will not result in a change in the determination and does not require recirculation of the Draft SEIR.

The significant unavoidable impact from NOx emissions during grading activities is based on the use of Tier 3 equipment, which is based on a worst-case analysis, where no Tier 4 Final equipment was available. The Tier 4 Final standards started being utilized in off-road equipment manufactured in 2011 and by 2015 all off-road equipment manufactured meets the Tier 4 Final requirements. There will be a minimum of 3 model years of equipment that will meet the Tier 4 Final standards, which should be adequate to provide enough equipment to utilize only equipment that meet the Tier 4 Final emissions standards and would result in a less than significant NOx emissions impact. Again, however, the worst-case assumption of Tier 3 equipment was utilized for the analysis.

The Draft SEIR utilized a reasonable assumption that the proposed Project may blast up to 1/4 acre per day that would create up to 8 pounds per day of PM10 and PM2.5 emissions. It should be noted that Table 5.1-6 of the Draft SEIR shows that during construction the maximum daily emissions from all construction sources would be 64 pounds of PM10 and 43 pounds of PM2.5. The blasting area could be increased to up to 0.675 acre per day before either the PM10 or PM2.5 emissions standard would be exceeded. It should also be noted that blasting activities are subject to California Code of Regulations Title 8 Section 5291 Subchapter 7, Group 18 Article 116, which provides very specific steps and limitations that are required to be followed during blasting operations that include limiting the area being blasted. Due to these regulations, it is highly unlikely that more than a 1/4 acre would be blasted in any one day.

**Response 15.16.** The comment addresses the LST analysis. The LST analysis provided in the Draft SEIR was performed pursuant to the methodology provided by the SCAQMD. As per the Localized Significance Threshold Methodology, only Projects that are 5 acres or less should utilize the Look Up Tables, otherwise modeling should be performed, which was the analysis method utilized in the Draft SEIR as the Project site exceeds the 5-acre threshold.

Blasting is analyzed on page 5.1-26, which details that there is a possibility that blasting may occur and provides a worst-case assessment where 1/4 acre of land would be blasted in one day, which has been determined based on the California Code of Regulations Title 8 Section 5291 that regulate blasting and provide very specific steps required that effectively limit the amount of blasting that may occur in any one day. Page 5.1-26 of the Draft SEIR found that blasting would create less than 8 pounds of PM10 or PM2.5 per day. The local criteria pollutant analysis utilized

maximum daily concentrations of 21.49 pounds of PM10 and 9.71 pounds of PM2.5 and found maximum 24-hour concentrations of 0.62 ug/m3 of PM10 and 0.164 ug/m3 of PM2.5, where the 24-hour threshold for PM10 and PM2.5 is 10.4 ug/m3. Incorporating blasting into the local criteria pollutant analysis would increase PM10 emissions by 37 percent and would increase PM2.5 emissions by 82 percent, however in order to exceed the threshold PM10 would have to be increased by 16 times (1600%) and PM2.5 would have to be increased by 63 times (6300 percent). As such, the DEIR provides a reasonable analysis of the amount of blasting that may occur in any one day and the above response details how the amount of blasting area would have to be increased by 16 times before it would alter the findings of the localized PM10 and PM2.5 analysis provided in the Draft SEIR.

**Response 15.17.** The comment states that MM 5.1-6 does not make sense. The comment further indicates that MM 5.1-6 provides no assurances or substantial evidence supporting a conclusion of no significant impact. There is a typo in Mitigation Measure MM 5.1-6. The following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.1-31, MM 5.1-6, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

The Project Applicant or Construction Manager shall ensure that, during mass grading activities, mass grading shall not occur within 1,600 feet of the Northlake Hills Elementary School when school is not in session to the maximum extent feasible.

**Response 15.18.** The comments ask about the Transportation Management Association and the mitigation effects from it. The Transportation Management Association, which has been renamed the NorthLake Community Transportation Program, is required as part of Mitigation Measure MM 5.1-20, previously identified as MM 5.7-22, shown on page 5.1-31 of the Draft SEIR and was provided to reduce operational criteria pollutant emissions as part of the Threshold 5.1-2 analysis as well as GHG emissions in Section 5.7 of the Draft SEIR. MM 5.1-20 requires the establishment of the NorthLake Community Transportation Program prior to the first occupancy permit for the commercial or industrial facilities. The fact that the Draft EIR does not identify the specific funding for MM 5.1-20 does not render the Draft SEIR inadequate under CEQA. Rather, the deferral of specifics of mitigation is permissible under CEQA where the local entity commits itself to mitigation and lists alternatives to be considered, analyzed, and possibly incorporated in a mitigation plan. (City of Hayward v. Bd. of Trustees of the California State Univ. (2016) 242 Cal.App.4th 833, 851-856 [holding that EIR requiring future TDM plan did not improperly defer mitigation of the Project's traffic impacts].) There is no question that the County is committed to mitigating potential traffic impacts associated with the Project by ensuring enforcement of the Draft SEIR's mitigation measures, including MM 5.1-20. However, since the framework of the NorthLake Community Transportation Program is not clearly delineated in Mitigation Measure MM 5.1-20, the text of MM 5.1-20 (previously referred to as MM 5.7-22) will be revised as follows in the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.1-31, MM 5.1-20, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

**MM 5.7-221-20**

Prior to the issue of the first occupancy permit for commercial or industrial facilities, the master developer shall establish a ~~Transportation Management Association~~ **the NorthLake Community Transportation Program that would be established through the creation of Covenants, Conditions and Restrictions (CC&Rs) for all commercial and industrial properties within the Specific Plan** to establish and coordinate

the following programs that would reduce single-vehicle commuting and the associated criteria pollutant and GHG emissions:

- Ride share program – The program will establish a system for coordinating ride sharing among employees of on-site commercial and industrial businesses. The program will also work with employers to support vanpools.
- Commuter bus program – The program will coordinate with Santa Clarita Valley Transit to (1) extend the existing bus routes into the NorthLake Project area and (2) determine employee demand for express commuter buses to the Project Site and establish commuter bus service in response to demand.

**Response 15.19.** The comment states that the emissions analysis for the Project have not been properly identified pursuant to the *Bakersfield Citizens for Local Control v. City of Bakersfield* case. *Bakersfield Citizens for Local Control v. City of Bakersfield* requires that EIRs acknowledge health consequences that may result from identified adverse air quality impacts.

The Draft SEIR details the criteria pollutants and potential health effects created by each criteria pollutant on pages 5.1-1 to 5.1-3 of the Draft SEIR. On page 5.1-3, the Draft SEIR details the potential health impacts created by TAC emissions. On pages 5.1-16 to 5.1-17 of the Draft SEIR details the thresholds utilized and how they were developed based on "maximum ambient concentrations for exposure of sensitive receptors to localized pollutants. A Project with daily emission rates, risk values, or concentrations below these thresholds is generally considered to have a less than significant effect on air quality."

The Draft SEIR meets the requirements of this court case since it identifies the health risks of each pollutant and details how the thresholds are based on their health risk impacts to the most sensitive population.

**Response 15.20.** The comment questions MM 5.1-10, page 5.1-35 of the Draft SEIR, which requires that changing/shower facilities in commercial or industrial buildings with more than ten tenant occupants, is unlikely to be implemented because this is a very high number of tenant occupants. The following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.1-35, MM 5.1-10, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

Prior to the issuance of each non-residential building permit, the Applicant and its contractors shall provide plans and specifications to the County demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the County prior to the issuance of occupancy permits.

- For buildings **that are greater than 100,000 square feet of building space or** with more than ten tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code.<sup>8</sup>
- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.

- The Project shall install 135 electric vehicle (EV) chargers<sup>9</sup> at nonresidential parking spaces within the **Project limits and/or the greater Castaic community.**

**Response 15.21.** The comment refers to page 5.2-4 of the Draft SEIR and states that the results of the 2015 wildlife surveys should have been included in the Draft SEIR. The following text on page 5.2-4, Wildlife Surveys, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

Dry season surveys ~~are currently underway~~ **were completed in 2015** and ~~results will be available in mid-summer 2015.~~ Results of the completed surveys are included in Attachment C of Appendix D, the Biological Technical Report, of the Draft SEIR.

It should be noted that these revisions and clarifications do not materially change the description of Project or the findings of the Draft SEIR.

Furthermore, the fairy shrimp reports were included as an appendix to the Biotech Report on pages 206-273 of Appendix D of the Draft SEIR.

**Response 15.22.** The comment refers to page 5.2-15 of the Draft SEIR and states disagreement with the wildlife movement conclusion. Please refer to Response 2.3 for a thorough discussion on wildlife movement in the Project area.

**Response 15.23.** The comment states that there should be a significant impact to sage scrub and native grasslands based on information on page 5.2-16 of the Draft SEIR. As stated on page 5.2-58, Threshold 5.2-2, "Impacts on sage scrub vegetation types would be considered significant due to the ongoing loss of this vegetation type in southern California and the potential for this habitat to support special status species."

**Response 15.24.** The comment refers to page 5.2-19 (Table 5.2-3) of the Draft SEIR and acknowledges inconsistency between this table and the text. The comment also mentions the 2014 drought and the Project's lack of survey in 2017 after the rainy season. The Project has undergone multiple years of special status plant surveys, and as such, a substantial and comprehensive understanding of the special status plants occurring on the Project site is available. Round-leaved filaree was previously found at one location in 2003 (39 individuals) in annual grassland in the impact area. The Draft SEIR stated that impacts on this species would be considered adverse, and potentially significant due to its lack of abundance throughout its range. Therefore, mitigation would be required for this species. In MM 5.2-5, "the occurrence location will be checked prior to construction during the appropriate blooming period to determine if this species still occurs on the site." The proposed mitigation provides a reasonable approach to replace the lost functions and values of special status plant species to reduce the impact to less than significant.

**Response 15.25.** The comment refers to Table 5.2-4 and indicates that surveys for the California red-legged frog were not conducted in 2014. Current site conditions do not warrant focused surveys for the California red-legged frog. As confirmed by the Project biologist, no potentially suitable red-legged frog habitat occurs on the Project site. Additionally, as noted in Draft SEIR Table 5.2-4, the California red-legged frog was not observed during 2003 focused surveys and has not been observed on-site since that time.

**Response 15.26.** The comment questions whether sufficient data is provided in the Draft SEIR to support a less than significant impact conclusion to the round-leaved filaree and the slender mariposa lily. Mitigation measures requiring the development of a plan, inclusive of a set of

success criteria, with required lead agency approvals prior to Project implementation is a widely accepted mitigation approach. However, in an effort to provide the public with biological mitigation planning details beyond the Draft SEIR where feasible, a Draft Special Status Plant Species Mitigation Plan have been included in Appendix C of the Final SEIR.

The plan will have Agency oversight, including the lead agency. Mitigation ratios are consistent with recent approved CEQA documents in the region. In addition, the proposed mitigation provides a reasonable and sound approach with an expectation for success to replace the lost functions and values of the existing habitat at a minimum quality of equal to or greater than impacted areas for special status plant species to sufficiently reduce the impact to less than significant.

**Response 15.27.** The comment states that there are inconsistencies in the Draft SEIR (MM 5.2-5 and page 5.2-21) pertaining to the round-leaved filaree. Inconsistencies in the Draft EIR in regards to the dates and population size of round-leaved filaree detected on the Project site will be revised. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.2-21, Special Status Plant Species, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

Round-leaved filaree (*Erodium macrophyllum*) is a CRPR of 1B.1 species. One population of ~~39~~ **60** round-leave filaree individuals were observed on the Project site during the ~~2003~~ **2001** botanical surveys. Additionally, the following related text on page 5.2-35, Special Status Plant Species, of the Draft SEIR is hereby revised to read as follows:

Round-leaved filaree was previously found at one location in ~~2003~~ **2001** (~~39~~ **60** individuals) in annual grassland in the impact area.

As stated in Response 15.24, the Project has undergone multiple years of special status plant surveys, and as such, a substantial and comprehensive understanding of the special status plants occurring on the Project site is available.

**Response 15.28.** The comment questions whether sufficient data is provided in the Draft SEIR to support a less than significant impact conclusion to the southwestern spiny rush and the paniculate tarplant. Mitigation measures requiring the development of a plan, inclusive of a set of success criteria, with required lead agency approvals prior to Project implementation is a widely accepted mitigation approach. However, in an effort to provide the public with biological mitigation planning details beyond the Draft SEIR where feasible, a Draft Special Status Plant Species Mitigation Plan (which include the spiny rush and tarplant) have been included in Appendix C of the Final SEIR. The plan will have Agency oversight, including the lead agency. Mitigation ratios are consistent with recent approved CEQA documents in the region. In addition, the proposed mitigation for spiny rush and tarplant provide a reasonable approach with an expectation for success, based on professional botanist's and habitat restoration specialist's professional opinions. The mitigation has been planned to replace the lost functions and values at a minimum quality of equal to or greater than impacted areas for these special status plant species to reduce the impact to less than significant.

**Response 15.29.** The comment questions whether sufficient data is provided in the Draft SEIR to support a less than significant impact conclusion to the western spadefoot. Mitigation measures requiring the development of a plan, inclusive of a set of success criteria, with required lead agency approvals prior to Project implementation is an industry standard to mitigation approach. However, in an effort to provide the public with biological mitigation planning details beyond the Draft SEIR where feasible, a draft Western Spadefoot Mitigation Plan has been included in



Appendix C of the Final SEIR. The professional biologists who developed that plan have prepared and implemented similar plans that have meet the required criteria and agency approval. Therefore, is it a reasonable expectation that the spadefoot mitigation program will replace the lost habitat and breeding opportunities at a minimum quality of equal to or greater than impacted areas to sufficiently reduce the impact to less than significant.

**Response 15.30.** The comment questions whether sufficient data is provided in the Draft SEIR to support a less than significant impact conclusion to special status reptiles. As stated on 5.2-36 of the Draft SEIR, the loss of native habitat for the silvery legless lizard, coastal western whiptail, rosy boa, San Bernardino ring-necked snake, Blainville's horned lizard, and coast patch-nosed snake would be considered a less than significant impact. However, the Draft SEIR does acknowledge the potentially significant direct loss of these reptiles during Project construction. To minimize this impact to the greatest extent practicable, MM 5.2-10 shall be implemented which would require a biological monitor during vegetation clearing activities to remove this species from harm's way as they are encountered. The relocation of salvages reptiles to suitable habitat in adjacent areas is a common, acceptable practice. Non-impacted habitats adjacent to the impacted areas include various sage scrub vegetation types, needlegrass grasslands, annual grasslands, wildflower fields, and willow and mulefat thickets. These habitats are expected to provide the required conditions to support any silvery legless lizards, coastal western whiptails, rosy boas, San Bernardino ring-necked snakes, Blainville's horned lizards, and coast patch-nosed snakes that may be relocated into these areas.

In the Project Biologist's expert opinion, having implemented similar salvage measures and monitoring programs for special status species, implementation of this measure, conducted in conjunction with any required agency permits is expected to reduce the impact to a less than significant level.

In addition, Mitigation Measures MM 5.2-1, MM 5.2-2, MM 5.2-3 and MMs 5.2-8, and MM 5.2-11 would reduce impacts to less than significant through preservation, creation, and enhancement of habitat potentially used by these species. These measures would ensure these species would persist in the region through replacing potentially suitable habitat impacted at a 2:1 ratio. Biological monitoring alone is not expected to reduce impacts to less than significant, but rather a combination of those measures. Additionally, in an effort to provide the public with biological mitigation planning details in addition to the Draft SEIR, a draft Conceptual Habitat Mitigation Plan has been included in Appendix C of the Final SEIR. For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 15.31.** The comment questions whether sufficient data is provided in the Draft SEIR to support a less than significant impact conclusion to the coastal California gnatcatcher. The error in the Draft SEIR in referencing consultation with CDFW instead of USFWS shall be corrected. The following text on page 5.2-37, Special Status Wildlife, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and strikethrough show the deletions):

Additionally, MM 5.2-15 requires consultation with ~~CDFW~~ **USFWS** within the framework of Section 7 through the USACE regulatory permitting process.

It should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. Mitigation measures requiring the development of a plan, inclusive of a set of success criteria, with required lead agency approvals prior to Project implementation is a widely accepted mitigation approach. However, in an effort to provide the public with biological mitigation planning details beyond the Draft SEIR where feasible, a Draft Conceptual Habitat

Mitigation Plan has been included in Appendix C of the Final SEIR. For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

Regarding the commenter's assertion that the "sage scrub mitigation does *not* call for any sort of conservation easement" is inaccurate. Page 5.2-47 in part J of MM 5.2-6 of the Draft SEIR indicates that a conservation easement is required as part of the Habitat Mitigation Plan. In addition, the maintenance period shall be based on meeting the performance criteria and will be extended to beyond standard requirements, if necessary. The plan also specifies the period of monitoring. Mitigation Measure 5.2-6 on page 5.2-45, the first full sentence of the page shall be edited as follows:

Sage scrub habitat restoration/enhancement implementation shall begin not ~~more~~ **less** than one year ~~following~~ **prior to** Project impacts to this habitat type.

It should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR.

Based on extensive profession restoration experience by the project Biologist, sage scrub can be established and occupied by gnatcatchers within a 5-year monitoring timeframe. This duration of monitoring is also an accepted practice by the USFWS who reviews mitigation plans for projects that impact scrub/gnatcatcher habitat.

**Response 15.32.** The comment disagrees with the 25-foot buffer around nests as presented in MM 5.2-13 and recommends a 200-foot buffer. MM 5.2-13 on page 5.2-55 of the Draft SEIR shall be changed to reflective a larger typical buffer and to indicate that the biologist shall determine the appropriate buffer. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The text will be edited as follows:

If the Biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the Biologist shall delineate an appropriate buffer zone ~~(at a minimum of 25 feet)~~ around the nest depending on the sensitivity of the species and the nature of the construction activity. **Typical nest buffers may be approximately 200 feet for song birds and 500 feet for raptors.** Any nest found during survey efforts shall be mapped on the construction plans. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by a qualified Biologist: (1) clearing limits shall be established within a buffer around any occupied nest ~~(the buffer shall be 25-100 feet for nesting birds and 300-500 feet for nesting raptors),~~ determined by a qualified Biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by a qualified Biologist.

Regarding the nesting period of raptors, the dates reflected in the mitigation measure are consistent with recent CDFW approvals, have remained fairly consistent for a number of years, and are expected to accurately capture the raptor nesting period on the Project site.

**Response 15.33** The comment raises questions about the Fire Hazard analysis. The acronym VHFHZ is defined as "Very High Fire Hazard Severity Zone" in the Local Fire Setting on page 5.5-5 of the Draft SEIR. As discussed in Section 5.9, Land Use, in Table 5.9-2, County General Plan Consistency, the Project would comply with the Fire Management Program specific to the NorthLake Specific Plan which would require compliance with the County Fire Code and all

other regulatory standards. Implementation of fuel modification areas and compliance with the County Fire Code would provide adequate buffer from undeveloped areas susceptible to wildfires. It is also noted that the maximum density proposed by the Project is 18 dwelling units per acre which is less than maximum dwelling unit density of 30 units per net acre identified for Limited Density Multiple Residence Zone, which is the least dense multi-family zone as stated in Section 22.20.310 of the Los Angeles County Municipal Code. Therefore, the Project does not propose to locate what would be considered "high density" development within the Very High Fire Hazard Severity Zone (VHFHSZ).

**Response 15.34.** The commenter is questioning the Fire Management Program. As stated on page 5.5-18 of the Draft SEIR, a Fire Management Program was developed as part of the original NorthLake Specific Plan. Specifically, the Fire Management Program is included as Section IV.C.2 of the NorthLake Specific Plan, on pages IV-11 through IV-13. The Fire Management Program continues to apply to the proposed Project and defines guidelines for potential fire hazard zones. As noted in Response 15.33, Implementation of fuel modification areas and compliance with the County Fire Code would provide adequate buffer from undeveloped areas susceptible to wildfires. It is also noted that the maximum density proposed by the Project is 18 dwelling units per acre which is less than maximum dwelling unit density of 30 units per net acre identified for Limited Density Multiple Residence Zone, which is the least dense multi-family zone as stated in Section 22.20.310 of the Los Angeles County Municipal Code. Therefore, the Project does not propose to locate what would be considered "high density" development within the VHFHSZ.

**Response 15.35.** The commenter incorrectly asserts that the Project's GHG analysis failed to address the state's GHG reduction goals beyond 2020. The Draft SEIR evaluated the state's future goals for GHG reduction based on the best available data at the time the Draft SEIR was prepared. Notably, the Draft SEIR includes discussion of Executive Order B-30-15 and Executive Order S-3-05 and how the state and thus the Project could achieve the state's 2050 GHG reduction goals (see Draft SEIR beginning at 5.7-11). At the time of the preparation of the Draft SEIR and currently, the California Air Resources Board has not adopted a Scoping Plan regarding how the 2030 goal would be achieved. Furthermore, Los Angeles County and the SCAQMD have not adopted a Project level threshold for 2030.

Nevertheless, in response to the comment, an evaluation matrix (Supplemental Table 1, included as Appendix J to the Final SEIR) was prepared to demonstrate that the Project is consistent with the goals of SB 32, through consistency with the 2017 Climate Change Scoping Plan Update. The 2017 Climate Change Scoping Plan Update is currently not adopted. As is shown in Supplemental Table 1, the Project is consistent with the regulations and anticipated efforts outlined in the 2017 Climate Change Scoping Plan update, which is the State's evaluation on how it will reduce GHG emissions to achieve the goals of SB 32 (notably, to reduce the state's emissions to 40 percent below 1990 levels). Because the Project is consistent with these Scoping Plan measures, the Project does not impede the State's anticipated efforts to reach the goals of SB 32.

**Response 15.36.** The commenter misconstrues the analysis included in the Draft SEIR. The CCAP meets the requirements of the CEQA Guidelines Section 15183.5 by predicting growth and GHG emissions within the unincorporated areas for 2010 and 2020, and that is the basis for the analysis in the Draft SEIR. The Draft SEIR does not make any claims that the CCAP demonstrates compliance with SB 32.

Nevertheless, as discussed in Response 15.35, an evaluation matrix (Supplemental Table 1, included as Appendix J to the Final SEIR) is included to demonstrate that the Project is consistent with the goals of SB 32 and will not impede the state's ability to reach the GHG reduction goal.

The comment raises a misplaced concern regarding the 2012 SCVAP. The Draft SEIR acknowledges the findings of the 2012 SCVAP in Section 5.7.2. The consistency analysis in the Draft SEIR is provided to demonstrate that the Project would be consistent with the policies and commitments in the SCVAP. Note also that the SCVAP was last updated in 2012 prior to the adoption of the Los Angeles County CCAP in 2015. The Los Angeles County CCAP identified the policies and commitments required for Los Angeles County to meet the goals of AB 32. The state has also adopted additional regulations since the date when the SCVAP was issued (e.g., Renewable Portfolio Standards). Thus, the SCVAP is superseded by the subsequent analyses in the Los Angeles County CCAP.

Furthermore, the Project GHG determination of less than significant impact reached in Section 5.7.7 is based on the totality of the consistency with the Los Angeles County CCAP, 2012 SCVAP, 2016-2040 RTP/SCS, SB 375, EO S-3-05, and EO B-30-15. Thus, the singular finding in the superseded 2012 SCVAP does not invalidate the overall consistency of the Project with the plans to demonstrate that the Project will meet/be consistent with the goals as addressed by those plans.

**Response 15.37.** The commenter misconstrues what is stated in the Draft SEIR and the analyses that are included in the Draft SEIR. On page 5.7-21 and 5.7-22, the Draft SEIR indicates that a consistency analysis with Executive Orders S-3-05 and B-30-15 will be done. On page 5.7-33, this analysis is included. The Draft SEIR explains that “compliance by individual land use Projects is not addressed in these regulations. Therefore, the proposed Project would not conflict with these state plans, policies, and regulations.” Los Angeles County and the SCAQMD have not adopted a Project-level threshold related to these executive orders, thus limiting what further analyses could be completed specific to the executive orders.

In the recent case *Cleveland National Forest Foundation v. San Diego Association of Governments* (July 13, 2017), the California Supreme Court reinforced the general rule that lead agencies have considerable discretion in determining how to evaluate and discuss environmental impacts and significance thresholds.<sup>6</sup> In line with the Supreme Court decision, the County here exercised its discretion in deciding which GHG thresholds are applicable to the Project and the analysis was conducted accordingly.

The analysis presented in the Draft SEIR is consistent with all guidance and requests issued by the Los Angeles County Planning Department to date.

**Response 15.38.** The commenter incorrectly states that the Project’s GHG emissions are significant compared to SCAQMD’s thresholds. According to the presentation given at the September 28, 2010 Working Group meeting, SCAQMD staff reviewed the tiered (stepped) significance threshold approach<sup>7</sup> to determine the appropriate threshold to be used while analyzing GHG emissions. However, this approach and the draft thresholds were never adopted. Furthermore, the proposed thresholds of 1,400 to 3,500 MTCO<sub>2</sub>e per year depending on whether the Project is commercial, mixed use, or residential, are “screening values”. If a Project’s GHG emissions exceed these “screening values”, it is advised to move to Tier 4, or later onto Tier 5 (i.e. to conduct additional GHG emissions impact analysis). The Draft SEIR includes additional analyses to assess the proposed Project’s potential GHG impacts. These analyses are summarized in Section 5.7.7. Thus, even though the proposed Project would exceed the draft,

<sup>6</sup> Cleveland National Forest Foundation v. San Diego Association of Governments case. July 2017. Available at: <http://www.courts.ca.gov/opinions/documents/S223603.PDF>. Accessed: July 2017.

<sup>7</sup> SCAQMD 2010. CEQA Significance Thresholds Working Group Meeting #15. September 28. Available at [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf). Accessed: July 2017.

unadopted “screening values”, additional analysis was conducted that demonstrates the proposed Project will be consistent with the various plans, policies and regulations to reduce GHG emissions, and is therefore less than significant. The proposed Project has committed to an extensive list of Project design features and mitigation measures to reduce GHG emissions as listed in Section 5.7.7.

Furthermore, the Project is expected to have lesser development compared to the Existing NorthLake Specific Plan. This reduction in land use is shown in Table 1-1 page 1-4 of the Draft SEIR. Given the lesser development, the Proposed Plan is expected to have fewer GHG emissions compared to the existing NorthLake Specific Plan, and thus would be below the screening threshold as discussed in the comment.

**Response 15.39.** The commenter seeks clarification on a Project Design Feature (PDF). Due to uncertainties as to the amount of viable roof space on particular homes for solar panels, the PDF provides the flexibility to ensure that the appropriate level of solar is installed on a given residential dwelling unit. The PDF requires that an overall capacity be achieved, and allows for different sized systems on different dwelling units. Based on the PDFs and as shown in Table 2-8 of the GHG Technical Report to the Draft SEIR, the Project is committed to achieving GHG reductions through the installation of solar panels. Specifically, the Project estimates it can achieve GHG reductions of approximately 1,560 MT CO<sub>2</sub>e per year through the installation of 3 kW systems on 50 percent of the residential dwelling units at full build out.

**Response 15.40.** The commenter disagrees with the finding that the Project is consistent with the goal of encouraging land use and growth patterns that facilitate transit and non-motorized transportation. The backbone of the Project, as discussed in Section 4.0 of the Draft SEIR, and reiterated in the Project Consistency to Goal 8 on page 5.7-38 of the Draft SEIR, is the extensive multi-use trail system that provides for non-motorized transportation in the form of bicycles, walking, and hiking which connects to key land uses throughout the Project site, including residential uses, commercial areas, industrial areas, the existing NorthLake Hills Elementary School, and off-site uses in the Castaic community. This primary feature of the Project is directly consistent with this goal, meeting the goal of facilitating non-motorized transportation. Additionally, as discussed in Response 15.11, Section 5.7.6 of the Draft SEIR states that the Project would provide shuttles to major employment centers. The Project will provide public transportation for all the residents of NorthLake. The public transportation system will provide service to the schools and parks within the NorthLake community. It will also provide service to the Castaic Sports Complex and retail centers in downtown Castaic. Additionally, the public transportation system will provide NorthLake residents with service to and from the Valencia Commerce Center, a major employment area and link to the greater Santa Clarita Valley and Los Angeles public transportation systems. An excerpt from the NorthLake Design Guidebook, prepared as supplemental materials for the County Department of Regional Planning, that includes maps of the conceptual public transit route and stop locations is included in Appendix I to the Final SEIR.

**Response 15.41.** The commenter incorrectly states that the Draft SEIR does not explain the assumptions for the BAU and Project scenarios. Table 3-1 of the GHG Technical Report to the Draft SEIR clearly defines the underlying assumptions for the BAU and Project scenarios. It includes an explanation for both the regulatory measures, and Project design features incorporated into the analyses.

The commenter also misunderstands the purpose of this analysis. As mentioned in Section 3 of the GHG Technical Report, the Project’s 40.1 percent reduction in GHG emissions from the BAU scenario is not intended as a significance threshold but rather is a demonstration of the efficacy of the Project’s design features to reduce GHG emissions, as well as the reductions achieved

through compliance with all applicable regulatory plans to reduce GHG emissions. Section 5.7.8 of the Draft SEIR also clearly indicates that this analysis was included to demonstrate the “efficacy of the Project’s design features to reduce GHG emissions”.

The numbers cited in the comment are incorrect and do not properly represent the Project’s reduction from a BAU scenario. The GHG reductions achieved from regulatory programs are real and quantifiable and an important component of the State’s efforts to reduce GHG emissions. The totality of the reductions from both regulatory programs and Project design features are important considerations in the context of comparing to a BAU scenario consistent with how CARB has analyzed GHG reductions for the Scoping Plan.

The comment refers to a Supreme Court Decision, but does not disclose which one. The most recent California Supreme Court decision pertaining to GHG thresholds, *Center for Biological Diversity v. California Dept. of Fish & Wildlife* (2015) 62 Cal. 4<sup>th</sup> 204, approved the use of the BAU analysis approach. However, the Supreme Court indicated that additional substantial evidence would be needed to determine what an appropriate significance threshold would be for a specific Project. Since in this case the BAU analysis is not being used as a significance threshold, rather to show efficacy of the Project’s design features to reduce GHG emissions, this analysis is consistent with the Supreme Court’s decision.

**Response 15.42.** The commenter states that there is no substantial evidence to support that the Creek Avoidance Alternative was found to be infeasible. As previously discussed in Response 12.12 and as noted by the commenter, the Draft SEIR does make the finding that the Creek Avoidance Alternative would be infeasible. As discussed in Section 6.5.1 of the Draft SEIR, the Project team did explore a Creek Avoidance Alternative. Based on the Project engineer’s preliminary review of an alternative designed to avoid building or grading in the blueline area of Grasshopper Canyon, such an alternative would require export of over 10 million cubic yards of soil; would eliminate commercial, multi-family, and single-family development; would require buttressing of all west facing slopes along Grasshopper Canyon; and would require construction of at least three bridges to allow for access and circulation.

A Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations’ reliance on fuel-consuming mechanical equipment.

It should be noted that a school is identified as a potential future land use in conjunction with the Creek Avoidance Alternative, consistent with the proposed Project; however, the actual development of the school is not solely reliant on the anticipated population. Rather, it would be a decision made by the school district based on anticipated enrollment in the local area; therefore, the number of residences proposed on the Project site would be considered but would not be the sole factor in siting a school on the Project site. Therefore, to be consistent with the *NorthLake Specific Plan* which called for schools within the site, the Creek Avoidance Alternative correctly assumes the potential for a school.

The discussion regarding the reasons for determining that the Creek Avoidance Alternative has been modified to provide additional clarification.

The following clarifications are hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR.



The following text on page 6-7, Creek Avoidance Alternative, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~striethrough~~ show the deletions):

As the current applicant was re-initiating the Specific Plan a land plan was laid out that avoided the creek bottom that runs through the middle of the Project. This land plan placed development on one side of the creek with development terraced up the slope to minimize grading, **which would require export of over 10 million cubic yards of soil and extensive buttressing along all west facing slopes along Grasshopper Canyon**. This plan was attempted to avoid impacting the creek habitat, avoid jurisdictional wetlands (waters under the authority of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board).

Although this alternative would be less impactful **for some resource areas**, it would also eliminate more than half of the residential units and the other uses **due to the limited development area**. However **Despite the reduction in developable area**, the infrastructure requirements would be largely the same **as access and utilities would be required to cross Grasshopper Canyon**. The road-ways would still be needed as well as the need for all of the services to be engineered in place: water, sewer, street lights, curbs and gutters, and other utility lines would be required to be brought to the site. **Up to three bridges would be required to provide for access and extension of utilities**. The development would also require **development of amenities including** schools, **and** parks. The amount of development would be reduced to the point of not making the development feasible. **Additionally, the cost of the Project would be increased due to the additional geotechnical engineering that would be required and bridge construction.**

**A Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations' reliance on fuel-consuming mechanical equipment.**



*Via Electronic Mail and USPS (w/attachments)*

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**Re: NorthLake Specific Plan, Draft Environmental Impact Report**

Dear Ms. Sackett:

These comments are submitted on behalf of the Center for Biological Diversity (“Center”) on the Draft Environmental Impact Report (“DEIR”) for the proposed NorthLake Specific Plan Project (“Project”). The California Environmental Quality Act (“CEQA”) mandated environmental review for the Project is inadequate and fails to comply with the requirements of the statute. The DEIR fails to adequately analyze a range of environmental impacts, mitigation measures, and alternatives. For the reasons detailed below, we urge that the Project be denied, or at a minimum, the DEIR must be revised and recirculated to remedy these deficiencies.

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 one 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.

**I. The Current Project Description Does Not Represent The True Scope of the Project and is Misleading.**

Under CEQA, a “project” is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment . . . .” (*Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonoma* (2007) 155 Cal.App.4th 1214, 1222 (citing CEQA Guidelines § 15378, subd. (a).) An “accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.” (*Cnty. of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193; (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149

16.1

Cal.App.4th 645, 655 (project description held unstable and misleading) [hereinafter “*San Joaquin Raptor*”].) “However, a curtailed, enigmatic or unstable project description draws a red herring across the path of public input.” (*San Joaquin Raptor*, 149 Cal.App.4th, at 655.).

An inaccurate or truncated project description is prejudicial error because it fails to “adequately apprise all interested parties of the true scope of the project.” (*See City of Santee v. Cnty. of San Diego* (1989) 214 Cal.App.3d 1438, 1454-55 [hereinafter “*City of Santee*”].) “Only through an accurate view of the project may the public and interested parties and public agencies balance the proposed project’s benefits against its environmental cost, consider appropriate mitigation measures, assess the advantages of terminating the proposal and properly weigh other alternatives.” (*San Joaquin Raptor*, 149 Cal.App.4th, at 655.)

As a general matter, the DEIR needs to be clearer about distinguishing between the 1992 NorthLake Plan and the current Project. Adopting a clearer naming system would aid the public by eliminating confusion and helping to more easily identify which plan is being referenced.

There are also numerous deficiencies in the Project Description. The Project Description provides objectives that erroneously rely on outside data which is not provided in the DEIR. There is no way for the public to assess whether the objectives rely on meaningful studies or if a legitimate need exists in the community for this development. For example, one objective states a goal of enhancing local economic well-being by ostensibly providing jobs for the same people who will live in the new housing. (DEIR at 4-3.) This is insufficient for two reasons. First, it is unclear whether there is in fact a need for housing and the DEIR provides no evidence to support this claim. Second, there is no evidence supporting the contention that those purchasing homes will stay within the community for their employment. There are no assurances that those living in the housing development will also work on-site. This has additional implications on GHG/air quality analyses if residents will be traveling outside of community for work, yet the DEIR assumes they will remain on-site. There is also insufficient evidence to support the conclusion that this project will alleviate some need for stability within the community. Simply stating that there are new housing demands or instability in the County is insufficient without further studies or data. The DEIR mentions that this development will generate 9,734 new residents but fails to indicate the anticipated demographics of new residences, especially regarding their ability to afford the housing and their employment objectives (this also impacts the DEIR’s purported need for schools and the DEIR’s analysis of transportation/GHG issues from due to travel for education and employment).

The DEIR mentions several pending realignments and utility sub-projects which are conditional to development. (DEIR at 4-4; 4-17.) These include the need to build sufficient water supply, wastewater and sewer infrastructure. However, the DEIR fails to clearly indicate the siting, existing conditions, and environmental impacts of these large infrastructure projects, which are, as the DEIR stated, conditional to development. (DEIR at 4-3 – 4-5; Table at 4-1.) The DEIR also mentions the need for realignment of an oil pipeline and electrical transmission lines. (DEIR at 4-4.) Yet the DEIR fails to clearly illustrate how exactly they will realign the pipeline or electrical transmission lines, where they will move these lines, or analyze the environmental impacts of this realignment.

The DEIR’s discussion of a school conflicts with the Project’s objectives regarding transportation and emissions reductions. The DEIR contains a section dedicated to discussing

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the inclusion of a school, yet this is only potentially part of Phase 2; there is no guarantee another school will be built. Although NorthLake Elementary School already exists, the DEIR does not contemplate the reality that school-aged residents would need to travel outside the community to attend middle and high school. Nor does the DEIR consider that some school-aged residents may attend private schools outside of the Project area.

16.4 cont

The DEIR states that the development will “remediate” environmental hazards. (DEIR at 4-10.) This statement is problematic because it mischaracterizes the Project’s interaction with environmental hazards so as to misleadingly indicate that the project is *improving* the environment through development. It is also unclear whether there will be other hazardous activities associated with the project, which are never mentioned in the Project Description.

16.5

The DEIR states that the Project requires “minimum landscaping requirements,” (DEIR at 4-12) yet fails to give specifics as to what those requirements are, fails to analyze these requirements in the context of water or non-invasive plant use, and fails to provide assurances that these requirements would comply with Los Angeles County Green Building Standards. The DEIR also fails to explain *how* the Project will meet California’s solid waste goals other than a cursory statement that they will do so. Mere conclusory responses are inadequate. (*See Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935 (“To facilitate CEQA’s informational role, the EIR must contain facts and analysis, not just the agency’s bare conclusions or opinions.”). Nor does the DEIR explain what is meant by solar panel equivalent.

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16.8

The DEIR inconsistently references cattle grazing. (*See* DEIR at 1-2; *cf.* DEIR at 7-12.) The DEIR switches between referring to cattle grazing as a “historic” use and a current use of the land. (*Id.*) The DEIR also states that no cattle grazing will be permitted in the new development but fails to clarify where the cattle that currently graze will go. (DEIR at 4-19.) If the cattle are going to be moved to another location, the DEIR needs to analyze the environmental impact on the new location. The DEIR also mentions animal care and handling facilities yet never describes what types of animals will be handled or how this fits into the project as a whole. (DEIR at 4-19, 5.8-40.)

16.9

The DEIR fails to analyze or disclose any of the impacts of the previously named foreseeable uses and consequently provides no firm basis to assess the environmental costs and appropriate mitigation measures of the Project. (*San Joaquin Raptor*, 149 Cal.App.4th at 655.) As such, the DEIR fails to inform decision-makers and the public of the true scope of the Project from which all interested parties could assess the direct and indirect environmental effects of the Project. (*City of Santee*, 214 Cal.App.3d, at 1454-55; *San Joaquin Raptor*, 149 Cal.App.4th, 655; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 83-86.)

16.10

## **II. The Alternatives Analysis in the DEIR is Inadequate and Fails to Comply with CEQA.**

CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. (Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2),

16.11

15126(d).) Moreover, although “an EIR need not consider every conceivable alternative to a project . . . it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.” (Guidelines § 15126.6(a).) Additionally, the “key to the selection of the range of alternatives is to identify alternatives that meet most of the project’s objectives but have a reduced level of environmental impacts.” (*Watsonville Pilots Assn. v. City of Watsonville* (2010) 183 Cal. App. 4th 1059, 1089.) Accordingly, a rigorous analysis of reasonable alternatives to the Project must be provided to comply with this strict mandate. Unfortunately, the DEIR fails to meet this requirement on two levels: the DEIR analysis of the alternatives proposed is inadequate and the DEIR fails to include a reasonable range of alternative.

16.11 cont.

In rejecting the Creek Avoidance Alternative, the DEIR provides insufficient explanation as to why creek avoidance was eliminated from further consideration. (*See* DEIR at 6-7.) No explanation was given for why, contrary to common sense, eliminating more than half of the residential units would still necessitate the same amount of curbs, streetlights, utilities, etc. The DEIR attempts to bolster this rejection by arguing that the development would require schools, which would need to be built regardless of the number of houses in the development. (DEIR at 6-7.) However, as the DEIR itself stated above, the school is only potentially part of Phase 2 and not integral to the Project.

In analyzing the No Project Alternative, the DEIR impermissibly rejected this alternative in a conclusory fashion. (*See Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935 (“To facilitate CEQA’s informational role, the EIR must contain facts and analysis, not just the agency’s bare conclusions or opinions.”). Additionally, if the reasons for rejection the No Project Alternative is for feasibility reasons, case law indicates the standard for feasibility is high. Whether a project is economically unfeasible “is not measured by increased cost or lost profit, but upon whether the effect of the proposed mitigation is such that the project is rendered impractical.” (*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 600 (internal citation omitted).) In *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1180, the Court agreed with the trial court that the administrative record did not contain analysis of the project alternatives in terms of comparative costs, comparative profit or losses, or comparative economic benefit to the project applicant or the community at large.

16.12

In analyzing the No Project Alternative and Alternative Site, the DEIR should have discussed the need for the Project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in GHG emissions and help solve the problem of climate change is to “facilitate more efficient and economic use of the lands” already developed within the community. (CAPCOA 2008.) Reinvesting in existing communities is “appreciably” more efficient than new development and may even result in a net reduction of greenhouse gases. (CAPCOA 2008.) The DEIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods. (Office of the California Attorney General 2008.). Here, the objectives do not indicate that this specific site is necessary to accomplish the project goals.

16.13



In analyzing the Project pursuant to the Specific Plan, the DEIR fails to give any detail about what species would be impacted by the development.

16.14

In analyzing the No Industrial Alternative, the DEIR indicates that this alternative actually provides no fewer environmental impacts than the Proposed Project. (DEIR at 6-21). The DEIR also concludes that this alternative that would lead to an increase in driving due to removal of on-site employment opportunities (DEIR at 6-20); however, this erroneously assumes that those living in the development would seek out industrial employment (this assumption also implicates the Project's GHG emissions). Intensive industrial uses next to a national forest will likely be problematic yet this alternative does not discuss this at all. The DEIR fails to specify what industrial uses the developers are considering; these could have huge range of impacts and analyses given the potential different uses.

16.15

In analyzing all of the alternatives, the DEIR relies on 1992 NorthLake Specific Plan for guideline conformity as though the old plan holds legal weight. The DEIR has not explained why conformance with the 1992 Plan has any relevance to the current project in 2017. Just because the earlier specific plan was approved does not mean that it necessarily is legally adequate under CEQA. Any environmental conditions or mitigation measures detailed for that plan are not necessarily reflective of current conditions and CEQA requires an analysis based upon actual physical conditions. (Guidelines § 15126.2(a); *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 83-86.) Environmental laws and regulations as well as CEQA-specific requirements have become significantly stronger in California since 1992 such that mitigation that might have been adequate then may not be sufficient now. CEQA requires adoption of all "feasible" mitigation measures and measures which may have not been feasible in 1992 may be feasible now (such as technologically sophisticated air pollution control equipment or solar power). Additionally, the County's General Plan in 1992 is likely different than current general plan. Recent land use trends indicate a movement towards consolidating sprawl, and a valid development in 1992 might not be an acceptable land use decision in 2017.

16.16

The DEIR provides no explanation for why the applicant chose not to make this their preferred alternative given that this is deemed the environmentally superior option. Moreover, Table 6-5 provides no way to quantifiably, and therefore meaningfully, compare the options. Table 6-2 ostensibly provides some detail on which to compare the 1992 NorthLake Specific Plan and the Proposed Plan, but this table excludes all of the other alternatives and is not helpful without having the 1992 NorthLake Specific Plan or EIR. (DEIR at 6-12.) The DEIR should include quantitative and meaningful comparisons between the Project's impacts and proposed alternatives' likely impacts, including analysis of estimated GHG emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative. 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 DEIR's general statements regarding these topics are insufficient.

16.17



**A. The DEIR should have analyzed a wider range of alternatives.**

As illustrated above, the DEIR did not analyze a reasonable range of alternatives including, but not limited to, the following: increased density with a substantially smaller project footprint; transportation-oriented design surrounding existing transit nodes or transit corridors within or adjacent to the Project area; a low carbon alternative that would actually result in lower emissions; conversion of the land into a conservation or mitigation bank; and mixed use development combined with greater preservation and enhancement of existing wildlife habitat. As courts have made clear, “[a] potential alternative should not be excluded from consideration merely because it would impede to some degree the attainment of the project objectives, or would be more costly.” (*Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal. App. 4th 1437, 1456-57 (quotations omitted).) The DEIR should have included a larger range of alternatives from which decision-makers could choose.

16.18

**III. The DEIR’s Analysis of Surface Water is Flawed.**

The DEIR indicates that the Project would have no significant impacts and no mitigation measures required for water quality and hydrology issues. (DEIR at 5.8-81) Given the proximity of the Project to bodies of water, such as Castaic Lagoon, and the projects infill of Grasshopper Creek, this conclusion is not supportable. Additionally, discussion of Marble Creek and the Santa Clara River are absent from the Project Description. Yet it is clear the Project will have impacts on both of these waterways.

16.19

While the DEIR provides a list of Best Management Practices (“BMPs”) that may reduce impacts (DEIR at 5.8-38 – 5.8-40), none of BMPs listed are specified as enforceable mitigation measures, which is required under CEQA. The DEIR does not indicate that these mitigation measures are binding on the project or that the applicant is required to comply.

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Moreover, the water quality and hydrology section appears to contain significant amounts of “boilerplate” information that does not necessarily assist the public in understanding the impacts of the Project. In particular, the DEIR begins its hydrology and water quality analysis on page 5.8-1 of the DEIR, yet delays any CEQA-required discussion of environmental impacts as they relate to the project until page 5.8-47 – in other words, 47 pages of the section do not discuss or analyze actual impacts of the Project. And substantive information and studies regarding impact are only included in two separate thousand-page documents.

16.21

**A. The DEIR does not adequately analyze impacts on wildlife on aquatic wildlife.**

CEQA requires the County to require all feasible mitigation measures. (Pub. Res. Code §§21002, 21081(a); CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15091(a)(1).) In its DEIR, the County failed to justify why a 100-percent avoidance mitigation measure of Grasshopper Creek would be infeasible. The mitigation measures provided to resolve infilling the aquatic habitat only consider relocating the respective species. Relocation is generally expensive and unsuccessful, which is well documented in the scientific literature.<sup>1</sup> There is no mention of

16.22

<sup>1</sup> Fischer, J. and D.B Lindenmayer 2000. An assessment of the published results of animal relocations. *Biological Conservation* 96:1-11.

avoiding the creek or providing a buffer and this would be a reasonable avoidance and minimization strategy. Additionally, the County should prohibit herbicide use that may run or drift onto Spadefoot Toad habitat, because herbicides are proven to disrupt amphibian reproduction.<sup>2</sup> Moreover, the Project will likely impact wildlife movement by filling in a portion of Grasshopper Creek Canyon, through which a tributary flows. A recirculated EIR needs to include an alternative to avoid Grasshopper Creek and Canyon in order to avoid and minimize impacts to onsite wildlife as well as connectivity.

16.22 cont.

The DEIR describes an Integrated Pest Management (“IPM”) Plan but declines to actually list pesticides that will be used or provide the IPM in the public review. Nor is this plan binding on the Project. The DEIR states that “[p]esticides in runoff may or may not increase in the post-development phase” (DEIR at 5.8-61) yet fails to address issues that may result regarding runoff and bioaccumulation. The DEIR’s reliance on IPM is ill-placed. IPM is entirely voluntary; it does not legally bind the Applicant to employ IPM strategies, and fails to define which products the Applicant has promised not to use. (*Appendix H-1 Water Quality Technical Report.*) Because the Applicant is under no legal compulsion to adhere to this promise, the County cannot and should not rely on this mitigation measure to reduce harm to individuals on or near the Project property. (CEQA Guidelines § 15126.4(a)(2); *Federation of Hillside & Canyon Ass’ns v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261 (mitigation measures must be “fully enforceable through permit conditions, agreements, or other measures” so “that feasible mitigation measures will actually be implemented as a condition of development”).) Additionally, the DEIR does not point to any study or analysis that would suggest IPM is an effective means to mitigate harm to sensitive species, such as amphibians. Thus, the DEIR fails to present IPM for the Project to interested members of the community from becoming fully informed of the benefits and risks of this form of mitigation. (Cal. Pub. Res. Code § 21002, 21003.)

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The DEIR’s failure to prohibit certain pesticides is all the more glaring in light of the threats facing the Santa Clara River. The DEIR admits that the Santa Clara River is considered impaired (DEIR at 5.8-20) and designated as a Significant Ecological Area (“SEA”) and it is clear that the Project will impact tributaries, particularly Castaic Creek, that lead to the Santa Clara River. (DEIR at 5.2-27.) This seems likely problematic given that the Santa Clara River is home to numerous endangered wildlife. Yet the DEIR contradicts itself by stating that the Santa Clara River has remained “stable” despite increased urban growth and water use. (DEIR at 5.8-81.)

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#### **B. The DEIR Does not ensure TMDL and NPDES Permit compliance.**

The DEIR fails to and must implement additional mitigation measures in order to comply with the TMDL requirements. The DEIR has not assessed how the Project will meet these mandatory requirements and must provide more than simply stating that the project will be subject to and comply with jurisdictional waters. (*Californians for Alternatives to Toxics v. Dept. of Food & Agric.* (2005) 136 Cal.App.4th 1, 17 (compliance with existing environmental laws or regulations is not sufficient to support a finding that a project will not have significant

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<sup>2</sup> Hayes et al. 2002. Herbicides: Feminization of male frogs in the wild. *Nature* 419: 895-896.  
<http://palgrave.nature.com/nature/journal/v419/n6910/full/419895a.html>

environmental impacts).) None of the recommended mitigation measures explain *how* the Project will comply or provide quantifiable and binding measures to be taken.

} 16.25 cont.

**C. The DEIR provides conflicting and inadequate information regarding runoff and sedimentation impacts.**

The DEIR provides an inadequate description of mitigation measures for alleviating significant sedimentation impacts because of both construction as well as implementation of the Project. The DEIR also fails to demonstrate that these mitigation measures would be effective in reducing impacts to less than significant. The DEIR indicates that the by eliminating cattle grazing, the project will improve existing sediment loads in Castaic Lagoon. (DEIR at 5.8-2.) While cattle grazing does have some impact on water quality, there is no evidence that a project which introduces thousands of people to a previously undeveloped area will have fewer impacts than cattle grazing.

} 16.26

The proposed Project could result in significant nutrient loading into waterways. Yet the DEIR appears to state that the Project may reduce the volume of runoff containing sedimentation from current levels and suggests that in fact Castaic Lagoon possesses an “assimilative capacity for nutrients” so that nutrient loading from the project would not affect the water quality. (DEIR at 5.8-55.)

} 16.27

Thus, the DEIR casts a blanket statement that mitigation measures will reduce peak runoff and total runoff volume for the entire project that is overbroad and misleading, does not provide decision-makers the ability to assess whether mitigation measures that will result in net sedimentation reductions in compliance with existing law, and leaves out essential information like recommended mitigation measures to reduce environmental impacts. The DEIR is contrary to CEQA requirements of full disclosure and intelligent decision-making. (Cal. Pub. Res. Code § 21002, 21003.)

} 16.28

**D. The DEIR does not adequately analyze or mitigate impacts arising from hazardous substances.**

The DEIR provides that a combination of setbacks from drainage features and hazardous material management measures would minimize the potential for pesticides to enter the many waterways on the project site. (DEIR at 5.8-65.) However, the DEIR fails to provide further details on the hazardous materials business plan, including specific mitigation measures and the enforceability of the measures, which would be controlling for how hazardous materials and potential spills will be managed on the Project site. Instead, the DEIR defers this mitigation measure, an error that must be corrected in the final EIR. Additionally, the pipeline relocation analysis regarding impacts to water quality is insufficient and fails to provide more than cursory mention of compliance with BMPs and Low Impact Development (“LID”) strategies. (DEIR at 5.8-66.)

} 16.29

**IV. The DEIR Does Not Adequately Analyze or Mitigate Impacts To Groundwater.**

The DEIR provides conclusory and inaccurate statements regarding impacts to groundwater. The DEIR states that increasing impervious surface will limit precipitation recharge but that this is counteracted by the increase runoff to Castaic Lagoon. (DEIR at 5.8-73)

} 16.30

– 74.) Not only does this not make sense, but the DEIR fails to consider the fact that the runoff from the impervious surfaces will contain contaminants and fails to analyze those impacts.

The DEIR also states that the Project will recharge the Alluvial aquiver, thereby benefiting the groundwater supplies for the Project (DEIR at 58-50.) The DEIR should provide further information as to how an increase in impervious surfaces associated with development will actually benefit groundwater supplies.

16.30 cont.

#### **V. The DEIR Fails to Adequately Analyze the Growth-Inducing Impacts of the Project.**

EIRs are required to provide a detailed discussion regarding the growth-inducing impacts of a project. (Guidelines §§ 21100(b)(5); 21156.) *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 369 sets forth three factors to determine the level of detail required in a growth-inducing impacts analysis: (a) the nature of the project; (b) the directness or indirectness of the contemplated impact; and (c) the ability to forecast the actual effects the project will have on the physical environment. (*Id.*) Applying these factors here, the DEIR should have contained a detailed analysis regarding growth-inducing impacts because (a) the Project at issue is extremely large, is sited in an area with no existing development, and includes infrastructure that will undoubtedly act as a catalyst for future development in the area; (b) the Project will result in direct impacts in the area by paving the way for future development through infrastructure; (c) the County already has lists of potential proposed developments (*see* DEIR at 5.12-43)), such that the County can forecast the nature and extent of growth inducing impacts. Despite these requirements, the DEIR spends less than two pages analyzing the growth-inducing impacts of the Project. This is plainly inadequate under *Napa Citizens*.

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The DEIR states that property west of I-5 may be developed but not as the result of this Project (DEIR at 7-14) but this conclusion fails to consider how the current Project will pave the way to induce more development. The DEIR relies on a flawed argument that somehow because this Project was previously approved in 1992 that means the DEIR now does not need to analyze growth-inducing impacts.

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The DEIR purports to accommodate a housing crisis in Los Angeles (although the proposed development is not close enough to Los Angeles to legitimately provide housing for residents living in the city) and based on this assumption, mistakenly concludes that this somehow counteracts any growth-inducing capabilities of the Project. (DEIR at 7-14.)

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Finally, the DEIR claims that it requires no changes to current zoning or codes. This statement is both inaccurate [*see* DEIR at 4-8 (description of necessary Conditional Use Permit for development)] and confuses “precedent-setting action” with garden variety development that nonetheless induces growth in an otherwise undeveloped area of land and requires CEQA analysis. (DEIR at 7-15.)

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#### **VI. The DEIR Does Not Adequately Analyze Or Mitigate The Air Quality Impacts of the Project.**

The DEIR’s air quality impacts analysis is flawed because it underestimates the air quality impacts likely resulting from the Project and fails to adopt all feasible mitigation

16.35

measures. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated at 8,800 deaths and \$71 billion per year. (ALA 2013.) The Project will further degrade the region's air quality by generating considerable emissions from the construction phase through ongoing operations.

16.35 cont.

Regarding criteria pollutants, the DEIR's significance analysis is flawed because it uses the "Localized Significance Threshold" or "LST" methodology. (DEIR at 5.1-38.) This is not a proper threshold for this Project. According to South Coast Air Quality Management District ("SCAQMD"), LSTs only apply to projects that must undergo CEQA or NEPA review and "are five acres or less."<sup>3</sup> In contrast, the Project would develop approximately 1,330 acres. Additionally, the DEIR states that specific emissions based on land uses cannot be characterized (and therefore analyzed) without knowing the nature of the use. (DEIR at 5.1-38.) However, the DEIR cannot avoid analysis or disclosure by simply stating that future uses will comply with SCAQMD rules.

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The DEIR states that industrial and commercial land uses will be potentially significant (DEIR at 5.1-40) but fails to address mitigation measures by impermissibly concluding that any potential facilities would comply with SCAQMD requirements. The DEIR also makes conclusory and erroneous statements that health risks from off-site sources would be less than significant, requiring no mitigation measures, because a study from the early 2000s set a "conservative" baseline and diesel emissions from heavy trucks have declined since then. The DEIR provides no evidence to support this conclusion.

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There are numerous other inadequacies with the DEIR's air quality analysis, including the following:

- Regarding Carbon Monoxide, the DEIR uses outdated studies to conduct an analysis (*See* DEIR at 5.1-37 [citing plans from 1992 and 2003].) The DEIR also includes references to the 1992 and 2012 EIRs as though either of these provide relevant or binding data on the current Project. (DEIR at 5.1-5.)
- None of the County of Los Angeles General Plan Goals or Policies appears to be binding on the Project. (DEIR at 5.1-17.) Nor do any of the BMPs regarding construction activities. (DEIR at 5.1-21.)
- The DEIR references Best Available Control Mechanisms ("BACMs") listed in Appendix C yet this information does not appear anywhere in that appendix. (DEIR at 5.1-17.)

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Regarding operational activities, the DEIR states that "[mitigation] measures provide incentives but do not guarantee any reductions [in emissions of mobile source pollutants]." (DEIR at 5.1-33.) The DEIR then goes on to list possible measures, including a suggestion from the 1992 Plan for a "commuter computer program." (*Id.*) The DEIR does not explain what this means or how it would reduce impacts.

16.42

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<sup>3</sup> South Coast Air Quality Management District, "Localized Significance Thresholds," (available at <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>).

The DEIR makes a confusing and incorrect argument that the 2012 Air Quality Management Plan (“AQMP”) took the 1992 Plan into consideration because it came many years after the creation of the 1992 Plan; the DEIR then improperly concludes that compliance with the 2012 AQMP indicates that there are no significant impacts regarding obstruction of the AQMP. (DEIR at 5.1-20.)

16.43

## **VII. The DEIR Fails To Adequately Analyze Or Mitigate The Impacts Of The Project On Biological Resources.**

### **A. Habitat destruction is a leading cause of extinction.**

Species diversity is critical for healthy ecosystems, and ensuring habitat integrity is a key component to species survival. (Dobson 1997.) Habitat destruction or alteration can increase incidents of wildfire and flooding as the ecosystem becomes imbalanced, making it more susceptible to these events. (Brooks 2004; Nilsson 2000.) Developments that convert open space into another use, such as housing, industry, energy or agriculture, negatively impact the species that live in these areas, and the ecosystem as a whole. (Walston 2016; Chaplin-Kramer 2015; Minnich 1998.) Many of the species that have potential to occur in the project area are already imperiled or endangered, and further encroachment onto their habitat worsens the threat to their success and survival.

While the entire habitat may not be converted or destroyed through development, it may be fragmented such that it becomes useless as a habitat for particular species. Even if the habitat remains intact, light and noise pollution can negatively impact the health and reproductive rates of species that are sensitive to these types of pollution. (Slabbekoorn 2008; Longcore 2004.) Pollution in the form of pesticides and rodenticides are also a threat, in addition to run-off pollution from roads that impacts water quality and aquatic life and the species that depend on it. (Perez 2007; Miller 2006; Relyea 2005.) Roads create habitat fragmentation since they act as dangerous physical barriers that many species won’t cross, or are killed or injured if they do. (Poessel 2014; Ware 2015; Brock 2004; Swihart 1984.) Additionally, roads facilitate the spread of non-native and invasive species, particularly plants and their seeds, which threaten the survival of species native to these areas. (Gelbard 2003.) Fences create another type of habitat fragmentation by reducing mobility and prevent species from accessing all areas that they depend on for survival, or worse, they ensnare the animals that do try to cross them, resulting in injury or death. (Baines 2003; Paige 2008.) For many species, climate change will mean the need for adaptation in the form of migration to new habitats that support their needs. Fragmentation or obstruction of this mobility will result in greater mortality. (Scheffers 2016.)

16.44

Urban infill projects reuse land that has already been disturbed and that is located near urban centers, thus removing the need for conversion of open space for housing, businesses, shopping, roads and other infrastructure. (Wheeler 2002.) These projects are also good candidates for citing distributed solar, further reducing impacts to species and habitat. (Powers 2009.) Wildlife corridors, bridges and underpasses can be constructed in places where roads bisect and disconnect habitat and mobility. (Servheen 2007.) Fences should be used with an understanding of the impacts they have on species mobility, and should be constructed in such a way as to specifically exclude the target species, not all species. Consideration should be given to the type of fencing and the ways in which species could become entangled, injured or killed.



(Paige 2008.) Connective corridors between fragmented habitats will enable species to utilize the habitat and retain needed mobility for survival. (South Coast Wildlands 2008.) Alternatives to toxic and poisonous pesticides and herbicides should be used whenever possible to reduce harm to species and their habitats. (Litmans 2004.)

16.44 cont.

**B. The DEIR does not contain an adequate baseline for biological resources.**

CEQA requires that the lead agency analyze and disclose the existing conditions in the Project area. Unfortunately, the DEIR fails to do this by relying upon outdated surveys. In particular, the DEIR relies on surveys primarily from 1997 to 2004 and 2005 and 2006. (DEIR at 5.2-2.) Surveys that are over ten years old cannot provide information on “current conditions” on the site and are therefore not sufficient under CEQA.

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Similarly, the DEIR relies upon inadequate surveys for special status species. The DEIR states that the Project site contains “potentially suitable habitat” for five species of federally endangered or threatened shrimp, but that no shrimp was observed during “2014-2015 focused surveys.” The 2014-2015 rain season for Los Angeles County was barely half of average, such that shrimp’s vernal pool habitat was significantly diminished. The DEIR should include surveys from years (such as 2016-2017) that contain rainfall at average or above average.

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In addition, the DEIR claims that protocol level surveys were conducted in 2014-2015 for each species of fairy shrimp. (DEIR at 5.2-25.) However, the survey report does not appear to be included in the appendixes to the DEIR – only a survey report for a 2005-2006 survey is included.

16.47

The DEIR only references surveys for the California red-legged frog from 2001. These surveys are too old to provide any meaningful information on the current site conditions. Even if these surveys were not outdated, it is not clear that the surveys were conducted using established protocols. For instance, the surveys were only conducted between 11:30 a.m. and 6:30 p.m. (DEIR, Appx. D, Att. C) even though the adult red-legged frogs are nocturnal.<sup>4</sup> Because critical habitat for the California red-legged frog lies south east of the Project site, the County should require protocol level surveys of the California red-legged frog.

16.48

Despite the fact that the federally-threatened California gnatcatchers were located on site, including one onsite nest and a second one directly adjacent off-site, it does not appear that protocol-level surveys<sup>5</sup> were implemented for this species. Protocol-level surveys are necessary in order to evaluate the impacts from the project on the gnatcatcher. These documented locations for California gnatcatchers are some of the most northerly locations for this rare species,<sup>6</sup> and species on the edge of their range are particularly important, especially as the effects of a warming climate proceed.<sup>7</sup>

16.49

<sup>4</sup> [https://www.fws.gov/sacramento/es\\_species/Accounts/Amphibians-Reptiles/es\\_ca-red-legged-frog.htm](https://www.fws.gov/sacramento/es_species/Accounts/Amphibians-Reptiles/es_ca-red-legged-frog.htm).

<sup>5</sup> <https://www.fws.gov/pacific/ecoservices/endangered/recovery/documents/CCalGnatcatcher.1997.protocol.pdf>.

<sup>6</sup> CNDDDB 2017.

<sup>7</sup> Channell, R. and M.V. Lomolino 2000. Dynamic biogeography and conservation of endangered species. Nature 403: 84-86. [http://fire.biol.wvu.edu/cmoyer/zztemp\\_fire/biol432\\_W00/papers/biogeo\\_endspp00.pdf](http://fire.biol.wvu.edu/cmoyer/zztemp_fire/biol432_W00/papers/biogeo_endspp00.pdf).

The DEIR should be recirculated after comprehensive surveys are conducted at the appropriate time of year to observe sensitive plant and animal species.

16.50

**C. The DEIR fails to adequately analyze or mitigate impacts to special status wildlife.**

The DEIR must analyze and mitigate all impacts on special status species, including California Department of Fish and Wildlife (“CDFW”) species of special concern. The CDFW defines a species of special concern as a species that, among other things, “is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status.”<sup>8</sup> CDFW aims to “achieve conservation and recovery of these animals before they meet California Endangered Species Act criteria for listing as threatened or endangered.” (*Id.*) CDFW states that species of special concern “should be considered during the environmental review process.” (*Id.*; CEQA Guidelines § 15380(b)(B).) An impact to wildlife is significant where it “substantially reduce[s] the number or restrict[s] the range of an endangered, rare or threatened species.” (CEQA Guidelines, § 15065.) CDFW interprets this provision to apply to species of special concern. The County must mitigate significant effects whenever feasible. (Cal. Pub. Res. Code § 21080.5(d)(2)(A).)

- **Western Spadefoot Toad.** The DEIR states that the Project site hosts one of the few known populations of the western spadefoot in the region and that impacts would be significant. (DEIR at 5.2-36.) Yet, the DEIR states that MM 5.2-9 would render impacts less than significant. (DEIR at 5.2-52.) MM 5.2-9 is a “relocation program” that proposes to relocate the spadefoot toad population onto unspecified “suitable habitat.” (*Id.*) If “suitable habitat” is not available, then MM 5.2-9 states that the habitat shall be “created.” The DEIR fails to offer any evidence or analysis indicating that such a relocation program would be successful. In general, relocation programs are extremely risky and often result in the death of the relocated animals. Even if relocation programs were a reliable mitigation measure (which they are not necessarily), the DEIR provides very little detail as to how the relocation program will be conducted or where the toads will be relocated. The Project should not disrupt one of the last remaining populations of a special status species. Instead, the Project should be reconfigured or downsized in a manner that will not impact the toad populations.
- **Special status reptiles.** The DEIR states that various special status reptile species may occur on the Project site, including the silvery legless lizard, coastal western whiptail, rosy boa, San Bernardino ring-necked snake, Blaineville’s horned lizard, and coast patch-nosed snake. (DEIR at 5.2-36.) The DEIR claims that “sweeps” prior to construction and “relocation...as necessary” would render impacts less than significant. (DEIR at 5.2-36.) MM 5.2-10 vaguely states, “If feasible, special status reptiles will be removed from the disturbance area and relocated to suitable habitat in adjacent areas.” (DEIR at 5.2-52.) This mitigation measure does not address the habitat destruction that the Project will cause, nor does it ensure that direct mortality of special status species will not occur. And by qualifying the sentence with “if feasible,” MM 5.2-10 gives the applicant a way

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<sup>8</sup> See California Dep’t of Fish & Wildlife, *Species of Special Concern* (available at <https://www.wildlife.ca.gov/Conservation/SSC/>).

to avoid conducting any mitigation if it states mitigation would not be “feasible.” In any event, a “clearance sweep” immediately before construction activities begin will not result in the identification, capture, and successful relocation of over half a dozen species of small reptiles (many of which are active only at night and difficult to locate).

16.52 cont.

- **Southwestern willow flycatcher and least bell’s vireo.** The DEIR states that these species have been observed on the Project area. (DEIR at 5.2-37.) In addition, the DEIR states that the Project will impact riparian habitat used by these species. (*Id.*) Given that these species are listed as endangered, the Project should avoid any development in areas used by these species. The DEIR incorrectly states that “biological monitoring” would reduce impacts to less than significant (*Id.*); monitoring will not protect these species from losing vital riparian habitat. While the DEIR promises that “suitable habitat” will be replaced at a 2:1 ratio, the proposed mitigation measures do not set forth specific plans and policies to ensure that actual habitat used by these species will be protected. And for impacts to federally listed endangered species, mitigation ratios generally should be much higher (e.g., at least 5:1).
- **California gnatcatcher.** The DEIR states that the California gnatcatcher has been observed on the Project site and that the Project would impact approximately 634.70 acres of habitat. (DEIR at 5.2-37.) While the DEIR vaguely states that impacts would be mitigated at a 2:1 ratio, the DEIR again does not specify whether it requires the preservation of 1269.40 acres of California gnatcatcher habitat, or where such habitat is located.
- **Other special status bird species.** Numerous other special status bird species inhabit the Project site. (DEIR at 5.2-37 & 38.) The DEIR states that hundreds of acres of habitat for these species would be lost, but that the loss would not be “substantial on a regional basis.” (DEIR at 5.2-38.) Given the widespread habitat loss to special status bird species in Southern California caused by sprawl development, the DEIR’s conclusion that such impacts are not “substantial” is not supportable.

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16.55

**D. The DEIR fails to set forth adequate or enforceable mitigation measures to protect special status wildlife.**

The DEIR’s mitigation measures are not adequate to protect special status wildlife. While MM 5.2-2 proposes acquisition of lands as described in certain Area Plan Policies, the DEIR does not provide any details regarding the types of land to be acquired, the amount of acreage, the location of the land, or which species the land acquisition will mitigate impacts. (DEIR at 5.2-42.) Such vague, deferred, and unenforceable mitigation proposals are not appropriate under CEQA. MM 5.2-3 similarly provides various potential mitigation measures (e.g., “creation” of habitat onsite or offsite) but the measures are vague and do not require the applicant to commit to any particular mitigation. CEQA requires more than a mere promise that the applicant will “consult” with applicable agencies; CEQA requires that all feasible mitigation measures be adopted *prior* to project approval.

16.56

MM 5.2-7 states that mitigation at a 2:1 ratio shall occur for California grassland/wildflowers fields. However, the measure also states that the ratio shall be no less than 6.5 acres of habitat preserved/restored per burrowing owl location impacted. (DEIR at 5.2-47.) It is unclear how this measure will actually protect burrowing owls given that the measure does not appear to require that the protected lands actual contain existing burrowing owl populations. MM 5.2-8 contains similar language regarding the burrowing owl, but does not indicate whether any lands proposed for protection actual have existing burrowing owl populations.

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An overarching problem with all of the proposed offsite mitigation is that the DEIR does not appear to require that the lands be connected to other open space. Without such a requirement, the Project could “mitigate” its impacts by protecting land that is isolated from other open space and thus has very little value because wildlife cannot migrant between the mitigation land and other open space. In contrast, the lands to be developed for the Project are adjacent to thousands of acres of open space in the Angeles National Forest.

16.58

The DEIR references a Habitat Mitigation and Monitoring Plan that will be developed and reviewed by the County’s Department of Regional Planning. This plan is key to minimizing and mitigating impacts to environmental resources and should be included in the revised and recirculated EIR, so that the public and decision-makers can understand what is being proposed to minimize and mitigate the impact to on-site and off-site resources that will be affected by the project.

16.59

**E. The DEIR fails to adequately analyze impacts on wildlife from noise.**

Impacts on wildlife from noise are not adequately addressed within the DEIR. The DEIR merely acknowledges that noise may disrupt some species, but claims such impacts would not be significant because most of the species on the Project area are not federally listed species. (DEIR at 5.2-40.) As such, there is no analysis or determination within the DEIR as to whether noise impacts will disrupt the nesting, foraging, or other behavioral patterns of wildlife in the on-site conserved lands and adjacent open space. A full analysis of project related noise on wildlife should be provided in the revised and recirculated EIR. In addition, the DEIR must include mitigation measures for ongoing project operation to limit noise impacts to wildlife, especially given its location next to a national forest.

16.60

**F. The DEIR does not address harmful interactions between humans and wildlife.**

Another issue that is not addressed in the DEIR is the strong likelihood of problematic interactions between humans and wildlife. The DEIR notes that the Project site is “adjacent to open space in the Angeles National Forest (ANF) and Castaic Lake State Recreation Area (SRA), both of which provide high-quality wildlife habitat.” (DEIR at 5.2-14.)

By placing over thousands of people in close proximity to open space areas, there is a strong probability that coyotes and other animals will forage in trash cans, prey on domestic pets, and otherwise disturb and frighten residents. In response, project residents may try to handle such interactions themselves, causing greater damage – for instance, putting out poison which could then kill an endangered or special status species. That interactions between humans and wildlife will occur is a problematic issue that needs to be identified and analyzed in the DEIR.

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Another aspect of human and wildlife interaction that is commonly not considered is the likelihood of increasing the dependency of certain wildlife species on human-supplied food sources and human-created habitats which benefit invasive species over native species. (Hansen et al. 2005.) For example, people often place in bird feeders outside their homes which usually causes an increase in certain bird-species as well as bird predators in that area, creating competition among birds, increased predation, and the spread of parasites between species. (Shochat et al. 2010.) With the exurban type of development that this Project proposes, research has documented that native species have reduced survival and reproduction near homes, and native species richness often drops with increased exurban densities. In addition, exotic species, some human-adapted native species, and species from early successional stages often increase with exurban development. (Hansen et al. 2005.) As with this proposed project, the location of development is often nonrandom relative to biodiversity because both are influenced by biophysical factors resulting in the effects on biodiversity being disproportionately large relative to the area of exurban development. (*Id.*) In other words, not all natural areas are created equal and some of the most biodiverse areas and areas that are key to conserve for their biodiversity are often the same areas that are most attractive for exurban development.

16.62

### **VIII. The Project Is Not Consistent With The General Plan.**

Land use decisions must be consistent with all applicable land use policies, including the General Plan and all of its elements. (*See Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal. App. 4th 1552, 1562-1563.) Unfortunately, the Project is clearly inconsistent with multiple General Plan policies, as set forth below.

16.63

#### **A. General Issues with General Plan Consistency**

Although the DEIR defers conducting an analysis of the elements of the Santa Clarita Valley Area Plan 2012 (“SCVAP 2012”), the Project seems to conflict with the SCVAP 2012 goals, such as reducing vehicle trips and preserving water quality. (DEIR at 5.9-9.)

16.64

The DEIR states that Los Angeles County Board of Supervisors have only “indicated intent” to approve the general plan update; it is unclear if this update is binding on the Project. (DEIR at 5.9-7). The DEIR also lists several policies from the Los Angeles 1980 General Plan such as encouraging infill development and discouraging sprawling development, but then states that these goals no longer apply without further explanation as to why. (DEIR at 5.9-8.)

16.65

The DEIR provides conflicting statements regarding access to schools. The DEIR mentions building a school as part of Phase 2 of the Project and concludes this is consistent with the County’s education policies (DEIR at 5.9-16) but construction of a public or private school (also it is likely inconsistent with the County’s educational goals to *potentially* provide a location for a *private* school) is not guaranteed and would require travel off-site, which conflicts with travel and emission goals.

16.66

Again, the DEIR references “commuter computer program” as a legitimate means of reducing vehicle trips and ensuring consistency with emissions reduction goals. (DEIR at 5.9-21.)

16.67

The DEIR impermissibly concludes that the Project is consistent with water goals because it will comply with a NPDES permit. (DEIR 5.9-24.)

16.68

#### **B. The DEIR impermissibly relies on 1992 Specific Plan.**

The DEIR begins its land use analysis (and much of its analysis throughout the entire DEIR) with the assumption that the 1992 Northlake Specific Plan has been “adopted” and continues to carry legitimacy in providing consistency with various County plans. (DEIR at 5.9-3). The DEIR goes on to conclude, without any evidence, that the incorporation of the 1992 Plan indicates consistency with all applicable plans. (DEIR at 5.9-12.) Specifically, the DEIR states that the 1992 Plan has been incorporated into the SCVAP 2012. (DEIR at 5.9-8.) The DEIR also states that the Los Angeles County General Plan assumes future development from the 1992 Plan (DEIR at 5.9-14.) The DEIR impermissibly concludes that the 1992 Plan supersedes and replaces the Los Angeles County General Plan and SCVAP 2012. (DEIR at 5.9-10.) The DEIR does not provide any evidence for this and ignores the fact that the 1992 Plan is not applicable to the current Project.

16.69

Finally, the DEIR dedicates an entire section within the land use analysis to a discussion of the 1992 Specific Plan as though consistency with this outdated and irrelevant document provides any binding or necessary information on the current Project. (DEIR at 5.9-54.)

16.70

**C. The DEIR does not adequately explain the Project’s consistency with other general plan policies.**

In Table 5.1-1, 2, and 3, the DEIR attempts to claim consistency with all applicable general plan policies. Unfortunately, these tables do not explain in any detail how the Project is consistent with these various policies, and instead generally refers to mitigation measures. (*See* DEIR at 5.9-13 (the DEIR should provide more explanation of applicable traffic mitigation fees); *see also* DEIR at 5.9-15 (stating that Project is consistent with the General Plan’s goal of excellence in environmental resource management because impacts would be mitigated).]

16.71

The DEIR additionally could provide more specifics about how the Project will comply with Title 31 Green Building Code Standards. (DEIR at 5.9-11.)

16.72

**IX. The DEIR Fails to Adequately Address its GHG Emissions.**

Action to address climate change becomes ever more urgent with each passing day. The National Oceanic and Atmospheric Administration (“NOAA”) and National Aeronautics and Space Administration (“NASA”) confirmed that 2014 was the hottest year ever recorded. (NASA 2015.) Climate change will affect California’s climate, resulting in such impacts as increased temperatures and wildfires, and a reduction in snowpack and precipitation levels and water availability.

Although some sources of GHG emissions may seem insignificant, climate change is a problem with cumulative impacts and effects. (*Ctr. for Biological Diversity v. Nat’l Highway Traffic Safety Admin.*, (9th Cir. 2008) 538 F.3d 1172, 1217 (“the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis” that agencies must conduct).) One source or one small project may not appear to have a significant effect on climate change, but the combined impacts of many sources can drastically damage California’s climate as a whole. Therefore, it is the “policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects.” (Pub. Res. Code § 21002.) While we are heartened to see the EIR does include measures to reduce the Project’s GHG emissions, we urge the EIR be revised to include all possible steps to limit and mitigate the Project’s GHG emissions.

16.73



For example, rather than committing only 50% of homes to 3-kilowatt solar panel systems, we urge the EIR to require all buildings within the development to have 3 kilowatt solar panel systems or the equivalent. (DEIR at 5.7-22.) Rooftop solar power is the most energy efficient, least-environmentally damaging form of renewable energy available for the Project and is ideal for the Project's location.

16.74

CAPCOA has also identified existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (CAPCOA 2008 at Table 16.) These resources provide a rich and varied array of measures to be incorporated into the Project. Potential measures include ease of access to public transit, alternative construction materials, and onsite energy generation. Specific measures for the GHG emissions generated by the Project's energy consumption include, but are not limited to:

- Requiring that the Applicant seek *and obtain* the U.S. Green Building Council's LEED or comparable standards for energy- and resource efficient building during pre-design, design, construction, operations and management;
  - Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
  - Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.;
  - Reducing the use of pavement and impermeable surfaces;
  - Requiring water re-use systems;
  - Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
  - Limiting the hours of operation of outdoor lighting;
  - Maximizing water conservation measures in buildings and landscaping, using drought tolerant plants in lieu of turf, planting shade trees;
  - Ensure that the Project is fully served by full recycling and composting services;
  - Ensure that the Project's wastewater and solid waste will be treated in facilities where GHG emissions are minimized and captured;
  - Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
  - Installing solar water heating systems to generate all of the Project's hot water requirements;
  - Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips;
- The Project should further utilize the following measures related to construction:
- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
  - Minimize, reuse, and recycle construction-related waste;
  - Minimize grading, earth-moving, and other energy-intensive construction practices;
  - Landscape to preserve natural vegetation and maintain watershed integrity;

16.75

- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

} 16.75 cont.

New construction, like this Project, has a unique opportunity to fully embrace and incorporate the use of renewable energy in its design, construction and operation. We urge the County to take full advantage of those opportunities, if it chooses to move forward with the Project.

} 16.76

## X. Conclusion

Given the possibility that the Center will be required to pursue appropriate legal remedies in order to ensure enforcement of CEQA, we would like to remind the County of its duty to maintain and preserve all documents and communications that may constitute part of the “administrative record.” As you may know, the administrative record encompasses any and all documents and communications which relate to any and all actions taken by the County with respect to the Project, and includes “pretty much everything that ever came near a proposed [project] or [] the agency’s compliance with CEQA . . . .” (*County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 8.) The administrative record further contains all correspondence, emails, and text messages sent to or received by the County’s representatives or employees, which relate to the Project, including any correspondence, emails, and text messages sent between the County’s representatives or employees and the Applicant’s representatives or employees. Maintenance and preservation of the administrative record requires that, *inter alia*, the County (1) suspend all data destruction policies; and (2) preserve all relevant hardware unless an exact replica of each file is made.

Thank you for the opportunity to submit comments on the Project. We look forward to working to assure that the Project and environmental review conforms to the requirements of state law and to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. In light of many significant, unavoidable environmental impacts that will result from the Project, we strongly urge the Project not be approved in its current form. Please do not hesitate to contact the Center with any questions at the number listed below. We look forward to reviewing the County’s responses to these comments in the Final EIR for this Project once it has been completed.

Sincerely,



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## **Response to Comment Letter 16**

### **Center for Biological Diversity No Date**

**Response 16.1.** The comment states that a clearer distinction needs to be made between the proposed Project and the previously evaluated and approved 1992 *NorthLake Specific Plan* Project. As established beginning in Section 2, on page 2-2 of the Draft SEIR and carried through the entirety of the Draft SEIR, the previously certified EIR prepared in 1992 for the *NorthLake Specific Plan* is consistently referred to as the “1992 SP EIR” while the currently proposed Project is identified as “proposed Project” or “Project”. In the instances where the specific plan is directly referred to, it is identified as the *NorthLake Specific Plan*; this document remains unchanged from the approved version in 1992. As detailed in Section 2.2.2 of the Draft SEIR, the current Project would implement the previously adopted Specific Plan and involves an area and intensity of physical development that was previously considered in the 1992 SP EIR and further analyzed in the 2012 SCVAP EIR. The County made a determination that a Supplemental EIR is appropriate (1) to address additions and changes that would update information in the 1992 SP EIR and 2012 SCVAP EIR to reflect current environmental conditions, (2) to provide Project-level analysis as appropriate for those issues for which more detailed Project information is now known for Project implementation, and (3) to provide updated program-level analysis as appropriate for those issues pertaining to Phase 2 for which more detailed Project information is not now known.

**Response 16.2.** The comment states that there are deficiencies in the Project objectives which rely on outside data that is not provided in the Draft SEIR. According to Section 15124(b) of the State CEQA Guidelines, a statement of objectives should be a clearly written statement of objectives to help the lead agency develop a reasonable range of alternatives to evaluate the EIR and aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the Project.” The Project objectives as stated in Section 4.3 of the Draft SEIR achieve the goal of stating the underlying purpose of the Project.

The commenter states that there is no evidence supporting if there is a need for housing or evidence supporting the claim that those purchasing homes will stay within the community for their employment. As discussed in Response 8.1, the Project would result in (1) the introduction of a maximum of 3,150 housing units, 345 of which are senior designated; (2) the creation of an estimated 2,800 permanent jobs. The estimate of a buildout population of approximately 9,734 persons based on a 3.09 persons per household as identified in the Santa Clarita Valley Area Plan 2013 EIR. This serves as a conservative estimate used for impact analysis, since the number of 345 dwelling units are senior designated. With 3,150 housing units an estimated 1,100 permanent jobs would be created, including approximately 780 jobs in office and retail and approximately 320 industrial positions<sup>8</sup>. According to the current Regional Housing Needs Allocation (RHNA) for unincorporated Los Angeles County as restated in the *General Plan Annual Progress Report CY 2016*, there is a need for 30,145 housing units, with some level of housing needed for each income level. The highest need for housing (12,581 units) is in the Above Moderate Income level. Although housing values will be dictated by market conditions, it is anticipated that many of the housing units proposed as part of the Project would fall within the Above Moderate Income level, which would assist the County in achieving their RHNA goals.

<sup>8</sup> OfficeFinder Information and Referral Network. *How Much Office Space for This? How Much Office Space for That?* (<http://www.officefinder.com/how.html>()) and 2007 Buildable Lands Report Employment Density Study. (<https://snohomishcountywa.gov/DocumentCenter/View/7660>)



Two key policies from the *Los Angeles County General Plan* are included here to underscore the consistency of the Project with the County General Plan. The Project is consistent with both of these plans.

#### Los Angeles County Goal/Policy

- **Policy LU 5.1:** Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types and styles.
- **Policy LU 5.10:** Encourage employment opportunities and housing to be developed in proximity to one another.

To underscore the need for housing, Governor Brown has signed a comprehensive legislative package of bills to increase the state's housing supply and affordability. "This combination of housing bills developed by the Legislature and Governor Brown address many of the issues that have taken a toll on the construction of housing in California," stated by the president of the State Building and Construction Trades Council of California. (APA 2017).<sup>9</sup>

Regarding to employment, the Project does include employment opportunities associated with the on-site light industrial, commercial, recreational and institutional uses. While it is possible that some of these jobs may be filled by future residents of the Project, it is too speculative to conclude that. It is noted that the Project Objectives (refer to page 4-3 of the Draft SEIR) identify that jobs would be created and do not identify that these jobs would necessarily be filled by future residents of the Project. Further, the analysis of traffic impacts, and related analyses of air quality and greenhouse gas emissions, are based on vehicle trips traveling off-site for work and school, despite on-site and local job opportunities; therefore, for purposes of the analysis and to provide a conservative scenario, it is assumed that most future residents would not work on-site.

Additionally, the goal to "Enhance local economic well-being," was not stated as a jobs/housing balance goal, as implied, but rather to provide enough housing and commercial activity resulting in a large enough population to support local businesses and provide for their long-term viability. It is anticipated that many who choose to live in the area will also choose to work in the area as well. However, it is acknowledged that not all residents will work locally. The impacts from the commute have been included in associated issues (traffic, air quality, greenhouse gas) in the EIR.

The need for schools was an existing need before the current Project was proposed, which is why Northlake Hills Elementary School was constructed prior to Project development. The middle school that is included in the Project was also as a result of an existing need in the community.

**Response 16.3.** The comment states that the Draft SEIR does not clearly illustrate the siting, existing conditions, and environmental impacts of proposed water supply, wastewater and sewer infrastructure as well as the proposed pipeline relocation. As discussed in Response 1.1, a revised pipeline relocation plan has been prepared which proposes to relocate the existing oil pipeline to the east but within the grading footprint associated with the NorthLake Specific Plan Project, as described in Section 4.0, Project Description, of the Draft SEIR. The revised pipeline relocation plan includes two phases to correspond with anticipated buildout of the *NorthLake Specific Plan*. All other utility realignments, relocations, and modifications are described on pages 4-4, 4-9, and 5.4-6 of the Draft SEIR and would occur within the development footprint of the proposed Project except as detailed in the Off-Site/External Map Improvements. The existing conditions of the grading footprint, which would contain the realigned, relocated, and modified

<sup>9</sup> American Planning Association, California Chapter. 2017 (October 2). APA California News Flash, **Governor Brown Signs Comprehensive Legislative Package to Increase State's Housing Supply and Affordability.** San Francisco, CA ,

utilities, are described in Section 3.0, Environmental Setting, of the Draft SEIR. Additionally, the impacts associated with development within the grading footprint are addressed throughout the Draft SEIR, specifically in Sections 5.1 through 5.12. Therefore, all physical impacts associated with these actions are included in the analysis provided throughout the Draft SEIR. Additionally, coordination with the utilities will be required throughout the realignment, relocation, and modification processes. These coordination efforts would ensure that no disruption of service would occur.

**Response 16.4.** The comment states that discussion of a school conflicts with objectives regarding transportation and emissions reductions and that the Draft SEIR does not contemplate the reality that future students of the Project may travel outside of the Project site to attend school. However, the traffic analysis, which provides the trip generation for the air quality and greenhouse gas analyses, was prepared based on the assumption that a portion of the school-aged population would travel off-site to attend local area schools, including private institutions. As discussed in Sections 3.2 and 3.3 of the Traffic Study included as Appendix J-1 of the Draft SEIR, the trip generation rates applied for the single-family and multi-family residential units include a factor of travel to schools throughout the community, including outside of the Project site. The trip generation rate for the school includes a factor of off-site trips associated with students traveling from off-site locations to attend the on-site school. Therefore, the analysis does contemplate that not all students would attend the proposed school.

Further, a supplemental analysis was prepared in April 2016 and is included as Appendix J-2 of the Draft SEIR that analyzes the Project without a school. Instead, the analysis replaces the potential school use with 50 single-family units and additional part uses. This analysis confirms that, should the school not be developed, the vehicle trips would actually be better than if a school was developed on-site. Therefore, the traffic analysis as presented in Section 5.11 of the Draft SEIR presents a worst-case scenario by including a potential school.

It is also noted that, although the potential school would generate off-site vehicle trips associated students commuting from areas outside of the Project site, the number of potential trips would be less than in a scenario where a school would not be located on the Project site, thus forcing all students living within the Project to commute to areas outside of the Project site and contribute to local traffic congestion. A potential school within the Project site would allow at least a portion of the students, or those that live within the Project site, to access the school via pedestrian and bicycling routes. Therefore, the potential school would be supportive of reductions in vehicle trips and associated emissions.

**Response 16.5.** The comment questions the Project's intention to remediate environmental hazards. Through development of the Project, existing environmental hazards would be encountered, as detailed in Section 5.6, Geotechnical Hazards, as well as Section 5.5, Fire Hazards. Proposed Project features would reduce exposure of future residents to these hazards through various remedial efforts (with regard to geotechnical hazards such as landslides, slope stability, expansive soils, and corrosive soils, as detailed on pages 5.6-8 through 5.6-12 of the Draft SEIR) and reduce exposure of future residents to potential hazards (with regard to fire hazards as detailed on pages 5.5-17 through 5.5-21 of the Draft SEIR). Because the Project would not exacerbate any hazardous conditions through development, the Project would focus on reducing exposure of future residents to existing hazards. The following text addition is identified to provide additional clarifying information and will be added to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 4-10, Proposed Land Uses, second-to-last sentence, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

The proposed Project has been designed to **reduce exposure of future residents to potential environmental hazards through remedial grading and earthwork, as described in Section 5.6, Geotechnical Hazards**, and the residential and non-residential uses are separated from each other in order to protect the residential nature of each neighborhood.

Further, as discussed on pages 7-4 and 7-5 in Section 7.1.7 of the Draft SEIR, the Project would consist primarily of residential uses with limited commercial and light industrial uses, which do not typically generate hazardous emissions nor they involved the routine use, transport, or disposal of hazardous materials. Project construction would involve the “limited transport, storage, use, and disposal of hazardous materials such as fuel for construction equipment” and Project operation would involve the use of the following hazardous materials on the Project site: “common commercial cleansers, solvents, paints, and other janitorial materials”.

**Response 16.6.** The comment questions the Project’s landscaping requirements. According to the Landscape Design discussion on page 4-22, a number of specific landscaping requirements are set forth, including limiting turf areas, use of non-invasive drought-tolerant plant and tree species for at least 75 percent of the total landscaped area, implementation of drought-tolerant materials and design, use of hydrozoning irrigation techniques. These Project elements are further required by the Green Building Standards Code, adopted by reference into Title 31 of the County Code, which is addressed through adherence to MMs 5.12-12, 5.12-17, and 5.12-27 (refer to pages 5.12-38 and 5.12-39). Additionally, the Water Conservation discussion on page 4-23 specifically states that a “water budget will be developed for landscape irrigation use installed in conjunction with any new building that conforms to the California Department of Water Resources Model Water Efficient Landscape Ordinance and the California Green Building Code.” It is noted that, per the discussion on page 5.9-10 of the Draft SEIR, the Los Angeles County Green Building Program referenced by the commenter was developed in response to the mandates set forth in the California Green Building Standards Code; therefore, compliance with the California Green Building Code would also meet the intent of the Los Angeles Green Building Code.

**Response 16.7.** The comment states that the Draft SEIR fails to explain how the Project will meet California’s solid waste goals. The commenter is referred to the solid waste discussion included in Section 5.12, Utilities, on pages 5.12-40 through 5.12-42 of the Draft SEIR. Specifically, as required by the Green Building Standards Code, the analysis states that the Project will recycle and/or salvage a minimum of 65 percent of the non-hazardous construction and demolition debris and, as required by California’s 75 Percent Initiative, recycle or reuse at least 75 percent of all solid waste would be recycled or reused by 2020. The California’s 75 Percent Initiative is a goal set by the California Legislature and Governor Brown to reduce solid waste at landfills by 75 percent by 2020 through recycling, composting, or source reduction. The Applicant has control over the recycling of construction waste through the hiring of contractors who are required to comply with this mandate. Additionally, per mitigation measures MM 5.12-30 and MM 5.12-34 on page 5.12-41 and 5.12-42 of the Draft SEIR, recycling areas and receptacles as well as collection services would be provided for all commercial, light industrial, and residential uses.

**Response 16.8.** The comment states that the Draft SEIR does not provide an explanation of “solar panel equivalent”. Based on the PDF and as shown in Table 2-8 of the GHG Technical Report to the Draft SEIR, the Project is committed to achieving GHG reductions through the installation of solar panels. Specifically, the Project estimates it can achieve GHG reductions of approximately 1,560 MT CO<sub>2</sub>e per year at full build out through the installation of 3 kW systems on 50 percent of the residential dwelling units. The “equivalent” language is to allow the Project to size and install the solar panel systems on individual dwelling units in the most effective way, while still achieving the overall solar energy benefit as identified.

**Response 16.9.** The comment states that the Draft SEIR is inconsistent in the reference to cattle grazing. As noted on page 1-1 of Section 1 of the Draft SEIR, the Project site is used intermittently for limited cattle grazing. As noted on page 7-13, cattle grazing has also been a historic use of the site. The following text addition is identified to provide additional clarifying information and will be added to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 7-13, Significant Irreversible Environmental Effects, third paragraph, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

Determining whether the proposed Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The proposed Project site has historically been used for grazing purposes **and continues to be used for limited grazing under existing conditions**. However, the County's General Plan, the SCVAP, and the NorthLake Specific Plan anticipate that the site will eventually support uses that would provide residential opportunities and generate jobs and revenue. Additionally, the proposed Project would permanently alter the site by converting the undeveloped property which has ~~previously~~ been used for grazing purposes to urban uses. This is a significant irreversible environmental change that would occur as a result of Project implementation. Because no significant mineral or agricultural resources were identified within the Project limits, no significant impacts related to these issues would result from development of the Project site.

Grazing is only an intermittent activity and only occupies small portions of the Project site sporadically; therefore, under existing conditions, the cattle are already grazed in other off-site areas that would not be impacted by the Project. No new areas for grazing would be required. Further, with regard to animal care, the commenter is referencing a best management practice that is intended to deal with any sort of animal care. As discussed on page 4-12 of Section 4, Project Description, of the Draft SEIR, there are a number of permitted light industrial uses set forth in the NorthLake Specific Plan, which is included as Appendix B to the Draft SEIR and incorporated by reference as noted on page 2-2 of the Draft SEIR. Although the Project does not specifically propose any animal care facilities, there are permitted uses that could be described as animal care uses, including animal hospitals, temporary animal exhibitions, dog kennels and training schools, humane societies, and veterinary hospitals. Therefore, under any of these circumstances, the referenced best management practice would be applicable.

**Response 16.10.** The comment asserts that the Draft SEIR does not analyze or disclose impacts of the previously foreseeable uses and therefore provides no firm basis for which to evaluate the environmental costs and appropriate mitigation measures of the Project. Please refer to the Responses 16.2 through 16.9 for specific references where the Draft SEIR both discloses and analyzes the impacts of the uses identified by the commenter.

**Response 16.11.** The comment asserts that the alternatives analysis in the Draft SEIR is inadequate and fails to include a reasonable range of alternatives. The identification and analysis of Project alternatives in the Draft SEIR is consistent with the emphasis of CEQA Guidelines Section 15126.6 that the selection of Project alternatives be based primarily on the ability to avoid or substantially lessen significant impacts relative to the proposed Project. CEQA Guidelines Section 15126.6 specifically states that an EIR need not consider every conceivable alternative to a Project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. Therefore, pursuant to CEQA, the Draft SEIR appropriately analyzed a reasonable range of feasible Project alternatives. With the inclusion of four alternatives, the Draft EIR provides the decision-makers with a diverse set of

alternatives that allow for a reasoned choice between varying densities, heights, designs, and land uses. The four alternatives to the Project selected for analysis were evaluated in Section 6.0, Alternatives, of the Draft EIR. The analysis included in Section VI, Alternatives, of the Draft EIR, is comprehensive and fully informs the decision makers regarding the alternatives and associated environmental impacts. Therefore, as demonstrated in Section VI, Alternatives, of the Draft SEIR, the County has made a good-faith effort to identify and analyze an appropriate set of alternatives. CEQA does not require analysis of alternatives suggested by commenters, and does not require an alternative to eliminate a potentially significant unmitigable impact, but rather the alternative should have a lesser impact than the Project.

As discussed in Section 6.5.1 of the Draft SEIR, the lead agency did explore a Creek Avoidance Alternative. An alternative designed to avoid building or grading in the blueline area of Grasshopper Canyon, such an alternative would require export of over 10 million cubic yards of soil, would eliminate commercial, multi-family, and single-family development, would require buttressing of all west facing slopes along Grasshopper Canyon, and would require construction of at least three bridges to allow for access and circulation. The amount of developable land allowed under this alternative would be greatly reduced in comparison to the proposed Project due to avoidance of Grasshopper Canyon; all development would be located east of Grasshopper Canyon, which is a central feature that runs through the approximate center of the Project site. Because of this, the number of residential units and amount of commercial and industrial development would be greatly reduced in comparison to the proposed Project. This alternative would not fully meet the Project objectives to enhance local economic well-being with commercial uses that would create jobs, provide a mix of uses to reduce offsite vehicle trips and VMT, and provide a significant amount of housing onsite with a wide range of home sizes and prices.

In addition, a Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations' reliance on fuel-consuming mechanical equipment.

The discussion regarding the reasons for determining that the Creek Avoidance Alternative should not be considered in greater detail has been modified to provide additional clarification.

The following clarifications are hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 6-7, Creek Avoidance Alternative, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

As the current applicant was re-initiating the Specific Plan a land plan was laid out that avoided the creek bottom that runs through the middle of the Project. This land plan placed development on one side of the creek with development terraced up the slope to minimize grading, **which would require export of over 10 million cubic yards of soil and extensive buttressing along all west facing slopes along Grasshopper Canyon**. This plan was attempted to avoid impacting the creek habitat, avoid jurisdictional wetlands (waters under the authority of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board). **Under this Alternative, the amount of developable land would be substantially reduced.**

Although this alternative would be less impactful **for some resource areas**, it would also eliminate more than half of the residential units and the other uses **due to the limited development area**. However **Despite the reduction in developable area**, the infrastructure requirements would be largely the same **as access and utilities would be required to cross Grasshopper Canyon**. The road-ways would still be needed as well as the need for all of the services to be engineered in place: water, sewer, street lights, curbs and gutters, and other utility lines would be required to be brought to the site. **Up to three bridges would be required to provide for access and extension of utilities**. The development would also require **development of amenities including** schools, **and** parks. The amount of development would be reduced to the point of not making the development feasible.

**A Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations' reliance on fuel-consuming mechanical equipment.**

As stated in Section 15126.6(a) of the State CEQA Guidelines, “an EIR need not consider every conceivable alternative to a Project” and the range of alternatives should “avoid or substantially lessen any of the significant effects of the Project.” While the Creek Avoidance Alternative does have the potential to lessen impacts to biological resources by limiting development outside of the blue-line area of Grasshopper Canyon, other impacts summarized above would occur. Further, it is noted that the range of alternatives that were analyzed in Section 6.6 of the Draft SEIR include three alternatives that would lessen impacts to biological resources to varying degrees, including the No Project Alternative, No Industrial Development Alternative, Phase 1 Development Alternative.

**Response 16.12.** The comment states that the No Project Alternative was impermissibly rejected, however, the commenter is directed to Section 6.6.1 and pages 6-8 through 6-11 of the Draft SEIR which provides a full analysis of the No Project/No Development Alternative. As stated in the Draft SEIR, the No Project/No Development Alternative assumes the retention of the site in its existing undeveloped condition. Therefore, this alternative would avoid all impacts associated with development. The No Project/No Development Alternative was also identified as the least impactful alternative on page 6-28 of the Draft SEIR. This alternative was determined to not be feasible because it would not meet any of the Project objectives, as stated on page 6-11 of the Draft SEIR.

Additionally, the Draft SEIR provided a full analysis for the No Development/Development Pursuant to the Approved NorthLake Specific Plan, which evaluates the build-out of the previously approved Specific Plan in comparison to the proposed Project. As discussed in Section 6.6.2 and pages 6-11 through 6-16, development of the Project site under current entitlements would result in a more impactful development with a higher unit count, increased development footprint, and increased impacts associated with more development (i.e., increased traffic and related air pollutant emissions and noise; higher demand for utility services such as water and electricity; and greater physical impacts related to biological resources, cultural resources, geology and soils, and hydrology and water quality associated with a larger development footprint).



**Response 16.13.** The comment asserts that in evaluating the No Project Alternative and the Alternative Site, the Draft SEIR should have discussed the need for the Project and whether the uses that would potentially occupy the Project could be accommodated in existing areas. As discussed previously in Response 16.11, the identification and analysis of Project alternatives in the Draft SEIR is consistent with the emphasis of CEQA Guidelines Section 15126.6 that the selection of Project alternatives be based primarily on the ability to avoid or substantially lessen significant impacts relative to the proposed Project. Therefore, the County has made a good-faith effort to identify and analyze an appropriate set of alternatives. Specifically, the commenter notes that significant greenhouse gas emissions could be avoided through development within existing communities; however, impacts related to greenhouse gas emissions were not identified as significant and unavoidable. Despite this finding, 3 of the 4 alternatives that were analyzed would reduce greenhouse gas emissions when compared to the Project.

It is also noted that a key consideration for the proposed Project is the underlying entitlement of the Project site pursuant to the NorthLake Specific Plan, which was adopted in 1992 and exists as the current zoning for the Project site. As stated on page 4-2 of the Draft SEIR under Project Objectives, the “purpose of the proposed Project is the implementation of the *NorthLake Specific Plan*. An overall requirement of the Project is that such implementation should be consistent with the goals and policies of the adopted *NorthLake Specific Plan*.” Additionally, one of the identified Project objectives does identify allowing “for a larger population near Castaic Lake that will stabilize and support local businesses”, which would preclude alternative sites in existing communities. As Development of the Project site under current entitlements is discussed in detail in the No Development/Development Pursuant to the Approved NorthLake Specific Plan Alternative in Section 6.6.2 and pages 6-11 through 6-16 of the Draft SEIR. As discussed, a more impactful development would result with development pursuant to current entitlements due to a higher unit count, increased development footprint, and increased impacts associated with more development when compared to the modified Project being evaluated in the Draft SEIR. Specific impacts that would be larger should development occur pursuant to existing entitlement include increased traffic and related air pollutant emissions and noise; higher demand for utility services such as water and electricity; and greater physical impacts related to biological resources, cultural resources, geology and soils, and hydrology and water quality associated with a larger development footprint.

**Response 16.14.** The commenter states that the Draft SEIR fails to give any detail about what species would be impacted by the development; however, the commenter is referred to Section 5.2, Biological Resources, of the Draft SEIR which provides a comprehensive overview of anticipated impacts to species, including detailed mapping presenting the location of specific species and the anticipated impact areas. As discussed in Section 5.2, Biological Resources, of the Draft SEIR, the Project would result in potentially significant direct impacts on biological resources relating to loss of native habitat; however, these impacts would be considered less than significant after implementation of the recommended mitigation measures. Additionally, significant direct impacts on special status biological resources and significant indirect impacts on biological resources relating to noise, lighting, and human disturbance from the proposed Project would be considered adverse but less than significant following implementation of the mitigation measures noted in this section. Cumulative regional impacts from the loss of wildlife habitat after development of the Project would also be considered adverse but less than significant, incremental impacts from the proposed Project would not be cumulatively considerable and no additional mitigation is required.

**Response 16.15.** The comment states that the Draft SEIR concludes that the No Industrial Development Alternative would result in fewer environmental impacts than the proposed Project. However, as discussed on page 6-21 of the Draft SEIR, “Although the degree of impacts for some topics may be worsened with this alternative, the overall impact conclusions would be consistent with the proposed Project. Consistent with the proposed Project, the No Industrial Development Alternative would result in significant and unavoidable impacts related to air quality, noise, and traffic.” Although the analysis on page 6-20 does state that the No Industrial Development Alternative would increase vehicle miles traveled because on-site job opportunities associated with the light industrial land uses would be eliminated, this did not result in reducing overall traffic impacts. As noted previously, impact conclusions related to air quality, noise and traffic would remain significant and unavoidable under this alternative.

Regarding the comment about developing intensive industrial uses next to a national forest, proposed light industrial uses would be located in the southern portion of the Project site, as shown on Exhibit 4-1 of the Draft SEIR, which provides no direct interface with any national forest land. Further, the proposed light industrial uses are not characterized as “intensive industrial uses”. Rather, as noted on page 4-12, the uses are would be “light” industrial uses, similar in nature to the County of Los Angeles Light Manufacturing (M-1) zone, but further limited to those permitted uses listed in Section III.F.1 of the NorthLake Specific Plan, which is included as Appendix B to the Draft SEIR.

**Response 16.16.** The comment asserts that the Draft SEIR does not include an explanation on why conformance with the 1992 Plan has any relevance to the current Project in 2017. As discussed in Response 15.2, the 1992 NorthLake Specific Plan (Specific Plan) is an approved planning document that is also referenced in both the current Santa Clarita Valley Area Plan and General Plan. Development pursuant to the Specific Plan was fully evaluated pursuant to CEQA and an EIR was approved in 1992, and is beyond legal challenge. As stated in Section 5.9, Land Use, the Project site is designated “Specific Plan” and the site-specific land uses are tied to the Land Use Plan and Development Standards included in the adopted 1992 NorthLake Specific Plan. Because the Specific Plan is the applicable land use document for the Project site, the analyses throughout the Draft SEIR refer back to consistency with this planning document. However, it is noted that the Draft SEIR also includes a discussion of the Project’s consistency with the current Santa Clarita Valley Area Plan and County of Los Angeles General Plan as discussed in Section 5.9, Land Use, and a discussion of the Project alternatives consistency with the current Santa Clarita Valley Area Plan and County of Los Angeles General Plan as discussed in Section 6, Alternatives, of the Draft SEIR. Additionally, as noted by the commenter, the analyses in the Draft SEIR include recommended mitigation measures from the 1992 NorthLake Specific Plan EIR; however, only those mitigation measures that are directly applicable to the currently proposed Project are included and those measures have been supplemented with applicable mitigation from the current Santa Clarita Valley Area Plan EIR and Project-specific mitigation. Therefore, when Project mitigation is referenced in Section 6 of the Draft SEIR (see pages 6-9, 6-13, 6-16 through 6-20, 6-23, and 6-27, the mitigation includes all recommended mitigation measures identified in the Draft SEIR.

It is also noted that development of the Project site under current entitlements, which is discussed in detail in the No Development/Development Pursuant to the Approved NorthLake Specific Plan Alternative in Section 6.6.2 and pages 6-11 through 6-16 of the Draft SEIR, would result in a more impactful development due to a higher unit count, increased development footprint, and increased impacts associated with more development when compared to the modified Project being evaluated in the Draft SEIR. Therefore, the proposed Project, which represents a modification to the Project evaluated in the 1992 SP EIR, is a more environmentally friendly Project.

**Response 16.17.** The comment asserts that the Draft SEIR does not provide an explanation on why the environmentally superior option is not considered the preferred alternative. The comment further states that Table 6-5 does not allow for a quantifiable comparison of the alternatives. In accordance with Section 15126.6(a) of the State CEQA Guidelines, the discussion in Section 6.0, Alternatives to the Proposed Project, of the Draft SEIR focuses on a reasonable range of alternatives. Other than the “No Project” alternative(s), which are required by CEQA, each alternative must be capable of avoiding or substantially lessening potentially significant effects of the Project.

It is assumed that by the comment “...chose not to make this their preferred alternative...” refers to the Phase 1 Development Alternative as it is the designated Environmentally Superior Alternative. As stated in Section 15126.6(d) of the State CEQA Guidelines:

A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the Project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the Project as proposed.

The Phase 1 Development Alternative, although it would result in reduced impacts due to the smaller development area and reduced number of housing units and development, would not fully achieve all of the Project objectives to enhance local economic well-being related to creation of jobs, providing a mix of land uses to reduce offsite vehicle trips and VMT, and provide a significant amount of housing. This is primarily because the amount of developable land allowed under this alternative would be greatly reduced in comparison to the proposed Project and, because of this, the number of residential units and amount of commercial and industrial development would be greatly reduced in comparison to the proposed Project.

For each alternative carried forward for detailed consideration in Section 6.0 of the Draft SEIR, an analysis is provided comparing the impact of each alternative to the proposed Project. Each of the environmental topics evaluated in the Sections 5.1 through 5.11 of the Draft SEIR is evaluated for each alternative. Quantification of impacts is provided as necessary to provide a meaningful comparison of impacts. Table 6-5 provides a general comparison of the alternatives with the proposed Project and is intended to complement the narrative analyses provided in Section 6.6 of the Draft SEIR rather than function as a stand-alone comparison.

It should be noted that the 1992 Specific Plan is still a valid approval. The purpose of Table 6-2 was to demonstrate how substantially the Project has been downsized in comparison to what has already been approved, as shown below:

**TABLE 6-2  
LAND USE AREA COMPARISON**

	Existing NorthLake Specific Plan		Proposed Plan		Difference	
	(ac)	(du)	(ac)	(du)	(ac)	(du)
Residential	600.3	3,623	341.9	3,150	(258.4)	(473)
Commercial	13.2		9.2		(4.0)	
Industrial	50.1		13.7		(36.4)	
Open Space	476		632.5		156.5	
Recreation- Golf	167		0		(167)	
Recreation- Trails/Parks	0		167		167	
School/Park Facilities	23.1		43.5 <sup>a</sup>		20.4	
Right of Way <sup>b</sup>			120.5		120.5	
Public Services (Fire Station Pad) <sup>b</sup>			1.4		1.4	
<b>Total</b>	<b>1,330.0</b>		<b>1,330.0<sup>c</sup></b>			
ac: acres; du: dwelling units; (-): negative						
<sup>a</sup> Northlake Hills Elementary School was previously constructed on a 20.6-acre site.						
<sup>b</sup> The NorthLake Specific Plan did not provide a breakdown of acreages for right of way, or public service facilities. Roadways were included in Residential.						
<sup>c</sup> Totals may not add due to rounding and mapping.						
Source: Sikand 2015.						

CEQA requires the identification of an environmentally superior alternative. Section 15126.6(e)(2) of the State CEQA Guidelines states that, if the No Project Alternative is the environmentally superior alternative, then the SEIR shall also identify an environmentally superior alternative among the other alternatives, therefore the Phase 1 Development Alternative was identified as the environmentally superior alternative. Table 6-5 in Section 6.0 of the Draft SEIR provides in summary format, a comparison of the level of impacts for each alternative to the proposed Project. CEQA does not require that the environmental superior alternative be selected as the proposed Project.

The County has provided for a meaningful consideration of the alternatives and mitigation measures. Further, the proposed Project remains as the preferred alternative because it (1) achieves all of the Project objectives, and (2) reduces impacts in comparison to what could be developed under current entitlements. Specifically, development of the Project site under approved NorthLake Specific Plan, which is discussed in detail in the No Development/Development Pursuant to the Approved NorthLake Specific Plan Alternative in Section 6.6.2 and pages 6-11 through 6-16 of the Draft SEIR, would result in a more impactful development due to a higher unit count, increased development footprint, and increased impacts associated with more development when compared to the modified Project being evaluated in the Draft SEIR. Therefore, the proposed Project, which represents a modification to the Project evaluated in the 1992 SP EIR, is a more environmentally friendly Project and achieves all Project objectives.

The reduction in the size of the Project in comparison to the approved 1992 Specific Plan should be taken into consideration. The Project includes approximately 338 fewer acres of development and more open space and publicly accessible parks and trails.

**Response 16.18.** The comment asserts that the Draft SEIR does not include an analysis of a reasonable range of alternatives. Section 15126.6(a) of the State CEQA Guidelines clearly states that a reasonable range of alternatives be described, but need not consider every conceivable

alternative to Project. The Draft SEIR did analyze a smaller footprint Project, although not with greater density. A transit-oriented development alternative is not reasonable or feasible in an area where there is very little transit available. A low carbon alternative with lower emissions also doesn't seem reasonable as there is currently no development on site and lower emissions isn't attainable. Conversion of the land into a conservation or mitigation bank has nothing to do with the objectives of the Project, which is one of the 3 reasons in Section 15126.6(c) of the State CEQA Guidelines for eliminating an alternative from detailed consideration. A mixed-use development is what is proposed in the Project: residential, commercial, industrial, civic uses, recreation and open space. The proposed Project does include enhancement of wildlife habitats. In addition to the detail in the Draft SEIR, please refer to Appendix C of the Final SEIR for an explanation of the habitat enhancement plans. Although an alternative should not be excluded from consideration if it would impede the objectives to some degree, a complete change in direction is not a small impedance. The County believes that the range of alternatives is adequate for Project analysis, especially in light of the down-sized Project proposal in comparison to the approved 1992 Specific Plan.

**Response 16.19.** Comment asserts that the Draft SEIR determination that there will be no significant unmitigatable impacts to water quality and hydrology is "not supportable." However, the Draft SEIR determination is supported by substantial evidence. The analysis presented in Section 5.8, Hydrology and Water Quality, of the Draft SEIR is based on information contained in numerous County, Regional Water Quality Control Board, and State Water Board reference documents, as well as the referenced Drainage Concept Report and Water Quality Technical Report (provided in Appendix H-1 and H-2 of the Draft SEIR, respectively), which include site-specific hydrologic and water quality technical data (see discussion on pages 5.8-3 through 5.8-13 of the Draft SEIR). Based on the technical information and analyses presented in the Drainage Concept Report and Water Quality Technical Report, Section 5.8, Hydrology and Water Quality, of the Draft SEIR thoroughly addresses the Project's potential hydrologic and water quality impacts. The Drainage Concept Report, which was prepared by Sikand and approved by the County Department of Public Works, provides the technical support for the analysis of potential hydrologic and hydraulic impacts. As such, the Hydrology Study is a technical document that includes computer program outputs, as well as corresponding calculations, tables, and technical memoranda, intended to provide the technical basis for the analysis and conclusions presented in the Draft SEIR.

Similarly, the Water Quality Technical Report, prepared by Geosyntec Consultants, provides the technical support for the analysis of water quality impacts. A water quality model was used to estimate pollutant loads and concentrations in Project stormwater runoff for certain pollutants of concern for pre-development conditions and post-development conditions. The water quality model is one of the few models that takes into account the observed variability in stormwater hydrology and water quality. This is accomplished by characterizing the probability distribution of observed rainfall event depths, the probability distribution of event mean stormwater runoff concentrations, and the probability distribution of the number of storm events per year. These distributions are then sampled randomly using a Monte Carlo approach to develop estimates of mean annual loads and concentrations.

As discussed in Section 4.0, Project Description, of the Draft SEIR, the Project would meet or surpass the requirements of the County and all applicable NPDES permits by providing drainage, flood control, and water quality features such as storm drains, debris basins, water quality facilities, and inlet and outlet structures. The proposed stormwater collection system is shown in Exhibit 4-10, in Section 4.0, Project Description. As shown, the plan includes a comprehensive series of features designed to meet or exceed National Pollutant Discharge Elimination System (NPDES) permit requirements and protect receiving water bodies. Stormwater best management practices (BMPs) incorporated into the Project to address surface water and groundwater quality

and hydromodification impacts include erosion and sediment control BMPs to be implemented during the Project's construction phase, and site design, source control, LID, and hydromodification control BMPs to be implemented during the post-development (operational) phase. Erosion controls, site design, and source control prevent sediment erosion and stormwater runoff contamination as a first line of defense. The LID and hydromodification control BMPs would then intercept and detain, filter, and infiltrate stormwater runoff from the Project's developed areas prior to discharging to the surface receiving water bodies and groundwater. The proximity of the Project to a surface receiving water body does not affect the performance of the water quality BMPs in treating stormwater prior to discharge.

The Project includes a series of Regulatory Requirements (RRs) which were assumed in the analysis presented in Section 5-8, listed on page 5.8-45 and 5.8-46 of the Draft SEIR and restated below. Compliance with regulatory requirements is not considered mitigation since it applies to the Project regardless of impacts; nor is mitigation required in order to ensure regulatory compliance, as each regulatory agency has its own respective compliance mechanisms in place, such as plan checks, permitting processes, or other procedures.

- RR 5.8-1** Prior to the issuance of a grading permit, the Project Applicant shall be responsible for filing a Notice of Intent and the appropriate fees to the SWRCB in order to obtain coverage under the NPDES General Construction Permit for construction activities. Pursuant to the permit requirements, the Project Applicant shall develop a Stormwater Pollution Prevention Plan that incorporates Best Management Practices for minimizing construction-related pollutants in site runoff.
- RR 5.8-2** The Project shall comply with the Los Angeles Regional Water Quality Control Board MS4 Permit (Order No. R4-2012-0175; NPDES Permit No. CAS004001), the County of Los Angeles LID Ordinance, and the County of Los Angeles LID Standards Manual.
- RR 5.8-3** The Project shall comply with the Los Angeles Regional Water Quality Control Board General NPDES Permit and General WDRs for Dischargers of Groundwater from Construction and Project Dewatering (Order No. R4-2013-0095, NPDES No. CAG994004).

The Draft SEIR includes one water quality-related mitigation measure. Mitigation Measure 5.8-1 (see page 5.8-70) requires the Project to develop and implement an Integrated Pest Management Plan to control nutrients and reduce pesticide use.

The commenter asserts that Marple Creek and the Santa Clara River are not mentioned in the Draft SEIR. This is incorrect. The Project's receiving water bodies are described in Section 5.8, Hydrology and Water Quality, on page 5.8-4 and both Marple Creek and Santa Clara River are expressly discussed under their respective subheaders. In addition, as described in the Drainage Concept Report and Water Quality Technical Report, the southern-most portion of the Project will discharge to Marple Creek. This earthen channel drains southeast approximately 0.4 miles into LACDPW's Violin Canyon Channel, a reinforced concrete channel. Violin Canyon Channel drains southeast approximately 1.0 mile to Castaic Creek. The Santa Clara River is described extensively in the WQTR (see pages 18-22 of Appendix H-2 of the Draft SEIR).

**Response 16.20.** The comment states that none of the BMP's listed on pages 5.8-38 through 5.8-40 of the Draft SEIR are enforceable mitigation measures. As discussed in Response 16.19, the Project is required to comply with various permits and ordinances during Project operations, including the Los Angeles Regional Water Quality Control Board (Regional Water Board)



Municipal Separate Storm Sewer System (MS4) Permit, the County of Los Angeles LID Ordinance, and the County of Los Angeles LID Standards Manual. As to construction activities, the Project is required to comply with the State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity, and the Regional Water Board's General NPDES Permit and General Waste Discharge Requirements (WDRs) for Dischargers of Groundwater from Construction and Project Dewatering.

The referenced BMPs are required elements of the Project's Stormwater Pollution Prevention Plan (SWPPP) and LID Plan, which are regulatory requirements; as such, mitigation measures are not directly applicable. Compliance with regulatory requirements is not considered mitigation since it applies to the Project regardless of impacts; nor is mitigation required in order to ensure regulatory compliance, as each regulatory agency has its own respective compliance mechanisms in place, such as plan checks, permitting processes, or other procedures. Regulatory compliance is mandatory as is compliance with the legal requirements generally.

An LID Plan has been prepared for the Project and is referenced as an attachment to the Drainage Concept Report in Appendix H-1. However, it is noted that the LID Plan was inadvertently left out of the Appendix and is included as Appendix K to this Final SEIR.

Although not necessary, the following clarifications are hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following Project design features will be added to page 5.8-45 of the Draft SEIR, immediately following RR 5.8-3 and preceding Section 5.8.6, Threshold Criteria, to further ensure appropriate regulatory compliance:

**PDF 5.8-1: Prior to the issuance of any grading or building permit (whichever comes first) and as part of the design level hydrology study and facilities plan, a final LID Plan shall be prepared consistent with the terms and content of the NorthLake Specific Plan Water Quality Technical Report and the Low Impact Development Plan, Vesting TTM No. 073336 NorthLake Phase 1 that specifically identify the LID, treatment, and hydromodification control BMPs to be used on the NorthLake Project site.**

**PDF 5.8-2: For the post-construction (operational) phase, the Project shall implement the following LID BMP Performance Standard for runoff volume reduction and water quality treatment:**

**LID BMPs shall be selected and sized to retain the volume of stormwater runoff produced from a 1.15 inch storm event (LID design volume). When it has been demonstrated that 100 percent of the LID design volume cannot be feasibly infiltrated, then biofiltration shall be provided for 1.5 times the portion of the LID design volume that is not retained. Runoff from roadways shall be retained or biofiltered in retention or biofiltration BMPs sized to capture the design storm volume or flow, per the guidance in USEPA's Managing Wet Weather with Green Infrastructure: Green Streets. Regional facilities shall be implemented within the Project to infiltrate or biofilter the runoff volume from the 1.15 inch design storm volume that**

**has not been retained or biofiltered within parcels or road right-of-ways.**

**Response 16.21.** The comment states that Section 5.8, of the Draft SEIR includes a significant amount of boilerplate information that does not assist the public in understanding Project impacts. This is incorrect. The first 47 pages of Section 5.8 of the Draft SEIR provides the necessary information to for the reader to put in to context and understand the analytic discussion that follows. Specifically, the beginning of section 5.8 provides the methodology; background information on related EIRs; describes existing environmental conditions; summarize relevant plans, regulations, and policies; relevant Project characteristics; and threshold criteria. This information is Project specific and, as noted above, necessary to inform the impact analysis which follows thereafter.

**Response 16.22.** The comment asserts that the Draft SEIR does justify why a mitigation measure that includes total avoidance of Grasshopper Creek would be infeasible. One of the key provisions of the CEQA Guidelines on alternatives (Section 15126.6[b] through [f]) is that “the discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objective, or would be more costly” (15126.6[b]).” Because all of the impacts identified for biological resources are mitigated to a less than significant level, no significant biological resources impacts would occur. Based on Section 15126.6 of the State CEQA Guidelines, the Draft EIR did not identify any significant and unavoidable biological resources; therefore, an alternative that reduces impacts to biological resources was not specifically evaluated, however as noted below, some of the alternative considered in fact would likely result in reduced biological impacts. It is noted that the proposed Project represents a biologically superior alternative to development under current entitlements. Development of the Project site under current entitlements, which is discussed in detail in the No Development/Development Pursuant to the Approved NorthLake Specific Plan Alternative in Section 6.6.2 and pages 6-11 through 6-16 of the Draft SEIR, would result in a more impactful development due to a higher unit count, increased development footprint, and increased impacts associated with more development when compared to the modified Project being evaluated in the Draft SEIR. Therefore, the proposed Project, which represents a modification to the Project evaluated in the 1992 SP EIR, is a biologically superior Project.

However, as previously discussed in Response 12.12 and contrary to commenter’s statement that the Draft SEIR did not include a Grasshopper Creek avoidance alternative, the Draft SEIR does make the finding that the Creek Avoidance Alternative would be infeasible. As discussed in Section 6.5.1 of the Draft SEIR, the lead agency did explore a Creek Avoidance Alternative. An alternative designed to avoid building or grading in the blueline area of Grasshopper Canyon, such an alternative would require export of over 10 million cubic yards of soil; would eliminate commercial, multi-family, and single-family development; would require buttressing of all west facing slopes along Grasshopper Canyon; and would require construction of at least three bridges to allow for access and circulation. The amount of developable land allowed under this alternative would be greatly reduced in comparison to the proposed Project due to avoidance of Grasshopper Canyon; all development would be located east of Grasshopper Canyon, which is a central feature that runs through the approximate center of the Project site. Because of this, the number of residential units and amount of commercial and industrial development would be greatly reduced in comparison to the proposed Project. This alternative would not meet the Project objectives to enhance local economic well-being with commercial uses that would create jobs, provide a mix of uses to reduce offsite vehicle trips and VMT, and provide a significant amount of housing onsite with a wide range of home sizes and prices.

In addition, a Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations' reliance on fuel-consuming mechanical equipment.

The discussion regarding the reasons for determining that the Creek Avoidance Alternative has been modified to provide additional clarification.

The following clarifications are hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 6-7, Creek Avoidance Alternative, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

As the current applicant was re-initiating the Specific Plan a land plan was laid out that avoided the creek bottom that runs through the middle of the Project. This land plan placed development on one side of the creek with development terraced up the slope to minimize grading, **which would require export of over 10 million cubic yards of soil and extensive buttressing along all west facing slopes along Grasshopper Canyon.** This plan was attempted to avoid impacting the creek habitat, avoid jurisdictional wetlands (waters under the authority of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board).

Although this alternative would be less impactful **for some resource areas,** it would also eliminate more than half of the residential units and the other uses **due to the limited development area.** However **Despite the reduction in developable area,** the infrastructure requirements would be largely the same **as access and utilities would be required to cross Grasshopper Canyon.** The road-ways would still be needed as well as the need for all of the services to be engineered in place: water, sewer, street lights, curbs and gutters, and other utility lines would be required to be brought to the site. **Up to three bridges would be required to provide for access and extension of utilities.** The development would also require **development of amenities including** schools, **and** parks. The amount of development would be reduced to the point of not making the development feasible.

**A Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and increase GHG and noise impacts due to the pump stations' reliance on fuel-consuming mechanical equipment.**

**Response 16.23.** The comment states that the description of the Integrated Pest Management Plan in the Draft SEIR does not list pesticides that will be used nor is the Plan provided in the public review. As described in pages 103 to 106 of the WQTR, (located in Appendix H-2 of the

Draft SEIR), pesticides that are used for urban applications change over time as products that are found to pose a risk are banned and replaced with newer pesticides. Thus, it would not be meaningful to list current pesticides as those that might be used in the future as the Project builds out. Pesticide use is regulated at the state level and the Project does not have the legal ability to ban the use of specific pesticides by the residents; the Project must achieve regulatory compliance.

The State Water Board is developing a statewide framework for urban pesticides reduction (Urban Pesticides Amendments) that will employ a multi-agency approach calling on participation from the Water Boards, municipalities, and state and federal pesticide regulators<sup>10</sup>. A primary goal of the statewide Urban Pesticides Amendments is to improve collaboration among regulators, leading to better management of pesticides in urban runoff. The statewide Urban Pesticides Amendments will also organize coordinated pesticides and toxicity monitoring and data sharing, and establish consistent minimum pesticides control efforts for municipal separate storm sewer systems (MS4) permittees (i.e., the County of Los Angeles).

Control of pesticide discharges in urban runoff falls under the responsibility of the operators of MS4s, whose discharges are regulated by the State and Regional Water Boards under Clean Water Act MS4 permits. However, State law does not allow local authorities to limit pesticides sale and use. Municipalities therefore must focus on source control and urban runoff reduction efforts to control pesticides in their discharges. The most effective way to reduce urban pesticide-related impairments now and into the future is source control through coordination with state and federal pesticide regulators. Successful coordination in the past between water quality regulators, pesticide regulators, municipalities, and others through partnerships such as the Urban Pesticides Pollution Prevention Partnership has led to significant improvements in pesticide use regulation for the protection of water quality. A statewide framework for working with pesticide regulators would ensure these efforts can continue to grow and provide a more efficient, effective, and consistent approach to addressing and preventing pesticides-related water quality pollution.

What the Project can and will do is to implement an Integrated Pest Management (IPM) program, as required by Mitigation Measure 5.8-1. A mitigation measure, such as this one, is mandatory, not voluntary as the commenter suggests. Mitigation Measure 5.8-1 provides detailed information on the contents of the plan and provides citation to the State Guidelines for the development of such plans.

The commenter states “the DEIR does not point to any study or analysis that would suggest IPM is an effective means to mitigate harm to sensitive species, such as amphibians.” Environmental protection is a fundamental principle of IPM (part of the definition) and it is recognized as such by the EPA, the University of California, US Fish and Wildlife, and USDA. Table 1 below provides additional information regarding IMPs and includes statements about the role of IMP in environmental protection from these agencies.

<sup>10</sup> SWRCB, 2016. Statewide Urban Pesticides Reduction Fact Sheet. Accessed at [https://www.waterboards.ca.gov/publications\\_forms/publications/factsheets/docs/urban\\_pesticides\\_project.pdf](https://www.waterboards.ca.gov/publications_forms/publications/factsheets/docs/urban_pesticides_project.pdf) on 8/21/2017.

**TABLE 1: AGENCY REFERENCES TO INTEGRATED PEST MANAGEMENT**

Statement	Reference
IPM is an effective and environmentally-sensitive approach that offers a wide variety of tools to reduce contact with pests and exposure to pesticides. Knowledgeable, proactive stakeholders can enable a community to prevent or significantly reduce pollution from unnecessary pesticide use.	Introduction to Integrated Pest Management, USEPA. <a href="https://www.epa.gov/managing-pests-schools/introduction-integrated-pest-management#main-content">https://www.epa.gov/managing-pests-schools/introduction-integrated-pest-management#main-content</a>
IPM is a process you can use to solve pest problems while minimizing risks to people and the environment. IPM is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.	UC Statewide IPM Program. <a href="http://www2.ipm.ucanr.edu/WhatIsIPM/">http://www2.ipm.ucanr.edu/WhatIsIPM/</a>
IPM is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.	University of California Division of Agriculture and Natural Resources Publication 8093, 2003. Establishing Integrated Pest Management Policies and Programs: A Guide for Public Agencies. <a href="http://anrcatalog.ucanr.edu/pdf/8093.pdf">http://anrcatalog.ucanr.edu/pdf/8093.pdf</a>
IPM considers if there are sensitive resources present at some of the sites, such as rare or listed species, these resources and their locations are discussed and low-risk treatment options are selected to protect the sensitive species or sites. For example, if an infestation is present on lands deemed "high risk potential" for groundwater contamination, an herbicide treatment that might contaminate groundwater resources would be inappropriate. Similarly, a broad-spectrum herbicide would be inappropriate unless it was used as a spot treatment only on the targeted pest and precautions are identified to reduce drift, leaching, and runoff to nearby sensitive areas.	US Fish and Wildlife Service, Integrated Pest Management Plan, 2004-2009, Devils Lake Wetland Management Complex, Devils Lake, North Dakota. No date. <a href="https://www.fws.gov/invasives/staffTrainingModule/pdfs/planning/IPM%20PLAN%20Jim%20Revised3-22-05%20Times%20Roman.pdf">https://www.fws.gov/invasives/staffTrainingModule/pdfs/planning/IPM%20PLAN%20Jim%20Revised3-22-05%20Times%20Roman.pdf</a>
The IPM process includes comparing all chemical treatments to endangered species and ground/surface water sensitivity analysis models to ensure that herbicide applications pose a minimal risk to these biologically sensitive areas.	
IPM practices have been developed to improve pest control while minimizing impacts on beneficial species, such as pollinators. Integrated pest management protects pollinators by combining biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks. It is a long-standing, science-based, decision-making process that coordinates the use of pest biology, environmental information, and available technology to prevent unacceptable levels of pest damage by the most economical means, while posing the least possible risk to people, property, resources, and the environment, including pollinators.	US Fish and Wildlife Service IPM Fact Sheet, October 2006. <a href="https://www.fws.gov/pollinators/pdfs/IPMpol.pdf">https://www.fws.gov/pollinators/pdfs/IPMpol.pdf</a>
IPM provides an effective strategy for managing outdoor (backyards, golf courses, natural areas) and indoor (homes and businesses) pests. IPM serves as an umbrella to provide an effective, all encompassing, minimal-risk approach to protect wildlife, wildlife habitats, and people from pests.	
Integrated Pest Management (IPM) ideally combines biological and cultural controls with limited pesticide use to keep pest populations below economically damaging levels, prevent future pest problems, and minimize the harmful effects of pesticides on humans and natural resources, including wildlife.	Natural Resources Conservation Service, USDA, IPM and Wildlife Fact Sheet, April 2004. <a href="https://policy.nrcs.usda.gov/OpenNonWebContent.aspx?content=18487.web">https://policy.nrcs.usda.gov/OpenNonWebContent.aspx?content=18487.web</a>

**TABLE 1: AGENCY REFERENCES TO INTEGRATED PEST MANAGEMENT**

Statement	Reference
IPM limits pesticide use, which affects non-target species such as beneficial insects and wildlife. Estimates of wild birds killed in the United States every year by exposure to legally applied pesticides range in the tens of millions. Aquatic invertebrates, fish, amphibians, mammals, and others are also at risk. Insects are a major vehicle for pollination in orchards and vineyards, but their populations decrease after pesticide misuse. Herbicides can reduce or eliminate potential wildlife food and cover plants. Use of insecticides can reduce beneficial invertebrate populations that help control pests and are important food sources to many wildlife species. By using insecticides to address pest problems only where other measures fail to achieve the desired level of control, IPM seeks to minimize the negative effects of pesticide use on wildlife and other natural resources.	

**Response 16.24.** The comment asserts that the Draft SEIR provides contradictory information pertaining to the Santa Clara River. See Response 16.23 regarding the impracticability of prohibiting future pesticides at the current time. As stated on page 5.8-20 of the Draft SEIR, the Project's direct receiving water bodies, Grasshopper Creek, Castaic Lagoon, and Castaic Creek are not listed as impaired on the 2012 CWA Section 303(d) List. Downstream of the confluence of Castaic Creek with the Santa Clara River, the Santa Clara River is listed as impaired for chloride, coliform bacteria, and iron. Santa Clara River Reach 3, approximately 25 miles downstream of Reach 5 and below the Dry Gap in Reach 4, is listed for ammonia, chloride, total dissolved solids (TDS), and toxicity. Santa Clara River Reach 1, approximately 30 miles downstream of Reach 5, is listed for toxicity. The Santa Clara River estuary, located approximately 40 miles downstream of Reach 5, is listed for coliform bacteria, chlorinated legacy pesticides, toxaphene, toxicity, and nitrate-nitrogen.

The Los Angeles Regional Water Board is currently developing proposed revisions to the 2012 CWA Section 303(d) List. The 303(d) listings and draft revisions as of June 9, 2017, for these water bodies are summarized in Table 2 below.

**TABLE 2: 2016 INTEGRATED REPORT SUMMARY OF REGIONAL BOARD  
RECOMMENDED CHANGES TO THE 2012 303(D) LIST**

Water Body Segment	Pollutant	Regional Board 303(d) Listing Recommendations		Miscellaneous Changes	
		New Listings	New Delistings	Pollutant Name Change	Other Revisions
Castaic Lagoon	PCBs	Y			
Santa Clara River Reach 5	Ammonia			Y	
	Benthic Community Effects	Y		Y	
	Chloride				
	Indicator Bacteria			Y	TMDL status changed from TMDL still required to Being Addressed by Completed TMDL
	Iron				
	Nitrate and Nitrite				
	Trash	Y			
Santa Clara River Reach 3	Ammonia		Y	Y	
	Chloride				
	Escherichia coli (E. coli)	Y			
	Indicator Bacteria	Y			
	Mercury	Y			
	Selenium	Y			
	Total Dissolved Solids				
	Toxicity				
	Trash	Y			
Santa Clara River Reach 1	Oxygen, Dissolved	Y			
	Toxicity				
	Trash	Y			
	pH	Y			
Santa Clara River Estuary	Ammonia	Y			
	ChemA				TMDL status changed from TMDL still required to Being Addressed by Completed TMDL
	Indicator Bacteria			Y	TMDL status changed from TMDL still required to Being Addressed by Completed TMDL
	Nitrogen, Nitrate				TMDL status changed from TMDL still required to Being Addressed by Completed TMDL
	Toxaphene				TMDL status changed from TMDL still required to Being Addressed by Completed TMDL
	Toxicity				
	pH				



As described in Comment #19 above, the Water Quality Technical Report provides ample technical support for the finding of less than significant water quality impacts to the Project's direct receiving water bodies, Grasshopper Creek, Castaic Lagoon, Marple Creek, and Castaic Creek for all of the pollutants listed in Table 2. As these receiving water bodies, which are not impacted, are tributary to the Santa Clara River through Castaic Creek approximately six miles to the south of the Project, it is not possible for the Project to impact the Santa Clara River.

Additionally, the Castaic Creek watershed comprises 203 square miles (129,680 acres), therefore the 1,330 acre Project area comprises approximately 1 percent of the Castaic Creek watershed. The Upper Santa Clara River watershed (i.e., the area within Los Angeles County) comprises approximately 650 square miles, thus the Project area comprises approximately 0.3 percent of the Upper Santa Clara River watershed. Finally, Castaic Lake and Castaic Lagoon are reservoirs that are a part of the State Water Project. Castaic Lake provides regulatory storage during normal operations. Castaic Lagoon, downstream of Castaic Dam, serves as a recharge basin for the downstream groundwater basin. The Castaic Lagoon spillway, which is operated by the Department of Water Resources, discharges to Castaic Creek only when water is purposefully released from the Lagoon.

**Response 16.25.** The comment asserts that the Draft SEIR does not implement additional mitigation measures in order to comply with the TMDL requirements. See Responses 16.20 and 16.24 which fully address runoff issues as well as discussing the substantial evidence in support of the Draft SEIR water quality and hydrology determinations and adoption of feasible and effective mitigation measures. As detailed in Section 5.8 of the Draft SEIR, all potential impacts to hydrology and water quality would be less than significant with compliance of the recommended mitigation measures and current standard conditions of approval as indicated throughout the section.

**Response 16.26.** The comment asserts that the Draft SEIR provides an inadequate description of mitigation measures for alleviating significant sedimentation impacts because of both construction as well as implementation of the Project. Sedimentation impacts due to construction would be alleviated with construction phase controls as required by the Construction General Permit, as described in WQTR pages 69 through 71 and Draft SEIR pages 5.8-38 and 5.8-39.

The Project will reduce or prevent erosion and sediment transport and transport of other potential pollutants from the Project site during the construction phase through implementation of BMPs meeting BAT/BCT in order to prevent or minimize environmental impacts and to ensure that discharges during the Project construction phase will not cause or contribute to any exceedance of water quality standards in the receiving waters. All discharges from qualifying storm events will be sampled for turbidity and pH and results will be compared to Numeric Action Levels (250 NTU and 6.5-8.5, respectively) to ensure that BMPs are functioning as intended. If discharge sample results fall outside of these action levels, a review of causative agents and the existing site BMPs will be undertaken, and maintenance and repair on existing BMPs will be performed and/or additional BMPs will be provided to ensure that future discharges meet these criteria.

The construction-phase BMPs will ensure effective control of not only sediment discharge, but also of pollutants associated with sediments, such as nutrients, heavy metals, and certain pesticides, including legacy pesticides. In addition, compliance with BAT/BCT requires that BMPs used to control construction water quality are updated over time as new water quality control technologies are developed and become available for use. Therefore, compliance with the BAT/BCT performance standard ensures effective control of construction water quality impacts over time.

As discussed in Response 16.19, the Project includes a Regulatory Requirement (RR5.8-1) that requires compliance with the Construction General Permit. Compliance with regulatory requirements is not considered mitigation since it applies to the Project regardless of impacts; nor is mitigation required in order to ensure regulatory compliance, as each regulatory agency has its own respective compliance mechanisms in place, such as plan checks, permitting processes, or other procedures.

The Draft SEIR at 5.8-2 is summarizing the conditions existing at the time of preparation and certification of the 1992 NorthLake Specific Plan EIR and is included as background information to provide context for the scope of the SEIR analysis. The Draft SEIR did not assume cattle grazing as the existing condition. The analysis of impact on sediment loads from the Project was based on the water quality model comparing total suspended sediment concentrations in stormwater runoff from open space compared to developed areas (see WQTR, pages 89 – 90). Conversion from open space, which has a relatively high concentration of TSS in runoff, to urban land uses with LID BMPs, which would have a much lower concentration of TSS in runoff due to less erosion from open space and the effective removal of TSS in the LID BMPs, would reduce the average TSS concentration in stormwater runoff from the Project site. In addition, post-construction sediment loads would decrease due to the use of debris basins, which trap natural sediment sources, below open spaces that drain into the storm drain system.

**Response 16.27.** The comment asserts that the Project could result in significant nutrient loading into waterways. However, the comment further states that that information in the Draft SEIR (page 5.8-55) indicates that nutrient loading from the Project would not affect water quality. Regarding sediment loading to Castaic Lagoon, see Response 16.26 above. The comment is correct in stating that the nutrients (total phosphorus and nitrogen compounds) analysis in the WQTR predicts an increase in the average annual concentrations (aside from nitrate+nitrite-nitrogen) and loads of nutrients in the Project's stormwater runoff (see pages 90 – 96 of the WQTR). The potential for Project runoff to impact total phosphorus and nitrogen compound concentrations in Castaic Lagoon is a function of: (1) the relative magnitudes of runoff volume and Castaic Lagoon storage volume; and (2) the relative magnitude of runoff concentrations and concentrations in Castaic Lagoon. Table 3 below (Table 7-9 in the WQTR), provides the results of a mass balance calculation used to assess the level of change predicted in Castaic Lagoon as a result of the Project.

**TABLE 3: PREDICTED CHANGE IN AVERAGE CONCENTRATION OF NUTRIENTS IN CASTAIC LAGOON WITH PROJECT RUNOFF**

Nutrient	Predicted Average Annual Concentration in Project Runoff (mg/L)	Predicted Average Concentration in Castaic Lagoon with Project Runoff (mg/L)	Average Observed Concentration in Castaic Lagoon (mg/L) <sup>1</sup>	Predicted Change in Average Concentration in Castaic Lagoon with Project Runoff (mg/L)
Total Phosphorus	0.19	0.05	0.04	0.01
Nitrate + Nitrite-N	1.0	0.29	0.25 <sup>2</sup>	0.04
Ammonia-N	0.2	0.02 <sup>3</sup>	0.005 <sup>3</sup>	0.015
Total Nitrogen	2.4	0.75	0.64 <sup>4</sup>	0.11

<sup>1</sup> See Table 2-6.  
<sup>2</sup> Nitrate + nitrate average concentration was calculated using available monitoring data for nitrate-N, nitrite-N, and nitrate+nitrite-N. This value is different than that shown in Table 2-6 for nitrate+nitrite-N, because it includes data reported for nitrate-N and nitrite-N as stand-alone values.  
<sup>3</sup> Assumes an ammonia-N concentration of ½ of the detection limit (0.01 mg/L) in Castaic Lagoon.  
<sup>4</sup> Total nitrogen average concentration in Castaic Lagoon was estimated using available nitrogen compound monitoring data.

The significance of the increases in the load discharging into Castaic Lagoon depends on the Lagoon's current biological productivity and its assimilative capacity. The concept of a limiting nutrient may be used as an indicator of the Lagoon's assimilative capacity for nutrients. The limiting nutrient may be evaluated using the ratio of the Lagoon's total nitrogen and total phosphorus concentrations (TN:TP). If phosphorus or nitrogen is the limiting nutrient, an increase in the loading of the limiting nutrient would affect Lagoon water quality more than an increase in loading of the non-limiting nutrient.

Based on the average Castaic Lagoon concentrations in monitoring data collected at the Castaic Lake Outlet Tower (see Table 7-9 in the WQTR), TN:TP is 16. TN:TP ratios between 10 and 17 are inconclusive about whether nitrogen or phosphorus is the limiting nutrient. In such cases, algal growth may be limited by micronutrients or some other environmental factor. Moreover, limnology is complex and there are potentially other variables that affect lake productivity and eutrophication, such as lake depth and stratification, suspended solids, dissolved organic matter, the hydraulic flushing rate (i.e., the rate and quantity of inputs from Castaic Lake and outflows to Castaic Creek), and the macrophyte and phytoplankton populations (such as zooplankton that graze on algae) and other factors that affect these biological organisms (such as the presence of toxicants).

Sources of nitrogen and phosphorus compounds in urban areas include atmospheric deposition (from sources such as vehicle emissions, industry, and agriculture), fertilizers, soil erosion, human waste (from leaking septic systems), pet waste, phosphorous containing detergents, and mishandling of leaves and grass clippings. Discharge of nitrogen and phosphorus compounds will be reduced through the Project's source control measures, education of homeowners, and provision of waste receptacles in areas where dog walking occurs. The modeling results that predict the increase in nutrients are conservative in that the predicted loadings only reflect the pollutant removals in the LID BMPs and do not account for the additional load reductions resulting from source control measures. In addition, the nutrient concentrations used in the water quality model do not reflect the current landscape standards in the Los Angeles County Drought-Tolerant Landscaping Ordinance. Post-construction landscape designs must now comply with all of the following:

1. Turf areas shall not exceed 25 percent of the total landscaped area.
2. Non-invasive, drought-tolerant plant and tree species appropriate for the climate zone region shall be utilized in at least 75 percent of the total landscaped area.
3. Hydrozoning irrigation techniques shall be incorporated into the landscape design.

These landscape standards will greatly reduce nutrient concentrations and loads in post-development runoff in comparison to the landscape standards in place in the 1990's when the land use-based water quality data used in the model was collected by Los Angeles County. However, potential impacts related to the increase in nitrogen and phosphorus compounds entering Castaic Lagoon may be potentially significant based on the lagoon's biological productivity and its assimilative capacity. However, because fertilizers would be a significant source of nitrogen and phosphorous compounds entering Castaic Lagoon, implementation of Mitigation Measure 5.8-1, requiring implementation of an IPM Plan, would reduce this potential impact to a less than significant level.

**Response 16.28.** The comment asserts that the Draft SEIR makes a blanket statement that mitigation measures will reduce peak runoff and total runoff volume for the entire Project is too broad and misleading. As stated in Response 16.19 above, the Project must comply with the Los Angeles County MS4 Permit, the County of Los Angeles LID Ordinance, and the County of Los

Angeles LID Standards Manual. The Project has been designed to meet the following requirement in Section 8.3 of the Los Angeles County LID Standards Manual:

“Projects required to analyze for hydromodification impacts must conduct hydrology and hydraulic frequency analyses for LID, 2-, 5-, 10-, 25-, and 50-year storm events per the LACDPW Hydraulic and Hydrology manuals. The frequency analyses, which analyze changes in flow velocity, flow volume, and depth/width of flow for all natural drainage systems using HEC-RAS, are used to demonstrate compliance with hydromodification requirements and identify drainage impacts on off-site property.”

The Project’s LID Plan (included as Appendix K of the Final SEIR) provides a comprehensive, technical discussion of how the Project will comply with all of the requirements of the Los Angeles County LID Ordinance and LID Standards Manual, including this peak runoff and total runoff volume standard. No mitigation measure is necessary, as this is a regulatory requirement.

**Response 16.29.** The comment asserts that the Draft SEIR does not provide details on the hazardous materials business plan and defers mitigation. Additionally, the comment asserts that the pipeline relocation analysis regarding impacts to water quality is insufficient. The information and citation provided by commenter regarding the Draft SEIR appears to be incorrect. The Project is not implementing a hazardous materials business plan. Draft SEIR page 5.8-65 discusses pathogen indicators, it does not discuss “setbacks” nor the “hazardous materials business plan.” The Draft SEIR includes an analysis of potential impacts from hazardous substances, including: pathogens, petroleum hydrocarbons, trash and debris, methylene blue activated substances, toxicity, constituents of emerging concerns, and bioaccumulation. In all cases, it was determined that the potential impacts from these hazardous substances will be less than significant. See Section 5.8 of the Draft SEIR.

**Response 16.30.** The comment asserts that the Draft SEIR provides conclusory and inaccurate statements regarding impacts to groundwater. As discussed on page 5.8-73 and 5.8.-74 of the Draft SEIR, the NorthLake Specific Plan Project site is not underlain by a groundwater basin. The nearest basin is the Santa Clara River Valley East Basin, which is located south and east of the Project site near Castaic Lake (see Exhibit 2-4 in the Water Quality Technical Report (WQTR) (see Appendix H-2)). The Project would introduce impervious surfaces to the Project site through development activities which would reduce the amount of permeable area within the Project site. However, because the proposed development area is not located in an area underlain by a groundwater basin, Project-related development would not directly interfere with groundwater recharge.

As discussed in the WQTR on pages 129-130, discharge from the Project’s developed areas to groundwater could occur in three ways: (1) through general infiltration of irrigation water, (2) through infiltration of urban runoff in the proposed water quality facilities, and (3) infiltration of urban runoff, after treatment in the LID BMPs, in Grasshopper Creek and the Castaic Lagoon.

Infiltration and evapotranspiration of precipitation would decrease within the developed portion of the Project due to the increase in impervious area. Geosyntec Consultants used the watershed-scale modeling analysis developed for the hydromodification impact analysis (see Appendix C of the WQTR) to estimate the decrease in infiltration that would result from the development. This estimation accounts for infiltration loss in the watershed and percolation through the bottom of the water quality facilities. The long-term volume of stormwater infiltrated in the Grasshopper Creek watershed would decrease by an estimated 51 ac-ft per year (1.5 percent) due to the proposed Project.

In contrast, the Project's surface water runoff is predicted to increase by 98 acre-feet per year on average (see Table 7-1 in the WQTR). This increase in surface runoff would flow primarily through Grasshopper Creek to the Castaic Lagoon, which will store the surface runoff and recharge it to the Santa Clara River Valley East Basin.

In summary, the Project will slightly decrease infiltration at the Project site and slightly increase runoff to the adjacent Castaic Lagoon. The net result is that the Project will provide an increase to groundwater supplies and will not cause significant adverse groundwater impacts.

Regarding potential contaminated runoff from impervious surfaces, the Draft SEIR and the WQTR provide a detailed technical analysis of the potential impacts to stormwater runoff quality and concludes that there will be no significant adverse impacts to groundwater.

**Response 16.31.** The comment asserts that the Draft SEIR provides an inadequate analysis of growth-inducing impacts resulting from the Project under the requirements of the *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors*. Section 7.4 of the Draft SEIR lays out a discussion of potential growth inducing impacts based on the guidance provided in the State CEQA Guidelines. Specifically, this guidance states that the growth-inducing analysis must address two key issues: 1) the potential to foster economic or population growth or the construction of additional housing, and 2) the potential to encourage and facilitate other activities that could significantly affect the environment. The analysis provided support for both of these two key issues and thereby, satisfies the requirements regarding growth inducing impacts.

Further, an analysis of growth-inducing impacts was provided in the 1992 SP EIR for the originally approved NorthLake Specific Plan. This analysis stated that 1) the NorthLake Specific Plan Project is in conformance with the Santa Clarita Valley Area Plan and would comply with the assigned allowable densities; 2) the Project site is surrounded by physical impediments which would physically limit growth; 3) the economy would benefit through an increased demand for goods and services and an increase in the regional tax base; and 4) the anticipated population increases are consistent with the anticipated cumulative increases in areawide population and would help the County to achieve their share of SCAG's Regional Housing Allocation. Because the Project that was evaluated in the Draft SEIR represents a modification to the NorthLake Specific Plan Project as previously evaluated and approved, and because the Draft SEIR is a Supplemental EIR that relies on the 1992 SP EIR as appropriate, the analyses contained in the 1992 SP EIR is still relevant and applicable. Further, the proposed (modified) Project would involve development of a smaller Project and less impactful development due to a reduced unit count, reduced development footprint, and reduced impacts associated with less development when compared to the previously approved NorthLake Specific Plan Project.

Refer to Responses 16.32 through 16.34, below, for additional discussion regarding the adequacy of the growth-inducing analysis as presented in the Draft SEIR.

**Response 16.32.** The comment states that the Draft SEIR usage of the previously approved 1992 Project does not include an analysis of growth-inducing impacts. Section 7.4 of the Draft SEIR provides two key lines of reasoning for why the proposed Project would not be considered to be growth-inducing. As discussed on page 7-13 of the Draft SEIR, and as noted by the commenter, the Project is not expected to induce growth outside of the proposed Project area. This is primarily a function of physical impediments to connected growth to the Project site. As noted, the Project is surrounded by such impediments, or separations, including State and federal lands, the I-5 freeway, existing development, and Castaic Lake. Therefore, the first part of the analysis focuses on how the NorthLake Specific Plan, a currently approved specific plan, is physically isolated from areas with the potential for growth.

The second part of the analysis discussed on pages 7-14 and 7-15 of the Draft SEIR focuses on the potential for growth inducement. As stated in the Draft SEIR, the Project would not induce future development because all anticipated extensions of utilities would connect to existing utility systems and would not extend into undeveloped areas. Further, all utilities would be sized to meet the needs of the proposed Project and would not accommodate additional development in the area.

The analysis in the Draft SEIR provides an independent analysis of the currently proposed Project and is specific to existing conditions and current planning documents (i.e., 2012 Santa Clarita Valley Area Plan and the Los Angeles County 2035 General Plan). However, it is noted that this analysis is consistent with and supported by the growth-inducing analysis provided in the previously certified 1992 SP EIR, as discussed in Response 16.33, and which is expected because the Project evaluated in the Draft SEIR represents a modification to the previously approved NorthLake Specific Plan Project. Specifically, the proposed (modified) Project would involve development of a smaller Project and less impactful development due to a reduced unit count, reduced development footprint, and reduced impacts associated with less development when compared to the previously approved NorthLake Specific Plan Project. Therefore, the Draft SEIR in combination with the supporting analysis in the 1992 SP EIR, which is still a valid EIR and relied upon in the Draft SEIR, does adequately address growth-inducing impacts.

In order to clarify the findings of the analysis, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 7-14, Growth-Inducing Impacts, third and fourth paragraphs, of the Draft SEIR under is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

As described in detail in Section 4.0, Project Description, the proposed Project involves the development of the Project site with residential, commercial, industrial, recreational, utility, school, and open space uses. Approximately 297.2 acres would be set aside as undisturbed open space areas. The Project would be located adjacent to the Castaic Lake State Recreation Area and Castaic Lake to the east; residential development to the south; Interstate 5 (I-5) to the west; and open space and the Angeles National Forest to the north beyond the Project site. Therefore, property to the north and to the east of the Project site would not be able to accommodate new development due to the existing open space/recreational uses of the land. Property to the south of the Project site is already developed. **Property to the west of I-5 may be further developed in the future; however, the development of these areas would not be the result of the proposed Project due to the I-5 freeway's physical barrier to connected growth to the Project.**

~~Property to the west of I-5 may be further developed in the future; however, the development of these areas would not be the result of the proposed Project. This Project is the implementation of a previous commitment to develop 3,623 residential units; 13.2 acres of commercial uses; and 50.1 acres of industrial uses, including a golf course, school, park, and fire station site. These commitments were made in 1992 when the NorthLake Specific Plan was adopted. Therefore, this Project is developing housing that was previously planned for and approved. Additionally, Los Angeles County is experiencing a shortage of all housing types and the proposed Project would be accommodating an existing population and housing demand rather than providing a surplus or inviting more growth.~~

**Response 16.33.** The commenter questions the Project's accommodation of housing needs. As discussed in Responses 8.1 and 16.2, above, the Project would result in the introduction of a maximum of 3,150 housing units, 345 of which are senior designated. According to the current Regional Housing Needs Allocation (RHNA) for unincorporated Los Angeles County as restated in the *General Plan Annual Progress Report CY 2016*, there is a need for 30,145 housing units, with some level of housing needed for each income level. The highest amount of housing (12,581 units) is needed to serve the Above Moderate Income level. Although housing values will be dictated by market conditions, it is anticipated that many of the housing units proposed as part of the Project would fall within the Above Moderate Income level, which would assist the County in achieving their RHNA goals. The Draft SEIR does not claim that the proposed Project would accommodate a housing crisis in the City of Los Angeles, as stated by the commenter; rather, the Project, being located within unincorporated Los Angeles County, would assist in the accommodation of the identified housing shortage in unincorporated Los Angeles County.

Further, the Project would be consistent with the County of Los Angeles General Plan policies LU 5.1 and LU 5.10 related to provision of residential uses, as discussed in Response 16.2.

To underscore the need for housing, Governor Brown has signed a comprehensive legislative package of bills to increase the state's housing supply and affordability. "This combination of housing bills developed by the Legislature and Governor Brown address many of the issues that have taken a toll on the construction of housing in California," stated by the president of the State Building and Construction Trades Council of California. (APA 2017).<sup>11</sup>

**Response 16.34.** The comment disagrees with the Draft SEIR, which indicates that no changes to current zoning or codes would be required with Project implementation. According to the Department of Regional Planning, a conditional use permit (CUP) is required for certain land uses which may need special conditions to ensure compatibility with surrounding land uses<sup>12</sup>. While the proposed Project does include approval of CUP No. 201500019, as stated on page 4-2 of the Draft SEIR, the Project site is currently subject to the 1992 Master CUP which addressed implementation of the NorthLake Specific Plan and, consistent with the proposed CUP No. 201500019, addressed grading to occur outside of the Project site boundaries. As stated in the Draft SEIR, Project development would not require a general plan amendment or change to zoning or County codes. It is noted, additionally, that the discussion found on page 7-15 of the Draft SEIR is intended to provide additional support to the analysis associated with growth-inducing impacts, which previously addressed the two requirements set forth in Section 15126.2(d) of the State CEQA Guidelines (see pages 7-14 and 7-15 of the Draft SEIR) for growth-inducing analysis.

**Response 16.35.** This comment claims the Draft SEIR's air quality analysis is flawed because it underestimates the air quality impacts from the proposed Project. Threshold 5.1-2 of the Draft SEIR analyzed the air quality emissions from both construction and operation of the Project through utilization of the analysis methodology recommended by the SCAQMD and which is a commonly accepted best practice. Further, the analysis provided in Threshold 5.1-2 utilized worst-case assumptions for both construction and operational activities and is based on the Project's anticipated construction schedule and equipment as well as the traffic study prepared for the Project; therefore, the analysis represents an accurate analysis of the Project's emissions and associated impacts; no evidence has been provided that the analysis underestimates potential

<sup>11</sup> American Planning Association, California Chapter. 2017 (October 2). APA California News Flash, **Governor Brown Signs Comprehensive Legislative Package to Increase State's Housing Supply and Affordability**. San Francisco, CA ,

<sup>12</sup> Los Angeles County Department of Regional Planning (DRP). 2013, August (29). *Conditional Use Permit (CUP) FAQ*. <http://planning.lacounty.gov/faq/cup>. DRP: Los Angeles, CA.



impacts. The analysis found a potentially significant impact during construction activities and required implementation of Mitigation Measures MM 5.1-1, MM 5.1-2, MM 5.1-3, MM 5.1-4, MM 5.1-5, MM 5.1-6, and MM 5.7-21 to reduce construction emissions, however the Draft SEIR provides a finding of a significant unavoidable impact for construction activities since there is not enough feasible mitigation available to reduce construction emissions to less than significant levels. The analysis also found a potentially significant impact during operational activities and required implementation of Mitigation Measures MM 5.1-7, MM 5.1-8, MM 5.1-9, MM 5.1-10, MM 5.1-11, MM 5.1-12, MM 5.1-13, and MM 5.7-22 to reduce operational emissions, however the Draft SEIR provides a finding of a significant unavoidable impact for operational activities, since there is not enough feasible mitigation available to reduce operational emissions to less than significant levels. The identified mitigation program identified in Section 5.1 of the Draft SEIR represents all feasible and reasonable mitigation measures that can be applied to the proposed Project based on current and anticipated future technologies. As stated above and in Section 5.1 of the Draft SEIR, implementation of these measures would not fully reduce all impacts to less than significant levels.

Because this comment only provides non-Project specific information about air quality health impacts and does not specify how or what part of the air quality analysis is flawed nor does it provide specific feasible mitigation measures that it claims are lacking, the County is unable to analyze the claim stated by the commenter. Therefore, the commenter has failed to provide any evidence that supports the assertion and no further response is required.

**Response 16.36.** This comment claims that the Draft SEIR's significance analysis is flawed because it uses the "Localized Significance Threshold" or "LST" methodology. The LST analysis provided in the Draft SEIR was performed pursuant to the methodology provided by the SCAQMD. The LST Methodology provides "Look-Up Tables" for Projects that are 5 acres or less. For Projects that are greater than 5 acres, the LST Methodology details that modeling should be performed, which was the analysis method utilized in the Draft SEIR. The significance thresholds utilized in the Localized analysis were not obtained from the LST Methodology, rather they were obtained from the following webpage that list both SCAQMD's regional and local thresholds: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>

This comment also claims that the Draft SEIR cannot avoid analysis or disclosure by simply stating that future uses will comply with SCAQMD rules without providing a quantitative LST analysis of operational emissions. The discussion on page 5.1-38 of the Draft SEIR details how the proposed residential uses are not sources of substantial pollutant and an operational LST analysis is not required for residential uses. Page 5.1-38 also details how it is not possible at this time to provide a quantitative local criteria pollutant analysis of the proposed industrial and commercial buildings that requires specific knowledge of the use of the buildings and locations of the emissions sources. The regional criteria pollutant impacts from the proposed industrial and commercial buildings were quantified and analyzed under Threshold 5.1-2. The Draft SEIR on page 5.1-40 provides an operational LST analysis of the proposed commercial and industrial uses, which found that the Project would create a significant impact and provided MM 5.1-14 that requires the preparation of a Local criteria pollutant analysis to be prepared prior to the issuance of occupancy permits for the industrial buildings. The Draft SEIR is not avoiding analysis or disclosure by providing mitigation requiring that the industrial building will meet SCAQMD local criteria pollutant standards.

Under CEQA, the deferral of specifics of mitigation is permissible where the local entity commits itself to mitigation and lists alternatives to be considered, analyzed, and possibly incorporated in a mitigation plan. (*City of Hayward v. Bd. of Trustees of the California State Univ.* (2016) 242 Cal.App.4th 833, 851-856) Since Mitigation Measure MM 5.1-14 is included that commits the

Project to a mitigation plan where each industrial building constructed will be required to analyze the local criteria pollutant and toxic air concentrations at the nearby sensitive receptors and if necessary, reduce emissions to meet the SCAQMD local standards for criteria pollutants and toxic air contaminants, the Draft SEIR did not improperly avoid disclosure or defer mitigation of the Project's localized air quality and toxic air contaminant impacts.

**Response 16.37.** The comment incorrectly states that the Draft SEIR fails to address mitigation measures to address the criteria pollutant and TAC emissions from the proposed commercial and industrial buildings. The Draft SEIR provides MM 5.1-14 that requires each industrial building to demonstrate that the facility will not exceed the localized NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> standards or exceed a cancer or non-cancer (acute and chronic) risks from TAC emissions.

Although the Draft SEIR does not provide a specific cross-reference to MM 5.1-14 in the discussion of an exposure of Project-generated criteria pollutant and TAC emissions on page 5.1-40, this measure is a required Project mitigation measure regardless. The Final SEIR will incorporate the following sentence at the end of the first paragraph on page 5.1-40. It should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.1-40, end of the first paragraph, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

**MM 5.1-14 is provided to reduce the operational criteria pollutant and TAC emissions to less than significant levels.**

**Response 16.38.** The comment incorrectly states that health risks from off-site sources would be less than significant. The last paragraph on page 5.1-40 of the Draft SEIR found that there would be a significant impact from off-site vehicle emissions operating on I-5 and provides MM 5.1-15 that restricts the placements of active recreational uses west of the SCE easement to reduce the impacts to less than significant.

**Response 16.39.** The comment incorrectly states the Draft SEIR utilizes outdated studies to analyze carbon monoxide. The 1992 Federal Attainment Plan for Carbon Monoxide and SCAQMD's 2003 AQMP were referenced, since these are the most current detailed analyses available to analyzed carbon monoxide hotspots in Southern California. In fact the analysis provided in these two studies were utilized to re-designate the South Coast Air Basin to Attainment, which occurred on June 11, 2007 (the EPA waits a minimum of three years after a request for re-designation is received before officially re-designating a pollutant).

**Response 16.40.** The comment asserts that statements on page 5.1-17 and page 5.1-21 of the Draft SEIR, stating that no County of Los Angeles General Plan Goals or Policies and construction BMPs are binding on the Project, are inadequate. Page 5.1-17 of Section 5.1 of the Draft SEIR restates key elements of the Project from Section 4.0, Project Description, that are relevant to the air quality analysis. The County of Los Angeles Goals and Policies that are relevant to the Project are discussed separately as part of Section 5.9, Land Use, and specifically in Table 5.9-2, County General Plan Consistency. The Project features that are listed in Section 4.0 and repeated on page 5.1.17 of the Draft SEIR include actual implementable features that are based on achieving consistency with the goals set forth in the County General Plan, the Santa Clarita Valley Area Plan, the adopted NorthLake Specific Plan, and other regulatory documents. Therefore, while the goals and policies provide guidance for the Project, the Project features as described in Section 4.0 and repeated on page 5.1.17 are binding to the Project.

**Response 16.41.** This comment claims that on page 5.1-17 the DEIR references Best Available Control Mechanisms (“BACMs”) and states that they are listed in Appendix C, however this information does not appear anywhere in that appendix.

Page 5.1-17 of the Draft SEIR was reviewed that contains Table 5.1-4 - SCAQMD Criteria Pollutant Significant Emissions Thresholds. Neither BACMs nor Appendix C is mentioned anywhere on page 5.1-17. In addition, the Draft SEIR was searched for “Best Available Control Mechanisms” and that term is not listed anywhere in the Draft SEIR. However, the commenter may be trying to reference “Best Available Control Measures,” which are discussed in detail as part of Regulatory Requirement RR 5.1-1 on page 5.1-19.

**Response 16.42.** The comment questions the use of MM 5.1-9 from the 1992 EIR. Since this is a supplemental EIR, the Draft SEIR is required to implement all mitigation measures provided in the 1992 EIR, to the extent feasible, even if the mitigation measures may be dated or no longer fully possible to be implemented. Mitigation Measure MM 5.1-9 requires the development of a commuter computer program for the residents in an attempt to reduce commuter trips generated by the proposed Project. Mitigation Measure MM 5.1-9 requires the development of a ridesharing computer program, which are now currently commercially available, that connect residents within the community who are commuting to similar destinations. The commuter ridesharing program that is required from Mitigation Measure MM 5.1-9 will be implemented as part of the Transportation Demand Management (TDM) program that is detailed as part of the Project Design Features on page 4-23 of the Draft SEIR.

**Response 16.43.** The comment states that, because the Draft SEIR indicates that the 2012 AQMP accounted for the 1992 Plan, the Draft SEIR incorrectly concludes that there are no significant impacts regarding obstruction of the AQMP. As discussed on page 5.1-13 in the discussion regarding the South Coast Air Quality Management District Air Quality Management Plan, it is identified that data from SCAG’s 2016-2040 RTP/SCS is included in the 2016 AQMP. Because the NorthLake Specific Plan Project is an approved Project and is included in all regional planning documents (i.e., 2012 Santa Clarita Valley Area Plan and the Los Angeles County 2035 General Plan) that are used to develop SCAG planning documents including the 2016 RTP/SCS, the anticipated development associated with the previously approved NorthLake Specific Plan Project would be included in the current 2016 AQMP. Further, because the Project evaluated in the Draft SEIR represents a modification to the previously approved NorthLake Specific Plan Project and the modification is within the confines of the approved Project (e.g., fewer units, more open space, etc.), the assumptions that were included in the AQMP would adequately cover development associated with the proposed (modified) Project as evaluated in the Draft SEIR.

**Response 16.44.** The comment asserts that habitat destruction is a leading cause of extinction. The comment fails to mention many fall surveys conducted in recent years, which provide adequate updated information where applicable. For example, surveys for special status species have been updated beginning in 2014. Please see Section 5.2 for a discussion of methods, surveys conducted, and years completed. Additional surveys, including burrowing owl and bats were also conducted in Summer 2017 and the results are included in the Final SEIR in Appendix C. All necessary species surveys have been conducted, and results are reported within the Draft and Final SEIR. The exact date of Project commencement could vary depending on a variety of factors, including availability of financing and market conditions.

In regard to deferred mitigation: all necessary species surveys have been conducted and results reported within the Draft and Final SEIR. A Draft Conceptual Habitat plan and relocation plans are included in Appendix C to the Final SEIR. Due to the timing of the Project implementation, survey updates in the future are required to confirm site conditions and species status on the Project site have not changed and to provide additional information to allow for implementation of

mitigation measures. CEQA does not require final design details of the mitigation measures, but does require the necessary specific performance criteria which are carried forward into the Habitat Plans. The measures drafted in the SEIR state the objectives, how it will be implemented, who is responsible for its implementation, where it will occur, when it will occur, and what is the minimum performance criteria required. This is the minimum CEQA standard that has been met. It should be noted, however, that the mitigation measures (while still meeting the above minimum standards) need to have enough flexibility in their implementation to accommodate resource agency permits conditions.

This proposed approach of future approval of detailed plans, subject to specific performance criteria, has been consistently utilized and allowed in CEQA documents and approved by the Lead Agencies consistently, in particular for biology mitigation. The mitigation measures are not inappropriate deferred mitigation.

**Response 16.45.** The comment states that the Draft SEIR relies on outdated surveys, particularly surveys from 1997 to 2004, 2005, and 2006.

In response to the additional survey data, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the findings of the Draft SEIR. The following text on page 5.2-4, Wildlife Surveys, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

In addition to the general wildlife surveys, focused surveys were conducted on the Project site for the arroyo toad (*Bufo californicus*) in 2000 and 2014; the western spadefoot (*Spea hammondi*) concurrent with arroyo toad surveys in 2014; the California red-legged frog (*Rana aurora draytonii*) in 2003; the California red-legged frog (*Rana aurora draytonii*) in 2003; the burrowing owl (*Athene cunicularia*) in 2007, ~~and 2014-2015,~~ **and 2017.**

**Response 16.46.** The comment states that the Draft SEIR relies upon inadequate surveys for special status species and recommends that surveys from the years with average or above average rainfall be used. The Draft SEIR included both the 2014-2015 wet season, and 2015 dry season surveys reports as well as the 2005-2006 report. Dry season surveys do not require rainfall, and are a component of the USFWS protocol for these species. Additional surveys in “wetter” years are not required according to the USFWS protocol for these species. The 2014 and 2015 surveys were adequate to determine the lack of these species presence on the Project. The survey reports, which have been submitted to the USFWS, are included as Attachment C in Appendix D of the Draft SEIR.

**Response 16.47.** The comment states that page 5.2-25 of the Draft SEIR indicates that protocol level surveys were conducted in 2014-2015 for each species of fairy shrimp; however, the survey report is not included in the Draft SEIR appendix. The Draft SEIR included both the 2014-2015 wet season, and 2015 dry season surveys reports as well as the 2005-2006 report.

**Response 16.48.** The comment states that the 2001 California red-legged frog survey as used in the Draft SEIR is too old to provide meaningful information on current site conditions. A habitat assessment for California red-legged frog was conducted in 2001, hence the daytime survey. The habitat assessment for the California red-legged frog focused on evaluating the suitability of three cattle ponds located in the upland areas of the study area and smaller tributaries to Grasshopper Canyon along first order streams that supported vegetation that suggested that surface water was present. In 2003, a protocol-level focused survey was conducted based on the presence of marginally suitable habitat. The California red-legged frog surveys were conducted in 2003 according to guidelines developed by the USFWS and by a USFWS permitted biologist for this

species. Based on the (1) marginally suitable habitat, (2) lack of detection during focused surveys, and (3) significantly degraded current conditions of the cattle pond and other tributaries, additional surveys were not considered warranted by the Project's expert biologist. This species is not expected to occur onsite based on the professional opinion of the permitted biologist.

**Response 16.49.** The comment asserts that protocol level surveys were not implemented for California gnatcatchers. Focused protocol level surveys for the coastal California gnatcatcher were conducted at the appropriate time of year, according to the USFWS guidelines and by biologists permitted by the USFWS to conduct surveys for this species. All surveys conducted for this species in 2014 and 2015 were reported to the USFWS as part of the biologists USFWS permit conditions.

**Response 16.50.** The comment states that the Draft SEIR should be recirculated after compressive surveys are conducted. Focused surveys for special status species, as well as general wildlife and plant surveys over the course of 20 years informed Section 5.2, Biological Resources, of the Draft SEIR. Section 5.2 of the Draft SEIR contains a thorough impact analysis, mitigation measures, and success criteria per State CEQA Guidelines. Any additional surveys conducted are not anticipated to result in new significant impacts and/or materially change the description of Project or the findings of the Draft SEIR. This new information does not constitute "significant new information" according to Section 15088.5(a) of the CEQA Guidelines in that 1) a new significant impact would not occur; 2) a substantial increase in the severity of an impact would not occur; 3) a considerably different Project alternative or mitigation measure has not been identified; and 4) the two prepared plans serve to amplify to the existing analysis which was previously adequate. Therefore, the addition of the Draft Western Spadefoot Mitigation Plan and Draft Special Status Plant Species Mitigation Plan do not constitute "significant new information" and do not necessitate recirculation of the Draft SEIR.

**Response 16.51.** The comment asserts that insufficient evidence is presented in the Draft SEIR regarding the details and success of a western spadefoot toad relocation program as included in MM 5.2-9. Mitigation measures requiring the development of a plan, inclusive of a set of success criteria, with required lead agency approvals prior to Project implementation is an industry standard to mitigation approach. However, in an effort to provide the public with biological mitigation planning details beyond the Draft SEIR where feasible, a draft Western Spadefoot Mitigation Plan has been included in Appendix C of the Final SEIR.

The draft plan provides a qualitative analysis of how the final relocation plan will be prepared and how it will be successfully implemented. It is acknowledged that most open space areas remaining on the Project site after buildout may be too small for establishing ponds and relocating spadefoot. The draft relocation plan indicates that if the on-site locations are deemed to be unsuitable for creating artificial ponds and relocating spadefoot, either due to the small size of the open space patch or other factors, off-site options will be required to be used. The draft plan also discusses the appropriate dimensions for pond and home range to meet spadefoot requirements. In addition, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. MM 5.2-9 on page 5.2-52 is hereby revised to insert as the first bullet the following (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

- **Prior to implementing the Spadefoot Relocation Plan, a focused survey will be conducted within the prior appropriate season. If any additional ephemeral ponds are determined to be occupied besides those identified in recent surveys (i.e. 2015), the Spadefoot Relocation Plan will be modified to include replacement of the additional occupied pond as well as others.**

**Response 16.52.** The comment questions the less than significant conclusion for Project impacts to various special status reptile species and indicates that MM 5.2-10 does not address habitat destruction caused by the Project or ensure direct mortality will not occur.

As stated on 5.2-36 of the Draft SEIR, the loss of native habitat for the silvery legless lizard, coastal western whiptail, rosy boa, San Bernardino ring-necked snake, Blainville's horned lizard, and coast patch-nosed snake would be considered a less than significant impact. However, the Draft SEIR does acknowledge the potentially significant direct loss of these reptiles during Project construction. To minimize this impact to the greatest extent practicable, MM 5.2-10 shall be implemented which would require a biological monitor during vegetation clearing activities to remove this species from harm's way as they are encountered. The relocation of salvaged reptiles to suitable habitat in adjacent areas is a common, acceptable practice. The relocation of salvaged reptiles to suitable habitat in adjacent areas is a common, acceptable practice. Non-impacted habitats adjacent to the impacted areas include various sage scrub vegetation types, needlegrass grasslands, annual grasslands, wildflower fields, and willow and mulefat thickets. These habitats are expected to provide the required conditions to support any silvery legless lizards, coastal western whiptails, rosy boas, San Bernardino ring-necked snakes, Blainville's horned lizards, and coast patch-nosed snakes that may be relocated into these areas. In the Project Biologist's expert opinion, having implemented similar salvage measures and monitoring programs for special status species, implementation of this measure, conducted in conjunction with any required agency permits is expected to reduce the impact to a less than significant level.

Mitigation Measures MM 5.2-1, MM 5.2-2, MM 5.2-3 and MMs 5.2-8, and MM 5.2-11 would reduce impact to less than significant through preservation, creation, and enhancement of habitat potentially used by these species. These measures would ensure these species would persist in the region through replacing potentially suitable habitat impacted at a 2:1 ratio. Biological monitoring alone is not expected to reduce impacts to less than significant, but rather a combination of those measures. Additionally, in an effort to provide the public with biological mitigation planning details beyond the Supplemental EIR, a draft Conceptual Habitat Mitigation Plan has been included in Appendix C of the Final SEIR. For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 16.53.** The comment asserts that the Draft SEIR incorrectly states that "biological monitoring" would reduce impacts to Southwestern willow flycatcher and least Bell's vireo to less than significant. The comment further states that proposed mitigation measures do not include specific plans and policies to ensure habitat used by these species will be protected. The Project is not expected to have any effect on either the least Bell's vireo or the willow flycatcher (inclusive of the southwestern willow flycatcher subspecies). Focused surveys for these species were conducted in 1997; annually from 2000 through 2006; 2014, and in 2015 (See page 5.2-26 of the Draft SEIR). The Draft SEIR documents that there have been no least Bell's vireo breeding on the Project site. Although a single willow flycatcher was observed in 2006, the protocol survey determined that no willow flycatchers bred on-site. Based on repeated protocol survey results, all willow flycatchers observed on the Project site have been considered migrant and not breeding southwestern willow flycatcher. Off-site, there have been repeated observation of breeding least Bell's vireo at the lower end of Grasshopper Canyon at Castaic Lagoon. However, the Project is not expected to have any effect on the off-site lower end of Grasshopper Canyon at Castaic Lagoon. The Project impact assessment on biological resources provided in Section 5.2.7 of the Draft SEIR is inclusive of downstream indirect impacts potentially caused by the Project as mentioned on page 5.2-40 and 5.2-41. In addition, a separate technical memo assessing potential impacts on downstream biological resources was prepared and shall be attached to the Final SEIR as Appendix B, *Biological Resources Downstream Impacts Assessment*.

Because the riparian habitats do not support breeding populations of the vireo or flycatcher, avoidance of riparian habitats is not required for these species. However, the Draft SEIR does acknowledge that the Project would impact riparian habitat that *could* potentially be occupied by these species in future years. These potential impacts on occupied riparian habitat would be considered potentially significant. Measures MM 5.2-1, MM 5.2-2, MM 5.2-3, MM 5.2-10, and MM 5.2-11 would reduce this impact to less than significant through biological monitoring during vegetation removal and preservation, creation, and enhancement of habitat potentially used by these species. These measures would protection and provide for replacement habitat should these species return to the Project to nest.

In addition, the final Habitat Mitigation Plan required by mitigation measures MM 5.2-2, 5.2-3, 5.2-6, 5.2-7, 5.2-8, and 5.2-11 would include more detailed parameters defining what types of land will be considered suitable for mitigation. To provide further information, a Draft Conceptual Habitat Mitigation Plan has been prepared and is provided as Appendix C of the Final SEIR.

**Response 16.54.** The comment asserts that the Draft SEIR vaguely states that impacts to California gnatcatcher would be mitigated at a 2:1 ratio; however, the Draft SEIR does not specify whether it requires the preservation of 1269.40 acres of California gnatcatcher habitat.

As stated in MM 5.2-6, the loss of sage scrub (potential habitat for the coastal California gnatcatcher) is considered a significant impact. The mitigation requires that sage scrub habitat shall be preserved, restored, or enhanced on site and/or off site at a ratio to be determined by the LACDRP, but no less than 2:1. Therefore, with a total impact of scrub communities at 634.70 acres, the mitigation required would be 1,269.39. In an effort to provide the public with biological mitigation planning details beyond the Supplemental EIR, a draft Conceptual Habitat Mitigation Plan has been included in Appendix C of the Final SEIR.

**Response 16.55.** The comment asserts that there is insufficient evidence in the Draft SEIR to support the less than significant conclusion regarding other special status bird species.

The Draft SEIR concludes the Project would not cause specific special status bird species to drop below self-sustaining levels. Potential adverse impacts would be reduced through implementation of MMs 5.2-6, 5.2-7, 5.2-8, and 5.2-11 which provide for native vegetation enhancement, restoration, and preservation of sage scrub, foothill needlegrass grassland, California annual grassland/wildflower fields, and riparian vegetation types all of which support the special status bird species. With the proposed mitigation, the regional populations of these species are not expected to drop below self-sustaining levels based on the proposed Project impacts relative to habitat available for these species in the region. Therefore, impacts are appropriately expected to result in less than significant impacts.

In an effort to provide the public with biological mitigation planning details beyond the Draft SEIR, a draft Conceptual Habitat Mitigation Plan, which described performance criteria in greater details and potential options of on and off-site mitigation, has been included in Appendix C of the Final SEIR. For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 16.56.** The comment states that the Draft SEIR's mitigation measures are not adequate to protect special status wildlife. Mitigation Measures MM 5.2-1, MM 5.2-2, MM 5.2-3 and MMs 5.2-8, and MM 5.2-11 would reduce impacts to less than significant through preservation, creation, and enhancement of habitat potentially used by special status species. These measures would ensure these species would persist in the region through replacing potentially suitable habitat impacted at a 2:1 ratio. Biological monitoring alone is not expected to reduce impacts to less than significant, but rather a combination of those measures. Additionally,



in an effort to provide the public with biological mitigation planning details beyond the Supplemental EIR, a draft Conceptual Habitat Mitigation Plan has been included in Appendix C of the Final SEIR.

The Conceptual Habitat Mitigation Plan includes the following:

1. A summary of significant Project impacts to habitat resources (including proposed compensatory mitigation ratios).
2. A brief discussion of the on-site habitat mitigation opportunity areas.
3. A brief discussion of the on-site habitat preservation opportunity areas.
4. A brief discussion of the off-site habitat mitigation opportunity areas.
5. A summary of the proposed mitigation program, including habitat types, conceptual (basic) plant palettes, and long-term maintenance and monitoring procedures.

The Conceptual Habitat Mitigation Plan also requires that a wildlife biologist familiar with the habitat requirements of several key special status wildlife species (i.e., burrowing owl, coastal California gnatcatcher, and various bat species) will be involved with the selection of mitigation sites to ensure that these areas include potential habitat value for these species. The enactment of long-term preservation agreements (upon the completion of the on-site mitigation program) will be addressed by the Applicant through fulfilling the requirements of the U.S. Army Corps of Engineers' (USACE's) Section 404 permit (not yet issued), the California Department of Fish and Wildlife's (CDFW's) Streambed Alteration Agreement (not yet issued), the Regional Water Quality Control Board's (RWQCB's) Waste Discharge Requirements (issued on April 4, 2016), and CEQA Mitigation Measures.

**Response 16.57.** The comment states that the Draft SEIR is unclear about how MMs 5.2-7 and 5.2-8 will protect burrowing owl populations. Survey for the burrowing owl have been conducted in 2007, 2014, 2015, and 2017. The repeated years of focused surveys determined that this species does not breed onsite, but has been documented occurring on site in the winter. The most recent surveys resulted in negative findings for the 2017 breeding season. Mitigation for wintering burrows has been included in Section 5.2.7, Impact Analysis and Mitigation Measures, MM 5.2-7, 5.2-8, 5.2-13, and 5.2-14. Based on the most recent survey effort, the burrowing owl does not breed on site; therefore, a management plan which typically details the approach to relocating breeding individuals and creating alternative breeding burrows is not warranted.

Burrowing owls have been documented wintering on the Project site; however, negative results of 2017 breeding season focused surveys and lack of detection in all cumulative years of wildlife surveys on the site clearly indicate that this species does not breed on the Project site. Mitigation for wintering burrows has been included in Section 5.2.7, Impact Analysis and Mitigation Measures, MM 5.2-7, 5.2-8, 5.2-13, and 5.2-14. Mitigation Measure 5.2-14 specifically address that if potentially suitable burrows are located in the assessment area, any burrows that may be impacted by the Project will be replaced with artificial burrows within on-site or off-site (if applicable) preserved areas with potentially suitable burrowing owl habitat. In addition, if a burrowing owl is located, the Project shall preserved/restored burrowing habitat at a mitigation ratio of no less than 6.5 acres per burrowing owl. The Conceptual Mitigation Plan anticipates 48.47 acres of required grassland mitigation. This provide up to seven use areas for potential burrowing owl occupation.

**Response 16.58.** The comment questions the value of the use of offsite mitigation that is not connected to other open spaces areas. The requirements for mitigation site selection are identified in Mitigation Measures 5.2-6, -7, -8, and -11. The site selection criteria within these

measures include, at a minimum, the requirements that the sites (1) are selected in coordination with the LACDRP, USACE, the CDFW as appropriate, (2) are located in dedicated open space areas, (3) are contiguous with other natural open space areas, and (4) are configured to provide maximum habitat values for the target species.

**Response 16.59.** The comment states that the proposed Habitat Mitigation and Monitoring Plan is key to minimizing and mitigating impacts to environmental resources.

In an effort to provide the public with biological mitigation planning details beyond the Supplemental EIR, a draft Conceptual Habitat Mitigation Plan has been included in Appendix C of the Final SEIR.

The Conceptual Habitat Mitigation Plan includes the following:

1. A summary of significant Project impacts to habitat resources (including proposed compensatory mitigation ratios).
2. A brief discussion of the on-site habitat mitigation opportunity areas.
3. A brief discussion of the on-site habitat preservation opportunity areas.
4. A brief discussion of the off-site habitat mitigation opportunity areas.
5. A summary of the proposed mitigation program, including habitat types, conceptual (basic) plant palettes, and long-term maintenance and monitoring procedures.

The Conceptual Habitat Mitigation Plan also requires that a wildlife biologist familiar with the habitat requirements of several key special status wildlife species (i.e., burrowing owl, coastal California gnatcatcher, and various bat species) will be involved with the selection of mitigation sites to ensure that these areas include potential habitat value for these species. The enactment of long-term preservation agreements (upon the completion of the on-site mitigation program) will be addressed by the Applicant through fulfilling the requirements of the USACE's Section 404 permit, CDFW's Streambed Alteration Agreement, RWQCB's Waste Discharge Requirements, and CEQA Mitigation Measures.

**Response 16.60.** The comment asserts that impacts on wildlife from noise are not fully addressed in the Draft SEIR. The Draft EIR acknowledges that the long-term "edge effect" by noise increase, in addition to the increased edge effects from habitat fragmentation and habitat loss, would be considered potentially significant as it would contribute to an incremental loss of viable habitat. However, most species in the vicinity of the study area are not listed as Threatened or Endangered by State or federal resource agencies. Potential noise impacts to common wildlife species are considered adverse but not significant because the noise impacts are not expected to affect a substantial portion of the population in the region.

Potential noise impacts to the southwestern willow flycatcher, coastal California gnatcatcher, and least Bell's vireo, if present, and potential nesting raptor species, were addressed on page 5.2-40 of the Draft SEIR. As stated on page 5.2-40:

southwestern willow flycatcher, coastal California gnatcatcher, and least Bell's vireo, if present, and potential nesting raptor species, would incur temporary short-term impacts from construction noise if present in the vicinity of the Project impact area and may be temporarily displaced due to these disturbances. Indirect noise impacts on these species would be considered potentially significant because these species are protected by federal and State wildlife agencies. Impacts on these species would be reduced to less than significant with implementation of MMs 5.2-16 and 5.2-18 which requires transition zones

to screen noise from the development as well as a Fencing Plan to deter human activity in natural areas.

**Response 16.61.** The comment asserts that the Draft SEIR does not address the problematic interactions between humans and wildlife.

Indirect impacts such as human activity were analyzed in Section 5.2.7, Impact Analysis and Mitigation Measures. Indirect impacts from human activity were deemed potentially significant and mitigation is required. As stated on pages 5.2-40 and 5.2-41:

The disturbance of natural open space remaining in or adjacent to the Project site would be increased by the human activity (i.e., noise, foot traffic) from the development. The value of the habitat in the study area would diminish as human disturbance from the development may disrupt normal foraging and breeding behavior of wildlife remaining in the study area and vicinity. The disturbance from human activity in conjunction with the increased edge effects from habitat fragmentation and habitat loss would be considered potentially significant as it would contribute to an additional incremental loss of habitat. Implementation of MM 5.2-18 would reduce this impact to a less than significant level which requires a Fencing Plan to deter human activity in natural areas.

In addition, MM 5.2-16 shall be implemented to limit the amount of operational noise (i.e., from residents) to surrounding natural open space areas by the establishment of a 100-foot buffer within the fuel-modification zone. The vegetation within the transition zone buffer will block sound waves and screen noise from the adjacent development so that the amount of indirect noise reaching the wildlife habitat would be reduced.

**Response 16.62.** The comment makes a general statement with respect to the human and wildlife interaction aspect that is not commonly considered in the likelihood of increasing dependency of certain wildlife species on human-supplied food sources and human-created habitats which benefit invasive species over native species.

As with the increased noise disturbance area along the Project development edges, this similar “edge effect” is anticipated by human presence and the actions associated with humans (i.e., noise, foot traffic, glass windows, bird feeders, and domestic cats and dogs, etc.). The disturbances from human activity alone is considered adverse but not significant because these human edge effects are not substantial enough to reduce wildlife populations in the region below self-sustaining levels and are not expected to affect a substantial portion of the wildlife population in the region.

**Response 16.63.** The comment is introductory and states the Project is inconsistent with multiple General Plan policies. Refer to Responses 16.64 through 16.72, below.

**Response 16.64.** The commenter incorrectly states that the DEIR defers conducting an analysis of the elements of the SCVAP 2012. Table 5.9-3 of the Draft SEIR includes an in-depth consistency analysis for all applicable goals and policies of each element of the SCVAP 2012. In particular, the table addresses policies 1.1.1, 1.1.2, 1.1.4, 1.1.6 and 1.2.2 of the Circulation Element and policies 7.1.1 and 8.1.13 of the Conservation and Open Space Element which deal with reduction in vehicle trips. Further, Table 5.9-3 of the Draft SEIR analyzes the Project’s consistency with policies 7.3.1 and 7.3.3 of the Land Use Element, policies 4.1.9, 4.2.4, 4.3.1, 4.3.7 and 4.4.1 of the Conservation and Open Space Element, policy 2.1.3 of the Safety Element.

**Response 16.65.** The comment questions whether the General Plan Update is binding on the Project. The comment further questions why the goals from Los Angeles 1980 General Plan no longer apply. Per the Los Angeles County Department of Regional Planning, the Los Angeles County 2035 General Plan was adopted by the Los Angeles County Board of Supervisors on October 6, 2015 (<http://planning.lacounty.gov/generalplan/>).

The discussion under the “Los Angeles County 1980 General Plan Development Monitoring System” indicates that the Development Monitoring System (DMS) has been replaced by a different approach that is used in the Los Angeles County 2035 General Plan. Because the Los Angeles County 2035 General Plan replaces the DMS, the DMS is no longer applicable. The “policies” identified on page 5.9-8 of the Draft SEIR in the bullet points apply to the Los Angeles County 2035 General Plan and not to the Los Angeles County 1980 and capture an overview of the goals and policies that are analyzed further in Table 5.9-2, County General Plan Land Use Consistency, in the Draft SEIR. Specifically, several policies focus on 1) discouraging sprawling development patterns (refer to policies LU 1.11, LU 2.1, LU 6.1, and PS/F 1.1); 2) protecting areas with hazard and environmental and resource constraints (refer to policies LU 11.6, S, 3.1 through 3.7 and S 3.12 for consistency with policies related to fire hazards, policies LU 10.4, C/NR 3.1, C/NR 3.5, C/NR 3.9 through 3.11, C/NR 5.6, C/NR 6.2, 1 C/NR 3.9, PS/F 1.7, and S 1.3 for policies related to protection of environmental resources); 3) encouraging infill development (refer to policies LU 11.4, M 1.1, M 2.4, M 2.10, M 4.2, M 4.3, M 4.4, M 4.15, and LU 2.8); and committing to adequate services and infrastructure (refer to policies LU 5.5, P/R 3.8, P/R 4.6, PS/F 1.1, PS/F 1.2, and PS/F 1.3). As noted in the consistency analyses, the Project is found to be consistent with each of these policies.

**Response 16.66.** The comment asserts that the Draft SEIR provides conflicting statements regarding access to schools. The policy in question, Policy LU 5.5, discusses the need to ensure access to quality education for children. It is noted that the consistency discussion in the Draft SEIR does not solely rely on construction of a school on the Project site to meet the stated land use policy, as implied by the commenter. Rather, the discussion focuses on the existing school districts that provide service to the area, including the Project site, in addition to existing school facilities in the immediate area (NorthLake Hills Elementary School) and the potential for new schools (public or private) on the Project site. As noted by the commenter, the Project Description of the Draft SEIR does identify an optional school site, as described in the Schools discussion on pages 4-12 through 4-14 of the Draft SEIR. Additionally, as stated on page 4-13 of the Draft SEIR, an existing school mitigation agreement is in place with the Castaic Union School District, which includes payment to the school district for resources as needed to adequately serve the Project, which may or may not include construction of a school on the Project site. Should the school districts make an independent determination that a school is warranted and make the decision to construct the school on the Project site, the Project has identified a potential location.

Further, as discussed in Response 16.4, the traffic analysis, which provides the trip generation for the air quality and greenhouse gas analyses, was prepared based on the assumption that a portion of the school-aged population would travel off-site to attend local area schools, including private institutions. The trip generation rates applied for the single-family and multi-family residential units include a factor of travel to schools throughout the community, including outside of the Project site. The trip generation rate for the school includes a factor of off-site trips associated with students traveling from off-site locations to attend the on-site school. Therefore, the analysis does contemplate that not all students would attend the potential on-site school.

**Response 16.67.** The comment questions the use of “commuter computer program” as a legitimate means of reducing vehicle trips and ensuring consistency with emissions reduction goals. The commenter is correct that a “commuter computer program” is referenced in the Draft SEIR as a means of reducing vehicle trips. The commuter computer program is intended to

encompass flexible work schedules and situations that are enable employees to work remotely and reduce the number of commuting days. These programs would be supported by the Project through access to high-speed internet and telephone services at all residential uses within the Project. It is noted that availability of these programs is dependent on individual companies and employers; however, the Project provides access to the necessary technologies to support them. Although these programs would be beneficial for the Project through reduction of vehicle miles traveled, it is noted that the traffic analysis did not account for any reductions based on commuter computer programs; therefore, the Air Quality and Greenhouse Gas analyses do not account for these programs, either as such represent a conservative analysis.

**Response 16.68.** The comment states that the Draft SEIR impermissibly concludes that the Project is consistent with water goals because it will comply with a NPDES permit. As noted by the commenter, the Land Use Consistency Table states that the Project would comply with the National Pollutant Discharge Elimination System (NPDES); however, the consistency response in question on page 5.9-24 of the Draft SEIR also goes on to state that Project would also comply with County regulations, including Low Impact Development. The consistency response further goes on to point the reader to Section 5.8, Hydrology and Water Quality, which provides a full and detailed discussion of the Project's proposed drainage, water quality, and LID features, including a list of relevant Project features as stated on pages 5.8-38 through 5.8-45 of the Draft SEIR. Based on incorporation of these relevant Project features as well as recommended mitigation measures detailed in Section 5.8 of the Draft SEIR, all potential impacts related to hydrology and water quality were determined to be less than significant.

**Response 16.69.** The comment questions the applicability of the NorthLake Specific Plan. The NorthLake Specific Plan is an approved Project of record within the County of Los Angeles and is beyond legal challenge. As discussed in Section 2.2.2 of the Draft SEIR, the NorthLake Specific Plan was adopted by the County of Los Angeles in 1992. The Project approved under the Specific Plan could be constructed today. As such, the EIR for that Project is still a valid and instrumental document of reference and beyond challenge. The current Project, as evaluated in the Draft SEIR, would implement the previously adopted Specific Plan and involves an area and intensity of physical development that is less than what was previously considered in the 1992 SP EIR (refer to Table 4-2, Land Use Area Comparison, of the Draft SEIR for a comparison of what was originally evaluated and approved for the NorthLake Specific Plan and the revised Project evaluated in the Draft SEIR). Specifically, development of the Project site under the approved NorthLake Specific Plan would result in a more impactful development due to a higher unit count, increased development footprint, and increased impacts associated with more development when compared to the modified Project being evaluated in the Draft SEIR. The impacts associated with this Project have been carefully assessed and compared to the impacts analyzed under the Specific Plan as the proposed Project is a modification of the approved Project under the adopted and enforceable Specific Plan. As such, the appropriate comparison is between the Project approved under the Specific Plan and proposed hereunder. In areas where the impacts are the same or less than the earlier approved Project an analysis was not required as the Project impacts had already been assessed under the certified Specific Plan EIR.

**Response 16.70.** The comment asserts that that use of the 1992 Specific Plan, which is an outdated and irrelevant document, does not provide any binding or necessary information on the current Project. Refer to Response 16.69, above.

**Response 16.71.** The comment asserts that Table 5.1-1, 2 and 3 do not provide detailed explanation how the Project is consistent with applicable policies. The consistency tables identified by the commenter cover a broad range of issues discussed in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), County General Plan, and Santa Clarita Valley Area Plan. Throughout Tables 5.9-1, 5.9-2, and 5.9-3 of the Draft SEIR, the

consistency analyses provide an overview of the consistency and point the reader to specific areas of the Draft SEIR for in depth discussion and analyses.

Specifically, the consistency response for RTP/SCS Goals 4 and 5 does not include a full discussion regarding the Castaic Bridge and Major Thoroughfare Construction Fee District nor does it provide detail on how payment into this district works. Rather, the consistency response refers the reader to the applicable section of the Draft SEIR for detailed information related to the topic. Specifically, for this consistency response, the reader is referred to Section 5.11 of the Draft SEIR. It is noted that a full description of the Castaic Bridge and Major Thoroughfare Construction Fee District is provided on pages 5.11-13 and 5.11-14 of the Draft SEIR. Additionally, the analysis includes specific discussion as to when and why payment of fees would serve to mitigate anticipated impacts (refer to pages 5.11-35, 5.11-40, and 5.11-46).

With regard to the Project's consistency with Guiding Principle 4, Excellence in environmental resources management, the issue is overarching and touches many of the environmental topics discussed in the Draft SEIR, so it is appropriate to refer the reader back to the in depth-discussions provided throughout the Draft SEIR. Specifically, the 2035 General Plan further defines Guiding Principle 4 as the management of the County's natural resources, such as air, water, wildlife habitats, mineral resources, agricultural land, forests, and open space. Additionally, this Guiding Principle defers to the goals and policies set forth in the General Plan, which are discussed individually in Table 5.9.2 (refer to pages 5.9-15 through 5.9-32 of the Draft SEIR).

**Response 16.72.** The commenter states that the Draft SEIR should provide more specific about how the Project will comply with Title 31 Green Building Code Standards. The commenter refers to page 5.9-11 of the Draft SEIR which provides an overview of the Los Angeles County Green Building Program for regulatory context. This discussion is not intended to provide details on how the Project would implement Title 31. Rather, the Project's implementation of and consistency with Title 31 is detailed throughout the Draft SEIR (refer to pages 5.9-13, 5.9-14, 5.9-18, 5.9-19, 5.9-22, 5.9-24, 5.9-27, 5.9-30, 5.9-46, 5.9-47, 5.9-48 of Section 5.9, Land Use, the Sustainable Features discussion on pages 4-22 through 4-24 of Section 4, Project Description, and MMs 5.7-1 through 5.7-11 in Section 5.7, Greenhouse Gas Emissions).

**Response 16.73.** The comment makes general statements regarding the climate change in California and the need to address climate change. Using an approach approved by the County of Los Angeles, the lead agency for the Project, Section 5.7 of the Draft SEIR demonstrates that the Project would have a less than significant impact on GHG emissions. Because the Project is not significant for GHG emissions, it is not required to implement any mitigation measures. Nevertheless, as shown in the detailed Response 16.75, the Project has made considerable commitments in the form of PDFs to reduce GHG emissions where feasible.

**Response 16.74.** The comment recommends that all proposed buildings within the development have 3 kilowatt solar panel systems or equivalent. The Project's existing solar commitment is substantial in that it will offset approximately one-third of the Project's GHG emissions associated with electricity usage. The Project buildings that do not have rooftop solar at the outset will be constructed to be solar ready consistent with Title 24 regulations and thus further solar panels can be installed over time. As discussed in the Draft SEIR, the proposed Project will not have a significant impact with respect to GHG emissions and therefore no mitigation is required.

**Response 16.75.** The comment identifies CAPCOA's existing and potential mitigation measures that could be applied to the Project. As discussed on page 5.9-19 of the Draft SEIR, the Project would, "implement sustainability features in an effort to increase efficiency and minimize impacts on non-renewable resources. Specifically, the Project would comply with all applicable codes standards, including the County's Green Building Standards Code, CALGreen Code, California

Department of Water Resources Model Water Efficient Landscape Ordinance, low impact development requirements, and California's 75 Percent Initiative related to solid waste." While the standards of these various programs are not identical to LEED's, they are similar and achieve meaningful greenhouse gas emission reductions.

The Northlake Specific Plan includes various Design Guidelines in order to establish certain design features that promote natural light and the passive heating and cooling of buildings. These include, "adequate shade trees throughout the Project's circulation system, minimum landscape requirements according to the land use, and use of light-colored paving materials, including brick pavers" (Draft SEIR, 5.7-36).

As discussed on page 5.9-48 of the Draft SEIR, buildings will be designed in compliance with the CalGreen Code, and other energy conservation programs and policies. For example, "...plans and policies adopted for the purpose of maximizing energy efficiency that are directly applicable to the Project include (1) California's Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings; (2) CALGreen Code; and (3) Title 31 of the County Code (the Los Angeles County Green Building Standards Code)" (Draft SEIR, 5.9-48). Once the buildings are occupied, continued efforts to promote energy efficiency will be conducted through providing homeowners and tenants with educational tools providing information over "energy conservation, including the use of energy-efficient lighting and the limiting of outdoor lighting and the capabilities of buildings to support solar electricity generation and/or solar water heating" (Draft SEIR, 5.7-37).

The Project will limit the amount of infrastructure that will be required in general consistency with the SCVAP. This will reduce the overall amount of construction and, in turn, reduce the use of pavement (Draft SEIR, 5.1-6). Additionally, as mentioned on page 5.9-34 of the Draft SEIR, when feasible, infiltration Best Management Practices will be implemented, including utilizing permeable pavement in lieu of impermeable materials.

As mentioned on page 5.8-19 of the Draft SEIR, the Project is proposing to use "...recycled water for landscape irrigation purposes by obtaining recycled water from the Valencia [Water Reclamation Plant]." These operations will be managed as part of the Municipal Recycled Water Landscape Irrigation Use Permit, which will "include operation and maintenance/management of transport facilities and associated infrastructure necessary to convey and distribute recycled water from the point of production to the point of use" (Draft SEIR, 5.8-35). Additionally, the Use Permit addresses best management practices for this recycled water, "including general operations and maintenance, which producers and distributors must apply to manage recycled water and prevent water quality impacts" (Draft SEIR, 5.8-35).

The Project will utilize LEDs in accordance with Los Angeles County's Green Building Program and various other State and County standards that include requirements for "efficient lighting (including LEDs) for traffic, street, and other outdoor lighting purposes" (Draft SEIR, 5.9-46).

The Northlake Specific Plan contains Lighting Design Guidelines, which specify, "Project lighting would be minimized consistent with required levels for safety and security" (Draft SEIR, 5.7-34). These guidelines also specify, "lighting would be directed to minimize effects of glare and excessive light falling on adjacent sites" and that any plans for exterior light features would "be subject to review by the County Department of Public Works" as an added measure (Draft SEIR, 5.9-45).

Adopted by the State Water Board, Resolution No. 2014-0038 prohibits several activities in an effort to promote water conservation. The Project would be subject to these restrictions, which include prohibiting, "(1) the application of potable water to outdoor landscapes in a manner that causes excess runoff; (2) the use of a hose to wash a motor vehicle except where the hose is



equipped with a shut-off nozzle; (3) the application of water to driveways and sidewalks; and (4) the use of potable water in non-recirculating ornamental fountains” (Draft SEIR 5.12-17). Additionally, the Northlake Specific Plan requires that “...plant material selected for a given area would have compatible drought resistant characteristics, whenever possible, and irrigation programming would be designed to minimize water applications” (Draft SEIR 5.9-42).

As part of the CalRecycle initiative, the Project will meet the California Statewide goal of “75 percent solid waste diversion by reducing, recycling, and/or composting all generated waste” (Draft SEIR, 5.7-24).

The Project does not include a wastewater treatment plant (Draft SEIR, 5.7-28); however, as mentioned in the Los Angeles County Community Climate Action Plan (CCAP) (p. C-5 and C6), efforts are being made at the County level to increase biogas capture at local wastewater treatment plants and landfills.

As discussed in the Draft SEIR (5.7-24), the Project has committed to incorporating the use of renewable energy. Specifically, the Project is committed to the equivalent of installing 3 kW systems on 50 percent of the residential dwelling units. As discussed in Response 16.73, the Project buildings that will not have rooftop solar at the outset will be constructed to be solar ready consistent with Title 24 regulations and thus further solar panels can be installed.

As discussed in the Draft SEIR (5.7-24), the Project has committed to incorporating the use of renewable energy. Specifically, the Project is committed to the equivalent of installing 3 kW systems on 50 percent of the residential dwelling units. Additionally, the Project Applicant or Successor Developer will “provide educational information to each nonresidential owner or tenant on the capabilities of buildings to support solar electricity generation and/or solar water heating” (Draft SEIR, 5.9-47).

The Project will be designed to “provide electric vehicle (EV) charging facilities and/or infrastructure facilitating the installation [of] future EV charging stations at nonresidential buildings, parking structures, and parking lots” (Draft SEIR, 5.9-45). Additionally, the Project will ensure that 100 percent of residences will be pre-wired for an EV charging station and that at least 10 percent of residences will have an EV charging station (Draft SEIR, 5.7-22). A substantial portion of the electricity powering these stations will be sourced from renewable energy sources through existing state programs, such as the Renewable Portfolio Standard, which has an interim goal of 45 percent for 2027 per California Public Utilities Code Section 399.15(b)(2)(B).

The Project will limit the amount of infrastructure that will be required by the SCVAP. This will reduce the overall amount of construction and in turn, reduce the emissions associated with it (Draft SEIR, 5.1-6). Additionally, the Project will “[encourage] use of recycled content building materials and [cooperate] with the appropriate agencies to identify pollution sources and adopt strategies to reduce their emissions” (Draft SEIR, 5.1-6).

The Project includes sustainable design features, which will be implemented in order to reduce construction-related waste. These features include “construction waste reduction, disposal, and recycling, including recycling a minimum of 75 percent of the non-hazardous construction and demolition debris” (Draft SEIR, 5.7-27).

The Project will preserve “nearly 300 acres of undeveloped natural land as undisturbed open space and an additional 327 acres of open space as manufactured slopes” (Draft SEIR, 5.7-32). One benefit to this conservation is that this land will not require any energy-intensive earth-moving activities. Additionally, designated sites where construction and development will take place “are located in areas that minimize impacts to resources including biological resources and natural

topographic features, by concentrating development along the internal circulation system” (Draft SEIR, 5.9-30). This will act to limit the extent and amount of grading related to the Project.

The Project plans to reduce construction-related emissions by ensuring that “all off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 3 emissions standards” and Tier 4 standards when available (Draft SEIR, 5.7-34). Additionally, all construction equipment will be “outfitted with the BACT devices certified by CARB or equivalent” (Draft SEIR, 5.7-34). Aside from this construction equipment, “the Project would not involve uses requiring machinery or fleets; however, it is noted that the Project would provide 135 EV charging facilities at non-residential parking spaces within the community” (Draft SEIR, 5.7-34).

**Response 16.76.** The comment states that new construction has the opportunity to embrace and incorporate the use of renewable energy and encourages the County to take advantage of this opportunity. As discussed in the Draft SEIR (5.7-24), the Project has committed to incorporating the use of renewable energy. Specifically, the Project is committed to the equivalent of installing 3 kW systems on 50 percent of the residential dwelling units. As discussed in Response 16.73, the Project buildings will be constructed to be solar ready consistent with Title 24 regulations and thus further solar panels can be installed. As discussed in the Draft SEIR, the proposed Project impacts with respect to GHG emissions is less than significant and therefore no mitigation is required.

## Letter 17

**From:** [jbourg\(redacted\)](#) [[mailto:jbourg\(redacted\)](mailto:jbourg(redacted))]  
**Sent:** Sunday, May 14, 2017 8:53 PM  
**To:** Jodie Sackett <[jsackett@planning.lacounty.gov](mailto:jsackett@planning.lacounty.gov)>  
**Cc:** [JBourg\(redacted\)](#); [jbourgeois\(redacted\)](#)  
**Subject:** NorthLake Specific Plan Project

Mr. Sackett,

Please provide any updates to the above mentioned project.

I am requesting under Public Resource Code Section 21092.2 to add the email addresses and mailing address below to the notification list, regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project.

[jbourg\(redacted\)](#)  
[jbourgeois\(redacted\)](#)  
Mailing Address:  
(redacted)

Please confirm receipt of this email.  
Thank You,  
Joe Bourgeois  
(redacted)

17.1

**Response to Comment Letter 17**

**Joe Bourgeois**  
**May 14, 2017**

**Response 17.1.** Commenter asks to be on Project mailing list. The County added commenter to its Project mailing list. No further response is necessary.

## Letter 18

**From:** Jodie Sackett  
**To:** ["John Arvin"](#)  
**Cc:** [Jennifer Marks](#)  
**Subject:** FW: Single Story House in Northlake  
**Date:** Thursday, May 18, 2017 7:30:42 AM

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Hi John,

I received this question from the public. We will add it to the comments received. Will there be any single-story homes built, and when are you currently projecting construction of homes to begin?

Jodie Sackett  
Zoning Permits N^

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**From:** karen coch [mailto:  
**Sent:** Wednesday, May 17, 2017 2:01 PM  
**To:** Jodie Sackett <[jsackett@planning.lacounty.gov](mailto:jsackett@planning.lacounty.gov)>  
**Subject:** Single Story House in Northlake

Dear Jodie Sackett,

My husband and I have been a Northlake resident since 2001. We were younger then and now we would like to find a single story and downsize. Will there be a single story where you will be building and when will you start?

Please let me know.

Ed and Karen Coch

} 18.1

## **Response to Comment Letter 18**

**Ed and Karen Coch**  
**May 17, 2017**

**Response 18.1.** The commenter asks about the availability of single-story housing units in the proposed Project. The Draft SEIR does not specify if any of the proposed housing units would be single-story; because the comment is not related to the Draft SEIR, no further response is required as part of this Final SEIR.

## Letter 19

May 20, 2017

Jodie Sackett  
County of Los Angeles  
Dept of Regional Planning  
320 West Temple St  
Los Angeles, Ca 90012

Dear Ms Sackett:

I am writing this letter to you because I am concerned about the homes that are going in for Senior citizens in Castaic. We certainly need more senior areas like Belcaro that seniors can afford.

We just bought a home in Castaic and I am very concerned for the seniors in Santa Clarita who might want to buy a home in Northlake. When you are seniors you need to be able to have a way to get groceries and other necessities close by. Castaic does not have that in this section of town. In Castaic there is only one grocery store which I am not fond of.

The truck stop is the only close area that there is to buy food for a night out or a good store to just buy the necessities that everyone needs. There is nothing there and it is old and dirty and needs to be cleaned up. I think your planning dept. should check it out. This is a truck stop. There is some newer store fronts but they have been closed for a long time. This area is a blight to Santa Clarita.

Before you go much further you should look at Castaic Street. This area is certainly not a pride of Santa Clarita. I am a concerned senior citizen.

Sincerely.

Diane Slauson

19.1



**Response to Comment Letter 19**

**Diane Slauson**  
**May 20, 2017**

**Response 19.1.** The comment is related to the condition of Castaic Street and the surrounding area and does not directly relate to the proposed Project. However, it is noted that the Project does include commercial and industrial uses intended to serve the proposed Project and surrounding communities. Additionally, the addition of new residents in the area may create new demand for more commercial and retail uses in the immediate area, such as along Castaic Street.

## Letter 20

Shawn Smallwood, PhD

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

13 June 2017

RE: Northlake Specific Plan SEIR

Dear Mr. Sackett,

I write to comment on the Supplemental Environmental Impact Report (SEIR) prepared for the Northlake Specific Plan (County of Los Angeles 2017), which I understand is to be up to 3,150 dwelling units and additional commercial development covering 705.4 acres of a 1,330-acre project area in northern Los Angeles County. I also reviewed the biological technical reports in support of the SEIR (BonTerra Psomas 2015).

My qualifications for preparing expert comments are the following. I earned a Ph.D. degree in Ecology from the University of California at Davis in 1990, where I subsequently worked for four years as a post-graduate researcher in the Department of Agronomy and Range Sciences. My research has been on animal density and distribution, habitat selection, habitat restoration, interactions between wildlife and human infrastructure and activities, conservation of rare and endangered species, and on the ecology of invading species. I have authored numerous papers on special-status species issues, including "Using the best scientific data for endangered species conservation," published in *Environmental Management* (Smallwood et al. 1999), and "Suggested standards for science applied to conservation issues" published in the *Transactions of the Western Section of The Wildlife Society* (Smallwood et al. 2001). I served as Chair of the Conservation Affairs Committee for The Wildlife Society – Western Section. I am a member of The Wildlife Society and the Raptor Research Foundation, and I've been a part-time lecturer at California State University, Sacramento. I was also Associate Editor of wildlife biology's premier scientific journal, *The Journal of Wildlife Management*, as well as of *Biological Conservation*, and I was on the Editorial Board of *Environmental Management*.

I have performed wildlife surveys in California for thirty-three years. Over these years, I studied the impacts of human activities and human infrastructure on wildlife, including on golden eagle, Swainson's hawk, burrowing owl, mountain lion, San Joaquin kangaroo rat, and other species. I have also performed wildlife surveys at many proposed project sites. I performed mountain lion track surveys throughout California since 1985, including near the project site. I also collaborate with colleagues worldwide on the underlying science and policy issues related to anthropogenic impacts on wildlife.

My CV is attached.

## BIOLOGICAL IMPACTS ASSESSMENT

Under CEQA, “[A] paramount consideration is the right of the public to be informed in such a way that it can intelligently weigh the environmental consequences of any contemplated action and have an appropriate voice in the formulation of any decision.” The public needs information that is thorough, relevant, unbiased, and honest; the public needs full disclosure of the environmental setting and possible cumulative impacts. Documents presenting information from a biased perspective will tend to include omissions, logical fallacies, internal contradictions, and unfounded responses to substantial issues. Therefore, my assessment of the SEIR and also considers omissions and bias, which bear on the sufficiency of the SEIR.

I found that the SEIR and supporting documents disclosed only some of the relevant information and was far short of thorough. Given the lack of thoroughness and lack of foundation for many conclusions related to project impacts and appropriate mitigation, I found the SEIR biased in favor of the project. For example, the only general wildlife surveys performed over the last decade occurred at unreported times of day and unreported timespans over 3 consecutive days in April 2014, which was a very narrow time window within one season at the peak of the most intense drought in California’s recorded history. According to the SEIR (2017:5.2-4), these surveys were conducted simultaneously with vegetation mapping, which suggests the focus was not on wildlife survey. Many of the conclusions related to project impacts on species were unfounded or flawed by not following logically from premises, as I will address in my comments that follow.

According to the SEIR (2017:5.2-4), “*No mammal trapping was conducted because it was not considered warranted (i.e., there are no Threatened or Endangered mammals expected to occur in the study area).*” There might not be threatened or endangered mammals in the study area, but there was likely a special-status species in the southern grasshopper mouse. Not addressed in the SEIR were multiple additional special-status species of small mammals with geographic ranges overlapping the project area, including San Joaquin pocket mouse (*Pergonathus inornatus*, BLM special animal), Tehachapi pocket mouse (*Perognathus alticola inexpectatus*, California species of special concern), Los Angeles pocket mouse (*Perognathus longimembris brevinasus*, California species of special concern), and desert woodrat (*Neotoma lepida intermedia*, California species of special concern). There could have been other species, as well, but one truth I learned from 23 years of wildlife ecology is that not looking for species is a sure way to not find them – especially special-status species, which tend to be rare and cryptic.

20.1

No surveys were performed for detecting bats, either. Acoustic detectors coupled with SonoBat could have been deployed to identify species using the study area. A thermal imaging camera could have been used to quantify activity patterns seasonally and spatially, and some information could have been collected on likely species present based on body size and flight behaviors. Again, not looking is an easy way to remain

20.2

ignorant of project impacts, but not looking also deprives decision-makers and the public the thoroughness needed to adequately assess project impacts and mitigation.

Nocturnal surveys using thermal imaging cameras or spotlights also could have shed light on the presence of other mammals, such as American badger (*Taxidea taxus*, California species of special concern), mountain lion (*puma concolor*, California Fully Protected [by voter referendum]), and San Diego black-tailed jackrabbit (*Lepus californicus bennettii*, California species of special concern). But nothing like this was attempted, leaving those who prepared the SEIR the opportunity to conclude these species may not occur on the project area.

20.3

There is no use made of eBird (<https://ebird.org/ebird/map>), which is curious because at least one of those performing surveys in the study area reported findings to eBird. A quick review of eBird also turned up a credible 2016 sighting of a California condor only a few miles from the project boundary; it was credible because the observer reported the large tag on the bird. Other reports of California condor were reported in 2017 just a few miles farther north.

20.4

Surveys on the proposed project site confirmed the presence of 27 terrestrial vertebrate species with special status, including 5 species listed as threatened or endangered under state or federal laws. Multiple additional threatened or endangered species might occur on the proposed project site, but were not detected for insufficient survey effort. That the survey effort detected 27 terrestrial vertebrate species with special status indicates a remarkable richness of special-status species in one place. The lists of species detected in the SEIR and in various BonTerra Psomas (2015) reports are long, indicating the site is rich in wildlife despite the many efforts in the SEIR to downplay the functionality of species' occurrences (e.g., 'habitat may be suitable for foraging, but not for nesting') and the attempts to characterize the site as degraded by cattle grazing and exotic species. Below are some comments on species discussed in the SEIR.

20.45

### California condor

According to the SEIR (2017:5.2-24), California condors might fly over the proposed project area, but would not be expected to forage there. Why not? No reason is provided for this conclusion. According to the SEIR the project area is used for cattle grazing. If cows sometimes die out there like they do where I work in the Altamont Pass, then California condors will feed on them just as turkey vultures do in the Altamont Pass. Other animals also occur on the proposed project site, and upon death the carcasses of these animals will feed condors. There is no reason why condors would not forage on the project site, and as reported by eBird and noted earlier, California condors have been observed very close by.

20.5

### Bald eagle

The SEIR (2017:5.2-24) concludes that there is no suitable foraging habitat available on the project site for bald eagle. This is not true. I have watched bald eagles for years foraging for ground squirrels and carrion on the annual grasslands of the Altamont Pass,

20.6

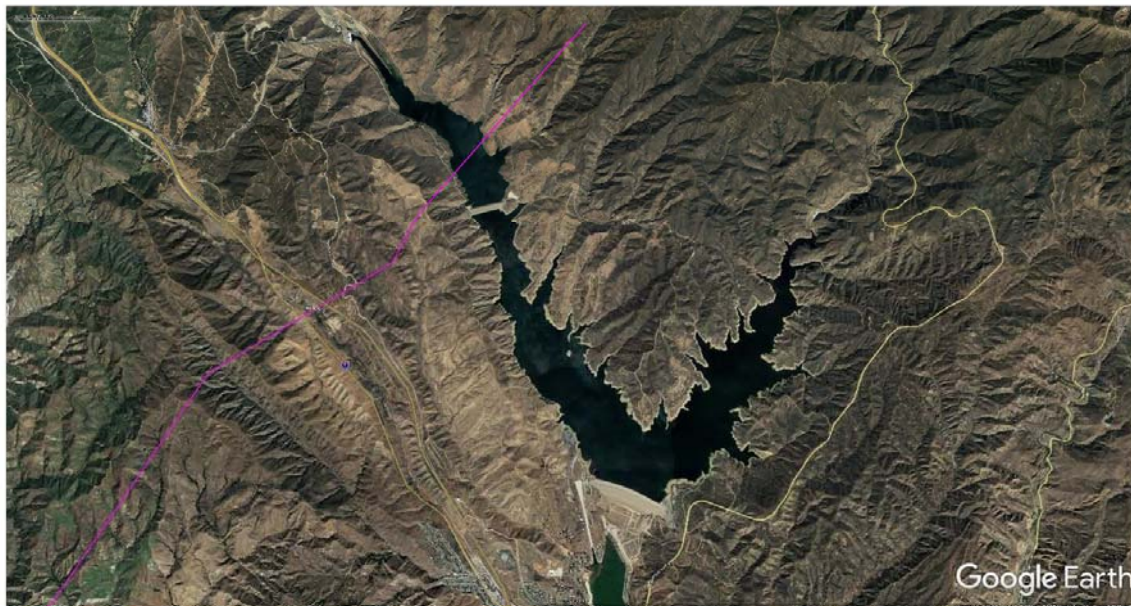


an environment very similar to proposed project site. I have also seen bald eagles taking prey items from hawks such as ferruginous hawk. Only two weeks ago I photographed two bald eagles foraging far from lacustrine or riverine habitat, and one was eating from food it held in one foot while kiting over a ridge covered by annual grassland. If those who prepared the SEIR believe that bald eagles only eat fish, they are wrong. There is no reason why bald eagles would not forage over the project area. According to eBird, bald eagles have been reported in the project vicinity.

20.6 cont.

### Golden eagle

Golden eagles were seen on the project site (SEIR 2017:5.2-23), and there are a number of sightings reported in the area on eBird. BonTerra Psomas (2015) claims that although foraging habitat occurs on site, nesting habitat does not. It says, “*Broad expanses of open country are required for foraging, while nesting is primarily restricted to rugged mountainous areas with large trees or on cliffs.*” Whereas nesting habitat often can be characterized as mountainous with large trees or cliffs, golden eagles also nest on shallower terrain, such as in the foothills of the Altamont Pass where I do much of my work. Golden eagles often nest in trees within the annual grasslands of California’s foothills. In fact, one of our hatch-year golden eagles from just such a nest on shallower terrain was fit with GPS telemetry by my colleague Doug Bell of East Bay Regional Park District. This eagle left our study area on 15 October 2016 and within two weeks flew right over the Northlake project area (unpublished data) (Figure 1).



20.7

**Figure 1.** Flight path (purple line) of hatch-year golden eagle flying from the Diablo Range to the outskirts of Las Vegas, and along the way passing near the proposed Northlake project area (East Bay Regional Park District, unpublished data; Google Earth imagery). The flight path depicted was sometime between 15 October and 7 November 2016, and positions were recorded every 5 minutes, so our eagle spent about 25 minutes over the project area.

Using Google Earth to zoom in and examine the flight path at many locations, I could see that this eagle threaded the needle of anthropogenic activities, avoiding areas inhabited, farmed and industrialized by people. It is apparent that the path of avoidance is very narrow, and it is reasonable to assume that this path of avoidance will narrow further with each new land conversion for human uses. The SEIR ought to more seriously assess potential project impacts on golden eagle, which would lose 1,330 acres of foraging habitat to the project. Golden eagles would lose additional foraging habitat due to the human-avoidance factor.

20.7 cont.

### **Ferruginous hawk**

The SEIR (2017:5.2-23) reports that ferruginous hawk was observed on site, and accurately reports that the species does not normally nest in the area. It would be informative, however, to note that ferruginous hawks are migratory and that the project area is within the species' wintering range. The wintering range is just as critical to this species persistence as is the nesting habitat, as no species can successfully breed without having survived the non-breeding season. The project area is important to ferruginous hawk regardless of the species not nesting there.

20.8

### **Swainson's hawk**

The SEIR (2017:5.2-23) reports that Swainson's hawks were seen flying overhead on migration, but characterizes the project area as potential foraging habitat but not nesting habitat. The project area is undoubtedly used as foraging habitat, and I would not rule out the site as being used as nesting habitat. Where I live and work no biologist would have believed that Swainson's hawks would ever nest in the foothills of the Altamont Pass, until they did. I recorded a pair of Swainson's hawks nesting in the Altamont Pass in 2016, and having fledged two chicks. The same could happen on the proposed project area so long as the land is not converted to residential or commercial use.

20.9

### **White-tailed kite**

According to the SEIR (2017:5.2-2), white-tailed kite may occur on the project area, but according to BonTerra Psomas (2015:Attachment A) the species was seen on site. In my experience, the proposed project area would be ideal for white-tailed kites, both for foraging and nesting. White-tailed kites often nest in riparian trees or in individual trees isolated from others (Erichsen et al. 1996).

20.10

### **Merlin**

The SEIR (2017:5.2-24) reports merlin as having been observed on site, and accurately reports that the species does not normally nest in the area. It would be informative, however, to note that merlin are migratory and that the project area is within the species' wintering range. The wintering range is just as critical to this species persistence as is the nesting habitat, as no species can successfully breed without having

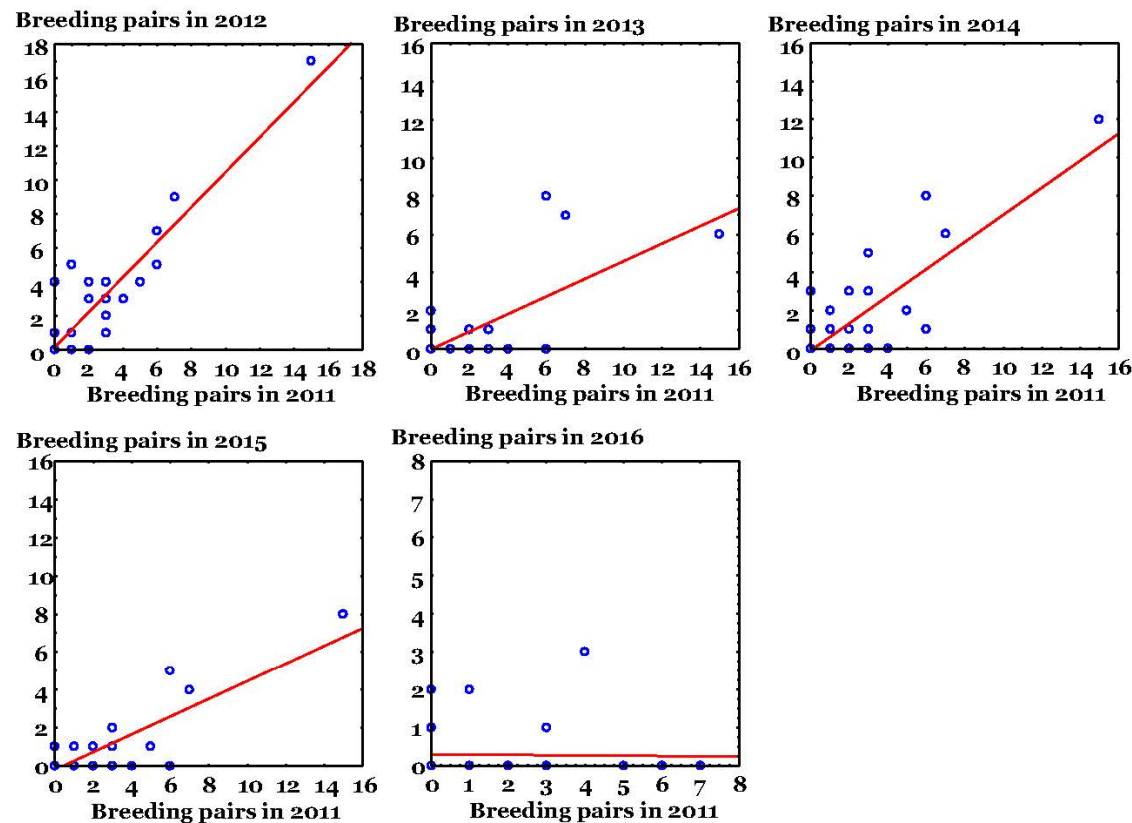
20.11

survived the non-breeding season. The project area is important to merlin regardless of the species not nesting there.

20.11 cont.

Burrowing owl

According to BonTerra Psomas (2015, Attachment F:2), burrowing owls show high nest site fidelity, often using the same burrows for nesting year after year. No citation to source accompanied this conclusion. In my research of burrowing owl nest site fidelity, I have found very low site fidelity over six years of monitoring at Dixon National Radio Transmission Facility, 13 years of monitoring at Lemoore Naval Air Station, 17 years of monitoring in Davis, California, and 9 years of monitoring in the Altamont Pass Wind Resource Area. Some nest sites are indeed used over several years, but most are not used again in immediately succeeding years. In fact, among 46 randomly selected plots averaging about 54 ha per plot, nest densities in any given year can predict the densities the following year, but not after 2 or 3 years (Figure 2). Breeding pairs of burrowing owls shift breeding locations often, resulting in a shifting mosaic pattern of abundance that defies any notion of high nest site fidelity.



20.12

**Figure 2.** Breeding pairs of burrowing owls among plots in the APWRA from 2012 through 2016 as functions of breeding pairs in 2011 (Smallwood, unpublished data).



The 2007 survey on the proposed project site was based on the 1995 CDFW protocol. BonTerra Psomas (2015, Attachment F:3) selected terrain to be surveyed that was “not too steep,” but it was not explained what “not too steep” means. I have found breeding burrowing owls on very steep slopes, including on cliffs and slopes so steep that walking on them is challenging. Just this year I found a pair of burrowing owls breeding at the top of a slope so steep that I had to access the burrow site by walking along the ridge crest from further up the ridge. I am concerned that BonTerra Psomas’s assumption that burrowing owls only breed on shallow slopes might have resulted in considerable breeding habitat having not been surveyed.

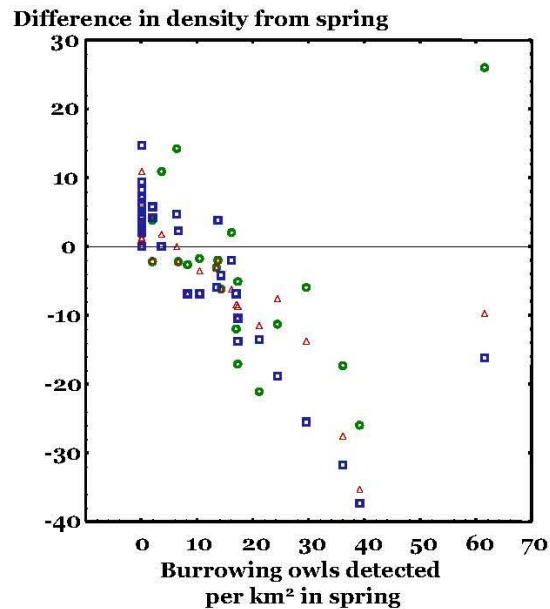
BonTerra Psomas’s (2015, Attachment F:4) description of the surveys indicate that the surveys were mostly winter surveys. The survey methods described by BonTerra Psomas indicate lack of experience with winter surveys and what can be expected to be discovered from them. I have performed winter surveys over large areas where I also performed breeding season surveys (Smallwood, unpublished data – scientific papers in progress). I found non-breeding surveys yield very low detection rates because burrowing owls are cryptic when not breeding. During the breeding season there is always an adult sentry near the nest burrow, but when not breeding there is no need for a sentry and burrowing owls almost always hide inside their burrows. I found that the most effective winter survey method is to walk transects no more than 30 m apart, and to often stop and look back over ground already covered. Burrowing owls often emerge from their burrows or fly to other burrows after the biologist walks past the owl’s last hide. But even this approach will detect fewer than 10% of the available owls.

Another useful winter-time method is to scan large areas relatively far from the observer, using high-quality binoculars stabilized on a monopod or tripod. While walking transects in winter, it is useful to stop often and scan ahead (and behind, as explained earlier) using binoculars stabilized on a monopod. Also, contrary to BonTerra Psomas (2015, Attachment F:4), it is useful to perform nocturnal surveys using a thermal imaging camera. BonTerra Psomas (2015, Attachment F:4) claimed that nocturnal surveys are not useful because burrowing owls fly away from nest burrows to forage. This is true, but BonTerra Psomas (2015, Attachment F) was performing winter surveys and not breeding season surveys. The owls they could have surveyed for at night would not have been breeding. And even during the breeding season, whereas it is true that breeding owls often fly from the burrow to forage, it is still readily easy to see the owls leaving to forage and returning with prey items. I have been using my thermal camera for such surveys with great effectiveness since 2012, during all times of year.

BonTerra Psomas also demonstrated lack of experience with winter burrowing owl surveys by relying on sign at the burrows, such as pellets and whitewash and prey items. These types of sign are useful for finding nest burrows, but not as useful for finding winter refuge burrows. Many winter refuge burrows are used too briefly for sign to accumulate, as wintering owls tend to move around. Also, there is little connection between breeding and non-breeding distributions, as I have found in two large study areas, including in the Altamont Pass (Figure 3). Burrowing owls generally depart from breeding areas to winter somewhere else, but not necessarily very far from breeding areas.

20.12 cont.

**Figure 3.** Burrowing owl densities within 46 randomized sampling plots in the Altamont Pass Wind Resource Area shifted between seasons as a function of density observed in spring, where green circles represent summer, red triangle represent fall, and blue squares represent winter (Smallwood, unpublished data).



Further demonstrating lack of familiarity with burrowing owl surveys was BonTerra Psomas's (2015, Attachment F:5) reference to satellite burrows in the context of winter surveys. Satellite burrows are meaningful only during the breeding season; there is no such thing as a satellite burrow in winter.

BonTerra Psomas (2015, Attachment F:7) estimated 9 burrowing owls used the project area during the winter of 2007. However, as I pointed out earlier, burrowing owls are very difficult to detect during winter. In my experience, and given the survey methods used, I would expect that BonTerra Psomas (2015, Attachment F:7) grossly underestimated the number of burrowing owls wintering on the project site.

BonTerra Psomas (2015, Attachment F:7) reported that wintering owls had left the project area by 30 March 2007, leading to the SEIR (2017:5.2-39) conclusion, "*The burrowing owl winters on the Project site. This is an unusual wintering location for this species, since it is located in the foothills rather than on the valley floor.*" However, there is nothing unusual about burrowing owls wintering in the foothills, nor would there be anything unusual about them nesting there on the proposed project site. I have documented one of the largest burrowing owl populations in California both wintering and nesting in foothills (Smallwood et al. 2013, Smallwood 2016). Burrowing owls migrating from British Columbia winter in the foothills of Santa Clara County at even higher elevations than in the Altamont Pass or the proposed project site (Lynn Trulio, personal communication, 2017).

Of greater significance, however, is BonTerra Psomas's (2015, Attachment F:7) unfounded conclusion that the project site is used only by wintering burrowing owls. According to BonTerra Psomas (2015, Attachment F:7), "...there was no evidence of breeding in the survey area during the 2007 breeding season." But the only survey performed during the breeding season was on 28 April 2007. The 2007 survey effort

20.12 cont.

did not meet the standards of the current survey protocol (CDFW 2012) and therefore could not be relied upon to conclude absence during the breeding season (Table 1). This was a critical mistake, because the 2015 survey effort was restricted to the winter months after having concluding, inappropriately, that burrowing owls on site are wintering owls and not present during the breeding season. An inadequate survey effort in 2007 was used to justify an inadequate survey effort in 2015 (Table 2).

The burrowing owl survey effort also fell short of multiple other standards of the CDFW (2012) burrowing owl survey guidelines (Tables 1 and 2). The CDFW (2012) guidelines are imperfect, but are generally effective. (I would advocate for more time scanning for owls before walking transects and I would advocate for nocturnal surveys because burrowing owls are more active at night and more readily detectable.) The guidelines strive to have those doing the surveys to assess the reliability of their findings. The guidelines encourage multiple years of surveys when doubt arises about the representativeness or the veracity of findings. In this case, the 2014/2015 winter survey was performed at the peak of the most intense drought in California's recorded history – at a time when I had recorded a nearly 90% decline in burrowing owls in the Altamont Pass (Alameda and Contra Costa Counties) and when other biologists similarly documented substantial declines thought to have been caused by drought. Of all years to doubt the representativeness of burrowing owl surveys, 2014/2015 set the standard. I would not give much credence to the 2014/2015 winter survey, and I would instead repeat the survey next year because last year the number of emerging chicks per nest increased greatly, and this year the number of nesting pairs has reached about 50% of the abundance of 2011 and chick productivity has increased even more. By next year burrowing owl surveys ought to better represent the average abundance and distribution, and would better inform decision-makers and the public.

According to the SEIR (2017:5.2-39), “...if active wintering burrows are detected within the Project impact boundary, artificial burrows outside the impact boundary within suitable habitat would be constructed at a 1:1 ratio, ensuring a substantial reduction in potential impacts during and after Project implementation.” However, this measure would ensure nothing other than the destruction of the local burrowing owl population. I have been monitoring the effectiveness of artificial burrows constructed for burrowing owls in multiple study areas including Davis, California, Dixon National Radio Transmission Facility, and Lemoore Naval Air Station, and I have consulted with biologists who monitored such structures in other study areas. Whereas artificial burrows are often used by owls within the first year of construction, they are quickly abandoned. None of the artificial burrows are used anymore at Davis, Lemoore or Dixon, and nearly all have been abandoned at San Jose International Airport, Moffett Field and many other locations. Without the symbiotic alarm-calling and burrow maintenance of California ground squirrels, artificial burrows fail to provide sufficient protection from predatory attacks, nor do they provide alternative burrows for escaping parasite loads. I cannot endorse the construction of artificial burrows as a mitigation measure for displacing burrowing owls. Burrowing owls need suitable habitat, including California ground squirrels.

20.12 cont.

**Table 1.** Assessment of 2007 burrowing owl survey's (BonTerra Psomas 2015, Attachment F:) consistency with CDFG's (2012) recommended burrowing owl survey protocol. Standards are numbered to match those in CDFG (2012).

Standard in CDFG (2012)	Assessment of surveys performed in 2007	Was the standard met?
<b>Minimum qualifications of biologists performing surveys and impact assessments</b>		
(1) Familiarity with the species and local ecology	Poor to middling	Partial
(2) Experience conducting habitat assessments and breeding and non-breeding season surveys	No experience reported	No
(3) Familiarity with regulatory statutes, scientific research and conservation related to burrowing owls	Yes on statutes, but unclear on scientific research and conservation	Partial
(4) Experience with analyzing impacts on burrowing owls	No experience reported or demonstrated	No
<b>Habitat assessment</b>		
(1) Conduct at least 1 visit covering entire site and offsite buffer to 150 m	Not reported; habitat assessment appeared to be based on viewing maps of habitat types	No
(2) Prior to site visit, compile relevant biological information on site and surrounding area	No indication this was done	No
(3) Check available sources for occurrence records	Unclear this was done	No
(4) Identify vegetation cover potentially supporting burrowing owls on site and vicinity	Provided	Yes
(5a) Describe project and timeline of activities	Activities described but not timeline	Yes
(5b) Regional setting map showing project location	Provided	Yes
(5c) Detailed map with project footprint, topography, landscape and potential vegetation-altering activities	Provided, more or less	Yes
(5d) Biological setting including location, acreage, terrain, soils, geography, hydrology, land use and management history	Provided	Yes
(5e) Analysis of relevant historical information concerning burrowing owl use or occupancy	Provided	Yes
(5f) Vegetation cover and height typical of temporal and spatial scales relevant to the assessment	Provided, although heights were crudely described	Yes
(5g) Presence of burrowing owl individuals, pairs or sign	Provided	Yes

Standard in CDFG (2012)	Assessment of surveys performed in 2007	Was the standard met?
(5h) Presence of suitable burrows or burrow surrogates	Provided	Yes
<b>Breeding season surveys</b>		
Perform 4 surveys separated by at least 3 weeks	Performed 2 surveys at most	No
1 survey between 15 February and 15 April	Achieved	Yes
2-3 surveys between 15 April and 15 July	Not done	No
1 survey following June 15	Not done	No
Walk transects spaced 7 m to 20 m apart	Transects separated by 30 m	No
Scan entire viewable area using binoculars at start of each transect and at 100 m intervals	Not done	No
Record all potential burrow locations determined by presence of owls or sign	Reported burrows with sign or owls	Yes
Survey when temperature >20°C, winds <12 km/hr, and cloud cover <75%	Not reported	No
Survey between dawn and 10:00 hours or within 2 hours before sunset	Unclear, not reported.	No
Identify and discuss any adverse conditions such as disease, predation, drought, high rainfall or site disturbance	No discussion of adverse conditions	No
Survey several years at projects where activities will be ongoing, annual or start-and-stop to cover high nest site fidelity	This report covered a single winter season	No
<b>Reporting should include:</b>		
(1) Survey dates with start and end times and weather conditions	Only survey dates reported	Partial
(2) Qualifications of surveyor(s)	Not provided	No
(3) Discussion of how survey timing affected comprehensiveness and detection probability	Not provided	No
(4) Description of survey methods including point count dispersal and duration	Not provided	No
(5) Description and justification of the area surveyed	Provided	Yes

Standard in CDFG (2012)	Assessment of surveys performed in 2007	Was the standard met?
(6) Numbers of nestlings or juveniles associated with each pair and whether adults were banded or marked	Not provided	No
(7) Descriptions of behaviors of burrowing owls observed	Some behavior reported	Partial
(8) List of possible burrowing owl predators in the area, including any signs of predation of burrowing owls	Not provided	No
(9) Detailed map showing all burrowing owl locations and potential or occupied burrows	Provided	Yes
(10) Signed field forms, photos, etc.	Not provided	No
(11) Recent color photos of project site	Provided	Yes
(12) Copies of CNDDB field forms	Not provided	No



**Table 3.** Assessment of 2015 burrowing owl survey's (BonTerra Psomas 2015, Attachment F) consistency with CDFG's (2012) recommended burrowing owl survey protocol. Standards are numbered to match those in CDFG (2012).

Standard in CDFG (2012)	Assessment of surveys performed in 2015	Was the standard met?
<b>Minimum qualifications of biologists performing surveys and impact assessments</b>		
(1) Familiarity with the species and local ecology	Poor to middling; the 2015 report simply repeated text descriptions of burrowing owl ecology in the 2007 report	Partial
(2) Experience conducting habitat assessments and breeding and non-breeding season surveys	No experience reported other than the 2007 surveys	No
(3) Familiarity with regulatory statutes, scientific research and conservation related to burrowing owls	Yes on statutes, but unclear on scientific research and conservation	Partial
(4) Experience with analyzing impacts on burrowing owls	No experience reported or demonstrated other than 2007 experience	No
<b>Habitat assessment</b>		
(1) Conduct at least 1 visit covering entire site and offsite buffer to 150 m	Not reported	No
(2) Prior to site visit, compile relevant biological information on site and surrounding area	No indication this was done	No
(3) Check available sources for occurrence records	Unclear this was done	No
(4) Identify vegetation cover potentially supporting burrowing owls on site and vicinity	Provided	Yes
(5a) Describe project and timeline of activities	Activities described but not timeline	Partial
(5b) Regional setting map showing project location	Provided	Yes
(5c) Detailed map with project footprint, topography, landscape and potential vegetation-altering activities	Provided, more or less	Yes
(5d) Biological setting including location, acreage, terrain, soils, geography, hydrology, land use and management history	Provided	Yes
(5e) Analysis of relevant historical information concerning burrowing owl use or occupancy	Provided	Yes



Standard in CDFG (2012)	Assessment of surveys performed in 2015	Was the standard met?
(5f) Vegetation cover and height typical of temporal and spatial scales relevant to the assessment	Provided, although heights were crudely described	Partial
(5g) Presence of burrowing owl individuals, pairs or sign	Provided	Yes
(5h) Presence of suitable burrows or burrow surrogates	Provided	Yes
<b>Breeding season surveys</b>		
Perform 4 surveys separated by at least 3 weeks	Followed CBOC (1994) protocol	Yes
1 survey between 15 February and 15 April	Not done	No
2-3 surveys between 15 April and 15 July	Not done	No
1 survey following June 15	Not done	No
Walk transects spaced 7 m to 20 m apart	Transects separated by 30 m	No
Scan entire viewable area using binoculars at start of each transect and at 100 m intervals	Not done	No
Record all potential burrow locations determined by presence of owls or sign	Reported burrows with sign or owls	Yes
Survey when temperature >20° C, winds <12 km/hr, and cloud cover <75%	Not reported	No
Survey between dawn and 10:00 hours or within 2 hours before sunset	Generally reported.	Yes
Identify and discuss any adverse conditions such as disease, predation, drought, high rainfall or site disturbance	No discussion of adverse conditions	No
Survey several years at projects where activities will be ongoing, annual or start-and-stop to cover high nest site fidelity	This report covered a single winter season	No
<b>Reporting should include:</b>		
(1) Survey dates with start and end times and weather conditions	Only survey dates reported	Partial
(2) Qualifications of surveyor(s)	Not provided	No
(3) Discussion of how survey timing affected comprehensiveness and detection probability	Not provided	No

<b>Standard in CDFG (2012)</b>	<b>Assessment of surveys performed in 2015</b>	<b>Was the standard met?</b>
(4) Description of survey methods including point count dispersal and duration	Not provided	No
(5) Description and justification of the area surveyed	Provided, but justification flawed	Yes
(6) Numbers of nestlings or juveniles associated with each pair and whether adults were banded or marked	Not applicable	---
(7) Descriptions of behaviors of burrowing owls observed	Not reported	No
(8) List of possible burrowing owl predators in the area, including any signs of predation of burrowing owls	Not provided	No
(9) Detailed map showing all burrowing owl locations and potential or occupied burrows	Provided	Yes
(10) Signed field forms, photos, etc.	Photos provided	Partial
(11) Recent color photos of project site	Provided	Yes
(12) Copies of CNDDB field forms	Provided	Yes

## Tricolored Blackbird

According to the SEIR (page 5.2-37), “Occasional single tricolored blackbirds have been observed foraging on the Project site. There is no suitable nesting habitat within or in the vicinity of the Project site. This is a highly colonial species that requires protection of nesting colonies and areas where the colonies forage in flocks; therefore, project implementation is not expected to impact this species.” This exact same statement appears in five attached reports in Appendix F of the SEIR. But where 1 tricolored blackbird is seen there must be more if the entire statement is to be believed; after all, the tricolored blackbird is a “highly colonial species.” Does it make sense that only a single member of a highly colonial species would be seen in multiple surveys? I often record tricolored blackbirds in an annual grassland on foothills, similar to the project site. Contrary to the SEIR’s conclusion that no suitable habitat occurs on the project site, I often record tricolored blackbirds nesting on hilly landscapes dominated by annual grassland in eastern Alameda and Contra Costa Counties. Based on the environmental conditions described for the site and on photos of the site within the SEIR, I disagree that the project site is unsuitable as nest habitat for tricolored blackbirds. Also, if tricolored blackbirds are nesting someplace just outside the project boundary, they are obviously foraging on the project site. Else, why would they be seen there?

20.13

## Bats

The SEIR (2017:5.2-25) notes the potential for eight special-status species of bat to forage over the proposed project site, but says of all eight that roosting habitat is either limited or unavailable. But perhaps the SEIR is too quick to dismiss bats as likely to roost on site because the site lacks caves and very many trees. Bats have been documented to roost in many environmental settings. In their extensive review of studies of bat roosting behaviors, Kunz and Lumsden (2003) reported findings that indicated a wide diversity of conditions suitable for roosting. The very first sentence of Kunz and Lumsden (2003:3) reads, “Bats occupy a wide variety of roosts in both natural and manmade structures.” By the third page of their review, Kunz and Lumsden (2003:5) were presenting photos and summaries of the variety of cavities and other structures used by roosting bats, including on trees and limbs <25 cm diameter, on snags, live trees, exfoliating bark, exposed boles, cavities in bird nests, in foliage, furled leaves, within termite and ant nests, and on artificial structures. Without actually searching for bats it is perhaps too easy to conclude that roosting habitat is unavailable, but I nearly always see this conclusion in environmental reviews and it cannot always be correct. Bats must roost somewhere, and according to the scientific literature reviewed by Kunz and Lumsden (2003), they find roost opportunities in many different situations. Therefore, I disagree that bat roosting habitat is unavailable on the proposed project area.

20.14

## Wildlife Movement Impacts

The SEIR’s assessment of potential impacts on wildlife movement is premised by faulty definitions. According to the SEIR (2017:5.2-13), “Wildlife corridors link together

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*areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance.*” However, this definition appears contrived and convenient for downplaying potential project impacts. No source is cited for the SEIR’s definition of wildlife corridors. As it turns out, I have worked on this and related issues for many years, and I have found nearly as many definitions for wildlife corridors as there are consultants and scientists (Smallwood 2015). Defining what is meant by a wildlife corridor depends on context, so there is no catch-all definition. The closest I could come to a general definition was “*Corridor implies concentrated movement of one or more species, or disproportionate use of a linear portion of a landscape*” (Smallwood 2015). The SEIR’s definition lacks any scientific origin and is therefore a poor premise for assessing impacts.

The SEIR (2017) presented no evidence that anything had been done in the field to assess whether any portion of the project area or the project area on the whole served to concentrate movement of one or more species of wildlife. No camera traps were placed to detect wildlife movement, nor was any known method used to assess wildlife movement. Only speculation was relied upon, but speculation is prone to hopeful outcomes and thus prone to bias.

Also according to the SEIR (2017:5.2-13), “*The fragmentation of open space areas by urbanization creates isolated “islands” of wildlife habitat.*” Again, this is a definition I have seen for the first time, even though I have worked on the issue of habitat fragmentation since about 1990. No source is cited for this definition. In my review of definitions of habitat fragmentation, the most general definition I could derive was “*...what separates habitat fragmentation from simple habitat loss is the disproportionate reduction in numerical capacity of the remaining habitat of the same net area*” (Smallwood 2015). Fragments need not be habitat islands as defined by the SEIR, but rather diminished in their support of the numerical capacity of a species that had been typical of the habitat prior to fragmentation. This diminishment can be caused by interference with wildlife movement due to physical or biological barriers, to physical or biological pollution, and to increased anthropogenic mortality caused by auto traffic or debilitation caused by lighting or noise (also considered as forms of pollution).

The SEIR (2017:5.2-13) further states, “*...various studies have concluded that some wildlife species, especially the larger and more mobile mammals, will not likely persist over time in fragmented or isolated habitat areas because they prohibit the infusion of new individuals and genetic information.*” However, this conclusion is misleading by suggesting that such studies identified only larger and more mobile mammals are susceptible to fragmentation effects. This is not true, as many examples of small animals being vulnerable to habitat fragmentation have been documented, including for plant species in southern California’s coastal scrub (Alberts et al. 1993), small mammals in southern California (Bolger et al. 1997), and small birds (McCollin 1993). Habitat fragmentation is a threat to all biological species, not just mobile large mammals.

The SEIR (2017:5.2-13) introduces another definition of wildlife corridor, similarly unsourced and untested in the field. It also defines a “Travel route”, but again without citing any source and without testing in the field whether any aspect of the project area

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serves as a travel route. In short, there was no serious effort made to assess the project's potential impacts on wildlife movement. The SEIR relies on speculation.

For example, the SEIR (2017:5.2-14) speculates, “*On the Project site, Grasshopper Canyon is undeveloped and is adjacent to open space in the Angeles National Forest (ANF) and Castaic Lake State Recreation Area (SRA), both of which provide high-quality wildlife habitat. Historically, the Castaic Creek drainage adjacent to the site may have been an important north-south linkage between the mountainous open space of the ANF and resource rich riparian zones along the Santa Clara River. However, construction of Castaic Dam, Lake, Lagoon, and Castaic SRA and its associated facilities along with residential development west of the Lagoon has essentially eliminated this linkage.*” But this speculated conclusion conveniently neglects to consider that Grasshopper Canyon must have received much of the wildlife traffic that was cut off by Castaic Lake. Why would the SEIR not speculate that developing Grasshopper Canyon would close off its use as a diverted movement route between Castaic Lake and Interstate 5? The SEIR's conclusion on potential project interference with wildlife movement appears biased.

20.15 cont.

Contributing to this appearance of bias, the SEIR (2017:5.2-14) speculates, “*Only local movement of species habituated to an urban landscape (e.g., coyote), are expected to navigate the extensive set of existing barriers.*” Yet earlier in the chapter on biological resources, the SEIR reported that species expected to occur on the project site included bobcat and mountain lion, among other species that are not typically thought of as habituated to urban landscapes. The SEIR's speculated conclusions are inconsistent, indicative of bias.

### **Traffic Impacts on Wildlife**

The SEIR made no attempt to estimate project impacts on wildlife that will be caused by increased traffic on roadways servicing the project. Vehicle collisions have accounted for the deaths of many thousands of reptile, amphibian, mammal, bird, and arthropod fauna, and the impacts have often been found to be significant at the population level (Forman et al. 2003). As an example, a recent study of mortality along a 2.5 mile stretch of Vasco Road in Contra Costa County, California, revealed 1,275 carcasses of 49 species of mammals, birds, amphibians and reptiles over 15 months of fatality searches (Mendelsohn 2009). This fatality number needs to be adjusted for the proportion of fatalities that were not found due to scavenger removal and searcher error. This adjustment is typically made by placing carcasses for searchers to find (or not find) during their routine periodic fatality searches. This step was not taken at Vasco Road (Mendelsohn et al. 2009), but it was taken as part of another study right next to Vasco Road (Brown et al. 2016). Applying searcher detection rates estimated from carcass detection trials performed at a wind energy project immediately adjacent to this same stretch of road (Brown et al. 2016), the adjusted total number of fatalities was estimated at 12,187 animals killed by traffic on the road. This fatality number translates to a rate of 3,900 wild animals per mile per year killed along 2.5 miles of road in 1.25 years. Whereas this disturbing fatality rate might be biased high or low by incorrect extrapolations of detection rates from the wind project to the roadway (including the

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road verge), and whereas it likely does not apply equally to all roadways, it reveals a huge toll on wildlife caused by auto traffic. The indirect and cumulative impacts caused by Northlake Specific Plan's added traffic should be assessed and mitigated.

20.16 cont.

### Window Impacts on Wildlife

Even though window collisions have been estimated to be the second or third largest source of human-caused bird mortality in the USA, involving up to 1 billion bird fatalities per year (Klem 1990, 2010; Dunn 1993, Loss et al. 2014), the SEIR lacks any assessment of window collision impacts. The SEIR was prepared for the construction of 3,150 dwelling units without any regard to window materials or the numbers and sizes of windows, window orientation, or landscaping around windows. All of these factors contribute to rates of bird collisions with windows. Transparency and reflectance increase collision risk, but there are materials available to minimize the effects of transparency and reflectance, including the glass itself.

20.17

### Cumulative Impacts

The SEIR (2017:5.2-63) contributes one paragraph to cumulative impacts analysis, and this paragraph is composed of inconsistent, speculative statements. It starts by saying "*The Project would have potentially significant adverse impacts on biological resources,*" and later speculates "*The cumulative impact on biological resources such as special status species, sensitive habitat, jurisdictional resources, and wildlife movement would be considered to be greater than the individual proposed Project,*" and concludes "*The Project is not expected to contribute a significant impact to the Project area.*" Somehow the SEIR drifts within one paragraph from an acknowledgment of potentially significant cumulative impacts to not expecting any significant cumulative impacts. The only reasons given, sort of, are (1) mitigation measures to project impacts and (2) the project's relatively small contribution to cumulative impacts when compared to other projects in the region.

The first reason cited is a false standard for determining whether a project's impacts will be cumulatively considerable. The SEIR implies that a given project impact is cumulatively considerable only when it has not been fully mitigated. In essence, the SEIR implies that cumulative impacts are really residual impacts left over by inadequate mitigation at the project. This notion of residual impact being the source of cumulative impact is not even consistent with CEQA's definition of cumulative effects. Individually mitigated projects do not negate the significance of cumulative impacts. If they did, then CEQA would not require a cumulative effects analysis.

20.18

The second reason cited is another false standard for determining whether a project's impacts will be cumulatively considerable. CEQA does not require an assessment of the proportion of cumulative effects contributed by the project, nor are there breaks provided for those contributing the smallest portion of some cumulative impact. Even if there was such a crediting in the cumulative effects analysis, the SEIR relied solely and speculatively on the relative size of the project footprint, and even then provided no comparison of project acreages. The SEIR did not even define a cumulative effects



scope. In summary, there was no serious cumulative effects analysis provided in the SEIR.

} 20.18 cont.

## MITIGATION

Most of the proposed mitigation measures either contribute no substantial benefits in terms of impact minimization, reduction or compensation, or they threaten additional impacts onsite or offsite where relocations of plants and animals are proposed. Many of the measures also defer the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it.

### **MM 5.2-1 Preconstruction surveys for special-status species**

Preconstruction surveys should be performed, but protocol-level surveys are needed in advance of preconstruction surveys to assess impacts and appropriately formulate mitigation. Preconstruction surveys come too late and are not designed to serve impacts assessment. Adequate detection surveys for most of the potentially occurring special-status species have yet to be completed. So, for example, it remains unknown how many pairs of burrowing owls typically breed on site, and thus the basis for formulating suitable mitigation remains missing.

} 20.19

### **MM 5.2-2 Compensatory protection of sensitive habitat types**

The SEIR should identify exactly where and how specific properties will be protected as part of this mitigation measure. Reasons should be provided for why these specific properties are being protected. In my experience, vague compensatory mitigation measures such as this one result in purchases of conservation easements on land between on- and off-ramps of freeway interchanges or on some degraded property far from the project site. In the case of the Natomas Basin Habitat Conservation Plan, the core mitigation measure was to be the purchase of fee title or conservation easement on properties within a defined boundary buffering the project area, but no property owners were willing to sell. Based on my experience, if the project applicant has not identified specific properties where this measure will be implemented, then I remain skeptical the measure will come to pass as advertised. I will add that management plans should accompany the identification of specific properties for protection per this measure.

} 20.20

### **MM 5.2-3 Coordinate with federal regulators on removal riparian trees**

Coordinating with federal regulators is fine, but I assert that it would be more consistent with the spirit and intent of CEQA to also coordinate with the public on the implementation of this measure. Often there is equal or greater expertise on habitat enhancements or restoration outside regulatory agencies. Coordinating only with the federal regulators shuts out the public from participating with this important part of CEQA review, in my opinion.

} 20.21

### **MM 5.2-4 Translocation of club-haired Mariposa lily and slender Mariposa lily**



This measure should add specific locations where such translocations would happen. The biological resources at the receiving site will be degraded or destroyed by such translocations, so the public should be informed about them. There is a strong likelihood that the translocations will fail, and that the receiving sites will be degraded.

} 20.22

**MM 5.2-5 Prepare a special-status plant species restoration plan**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it.

} 20.23

**MM 5.2-6 Conserve sage scrub on site at ratio to be determined by LACDRP**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it. Why should LACDRP be the only entity weighing in on the mitigation ratio?

} 20.24

**MM 5.2-7 Conserve annual grassland/wildflower fields on site at ratio to be determined by LACDRP**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it. Why should LACDRP be the only entity weighing in on the mitigation ratio?

} 20.25

**MM 5.2-8 Conserve foothill needlegrass grassland on site at ratio to be determined by LACDRP**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it. Why should LACDRP be the only entity weighing in on the mitigation ratio?

} 20.26

**MM 5.2-9 Relocate western spadefoot toads to similar or better quality habitat onsite**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it. Furthermore, receiving sites will likely be occupied by western spadefoot already, so this measure will likely be nothing better than a dumping of toads on an existing, functioning population of spadefoot toads. To return to the numerical capacity of the receiving site, toads will have to perish in the number being dumped on the receiving site. Alternatively, if receiving sites lack spadefoot toads, then they are likely unsuitable for the toads being dumped into them. Frankly, this measure is cruel and ineffective.

} 20.27

**MM 5.2-10 Clearance sweeps and removals of special-status reptile species**

Whereas I agree that clearance sweeps should be performed, the SEIR needs to be revised to explain exactly where and how reptiles will be relocated. There needs to be

} 20.28

some consideration of the impacts of receiving sites where cleared reptiles are being dumped.

} 20.28 cont.

**MM 5.2-11 Prepare HMMP for onsite conservation of riparian habitat**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it.

} 20.29

**MM 5.2-12 Biological monitor will review demarcation of construction disturbance**

This is fine, but it will contribute little of substance to mitigating project impacts.

} 20.30

**MM 5.2-13 Comply with conditions of MBTA and CDFW Code, including bird exclusion and preconstruction nest surveys**

As pointed out for MM 5.2-1, preconstruction surveys are needed, but they cannot replace the detection surveys needed to inform impacts assessments. To comply with MBTA and CDFW Code, perform the needed detection surveys.

Also, I must point out that the passive relocation measure proposed for burrowing owls has been documented to result in high burrowing owl mortality. Passive relocation is destructive, not helpful. Evicted owls attempt to re-enter their burrows and in the process get noticed by their predators, who then prey on the owls.

} 20.31

**MM 5.2-14 Preconstruction surveys for wintering burrowing owl use**

This measure is based on an unqualified premise that the burrowing owls on the project site only winter there. Appropriate surveys are needed to determine how many pairs of burrowing owls typically nest on the site.

} 20.32

**MM 5.2-15 Consult with USFWS over take of coastal California gnatcatcher**

No comment.

**MM 5.2-16 100-foot landscape buffer to reduce project noise reaching natural areas**

More details are needed for this measure. A landscaped buffer might indeed reduce noise reaching adjacent natural areas, but the maintenance of the landscaped buffer might introduce other forms of pollution, such as irrigation runoff and the effects of any fertilizers used to grow the trees (or shrubs).

} 20.33

**MM 5.2-17 Submit project lighting plan to LACDRP**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it.

} 20.34

**MM 5.2-18 Prepare fencing plan to deter residents from intruding into natural areas**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it. I would like to know the types of fencing to be used, as some fences entangle and kill wildlife. Also, fencing solutions often fail to deter residents and their dogs from intruding into natural areas.

} 20.35

**MM 5.2-19 Submit landscaping plan to LACDRP to ensure exotic plants will not spread**

This measure defers the formulation of the mitigation to an unspecified future date, thereby excluding me and other members of the public from participating with it.

} 20.36

**MM 5.2-20 Preconstruction survey for bat roosts**

Detection surveys are needed long before preconstruction roost surveys. No detection surveys have been performed other than a search for bat roosts of unreported effort-level.

} 20.37

**MM 5.2-21 Obtain discharge permits to protect downstream biology from runoff and erosion**

Obtaining a permit does not qualify as a mitigation measure.

} 20.38

MM 5.2-9 through MM 5.2-13 are said to suffice for mitigating any impacts on the project's interference with wildlife movement or wildlife corridors. However, the SEIR provides no explanation for how any of these measures would mitigate project impacts on wildlife movement. In my assessment, the claim that any of these measures would do so is absurd.

} 20.39

**SUGGESTED MITIGATION MEASURES**

I suggest a few measures that would be more substantial than proposed in the SEIR.

**Detection Surveys**

I recommend that adequate detection surveys be performed in order to inform decision-makers and the public about potential impacts and to formulate measures to minimize, rectify and compensate for impacts. Detection surveys completed so far have been directed at only a few special-status species, but we need surveys that can detect all of the special-status species potentially using the proposed project area. And we need surveys that can enumerate each species and characterize the demographic organization of these species on site.

} 20.40

## **Wildlife Movement Surveys**

Nothing has been learned about how wildlife move across the proposed project site. Surveys are needed to characterize movement patterns so that informed conclusions can be made about whether and how the project will interfere with wildlife movement. Such surveys are needed to inform mitigation.

} 20.41

## **Distributed Energy Generation**

Rather than relying on electrical energy from fossil fuel sources or from industrial wind turbines or solar projects, all of which themselves cause substantial adverse impacts to wildlife, orient the dwelling units and any commercial buildings to optimize rooftop exposures for the installation of photovoltaic panels.

} 20.42

## **Roadways**

Design roadways to minimize traffic speeds, especially at locations likely to be crossed by wildlife. Provide wildlife under-crossings coupled with fencing to discourage wildlife from crossing over roads.

} 20.43

## **Windows**

As discussed earlier, the project should mitigate bird collisions with windows by designing windows and choosing window materials to minimize collisions, and by planning landscaping to minimize distances between ornamental vegetation and windows. Much has been learned about the mechanisms of bird-window collisions and how to minimize or reduce such collisions. The most effective measures are those planned in advance of construction, so it is important to consult with existing window collision guidelines, e.g., Sheppard and Phillips (2015).

} 20.44

## **Habitat Protection**

Properties to be used for compensating impacts should be identified in a revised EIR. Rationale for selecting these properties should be provided, along with restoration, enhancement, and management plans. Performance standards are needed to ensure that nexus can be demonstrated between the project's impacts and the benefits gained in the protected habitat; acreage should not serve as the sole basis of any such nexus because whereas the project area supports burrowing owls the protected habitat might not. There needs to be demonstrated nexus between impacts and mitigation, and the public reviewing the EIR needs to see it in order to effectively participate with it.

} 20.45

## **Donations to Wildlife Rehabilitation Facilities**

Despite efforts to minimize and reduce project impacts on wildlife, impacts will continue at various levels. Wildlife will continue to be injured by windows, pets, auto traffic and infrastructure such as by electric distribution lines and fences, and many of them will be discovered by concerned citizens. These injured animals are often taken to

} 20.46

wildlife rehabilitation facilities, where most are euthanized either because the injuries are too great for any hope of releasing the animal back to the wild or because operating budgets are too low to afford the level of care needed for rehabilitation and release. The truth is that the non-profit organizations serving to rehabilitate wildlife are almost always operating on shoestring budgets. Many more injured wildlife can be rehabilitated and released by increasing the operating budgets of wildlife rehabbers.

I recommend that compensatory mitigation for ongoing and future impacts be provided in the form of donations to wildlife rehabilitation facilities. The amount of the fund could be assessed by estimating the numbers of injured animals found and delivered to rehabilitation facilities and by interviewing rehabilitation facilities for their costs. Little has been done in support of such an assessment, but Leyvas and Smallwood (2015) initiated a small effort on the cost side of the problem. We surveyed 38 rehabilitation facilities to assess the cost of rehabilitating raptors injured by wind turbines, and we ended up recommending \$3,230/injured raptor would serve as a reasonable interim mitigation cost. Since then have also hazarded to guess that \$500 per injured non-raptor animal would be reasonable. These costs would need to be multiplied by the number of injured animals ending up in rehabilitation facilities, and these numbers could be obtained by interviewing the rehabbers. Alternatively, a reasonable one-time sum could be estimated and paid out without having to monitor for injuries.

20.46 cont.

Thank you for your consideration,



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Shawn Smallwood, Ph.D.

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**Response to Comment Letter 20**

**Shawn Smallwood, PhD**  
**June 13, 2017**

**Response 20.1.** The comment addresses the potential presence of special status mammal species.

General surveys were conducted simultaneously with vegetation mapping because both activities must cover the Project site thoroughly. A botanist was paired with a wildlife biologist during the mapping activity. The botanist focused on vegetation mapping, while the biologist focused on assessing habitat potential for general and special status species. The wildlife biologist captured photographs throughout the Project site and took notes on the general suitability for various wildlife species to inhabit the site. The general survey is intended as a habitat assessment and is not intended to be a focused protocol level survey for any specific species. For example, the wildlife biologist would be identifying large rocky outcrops, caves, or abandoned mines in the survey area that may provide roosting habitat for bats.

The concern for special status mammal species' utilization of the Project site is understood and addressed in the Draft SEIR. The Draft SEIR analysis of special status species' utilization of the Project site was based on the potential suitability of the habitat onsite (determined during general surveys identified in Draft SEIR Section 5.2.3 Existing Conditions, Survey Methods) and range maps for the particular species. The San Joaquin pocket mouse, Tehachapi pocket mouse, and Los Angeles pocket mouse all occur outside the Project range or do not occur within the habitat types found on the Project site, and are not expected to occur (Zeiner et al.; Hall and Kelson; Best 1994). Further, the Draft SEIR identified other special status mammal species, such as the southern grasshopper mouse, as being potentially present on the Project site based on the species' range and habitat suitability on the Project site determined during general wildlife surveys. General wildlife surveys are an effective and widespread method for assessing the potential for general and special status species to occur on the Project site, and are widely used to produce all varieties of biological documents.

In regard to the San Diego desert woodrat, due to the taxonomical inconsistencies between the literature and the CDFW Special Animals list, the woodrat was not included in the Draft EIR. It has been reviewed in response to this comment and the species that occurs onsite, *Neotoma bryanti intermedia*, is considered what CDFW lists as *Neotoma lepida intermedia* on the Special Animals List (July 2017). An analysis of this species has been added to the Final EIR. However, it should be noted that these revisions and clarifications do not materially change the description of the Project or the findings of the Draft SEIR. The following text on Table 5.2-4 Special Status Wildlife Species Known to Occur in the Project Region, on page 5.2-25, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and strikethrough show the deletions):

<i>Myotis yumanensis</i> Yuma myotis	—	SA	May occur for foraging; not expected to occur for roosting; limited suitable foraging habitat; no suitable roosting habitat
<b><u>Neotoma bryanti intermedia</u></b> <b><u>San Diego desert woodrat</u></b>	<b><u>—</u></b>	<b><u>SSC</u></b>	<b><u>Observed; suitable habitat</u></b>

The following text on page 5.2-27, in Section 5.2.3, Existing Conditions, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and strikethrough show the deletions):

**Four** ~~Three~~ other special status mammals have potential to occur on the Project site (Table 5.2-4). The San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), and southern grasshopper mouse (*Onychomys torridus ramona*) may occur on the Project site; and **San Diego desert woodrat (*Neotoma bryanti intermedia*), and** American badger ~~was~~ **were** observed on the Project site.

The following text on page 5.2-40, in Section 5.2.7, Impact Analysis, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and strikethrough show the deletions):

**Four** ~~Three~~ other species status mammal species are either potentially present (San Diego black-tailed jackrabbit and southern grasshopper mouse) or were observed (**San Diego desert woodrat**, and American badger) on the Project site. Project implementation would result in the loss of 1,070.16 combined acres of grassland, coastal sage scrub, and riparian habitats that provide potentially suitable habitat for the San Diego black-tailed jackrabbit and southern grasshopper mouse and suitable habitat for the **San Diego desert woodrat and** American badger.

**Response 20.2.** The comment addresses potential impacts to bats. In order to provide additional data to assess impacts to bats on the Project site, three nights of acoustic bat detection were conducted on July 18-20, 2017. The following species were detected during surveys: Pallid bat (*Antrozous pallidus*), Townsend's big eared bat (*Corynorhinus townsendii*), western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossevillei*), hoary bat (*Lasiurus cinereus*), California myotis (*Myotis californicus*), Western small-footed bat (*Myotis ciliolabrum*), Yuma myotis (*Myotis yumanensis*), western pipistrelle (*Parastrellus hesperus*), and Mexican free-tail (*Tadarida brasiliensis*).

In response to these new findings, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The following text discussing common wildlife species on page 5.2-12 of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

#### Mammals

Bats occur throughout most of southern California and may use any portion of the Project site as foraging habitat. The riparian vegetation type and steep rocky cliff faces in Grasshopper Canyon provide potential roosting habitat for many bat species. Most of the bats that could potentially occur on the Project site are inactive during the winter and either hibernate or migrate, depending on the species. Common bat species detected or expected to forage or roost on the Project site include big brown bat (*Eptesicus fuscus*), Brazilian free-tailed bat (*Tadarida brasiliensis*), California myotis (*Myotis californicus*), **Western small-footed bat (*Myotis ciliolabrum*), Yuma myotis (*Myotis yumanensis*),** western pipistrelle (*Parastrellus Hesperus*), and hoary bat (*Lasiurus cinereus*), **Mexican free-tail (*Tadarida brasiliensis*)**.

In response to these new findings, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The following text on Table 5.2-4, Special Status Wildlife

Species Known to Occur in the Project Region, on page 5.2-25 of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

<b><u>Lasiurus blossevillii</u></b> <b><u>western red bat</u></b>	=	<b><u>SSC</u></b>	<b><u>Detected; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</u></b>
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In addition to this edit, the three other special status bat species detected during acoustic surveys will be edited to show “detected” status. This revision is hereby made to the Final SEIR. However, it should be noted that this revision does not materially change the description of the Project or the findings of the Draft SEIR. The following text in Table 5.2-4 of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

<i>Antrozous pallidus</i> pallid bat	—	SSC	May occur for foraging and roosting; suitable foraging habitat; limited roosting habitat <b><u>Detected; suitable foraging habitat; limited roosting habitat</u></b>
<i>Corynorhinus townsendii</i> Townsend’s big-eared bat	—	CST/SSC	May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat <b><u>Detected; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</u></b>
<i>Eumops perotis californicus</i> western mastiff bat	—	SSC	May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat <b><u>Detected; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</u></b>

In response to these new findings, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The following text on, page 5.2-27, Special Status Wildlife Species, of Section 5.2.3, Existing Conditions, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

#### Mammals

**Three nights of acoustic bat detection surveys were conducted on July 18-20, 2017. The focused survey report is included in Appendix C to the Final SEIR. The following special status species were detected: Western mastiff bat (*Eumops perotis californicus*), Pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), and Townsend’s big eared bat (*Corynorhinus townsendii*).** Six ~~Eight~~ special status bat species have potential to occur on the Project site (Table 5.2-4). Four of these species, pallid bat (*Antrozous pallidus*), spotted bat (*Euderma maculatum*), hoary bat, and western small-footed myotis (*Myotis ciliolabrum*), also have potential or limited potential to roost on the Project site.

In response to these new findings, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of the Project or the findings of the Draft SEIR. The following text on, page 5.2-39, in Section 5.2.7,

Impact Analysis and Mitigation Measures, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions):

The proposed Project would potentially impact foraging habitat for the several bat species, including pallid bat, Townsend's big-eared bat (*Corynorhinus townsendii*), spotted bat, western mastiff bat (*Eumops perotis californicus*), **western red bat (*Lasiurus blossevilli*)**, hoary bat, **California myotis (*Myotis californicus*)**, western small-footed myotis (*Myotis ciliolabrum*), ~~and~~ Yuma myotis (*Myotis yumanensis*), **western pipistrelle (*Parastrellus hesperus*)**, and **Mexican free-tail (*Tadarida brasiliensis*)**. This foraging habitat is located in the foothills, a topographical area where relatively abundant open spaces still remain in the region. The loss of 1,070.16 acres of foothill foraging habitats consisting of grasslands, coastal sage scrub, and riparian vegetation types for these bat species would contribute to an ongoing cumulative loss of regional and local foraging habitat. This impact is considered adverse but less than significant under Section 15380 of the State CEQA Guidelines because the Project would not impact a substantial population of the bat species mentioned above and would not cause regional populations to drop below self-sustaining levels.

The results of the survey do not constitute new significance findings, and therefore, and do not trigger the need for recirculation of the Draft SEIR.

**Response 20.3.** The comment addresses nocturnal mammal surveys. While nocturnal surveys provide definitive proof of the species utilizing the site, they are not necessary for determining mammal use of the site. As stated on page 5.2-4, Wildlife Surveys, general wildlife surveys were conducted in order to determine the absence or presence of potentially suitable habitat for a variety of general and special status mammal species. In the event that potentially suitable habitat for a given species is determined present on the Project site (based on general surveys), and the species' range overlaps the Project site, the Draft SEIR analyses potential Project impacts, and provides mitigation if the impacts are considered potentially significant per State CEQA Guidelines. Potentially suitable habitat was identified during the general survey for the three species listed in the comment: the mountain lion, San Diego black-tailed jackrabbit, and American badger (observed on site). The Biological Resource Technical Report for the Draft SEIR states that the mountain lion is expected, the American badger was observed, and common herbivore (like the San Diego black-tailed jackrabbit) are expected to occur on the Project site based on presence of suitable habitat for these species including various sage scrub vegetation types, grasslands, and riparian areas.

**Response 20.4.** The comment states that eBird was not used in the Draft SEIR and notes that eBird shows California condor sightings within the Project area. The comment additionally states that additional threatened or endangered wildlife species might occur, but were not detected because of insufficient survey efforts. The comment further stated that the site has a remarkable species richness that was downplayed in the Draft SEIR.

The person who recorded an eBird list was reporting from the vicinity of the Project site and not directly from the Project site itself. eBird is an online check list program that allows recreational bird watchers to provide information about birds, which is often in error. There are no professional/educational requirements to have an eBird account or submit data. The species accounts included in the Draft SEIR relied on the experience of professional biologists, resource agency lists and data sets, and published literature, not on eBird which includes erroneous information.

Response regarding California condor can be found in the reply to Response to Comment 20.5 below.

Draft SEIR Tables 5.2-4 provides a summary of the state and/or federally listed wildlife species that are known to occur in the Project region. The species that have the potential to occur onsite include various species of fairy shrimp, arroyo toad, California red-legged frog, Swainson's hawk, southwestern willow flycatcher, California condor, bald eagle, coastal California gnatcatcher, and least Bell's vireo. Focused surveys were conducted on the Project site according to established agency protocols for the fairy shrimp, arroyo toad, California red-legged frog, southwestern willow flycatcher, coastal California gnatcatcher, and least Bell's vireo.

The Swainson's hawk, California condor, and bald eagle may fly-over the site as a migrant or for foraging, but not for nesting. Therefore, focused surveys for these species are not warranted due to the lack of nesting habitat. All potentially present threatened or endangered wildlife species have been evaluated, and no additionally listed species are expected to occur with any further survey efforts

The Draft SEIR does not "downplay" the biological resources onsite, but rather describes both the native habitat value along with the historic and current land uses that have degraded the habitats by the present of cattle and exotic species. Regarding statements in the Draft SEIR that some species (mostly avian) have potential suitable foraging habitat onsite, but not nesting, this is a industry standard to distinguish the difference between foraging and nesting potential onsite. Many avian species forage in one type of habitat while nest in another and impacts to these habitat components are considered separately in the CEQA analysis.

**Response 20.5.** The comment states that there is no analysis provided to support the conclusion that California condor would not be expected to forage on the Project site.

The Draft SEIR addresses all species with potential to occur on the Project site, and assesses impacts without bias or attempts to "downplay the functionality of species' occurrences". The categorization of habitat into breeding versus foraging use of the Project site are factual important distinctions and intended to contribute to the knowledge of the reader, and the assessment and ultimate determination of impacts. Because breeding habitat (i.e. large trees, cliff faces) is typically less abundant than foraging habitat (i.e. grassland, scrub) there are often higher priorities for certain species in regard to breeding versus foraging. Typically breeding areas are a smaller subset of suitable habitat, and therefore, potentially more susceptible to loss/impacts.

In response to this comment, an analysis of one year of California condor flight data over the Project site was conducted. During 2014 (the only available data of this kind), three occurrences and a total of 7 minutes was documented with condor flight over the Project site (USFWS 2014). No reported landings occurred, and therefore no foraging, occurred which is expected for this area as the Project site is outside the known core foraging range for this species (Snyder and Snyder 2005). Because of the ongoing captive condor breeding program, condor future movement patterns and behavior are somewhat unpredictable. The Project site does periodically contain carrion, a potential attractant for condor, and therefore, the Draft SEIR states that the Project site had potentially suitable foraging habitat but that condors were not expected to occur (based on known current foraging range and lack of foraging observations). Based on telemetry data and known range, it is reasonable to assert that the Project site is not utilized by any significant degree by the California condor. California condor are known to fly-over the site from high elevation use areas in the western San Gabriel Mountains and the Tehachapi Mountains. The recent eBird fly-over sightings of this species near the Project site are acknowledged, and the Draft SEIR is consistent with this information.

**Response 20.6.** The comment suggests that the Project site provides bald eagle habitat based on observations at a site similar to the Project site. The Altamont Pass is a well-known location that supports extensive grasslands that are the dominate habitat type of that area, unlike the Project site. It is not reasonable to compare wildlife utilization of the two locations and to assume that bald eagle (and raptors in general) use of this particular Project site is the same as Altamont Pass. The Project site's grassland habitats constitute only about a third of the Project site while the surrounding areas are largely sage scrub and chaparral habitats. If cattle grazing were to cease on the Project site, these grasslands would mostly be converted back to sage scrub and chaparral habitats. Overall, these habitats are far less valuable to foraging raptors than the extensive grasslands of the Altamont Pass area. While the bald eagle has been observed at nearby Castaic Lake and Castaic Lagoon (eBird 2017), it is most likely the raptor is attracted to these bodies of water for what they can uniquely provide that the Project site cannot—aquatic prey. The Project site is not expected to be attractive foraging grounds for the bald eagle.

**Response 20.7.** The comment suggests that the Project site provides suitable foraging habitat for golden eagles based on observations at a site similar to the Project site.

The impact analysis in the Draft SEIR states there is potential for golden eagle to nest in the study area. The potential for occurrence is considered extremely conservative given the lack of breeding records in the Project region and the tendency for golden eagles in the region to breed in rugged mountainous country (Allen et al.). In the unlikely event nesting event does occur, mitigation is provided in the Draft SEIR that addresses this remote possibility. The loss of a nest due to Project implementation would be considered a violation of Sections 3503, 3503.5, and 3513 of the *California Fish and Game Code*, and would be considered significant. Implementation of MM 5.2-12 and MM 5.2-13 would reduce this impact to less than significant through requiring pre-construction nesting raptor surveys and providing a biological monitor during vegetation removal activities. With implementation of these measures, direct impacts to golden eagle while breeding are avoided. In addition, in order to provide clarity and consistency, the following text on Table 5.2-4 Special Status Wildlife Species Known to Occur in the Project Region, on page 5.2-23, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strike through~~ show the deletions). However, it should be noted that these revisions and clarifications do not materially change the description of Project or the findings of the Draft SEIR:

<i>Aquila chrysaetos</i> golden eagle	—	SSC/FP	Observed; suitable foraging habitat; <b><u>limited</u></b> <del>no</del> -suitable nesting habitat
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**Response 20.8.** The comment states that the Project site is within the wintering range for ferruginous hawk. After nearly 20 years of biological surveys on this Project site, the ferruginous hawk has been observed only a few times during the winter season; there is no regular wintering by this species on this Project site (Appendix D of the Draft SEIR). Although the Project site is within the wintering range for the ferruginous hawk in southern California, the ferruginous hawk winters at a limited number of valley locations supporting extensive grassland and agricultural habitats. The Project site is not within the valley locations known to provide for wintering individuals. Although the hawk may rarely occur on the site during winter, the Project site does not represent important wintering habitat for this species. The impact analysis for the Draft SEIR found that the loss of foraging habitat for this species would be considered adverse but not substantial enough on a regional basis to warrant a finding of significance under Section 15380 of the State CEQA Guidelines.

**Response 20.9.** The comment suggests that the Project site provides suitable nesting habitat for Swainson's hawk based on observations at a site similar to the Project site. During spring surveys

of the Project site, Swainson's hawk has been observed passing overhead but never observed foraging on the Project site. It is possible that a stray migrant may stop and forage. Breeding habitat in southern California for Swainson's hawk is associated with areas supporting far greater amounts of grassland and/or cultivated habitats than present on the Project site. The Swainson's hawk is considered extirpated for breeding on the coastal slope, which includes the Project region. Only a few remnant pairs continue to nest in the Antelope valley (Allen et al. 2016). For reasons given, this species is not expected to nest on the Project site. The impact analysis for the Draft SEIR found that the loss of foraging habitat for this species would be considered adverse but not substantial enough on a regional basis to warrant a finding of significance under Section 15380 of the State CEQA Guidelines. As with other migratory birds, however, this species may occur as a breeder in the future, and 5.2-13 is included to conduct pre-construction protocol surveys for the Swainson's hawk to confirm absence prior to disturbance. If the Biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the Biologist shall delineate an appropriate buffer zone around the nest. The active nest shall be protected until nesting activity has ended. This mitigation will reduce potential impacts to less than significant levels.

**Response 20.10.** The comment notes that the *Biological Technical Assessment Report, NorthLake Specific Plan Development Project* states that white-tailed kite was seen on the Project site, while the Draft SEIR analysis states that the species may occur within the Project area. After nearly 20 years of biological surveys on this Project site, the white-tailed kite has been observed only a few times on the Project site. White-tailed Kites are observed more often by Castaic Lagoon where there are more trees. In general, the current Project site footprint provides only a limited amount of suitable foraging habitat and marginal nesting habitat for this species. Based on this, the Draft SEIR analysis found that impacts would be considered adverse but not substantial enough on a regional basis to warrant a finding of significance under Section 15380 of the State CEQA Guidelines because the Project would not impact a substantial population of these species and would not cause regional populations to drop below self-sustaining levels.

**Response 20.11.** The comment states that the Project site is within the wintering range for merlin. After nearly 20 years of biological surveys on this Project site, the merlin has been observed only a few times during the winter season; there is no regular wintering by this species on this Project site (refer to Appendix D of the Draft SEIR). Although the Project site is within the wintering range for the merlin, the Project site does not represent important wintering grounds for this species. The impact analysis for the Draft SEIR found that the loss of foraging habitat for this species would be considered adverse but not substantial enough on a regional basis to warrant a finding of significance under Section 15380 of the State CEQA Guidelines.

**Response 20.12.** The comment addresses burrowing owl nest fidelity, habitat, and survey results and methods. In order to provide additional breeding survey data, an additional breeding season survey was conducted in summer 2017 in accordance with CDFW protocol (CDFW 2012). Four focused burrowing owl surveys were conducted from June 27 through August 29, 2017 (refer to Appendix C of the Final SEIR). No burrowing owls were detected during the survey and no burrowing owl sign was observed. Additionally, no potentially suitable breeding burrows were detected. This is consistent with the Draft SEIR analysis that burrowing owl do not find the Project site suitable for breeding. Over 20 years of experience on the Project site and multiple senior biologists very familiar with the biology of burrowing owls have determined the site is not potentially suitable for breeding burrowing owls (potentially due to general lack of ground squirrels colonies). Focused survey reports can be found in Appendix D of the Draft SEIR and Appendix C of the Final SEIR.

In response to new survey data, the following revision is hereby made to the Final SEIR. However, it should be noted that this addition does not materially change the description of Project or the



findings of the Draft SEIR. The following text on page 5.2-4, Wildlife Surveys, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

In addition to the general wildlife surveys, focused surveys were conducted on the Project site for the arroyo toad (*Bufo californicus*) in 2000 and 2014; the western spadefoot (*Spea hammondi*) concurrent with arroyo toad surveys in 2014; the California red-legged frog (*Rana aurora draytonii*) in 2003; the California red-legged frog (*Rana aurora draytonii*) in 2003; the burrowing owl (*Athene cunicularia*) in 2007, ~~and 2014-2015,~~ **and 2017.**

Although the commenter found low site fidelity at the sites he has studied in northern California, the literature shows that burrowing owls do exhibit moderate to high nest site fidelity (Ronan 2002, Klute et. al 2003). Site fidelity is tied to nest success, and they appear to abandon nest sites that fail. These references will be added to the Draft SEIR.

In regard to survey methods, the diversity of habitats used by this species in southern California is recognized and the habitat suitability and subsequent surveys were based on this regional knowledge. It is feasible that this species may use steeper slopes in other regions. In addition, nearly all of the steep slopes on the Project site are densely vegetated, making them unsuitable for burrowing owl for that reason. Through the process of these surveys, and the 20 years of previous experience on site, it is highly unlikely that any burrowing owl could occur outside of our survey area and not be detected. Further, the commenter provides an assessment of the 2007 burrowing owl survey and report methods in comparison to the 2012 CDFW protocol. The 2012 CDFW protocol was not in existence at the time of the 2007 surveys and therefore the comparison has little bearing. Secondly, most of the determinations that are regarded as insufficient are not required to be reported. Therefore, the lack of information available to the commenter is not actually an indication that the information does not exist. For example, it is true that “reporting experience” is not included within the 2007 report. However, it is not included in the majority of protocol survey reports, because it is not required. The determination statement by the commenter that the standard for experience for the burrowing owl surveys is not met is arbitrary and is in fact false. Surveys were conducted by highly qualified and experienced senior ornithologists and biologists. Lastly, in an effort to provide a current update on the status of the species on the site, a breeding survey was conducted in 2017, as described above, and is included in Appendix C of the Final SEIR. With this new report, the comparison in Table 1 is resolved as the determination of presence or absence can be based solely on the new report. Results of the survey are consistent with all conclusions in the Draft SEIR.

The impact assessment concluding that impacts on breeding burrowing owl is not expected, was based on appropriate and sufficient data gathered over the course of many years of biological studies on the site by qualified biologists. In addition, an effort to provide additional survey data to further support the findings and assessment in the Draft SEIR, a survey was conducted as described above. There are no new significant impacts resulting from the new data. The results of the survey are consistent with the Draft SEIR, and do not trigger the need for recirculation of the Draft SEIR. Impacts on wintering burrowing owl were determined to be potentially significant and mitigation was included.

In regard to the commenter’s statement that the proposed mitigation would not be effective, the proposed burrowing owl mitigation is likely to be the most widely accepted method for mitigation for this species in southern California, based on direct implementation experience throughout the region. In fact, the CDFW 2012 protocol guidelines the commenter frequently refers to includes a recommendation for artificial burrows consistent with the mitigation measure MM 5.2-14 on page 5.2.6 of the Draft SEIR and includes a discussion of reported success in a study in California.

In addition, this measure is typically only required for impacts on breeding burrowing owl; therefore, the mitigation is considered conservative and greater than is typically implemented in Southern California. Furthermore, the Project includes mitigation in terms of preserving habitat as well as defined in MM 5.2-7 and MM 5.2-8. The commenter may have had some personal experience with burrowing owls in Northern California where this approach was not successful. Although the species is the same, regional differences in habitat preference may result in different outcomes. However, the artificial burrows and habitat preservation combined approach is considered the preferred and recommended approach by the CDFW based on the 2012 Guidelines.

**Response 20.13.** The comment suggests that the Project site provides suitable habitat for tricolored blackbird based on observations at sites similar to the Project site. As indicated by the Los Angeles Breeding Bird Atlas and eBird, there are no breeding colonies of the tricolored blackbird in the vicinity of the Project site (Allen et al. 2017, eBird 2017). The tricolored blackbird needs large stands of sturdy, erect vegetation capable of supporting a large number of nests. In the Project region, this species nests in wetlands containing cattail and bulrush; in riparian woodlands supporting native (willow, cottonwood) or introduced (*Arrundo donax*, tamarisk) plants; or at upland sites containing stands of blackberries, nettles, thistles, or crops such as wheat or barley (Allen et al. 2016). The Project site does not support potentially suitable breeding habitat for this species. In areas where this species forage during breeding, dozens to hundreds of birds can be seen foraging together. Single individuals far away from colonies are rare events and eBird appears to contain many such reports that should require documentation (worn red-winged blackbirds are often misidentified as tricolored blackbirds). Single tricolored observations are considered anomalies or are explained as incorrect identifications such as what is likely occurring in eBird. That said, biological surveys conducted on the Project site since 1997 have not found any breeding colonies or suitable breeding habitat on or adjacent to the Project site, and they are not expected to occur.

**Response 20.14.** The comment suggests that the Project site provides suitable roosting habitat for bats. As correctly noted by the commenter bats roost in a wide variety of different habitats and features within those habitats. These features and habitats can range from tree foliage in wooded areas to the exterior of stucco walls in fully-developed areas. The definition of bat roosting habitat used in the Draft SEIR is not intended to encompass all potential roosts but rather to identify critical roosting features necessary for species survival. Roosts critical for species survival include maternity roost, which are unique features that, among other things, have a specific micro-climate; have protection from predation; are sufficiently close to food and open water sources; and provide access suitable for entry, exit, and congregation. Many of the temporary roost features that individual bats may utilize do not contain the elements required for critical life stages, such as rearing young. Therefore, certain roosting habitat is more limited and requires more attention. A survey was conducted to identify which species of bat are utilizing the site for foraging and the results are included in Appendix C to the Final SEIR. The results are consistent with findings in the Draft SEIR indicating foraging for a variety of species. The species observed foraging during the survey all have potential to roost onsite. However, the roost sites available onsite are poor quality and would only be used for convenient access to the higher quality foraging resources, according to the Project's expert biologist. The roosts necessary to support critical stages of bat life cycles do not occur on the Project site. The poor-quality roosting habitat onsite is abundant both onsite and in the vicinity. Utilizing this roosting habitat onsite is potential for bats and is likely temporary. Impacts from loss of this habitat would be less than significant as determined by the Project biologist. The direct loss of roosting bats, if detected, however, would be considered potentially significant and would require mitigation. Implementation of MM 5.2-12 and 5.2-20 of the Draft SEIR would reduce this impact to a level considered less than significant. These measures require a biologist during vegetation removal and pre-construction bat surveys, including methods for avoiding direct impacts to bats.

**Response 20.15.** The comment addresses the definition of wildlife corridor and the analysis of wildlife movement on the Project site. The definitions for wildlife corridors, islands, fragmentation, travel route, and other associated terms included in the Draft SEIR are not intended to downplay Project impacts. A citation is not provided because Psomas compiled these definitions from a variety of sources and professional experience to assist the reader with the terminology used in the Draft SEIR. No specific one item of literature was utilized for all definitions. It is not intended to change the reader perspective if they have an opinion for a preferred definition but instead tells them how the terminology has been applied to the discussion in the Draft SEIR. The commenter correctly states that there are many definitions for wildlife corridors and associated terms. In fact, the commenter states that they also prefer to define the terms themselves and goes on to share their definition. We concur with the approach of the commenter and prefer to utilize our terminology specific to the current conversation and have done so in the Draft SEIR. The comment also states that because the definition lacks a scientific origin it is not valid for assessing impacts, however, there is no scientific consensus on a definition of wildlife corridor as the commenter acknowledges. The definitions in the Draft SEIR are loosely based on discussions from a large number of studies on the topic such as Beir et al. 2008; Soule and Gilpin 1991; Hootor et al 2007; and Hilty et al. 2006 as refined by the Project biologist. These are only a few of the contributing studies that provide the framework for today's understanding and the application of terminology.

No focused field surveys (i.e., camera traps) were conducted to document wildlife movement on the Project. The wildlife movement analysis was prepared by senior Project biologists with many years of experience conducting wildlife movement studies, and with a strong understanding of how various taxa move through a landscape. The analysis is based on factors such as surrounding land uses, quality of habitat on site, amount of cover on site, topography, existing disturbances, and existing barriers. Wildlife traps and other methods for documenting exactly which species are moving through the site is not always necessary, and can present problems such as false negatives. In addition, wildlife movement is a consideration of gene movement for entire suites of animals and plants as well, which are typically discussed on the theoretical level regardless of particular species occurring or not occurring. While indicator species, and large mobile species are often identified, they are more often than not a representation of a community movement. In order to provide additional details, a highway crossing study was conducted to review potential crossing point and add the data to the overall Project impact analysis for wildlife movement. The technical memo is found in Appendix D of the Final SEIR.

The comment also states that there is a bias in the wildlife movement assessment because the definition is not cited and appears to favor the Project in some way because of it. On the contrary, this similar language can be found in many approved EIRs for other Projects in the region exactly as it is shown in the NorthLake Draft SEIR. In addition, as mentioned by the commenter, most authors, including the text referenced in the comment letter as Smallwood 2015, formulate their own wildlife movement definition based on current literature.

A second comment states that the assessment is biased because it does not speculate that developing Grasshopper Canyon would close off its use as a diverted movement route between Castaic Lake and Interstate 5. However, the wildlife movement discussion clearly explains that this type of movement is local movement and CEQA does not require the analysis of speculation. It does not represent a critical linkage for plant and wildlife species due to the lack of reliance on a substantial regional resource as well as the substantial constraints presented by Interstate 5. Movement at some level occurs in nearly all open space area ranging from local resident wildlife species making daily trips to movement on a regional scale that is a contributing factor in maintaining regional populations. The movement suggested by the commenter is local movement as described in the assessment.

One additional comment states that the assessment appears biased because it says only local movement of species habituated to the urban landscape are expected to navigate the existing barriers, while an earlier section indicates that mountain lions and bobcats occur on site. However, the comment is out of context, a careful read of the document on page 5.2-14 of the Draft SEIR clearly indicates that the local movement of habituated species is specifically referring to the previous sentence, which describes developed features including construction of Castaic Dam, Lake, Lagoon, and Castaic SRA and its associated facilities along with residential development west of the Lagoon. Note these areas are off of the Project site. This statement in the Draft SEIR is true, and it is also true that bobcat and mountain lions may occur on the Project site. In conclusion, there is no evidence of bias provided in the comment, and the approaches utilized in the Draft SEIR are consistent with industry standards.

The paragraph quoted from the Draft SEIR explaining why Castaic Creek is no longer considered a major linkage between the ANF and the Santa Clara River also applies to Grasshopper Canyon to some degree. The various existing developments at the south end of the Project site render Grasshopper Canyon a dead end to the south. Terrestrial wildlife are not expected to use Grasshopper Canyon to move from one large open space area to another because of physical barriers in the south. Wildlife may travel down Grasshopper Canyon, encounter development or other human disturbances, and then travel back up. This type of movement, however, would not be considered an important wildlife movement route.

**Response 20.16.** The comment states that the Draft SEIR did not provide an estimate of impacts to wildlife due to increased traffic along roads servicing the Project site. Wildlife that are common within urban and suburban areas are expected to use the roads and common areas servicing the Project (e.g. Lake Hughes Road), and consequently will result in increased vehicle mortality. It is acknowledged that increased traffic may occur in areas where common wildlife are also present, and as a result wildlife may be impacted but analysis of such impacts is speculative and CEQA does not require analysis of speculative impacts. However, the species expected to experience the increase in impacts with vehicles are considered to be almost entirely species that occur within the regional urban landscape and not threatened or endangered species. As such, due to the large size of the regional populations of non-listed species, increased loss and harm of individuals is not expected to drop local populations to below self-sustaining levels.

**Response 20.17.** The comment addresses impacts to wildlife due to window collision. The Draft SEIR does not address Project impacts to birds from bird strikes because literature shows that the majority of bird strikes occur within migrant stopover habitat and when the structure contains a high percentage (>45 percent) of glass coverage (Sabo et al. 2016). Surveys for the SEIR did not identify the Project site as supporting any exceptional concentrations of landbird migrants. Additionally, the general area containing the Project site was not identified as an important bird area in an Audubon sponsored study (Cooper 2004<sup>13</sup>). Any area in the region, however, is expected to support migrant landbirds and, depending on weather patterns, may support brief concentrations of these migrants. Under these conditions, large clear-glass windows, and most especially clear-glass walls may be hazardous to landbirds. Most landbirds do not perceive the glass barrier and collide with it because they see open space on the other side, or see the reflection of vegetation on the window itself. In any case, most residential windows are not problematic and developments such as the NorthLake Specific Plan, that are not expected to have a high percentage of glass coverage (>45 percent) on individual buildings. Per State CEQA guidelines, the potential adverse effect of bird strikes cause by the development is not expected to cause regional populations to drop below sustainable levels, and would therefore, not be considered potentially significant. No mitigation is required.

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<sup>13</sup> Important Bird Areas of California by Daniel S. Cooper (2004). Published by Audubon, Pasadena, CA.

**Response 20.18.** The comment suggests that the analysis of cumulative impacts on biological resources is insufficient. The cumulative impacts analysis considers both the Project impacts as well as the Project mitigation as a whole. The Project mitigation measures will reduce impacts as determined by the Project biologist. Looking at the Project without the migration measures would not be appropriate under CEQA. In addition, the Draft SEIR does not state that Project mitigation reduces all impacts to no impact. It is therefore understood that there is indeed some level of impact of the Project after mitigation as all CEQA requires is a reduction of significant impacts to less than significant. The cumulative impacts of the Project are assessed to determine if the Project contribution is cumulatively considerable. It is entirely feasible to have a Project that has a significant impact, mitigation which reduces that impacts to less than significant, and a less than significant cumulative impact. In the case of NorthLake, the assessment conclusion is based on all information available. As described, the analysis within the DSEIR appropriately considered cumulative impacts of the Project.

**Response 20.19.** The comment suggests that the mitigation measures provide no substantial benefit and that the measures are a deferral of mitigation that limits future public participation. The comment also suggests that protocol-level focused surveys are necessary in order for MM 5.2-1 to be suitable. The comment alleges biology mitigation measures are deferred mitigation. This is incorrect. All necessary species surveys have been conducted and results reported within the Draft and Final SEIR. Draft Conceptual Habitat plan and relocation plans are included in Appendix C to this Final SEIR.

CEQA does not require final design details of the mitigation measures, but does require the necessary specific performance criteria which are carried forward into the Habitat Plans. The measures drafted in the Draft SEIR state the objectives, how it will be implemented, who is responsible for its implementation, where it will occur, when it will occur, and what is the minimum performance criteria required. This is the minimum CEQA standard that has been met. It should be noted however that the mitigation measures (while still meeting the above minimum standards) need to have enough flexibility in their implementation to accommodate resource agency permits conditions.

This proposed approach of future approval of detailed plans has been utilized in CEQA documents and approved by the Lead Agencies consistently, in particular for biology mitigation. The mitigation measures are not deferred mitigation.

Furthermore, protocol-level focused surveys of numerous special status species have been conducted on the Project site since 1996. The results of these surveys were used to inform the Draft SEIR's impact analysis, and Mitigation Measures were subsequently developed in order to lessen potentially significant impacts on those species. The purpose of MM5.2-1 is not to assess sensitive status species' use of the Project site, but instead to provide mitigation for potentially significant direct impacts to special status species occurring during the construction phase of the Project. It mandates a trained biologist be on site during construction, and that special status species are safely relocated out of the path of construction should they be encountered and that the biologist has the power to halt construction in that area with appropriate buffering should any breeding, denning, or roosting special status species be detected. Additionally, breeding burrowing owls have never been detected on site. Refer to the response to Comment 20.12 for additional information on burrowing owl mitigation.

**Response 20.20.** The comment states that the Draft SEIR needs to identify which properties are protected under MM 5.2-2, as well as how and why they would be protected. The concern for appropriate mitigation lands to provide equal or better habitat value is acknowledged. The mitigation included in the Draft SEIR for special status resources includes strict parameters for the type of lands that shall be acceptable. The mitigation locations shall be determined in

coordination with the Project Applicant and the Los Angeles County Department of Regional Planning (LACDRP), and the site(s) shall be located in dedicated open space areas, and shall be contiguous with other natural open space areas. Due to a dynamic Project design process and ongoing biological analysis up to the point of Draft SEIR preparation, it was not feasible to procure mitigation lands prior to Draft SEIR distribution. In addition, in an effort to provide the public with additional details where feasible, a Draft Conceptual Habitat plan and Spadefoot Relocation plan are included in Appendix C to this Final SEIR. Please see Section 5.2.7, Impact Analysis and Mitigation Measures, of the Draft SEIR for additional mitigation land parameters and criteria as well as a discussion regarding available appropriate mitigation lands.

**Response 20.21.** The comment states that the public should also be engaged during implementation of MM 5.2-3. The concern for public review upon removal of riparian resources is noted. However, it should be noted that public participation is provided for via public comment on the Draft SEIR which includes proposed mitigation measures. The commenter is an example of such public participation and comment. Further, the public can continue to comment throughout the administrative process. There is no CEQA requirement to coordinate with members of the public on the implementation of this measure post Project approval.

**Response 20.22.** The comment addresses the locations where translocation of Mariposa lily would occur under MM 5.2-4. Mitigation Measure 5.2-4 requires the development of a Mitigation Plan to ensure the greatest likelihood of lily survivorship. The Mitigation Plan must be submitted for review and approval by LACDRP who oversees its implementation. The Mitigation Plan will include details such as suitable translocation locations. The goals of the plan will seek to minimize impacts and maximize benefits to these translocation areas. It is acknowledged that success will be less than 100 percent, which is why the migration ratios required are greater than 1:1. This approach is designed and expected to result in replacement of functions and values at an equal to or greater than level of quality. In order to provide the public with additional information, a draft Status Plant Species Restoration Plan has been included in the Final SEIR (refer to Appendix C of the Final SEIR).

**Response 20.23.** The comment suggests that MM 5.2-5 defers the formulation of mitigation related to the special-status plant species restoration plan, which would exclude the public from commenting on the mitigation. The comment alleges biology mitigation measures are deferred mitigation. This is incorrect. All necessary species surveys have been conducted and results reported within the Draft and Final SEIR. Please refer to Response 20.19 above.

In addition, as stated in Response 20.22, in order to provide the public with additional information, a Draft Status Plant Species Restoration Plan has been included as part of the response to comments process (refer to Appendix C of the Final SEIR).

**Response 20.24.** The comment suggests that MM 5.2-6 defers the formulation of mitigation related to sage scrub conservation, which would exclude the public from commenting on the mitigation. Refer to response 20.21 and 20.23 above. In addition, in order to provide the public with additional information, a Draft Conceptual Habitat Mitigation Plan has been submitted as part of the response to comments process (refer to Appendix C of the Final SEIR). For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 20.25.** The comment suggests that MM 5.2-7 defers the formulation of mitigation related to annual grassland/wildflower field conservation, which would exclude the public from commenting on the mitigation. It should be noted that public participation is provided for via public comment on the Draft SEIR which includes proposed mitigation measures. The commenter is an example of such public participation and comment. Further, the public can continue to comment

throughout the administrative process. There is no CEQA requirement to coordinate with members of the public on the implementation of this measure post Project approval. In addition, in order to provide the public with additional information, a Draft Conceptual Habitat Mitigation Plan has been submitted as part of the response to comments process (refer to Appendix C of the Final SEIR). For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 20.26.** The comment suggests that MM 5.2-8 defers the formulation of mitigation related to foothill needlegrass grassland conservation, which would exclude the public from commenting on the mitigation. Refer to response 20.25, above. In addition, in order to provide the public with additional information, a Draft Conceptual Habitat Mitigation Plan has been submitted as part of the response to comments process (refer to Appendix C of the Final SEIR). For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 20.27.** The comment suggests that MM 5.2-9 defers the formulation of mitigation related to the relocation of western spadefoot toads, which would exclude the public from commenting on the mitigation. Refer to response 2.4 and 20.25 above.

**Response 20.28.** Comment agrees with the proposed clearance sweeps, but suggests that the Draft SEIR further explain the relocation of special-status reptile species. As stated in MM 5.2-10, if feasible, special status reptiles will be removed from the disturbance area and relocated to suitable habitat in adjacent areas. Reptiles in general are fast moving terrestrial animals, and capturing them can be a difficult task. Some hand capturing of reptiles is expected to occur, though high numbers are not expected due to the inherent difficulty. Capture of reptiles shall occur in accordance with CDFW guidelines. Due to the low frequency expected for translocation events, impacts to receptor sites are not expected.

Non-impacted habitats adjacent to the impacted areas include various sage scrub vegetation types, needlegrass grasslands, annual grasslands, wildflower fields, and willow and mulefat thickets. These habitats are expected to provide the required conditions to support any special status reptiles (i.e., silvery legless lizards, coastal western whiptails, rosy boas, San Bernardino ring-necked snakes, Blainville's horned lizards, and coast patch-nosed snakes) that may be relocated into these areas. Receptor sites shall be chosen based on the type of habitat in which they are captured. Receptor sites shall contain similar biological elements to where the individuals originated to ensure that relocation does not harm the relocated individual. Based on the prior survey work, it is the opinion of the Project biologist that there will be a limited number of relocated reptiles and as such there will not be a significant adverse impact to the adjacent receptor sites.

**Response 20.29.** The comment suggests that MM 5.2-11 defers the formulation of mitigation related to the preparation of a habitat mitigation and monitoring program (HMMP), which would exclude the public from commenting on the mitigation. See response 20.23 above. In addition, as stated in the Responses 20.25, 20.26, and 20.27, in order to provide the public with additional information, a Draft Conceptual Habitat Mitigation Plan has been included as part of the response to comments process (refer to Appendix C of the Final SEIR). For additional information regarding the components of the Conceptual Habitat Mitigation Plan, please refer to Response to Comment 16.56.

**Response 20.30.** Commenter agrees with MM 5.2-12 (biological monitor to review demarcation of construction disturbance area), but questions value of it. Oftentimes, work areas are improperly or unclearly demarcated which can lead to confusion for the equipment operators. This measure helps to ensure additional biological resources are not impacted due to improper flagging/marketing of construction work areas.



**Response 20.31.** The comment suggests that focused detection surveys are necessary in order for MM 5.2-13 to be suitable and notes that passive relocation of burrowing owls is destructive. All necessary species surveys needed to inform the impact assessment have been conducted and results reported within the Draft and Final SEIR.

Focused surveys for special status species, as well as general wildlife and plant surveys over the course of 20 years informed Section 5.2, Biological Resources, of the Draft SEIR. Section 5.2 contains a thorough impact analysis, mitigation measures, and success criteria per State CEQA Guidelines. Due to the timing of the Project implementation, survey updates in the future are appropriate to provide additional information to allow for implementation of mitigation measures, such as pre-construction nesting bird surveys as outlined in MM 5.2-13.

The requirements of MM 5.2-13 are focused detection surveys for nesting birds. The word "pre-construction" is used because they are conducted immediately prior to construction. Nesting bird locations are always temporal and cannot be applied to a later date. Therefore, the mitigation measure provides the only solution to detections and avoidance actions. In regard to burrowing owl: passive relocation of burrowing owls is an approved method recommended by the CDFW per the 2012 guidelines as described in Response 20.12 above.

**Response 20.32.** The comment suggests that focused surveys are necessary in order for MM 5.2-14 to be suitable. Surveys for the burrowing owl have been conducted in 2007, 2014, 2015, and 2017. The repeated years of focused surveys determined that this species does not breed onsite, but has been documented occurring on site in the winter. The presence of wintering individuals does not guarantee the use of the site for breeding. As stated in Response 2.8, although the evidence indicating lack of breeding burrowing owls described in the Draft SEIR is very strong, in order to provide additional assurances, a breeding season survey was conducted in 2017 using the CDFW 2012 protocol. Results of the survey are included in Appendix C of the Draft SEIR. Consistent with the Draft SEIR, no breeding burrowing owls were detected. As per the Project biologist, and the expert who conducted the most recent surveys, the lack of breeding on the Project site may be due to the lack of suitable breeding habitat, and the very low concentration of ground squirrels (which are predominantly used for breeding) on the Project site.

**Response 20.33.** The comment states that MM 5.2-16 (landscape buffer) requires more detail. All water originating on site, including water used in landscaped buffer zones, is treated prior to exiting the site to prevent polluted water run-off. Please see Section 5.8, Hydrology for further details. The mitigation measures outlined in Section 5.8, address the concerns regarding pollutants, including fertilizers. MM 5.8-1 includes the requirement to implement an Integrated Pest Management Plan which will serve to control fertilizer and reduce pesticide use.

**Response 20.34.** The comment suggests that MM 5.2-17 defers the formulation of mitigation related to the Lighting Plan, which would exclude the public from commenting on the mitigation. Although it is not appropriate for the Lighting Plan to be developed prior to Project approval, this measure does include performance criteria for Project lighting such as: lighting from the proposed Project shall be directed away from natural open space areas and any proposed biological resources mitigation sites; and land uses with high-intensity lighting shall be relocated within the development to areas away from natural open space. The measure, which includes the development of a Lighting Plan to be reviewed by Los Angeles County Department of Regional Planning, reduces the potentially significant indirect impact, to a less than significant level per State CEQA guidelines. As it is correctly formulated and included in the Draft SEIR, the public was provided ample opportunity to comment upon it.

**Response 20.35.** The comment suggests that MM 5.2-18 defers the formulation of mitigation related to the fencing plan, which would exclude the public from commenting on the mitigation.

The measure, which includes the implementation of a fencing plan, will be subject to review and approval by the Los Angeles County Department of Regional Planning and a qualified biologist as part of the landscape designs for the Project. As it is correctly formulated and included in the Draft SEIR, the public was provided ample opportunity to comment upon MM 5.2-18.

In response to this comment, the following text on page 5.2-57, MM 5.2-18, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

**MM 5.2-18** To limit the amount of human disturbance to surrounding natural open space areas, a Fencing Plan to deter Project occupants from entering the natural areas shall be prepared by the Project developer and implemented. The Fencing Plan shall include provisions for signs and **wildlife friendly** split-rail fencing to direct residents to keep out of sensitive natural open space and revegetation and/or mitigation areas.

In areas bordering natural open space and fuel-modification zones, the Landscape Plan shall reflect a transition zone designed to buffer natural habitats from developed areas **and proposed fencing**. This transition zone should reduce impacts associated with invasion by introduced species and should help buffer human activity adjacent to the wildlife habitat. Landscaping in areas adjacent to natural open space shall use species native to the Project region (e.g., toyon) and be consistent with guidelines from the Los Angeles County Fire Department.

It should be noted that these revisions and clarifications do not materially change the description of Project or the findings of the Draft SEIR.

**Response 20.36.** The comment suggests that MM 5.2-19 defers the formulation of mitigation related to the landscaping plan, which would exclude the public from commenting on the mitigation. The measure includes the review and approval of landscape designs by the Los Angeles County Department of Regional Planning and a qualified biologist prior to implementation. As it is correctly formulated and included in the Draft SEIR, the public was provided ample opportunity to comment upon it.

MM 5.2-19 includes criteria for Project landscaping design such as: the landscaping design shall ensure that no invasive, exotic plant species are used in any proposed landscaping and that suitable substitutes are proposed. Only native species from the Santa Clarita Valley region shall be used in landscaping along the Project boundaries adjacent to open space.

In response to this comment, the following text on page 5.2-57, MM 5.2-19, of the Draft SEIR is hereby revised to read as follows (**bold, underline** shows the additional text and ~~strikethrough~~ show the deletions):

**MM 5.2-19** Landscaping designs shall be submitted to LACDRP for review and approval by a qualified Biologist. The review shall ensure that no invasive, exotic plant species are used in any proposed landscaping and that suitable substitutes are proposed. ~~Ideally, only~~ **Only** native species from the Santa Clarita Valley region shall be used in landscaping along the Project boundaries adjacent to open space.

However, it should be noted that these revisions and clarifications do not materially change the description of Project or the findings of the Draft SEIR. The measure reduces the potentially significant indirect impact to a less than significant level per State CEQA guidelines.

**Response 20.37.** The comment suggests that focused detection surveys are necessary in order for MM 5.2-20 to be suitable. Three nights of acoustic bat detection surveys were conducted on July 18-20, 2017. The focused survey report is included as Appendix C to this Final SEIR. The following special status species were detected: Western mastiff bat (*Eumops perotis californicus*), Pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), and Townsend's big eared bat (*Corynorhinus townsendii*). Per MM 5.2-20, prior to the initiation of any grading and/or construction-related activity involving the disturbance and/or removal of potentially suitable bat roosting habitat, namely rocky outcrops or trees, a qualified Biologist shall conduct a pre-construction bat habitat assessment of the potential habitat marked for removal. An intensive search by a bat biologist for potentially suitable bat roosts will be conducted prior to removal of habitat, and methods to exclude bats from any potentially suitable habitat will be employed prior to construction activities. Implementation of MM 5.2-20 would avoid direct impacts to roosting bats. Due to the length of time between the Draft SEIR and Project implementation, and the potential for changes on the site, identifying potential bat roosts immediately prior to Project implementation is the most reasonable strategy and based upon best practices according to the Project expert biologist.

**Response 20.38.** The comment states that obtaining a discharge permit is not mitigation. Through this measure, the Applicant is required not only to obtain the permit, but to comply with all the provisions of the permit. Implementation of the permit conditions will require all runoff originating from the Project to be free from pollution and exit the site with no impacts (including erosion) to downstream areas as documented in the Biological Resources Downstream Impacts Assessment (Appendix B to this Final SEIR). Compliance with this measure satisfies State CEQA requirements.

**Response 20.39.** The comment disagrees with mitigation measures MM 5.2-9 through MM 5.2-13 as mitigation for impacts related to wildlife movement. As stated on page 5.2-62, in Section 5.2.7, Impact Analysis and Mitigation Measures, of the Draft SEIR, the Project site itself does not represent an important component of the regional movement of the area. Therefore, Project implementation would result in adverse but less than significant impacts on regional wildlife movement. Mitigation Measures 5.2-9 through 5.2-13, are intended mitigation for Project impacts to special status species, and not wildlife movement as the comment suggests. Please refer to Responses 2.3 and 20.15 for thorough discussion on wildlife movement in the Project area. As noted therein and in the Draft SEIR, impacts on wildlife movement will be less than significant, and no mitigation is required.

**Response 20.40.** The comment suggests that focused detection surveys for all potential special-status species are necessary. General wildlife surveys have been conducted on the Project site in order to determine the presence or absence of potentially suitable habitat for all general and special status species occurring in the Project region. Detailed information of the project biological surveys is included in Draft SEIR Section 5.2.3 Existing Conditions, Survey Methods. In addition, focused detection surveys for numerous special status species have been conducted since 1997, and have been conducted in accordance with State and federal protocol methodology. Adequate detection surveys have been conducted on the Project site, and a well-rounded understanding of the species occurring, and potentially occurring, on the Project site has been developed. The Draft SEIR impact discussion and mitigation measures have been prepared accordingly.

**Response 20.41.** The comment addresses the analysis of wildlife movement on the Project site. Please refer to the Response to Comment 2.3 and 20.15.

**Response 20.42.** The comment recommends that the dwelling units be designed to optimize rooftop orientation for the use of solar panels. Direct impacts to biological resources from sources such as fossil fuel plants, and/or industrial wind turbine or solar Projects would not be applicable to the Project because these generation facilities are not part of the proposed Project. The Project is required to adhere to policies presented in the Antelope Valley Plan. Policy CO-8.3.4 from its Conservation and Open Space Element, states that the Project must “encourage new residential development to include on-site solar photovoltaic systems, or pre-wiring, in at least 50 percent of the residential units, in concert with other significant energy conservation efforts”. The Project’s consistency with the policies related to energy use are presented in Section 5.9, Land Use.

**Response 20.43.** The comment addresses roadway design and wildlife undercrossings. Speed limits are set by local ordinances and are not set by the Applicant. Based on the wildlife movement assessment in Section 5.2 of the Draft SEIR, impacts on wildlife movement are considered less than significant and no mitigation is required. However, it is generally expected that slower vehicular speeds within the residential neighborhoods will be sufficient to minimize mortality events. In addition, culverts within the development are typically associated with drainages and are expected to provide alternative crossing for wildlife in some locations.

**Response 20.44.** The comment addresses impacts to wildlife due to window collision. As stated in the Response to Comment 20.17, impacts to birds due to bird strikes is not considered a potentially significant impact due to the design and location of this type of development Project. Adherence to window collision guidelines is not standard and are not required in the Los Angeles County upland region, and the County as lead agency has the discretion to determine appropriate significance thresholds, for which bird collision impacts is not one. Species impacts are fully addressed in the significance thresholds adopted by the County. Mitigation for bird strikes is not required.

**Response 20.45.** The comment states that mitigation properties, and the rationale for selecting these properties, should be identified, along with the mitigation plan. In addition, the comment states that there must be a nexus between Project impacts and mitigation for those impacts.

The Project biologist conducted a preliminary review of off-site habitat mitigation opportunities (i.e., prior to detailed negotiations with prospective sellers). He determined that there are ecologically suitable parcels available for this purpose, such as the 6,000-acre Temescal Canyon property as documented in the Draft Conceptual Habitat plan (Appendix C to this Final SEIR). The Temescal Canyon property is a large, contiguous, undeveloped land area located less than two miles west of the NorthLake property, along the southern boundary of Angeles National Forest. Other lands demonstrate similar opportunities such as the Petersen Mitigation Bank and Santa Paula Creek Mitigation Bank. Therefore, off-site mitigation is considered a viable option to satisfy some or all of the habitat mitigation requirements of the Project. Therefore, the Draft SEIR is correct in noting the various options, inclusive of on-site areas. In addition, the final Habitat Mitigation Plan required by mitigation measures MM\_ 5.2-6, 5.2-7, and 5.2-8 \_would include more detailed parameters defining what types of land will be considered suitable for mitigation.

As stated previously, a Draft Conceptual Habitat Mitigation Plan has been prepared and is included in Appendix C to this Final SEIR. The Draft Conceptual Habitat Mitigation Plan, as well as the applicable mitigation measures (MM 5.2-6, 5.2-7, 5.2-8, 5.2-11) includes the following items: responsibilities and qualifications, performance criteria, site selection determination details (such as proximity to open space and maximum habitat values for special status wildlife species), seed materials procurement, wildlife surveys and protection, implementation schedule, maintenance program, monitoring program, and long-term preservation requirements. Performance standards included in the Draft Conceptual Habitat Mitigation Plan, and in the applicable mitigation measures, identify a nexus for protecting special status species habitat

above and beyond purely acreage. The mitigation habitat shall carry equal function and value as that of the habitat impacted. Habitat preservation requirements shall include the preservation of potentially suitable habitat for impacts to special status species, as determined by a biologist.

Mitigation implementation is hinged on Project implementation, and Project implementation requires approval of the Final EIR. In general Project applicants are constrained from proceeding with mitigation until Project approval has been granted. The Final Habitat Mitigation Plan shall include the information requested by the commenter such as identification of properties used for mitigation. Potential mitigation lands are identified in the Draft Conceptual Habitat Mitigation Plan as approved mitigation banks in the Project area.

**Response 20.46.** The comment recommends that the Project include compensatory mitigation for operational impacts to wildlife. The mitigation provided in the Draft SEIR fully mitigates the Project's biology impacts to less than significant. Therefore, additional mitigation, as recommended is not warranted or required.

Jennifer Marks

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**From:** Jas A Poore  
**Sent:** Thursday, June 15, 2017 3:15 PM  
**To:** Jodie Sackett  
**Subject:** DEIR for Northlake

Good afternoon Mr. Sackett and the L A County Regional Planning Department,

Thank you for this opportunity to voice my concerns regarding the Environmental Impact of the proposed Northlake Specific Plan Project R2015-00408.

Assuming that it is agreed that the term "environment" includes the people living in the areas that will be impacted by the Northlake Plan, I would like it to be on record that I am extremely concerned about the negative impact of the increased traffic on Ridge Route. This will be (most practically) the only road available for access to the new development and we can all agree that the amount of traffic resulting from over 3,000 new residences will be significant - as stated in your report. However, I have yet to see what specific measures you will be implementing to manage this increased traffic. Will there be stop signs or signals at Elk Ridge, Shadow Lake and Ridge Crest? Or will lives have to be lost and legal battles have to be waged before action is taken? Will you be responsible decision makers and install these safety measures BEFORE construction begins?

21.1

I am appalled that no less than seven Environmental Impacts have been identified and labeled as "significant and unavoidable", yet the project is still being approved. What is the purpose of identifying them if the project is still moving forward? It's as if you are merely going through the legal requirements of identification and then promptly ignoring them - trying to sell the project on it's financial benefits and the addition of "green space", something that already exists. This is a very sad puzzle to me. The individuals who are in the position to approve any project that so clearly negatively impacts the existing residents and surrounding areas have a great and grave responsibility. Admittedly, there are definite positive aspects to expanding Castaic, albeit all financial. And the development appears to be unavoidable. But the safety of all concerned should be paramount, far above financial and economical gains. You, decision makers, have the ability, the opportunity and the responsibility to do the right thing by proceeding slowly, carefully and addressing/resolving EVERY hazard even before it arises. Your conscience should dictate your actions and your decisions should reflect how much you care about your community and respect human life.

21.2

Respectfully,  
Carolyn Poore  
Northlake Resident

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## **Response to Comment Letter 21**

**Carolyn Poore**  
**June 15, 2017**

**Response 21.1.** The commenter states concern regarding the increase in traffic and questions what improvements would be implemented to solve future problems. The commenter is directed to Section 5.11, Traffic, Access, and Circulation, of the Draft SEIR for a full traffic analysis. As discussed on page 5.11-15 in Section 5.11.6 of the Draft SEIR, there will be 3 access points to the Project, including 2 access points from Ridge Route Road within the Phase 1 development area and one access point along Ridge Route Road from the north in the Phase 2 development area. Based on the traffic analysis, the Project would result in significant Project-level and cumulative impacts at six of the Project's study area intersections. As detailed in Section 5.11 of the Draft SEIR, several improvements have been identified for key study intersections in order to address anticipated traffic impacts (refer to MMs 5.11-1, 5.11-2, and 5.11-3 of the Draft SEIR). Two intersections are within the County's jurisdiction; therefore, the County would have full authority to implement the recommended mitigation. As discussed in Section 5.11.9 of the Draft SEIR, impacts at one of these intersections (Castaic and Ridge Route Road) would be fully mitigated; however, impacts at Ridge Route Road and Lake Hughes Drive would be significant and unavoidable because the necessary improvements would be geometrically infeasible to implement.

Additionally, the County of Los Angeles and the Project Applicant recognize that, for the remaining 4 intersections within Caltrans jurisdiction, the Caltrans Project Development Process (PDP) will include consideration of alternative roadway improvements as part of the Intersection Control Evaluation (ICE) procedure. Prior to implementing the mitigation measures, the PDP provides the opportunity to evaluate alternative methods of intersection control and will address aspects of the design such as queue lengths. Since the specific improvement will not be known until completion of the PDP, the Final SEIR has listed the impacts at the State Highway facilities as "significant and unavoidable". If, however, the mitigation is implemented, impacts to each of the four intersections within Caltrans jurisdiction would be reduced to less than significant levels.

**Response 21.2.** The commenter questions why the Project is still moving forward if significant and unavoidable impacts have been identified. The Draft SEIR and this Final SEIR are informational documents that analyze a Project's anticipated impacts on the environment. Release of the Draft SEIR for public review and preparation of the Final SEIR do not indicate the County's intention to approve the Project. Rather, these documents will be used by the decision-makers as a basis to determine whether or not to approve the Project for development. As part of the Final SEIR process, the County will prepare a Statement of Overriding Considerations for consideration by the decision-makers, which will balance the merits of approving a Project despite its potential for significant and unavoidable environmental impacts. The Project's merits will be based on the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, while the Project's environmental impacts will be based on the findings of the Draft and Final SEIR. Based on the Statement of Overriding Considerations as well as all information in the Project record, including but not limited to the Draft and Final SEIR, the decision-makers will have the responsibility to either approve or deny the Project.



## Letter 22

**From:** [jbourg\(redacted\)](mailto:jbourg(redacted)) [[mailto:jbourg\(redacted\)](mailto:jbourg(redacted))]  
**Sent:** Saturday, June 17, 2017 2:43 PM  
**To:** Jodie Sackett <[jsackett@planning.lacounty.gov](mailto:jsackett@planning.lacounty.gov)>  
**Cc:** [JBourg\(redacted\)](mailto:JBourg(redacted)); [jbourgeois\(redacted\)](mailto:jbourgeois(redacted))  
**Subject:** NorthLake Specific Plan Project

Hi Jodie,

Please change the notification mailing address to the below new address. Email addresses remain the same.

Mailing Address:  
(redacted)

} 22.1

Please confirm receipt of this email.

Thank You,  
Joe Bourgeois

**Response to Comment Letter 22**

**Joe Bourgeois**  
**June 17, 2017**

**Response 22.1.** The commenter requests a change to the previously submitted mailing address. No response is necessary.

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PUBLIC HEARING EXAMINER MEETING IN RE )  
THE NORTHLAKE SPECIFIC PLAN PROJECT )  
\_\_\_\_\_ )

WEDNESDAY, MAY 24, 2017  
CASTAIC, CALIFORNIA  
6:00 P.M.

Reported by: Timothy Scott, CSR No. 8517

Public Hearing Examiner meeting in re the NorthLake  
Specific Plan Project, at NorthLake Hills Elementary  
School, 32545 Ridge Route Road, Castaic, California, on  
Wednesday, May 24, 2017, at 6:00 P.M., before Timothy  
Scott, a Certified Shorthand Reporter for the State of  
California, holding Certificate No. 8517, pursuant to  
Notice.

APPEARANCES:

HEARING EXAMINER:  
MS. GINA M. NATOLI

STAFF:  
MR. JODIE SACKETT  
MR. SAM DEA  
MS. ROSIE O. RUIZ

APPLICANT:

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MR. JOHN ARVIN

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COMMENTS BY:

MS. BONNIE NIKOLAI  
MR. ANDRE HOLLINGS  
MS. CHERYL RAMIREZ  
MR. FLO LAWRENCE  
MS. DAWN FAULCOWER  
MR. BERT ABEL  
MR. PHILLIP OWEN  
MS. SALLY WHITE  
MR. KENNETH NELSON  
MS. ADRIAN DYRNESS  
MR. JACK CRAWFORD  
MR. ENNIS SANDIA  
MS. LYNNE PLAMBECK

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CASTAIC, CALIFORNIA  
WEDNESDAY, MAY 24, 2017  
6:00 P.M.

HEARING OFFICER NATOLI: We will begin.  
Today is Wednesday, May, 24th, 2017.  
The Hearing Examiner meeting is called to  
order.  
At this time please rise, if you're able, to  
join in the Pledge of Allegiance.  
(Pledge.)  
HEARING OFFICER NATOLI: Good evening. I am

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14 Regional Planning staff member Gina Natoli. I will be  
15 the hearing examiner on all agenda items tonight. Three  
16 are items on the agenda; one is business; the second is  
17 Item 2, the project; and the third will be a public  
18 comment period.

19 First I would like to go over some  
20 administrative items.

21 Please turn off or silence all electronic  
22 communication devices.

23 Also, if you would like to follow along with  
24 tonight's proceedings, there is an agenda available in  
25 the back of the room.

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1 It's also possible that there were materials  
2 submitted after the release of documents for tonight's  
3 meeting. Any additional materials are available for  
4 review in the back of the room on the table.

5 There are established time limits for comments  
6 on Hearing Examiner agenda items.

7 The applicant will have fifteen minutes and all  
8 other speakers will have three minutes each, and there  
9 will be no ceding seating of time.

10 Anyone wishing to speak tonight on any agenda  
11 item, and that includes the public comment period, we  
12 ask that you please fill out a speaker card which is  
13 available from Mr. Hershaur in the back of the room.

14 The general procedure for tonight's meeting is  
15 as follows: First, for the project, staff will make a  
16 brief presentation, and then the applicant will come up  
17 and make their presentation. I'll then take the  
18 speakers based on the speaker cards, and if necessary, I  
19 may call either staff and/or the applicant back up to  
20 answer questions raised during testimony.

21 Per county code the Hearing Examiner makes no  
22 decisions. So the project will not be decided tonight  
23 and the Draft Supplemental EIR will not be decided  
24 tonight. The Hearing Examiner administers the meeting  
25 and takes testimony and then reports on that testimony

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1 to the decision-maker. The decision-maker in this  
2 instance is the Regional Planning Commission.

3 Per the public hearing notice, this public  
4 hearing is to take testimony on the project's Draft  
5 Supplemental Environmental Impact Report.

6 The public hearing on the project and approval  
7 of the Draft EIR will be scheduled before the Regional

8 Planning Commission at a future date, and it will be  
9 noticed in accordance with County of Los Angeles noticed  
10 regulations.

11 If you did not receive a notice for tonight's  
12 meeting and would like to receive a notice for the  
13 public hearing on the project, please see Mr. Sackett,  
14 who's sitting here at the table getting ready for his  
15 presentation, after the meeting and give him your  
16 contact information and he'll put you on the notice  
17 list.

18 Also, according to the public hearing notice,  
19 testimony will be taken until the last person has spoken  
20 or until 9:00 p.m. tonight, whichever comes first. We  
21 will need to vacate the building after that.

22 We swear people in for testimony on hearing  
23 items. So if you intend to testify tonight, either for  
24 Item 2 of the project or Item 3 in public comment, I ask  
25 that you stand at this time to be sworn in by staff.

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1 Even if you're not sure you're going to speak, but you  
2 think you might, go ahead and get sworn in. If you  
3 don't speak, no harm, no foul.

4 MR. SAM DEA: Do each of you swear or affirm  
5 under the penalty of perjury that the testimony you may  
6 give in the matter submitted before the Hearing  
7 Examiner, shall be the truth, the whole truth and  
8 nothing but the truth? If so, please say "I do."

9 (I dos.)

10 MR. SAM DEA: Please be seated.

11 HEARING OFFICER NATOLI: Thank you.

12 It's a little bit of a different setup for the  
13 presentations than we're used to downtown where we  
14 actually have something in front of us to be able to see  
15 the presentation that staff and the applicant make.

16 So while Mr. Sackett is making his presentation  
17 and while the applicant is making their presentation, I  
18 will actually have to come out front and sit in the  
19 front row so I can see the presentations as well and  
20 then I'll be coming back up here after that.

21 So at this time I would like to go to part 2 of  
22 the public hearing items, Item 2, Project  
23 R215-00408-(5). This is to take comments on the draft  
24 supplemental EIR. The applicant is NorthLake  
25 Associates.

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1 Mr. Sackett, give me fifteen seconds and then

2 please proceed.

3 MR. JODIE SACKETT: Absolutely.

4 Good evening, my name is Jodie Sackett. And  
5 I'm the regional planning assistant with the L. A.  
6 County Department of Regional Planning.

7 Agenda number 2 on this evening's agenda is the  
8 Draft Supplement Environmental Impact Report for the  
9 NorthLake specific plan project. The project number is  
10 R2015-00408-(5). The project is also proposed with  
11 additional entitlements, Vesting Tentative Tract Map TR  
12 073336. Vesting Tentative Partial Map Number PN073335,  
13 Conditional Use Permit Number 201500019, and  
14 Environmental Review Number 201500030.

15 The NorthLake project site is located in the  
16 Santa Clarita Valley near the Vining Canyon area east of  
17 the I5 Freeway, west of Castaic Lake, and just north of  
18 Lake Hughes Road.

19 In 1992 the NorthLake Land Use Plan was  
20 originally adopted. The County of Los Angeles adopted  
21 NorthLake Specific plan, SP number 87-172, for a  
22 1,330-acre mixed use community comprised of 3,623  
23 dwelling units.

24 The project also included 13.2 acres of  
25 commercial uses, 50.1 acres of industrial uses along

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1 with supporting infrastructure and public services.

2 Schools, parks, a potential library site and  
3 potential fire station site. And the adopted 1992 plan  
4 also incorporated an eighteen-hole golf course.

5 The 2017 land use plan proposed today has  
6 several primary changes to the 1992 plan. Amongst these  
7 the most significant are that, number one, the project  
8 is divided into phase one, the south portion, and phase  
9 two, the north portion. The total number of dwelling  
10 units has been reduced from 3,623 to 3,150. The reduced  
11 residential acreage from 600.3 to 341.9, reduced  
12 industrial acreage from 50.1 to 13.9, increased open  
13 space acreage from 476 acres to 624.6, increased school  
14 and park facility acres from 23.1 to 43.7. And the golf  
15 course has been removed, which consisted of 167 acres  
16 and has been replaced with a trail system and additional  
17 park spaces.

18 As I mentioned at the beginning, the project  
19 entitlements included Vesting Tentative Tract Map, which  
20 is a subdivide of 720 acres of land consisting of Phase  
21 One into a total of 384 lots for residential,  
22 commercial, industrial, open space and civic uses.



23 The Vesting Tentative Parcel Map subdivided  
24 Phases One and Two of the NorthLake project into  
25 twenty-nine large lots for lease and finance purposes

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1 only.

2 A conditional use permit to authorize the  
3 NorthLake specific plan site plan review, grading in  
4 excess of 100,000 cubic yards and construction of water  
5 tanks and water supply infrastructure.

6 The existing land use surrounding the property  
7 to the north include undeveloped land and single-family  
8 residences to the south, single-family residences,  
9 elementary school and commercial uses.

10 To the test is undeveloped land and utility  
11 lines, and to the west is the I-5 Freeway, vacant lands,  
12 single-family residences and light industrial.

13 The existing zoning includes to the north A-2,  
14 which is heavy agricultural, to the south M-1, light  
15 manufacturing, and C3, general commercial, R1,  
16 single-family residences, and OS, which is open space.  
17 To the east are A-2, OS and M-1, and to the west is M-1,  
18 OS, and A-2.

19 Previous cases and history on the project. The  
20 project site has been historically used as cattle ranch  
21 land since the early 1800s, several hundred acres in the  
22 northern and western portions of the site were acquired  
23 in contemplation of the construction of Castaic Lake in  
24 the late 1960s. The project site continues to be used  
25 for limited cattle grazing.

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1 An EIR previously prepared for the NorthLake  
2 Specific Plan, both of which were adopted by the Board  
3 of Supervisors in 1992.

4 The specific plan originally approved the  
5 project with 3,623 dwelling units on 600 acres of  
6 residential land.

7 The Draft Supplemental EIR that is the subject  
8 of today's hearing contains areas that are analyzed.  
9 The areas that were analyzed in the Draft Supplemental  
10 EIR include changes associated with the project since  
11 its original adoption in 1992.

12 The project's initial study for the DEIR  
13 determined that most environmental issues should be  
14 addressed in the EIR except for esthetics, agriculture  
15 and forestry, mineral resources, population, housing and  
16 employment, and public services and recreation. All

17 other environmental areas are addressed in the EIR.  
18 These include following: Air quality, biological  
19 resources, cultural resources, geology and soils, green  
20 house gas emissions, hazards and hazardous materials,  
21 hydrology and water quality, land use and planning,  
22 noise, transportation and traffic, utilities and  
23 services systems, and energy.  
24 The project has less than significant impacts.  
25 As identified in the DEIR, if no additional mitigation

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1 is required or after implementation of the required  
2 mitigation measures, the project would not result in  
3 significant and unavoidable impacts to the environment,  
4 several areas of analysis.  
5 A list of the areas analyzed that have less  
6 than significant impacts to the environment is included  
7 below. This includes air quality, biological resources,  
8 cultural and paleontological resources, energy, fire  
9 hazards, emergency response, environmental safety,  
10 geology and soils, green house gas emissions, hydrology  
11 and water quality, land use and planning, noise,  
12 transportation, traffic and access, and utilities and  
13 services systems.  
14 The project does have significant and  
15 unavoidable impacts to the environment. Several areas  
16 of the analysis in the DEIR concluded that the project  
17 will result in significant and unavoidable impacts to  
18 the environment.  
19 Following is a summary of the impacts  
20 associated with the project determined in the DEIR to be  
21 significant and unavoidable after implementation of  
22 project design features and mitigation measures. This  
23 includes: Operational air quality impacts, construction  
24 air quality impacts, cumulative air quality impacts,  
25 construction noise impacts, cumulative noise impacts,

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1 and project cumulative traffic impacts.  
2 And the project will result in significant and  
3 unavoidable cumulative impacts at the following  
4 intersections: The Old Road and the I-5 southbound  
5 ramps, I-5 northbound ramps and Lake Hughes Road, I-5  
6 southbound onramp and Parker Road.  
7 The I-5 northbound off-ramp, Ridge Route Road  
8 and the Ridge Route at Lake Hughes.  
9 The planning process and next steps for this  
10 project: Draft Supplemental EIR public comments

received, will be received until the end of the comment period, which is Thursday, June 15th, 2017, at 5:00 p.m.

After the comment period has ended, there will be at some future point a final EIR with responses to public comments.

Also, at some future point in time, there will be a public hearing with the Los Angeles County Regional Planning Commission. At that time the Regional Planning Commission will make a decision to approve or deny the Supplemental EIR and approve or deny the related project entitlements.

And this concludes my presentation. Thank you.

HEARING OFFICER NATOLI: I do have a question for you, Mr. Sackett.

On the golf course acreage, since it's been

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removed as golf course use, I believe it was 167 acres; is that correct?

MR. JODIE SACKETT: Correct.

HEARING OFFICER NATOLI: And it was completely transferred to some other open space use, correct?

MR. JODIE SACKETT: That's correct.

HEARING OFFICER NATOLI: But it's not contiguous 167 acres; it will now be spread throughout the project. Is that correct?

MR. JODIE SACKETT: My understanding is that it will be spread throughout the project. I don't believe it completely coincides with the exact footprint of the golf course, but it does stretch throughout the project.

HEARING OFFICER NATOLI: All right. Thank you very much. I don't have any other questions for you at this time.

And the applicant is here, correct?

MR. JODIE SACKETT: Yes.

HEARING OFFICER NATOLI: All right. At this time, I'm going to open the public hearing. I want to advise everyone that there is a court reporter recording tonight's testimony. And also we're being recorded for video. So if anyone has any issues with that, just keep in mind we're being recorded, audio and video, as well as the court reporter.

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At this time, then, I would like to call up the applicant.

MR. JOHN ARVIN: Yes.

HEARING OFFICER NATOLI: Please go ahead and

5 take a seat. State your name for the record. You can  
6 begin whenever you are ready. You'll have fifteen  
7 minutes for your presentation. The red light will come  
8 on when your time is finished. The green light says go  
9 and the yellow light means thirty seconds left.

10 Please proceed. I'm going to go back over to  
11 my seat.

12 MR. JOHN ARVIN: Okay. Good evening. My name  
13 is John Arvin. I represent NorthLake. I am happy to be  
14 here tonight. We have a plan that we are very proud of  
15 and I'm delighted to be able to share it with you.  
16 We've been working on it for some time, and this is a  
17 good night for us.

18 I will start tonight by giving you a brief  
19 history of the NorthLake project to provide some  
20 context.

21 It's been around for a long time. I'll give  
22 you a little more detail on that so you have that  
23 context and then I'm also going to give you some more  
24 detail on the amenities that we are proposing for  
25 NorthLake. I will try not to double up and repeat some

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1 of the things that -- that's --

2 HEARING OFFICER NATOLI: Hold on, Mr. Arvin.  
3 If you could hold on, I think it would be better if we  
4 can get this taken care of so everyone can read the  
5 slides.

6 MR. JOHN ARVIN: I will not have slides. I'm  
7 going to speak to the land plan. That's all.

8 HEARING OFFICER NATOLI: All right. Thank you.

9 MR. JOHN ARVIN: Thank you.

10 So I will give you a brief history and then I  
11 will describe in some more detail the project amenities  
12 that we are proposing and some of the community services  
13 that will come along with the NorthLake project, and  
14 finally, I will highlight some of the significant  
15 changes that we've been working on for the last several  
16 years and demonstrate to you all that we think that we  
17 have a NorthLake plan today that is more environmentally  
18 friendly and more amenity rich than any plan that's been  
19 presented for the past twenty-five years.

20 So I'll start with the project history.

21 As Mr. Sackett mentioned, this project was  
22 originally approved by the County Board of Supervisors  
23 and the Castaic Town Council back in 1992. It has been  
24 in the Los Angeles County general plan since '92. More  
25 recently it was adopted into the Santa Clarita Valley

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1 Area Plan, which is also known as One Valley, One  
2 Vision.

3 Moreover, the NorthLake plan has been on the  
4 books for the Newhall County Water District since its  
5 original approval in 1992. So the project has been  
6 around for a long time.

7 Many of the local residents -- and I feel like  
8 this is cutting in and out. Can everyone hear me okay?

9 So many of the Castaic residents and business  
10 owners, some you will hear from tonight, actually moved  
11 to Castaic with the NorthLake project anticipated -- in  
12 anticipation that this project would move forward. In  
13 fact, the very first groundbreaking, if you will, on the  
14 NorthLake project is this very elementary school that  
15 we're sitting in.

16 The NorthLake Hills Elementary School, this  
17 school was funded by NorthLake. It was built in 2002  
18 and opened in 2003. So really the tentative map and the  
19 EIR we're taking about tonight represents the next step  
20 in the NorthLake development, which will bring new  
21 housing opportunities, new community amenities, new park  
22 and rec amenities, public services, a new fire station,  
23 another new elementary school to the community, and  
24 these are the services and amenities that the community  
25 has been looking forward to for quite some time.

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1 I'll start with a community overview.

2 The NorthLake project is a residential master  
3 plan. It comprises approximately of 1,330 acres. The  
4 configuration you see on the screen now, as Mr. Sackett  
5 mentioned, is bordered on the west by the 5 Freeway,  
6 bordered on the east by Castaic Lake.

7 There are two ridgelines, one on the east side  
8 and one on the west side. The NorthLake project will  
9 preserve these ridgelines.

10 Upon completion of the NorthLake construction,  
11 the housing development and roadways within the  
12 community will not be visible from the lake nor will  
13 they be visible from the 5 Freeway.

14 As outlined in the Specific Plan, the project  
15 proposes both single-family and multi-family residential  
16 units, as Mr. Sackett mentioned. We are proposing  
17 approximately 3,000 units today compared to the 3600  
18 units in the original approved plan.

19 Contrary to some recently published news

20 articles, we are not proposing any apartment buildings  
21 in NorthLake.  
22 Here are some of the things that we are  
23 proposing: NorthLake is going to dedicate over  
24 600 acres of open space, almost half the property.  
25 We're going to build, as we just mentioned, 167 acres of

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1 parks in lieu of the 167-acre golf course that was  
2 originally planned.  
3 And to answer your question, Gina, these  
4 167 acres of park are going to be spread out throughout  
5 the community intentionally so that you can enjoy these  
6 amenities no matter where you are in the community.  
7 For example, if you look at the screen here on  
8 the top right there's sliver of green. That is a park  
9 that was actually originally proposed for residential.  
10 We removed the residential off of that peak and that is  
11 now park space. We have park space on the south, park  
12 space on the north, park spaces throughout the  
13 community. We are replacing 167 acres of golf course  
14 with 167 acres of park.  
15 We are going to build twelve miles of trails  
16 and bike paths through our community. They will connect  
17 the existing trails on the south end, and Castaic Park,  
18 they will run through our community and connect to  
19 existing trails on the north, which is the Angeles  
20 National Forest.  
21 We are also going to build three miles of class  
22 1 dedicated bike trails. The bike trails will take kids  
23 not only from their neighborhoods from one neighborhood  
24 to the other; it will also connect them to the new  
25 schools on a dedicated bike path that will allow them to

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1 travel without sharing the road with cars.  
2 We are going to build another elementary school  
3 for the Castaic Union School District. The location of  
4 that school has yet to be determined. It will be  
5 determined by Castaic Union.  
6 In addition to the 165 acres of parks that I  
7 mentioned, we are going to build a county sports  
8 facility, a twenty-acre sports facility. The sports  
9 facility will include baseball fields, softball fields,  
10 soccer fields, picnic areas, top lofts for the younger  
11 kids. That park will be owned and maintained by the  
12 county. All the other parks will be owned and  
13 maintained by the NorthLake HOA. They will be open to

14 the public.

15 NorthLake is going to operate a public tram  
16 system. We will have a twelve-mile loop tram system  
17 that takes people in the NorthLake community, it will  
18 stop at parks, it will stop at schools, it will stop at  
19 the Castaic proper, it will stop at the existing Castaic  
20 sports complex, and it will also travel south of the 5  
21 Freeway to the existing Valencia commerce center. It  
22 will make that loop. It will be free to residents to  
23 ride.

24 NorthLake is going to install over 100 electric  
25 vehicle charging stations throughout the community, not

20

1 just in the NorthLake proper, but also in the Castaic  
2 community. This is an effort to promote the use of  
3 electric vehicles. We have made a commitment to the  
4 county that we will have at least 50 percent of our  
5 homes served with solar power.

6 Every one of our homes will be pre-wired for  
7 electric charging stations.

8 The NorthLake plan we are presenting tonight  
9 has been done in accordance with the L. A. County  
10 Healthy Living Ordinance. That includes, among other  
11 things, providing dedicated trails and bike paths that  
12 connect all parts of the community. It includes  
13 physical barriers between cars and pedestrians and cars  
14 and bicycles, all of which promote walking and bike  
15 riding.

16 And finally, we have incorporated the L. A.  
17 County Low Impact Development Standards in our design.  
18 One of the more ambitious parts of that low-development  
19 impact standard is we have designed a system whereby we  
20 collect 100 percent of the storm water. We collect them  
21 in ponds on the south end of the project. We store that  
22 water and let it infiltrate into the ground water. We  
23 do that in stead of putting it in a storm drain and  
24 sending it offsite.

25 So those are some of the more details of the

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1 design that you've got in the plan. Of course, all the  
2 technical documents and all of the mapping is available,  
3 it's the county website, available for public review.

4 I mentioned that we've been working real hard  
5 over the last few years to make the project better. I  
6 will just highlight some of those changes we made.

7 So as I mentioned earlier, we reduced the unit



8 count by over 600 units. It's less dense, it's less  
9 impactful. We have replaced the golf course, that would  
10 only serve a portion of the community, with parks and  
11 rec space that will serve all of the community, and not  
12 just the NorthLake residents; it will serve the  
13 community at large.

14 Through the use of drought-tolerant native  
15 plants, and the elimination of the golf course, of  
16 course, we have reduced the NorthLake water consumption  
17 by 30 percent.

18 That reminds me. One thing I did fail to  
19 mention that we will have in NorthLake is we have an  
20 agreement with the Newhall County Water District that we  
21 will be providing recycled water. So we will either  
22 build a recycled water plant that serves our community  
23 only or we will participate financially with the water  
24 district and pay our fair share towards a regional  
25 recycled water facility. That will depend on Newhall

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1 County Water District's progress on the regional  
2 facility.

3 So this version of the NorthLake plan is the  
4 first plan that has been proposed. It includes  
5 installing electric vehicle charging stations; it's the  
6 first plan proposed for NorthLake in twenty-five years  
7 that includes at least 50 percent of the homes that will  
8 be on solar; it's the first NorthLake plan that's been  
9 presented that will include a public tram system.

10 So with all of this, we think it's the most  
11 environmental friendly and the most amenity-rich plan  
12 that's ever been presented on NorthLake. We're very  
13 proud of it. We are happy to be here tonight because  
14 this means that we are moving forward on the NorthLake  
15 project on something that was started with this very  
16 elementary school some thirteen years ago.

17 So thank you for having me. Good night.

18 HEARING OFFICER NATOLI: I have a couple  
19 questions for you, Mr. Arvin.

20 On the sports complex, Parks and Recreation has  
21 entered into an agreement with NorthLake Associates to  
22 take over the complex once it's completed?

23 MR. JOHN ARVIN: That's right.

24 HEARING OFFICER NATOLI: And then going through  
25 the draft supplemental EIR, I did have a couple

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1 questions. Would I address those to you or your

consultant?

MR. JOHN ARVIN: You can start with me.

HEARING OFFICER NATOLI: In Section 1.0 of the Executive Summary, the project location and setting mentions precipitation figures. And I'm wondering if that refers to -- talks about average precipitation figures. I'm wondering if that refers to a normal wet year? Page 1-1, the fourth paragraph.

MR. JOHN ARVIN: I don't know. I assume it does. Although in our drainage report we've studied normal and we've also studied drought, extended drought periods as well as a hundred-year event.

HEARING OFFICER NATOLI: It might be helpful to clarify in the executive summary whether that refers to normal wet years or some other agglomeration.

MR. JOHN ARVIN: Okay.

HEARING OFFICER NATOLI: And table 1-3, mitigation measures 5.2-4. There's an explanation for transplanting the club-haired and cylinder Mariposa lilies. I'm wondering if that's still considered feasible and a successful mitigation? I'm not sure if that was something that came from the 1992 plan or if it's the 1992 EIR, or if it's in the current evaluation.

MR. JOHN ARVIN: It is in the current biology

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study. I'm not sure if it was part of the original '92 study. It's definitely part of our current study.

HEARING OFFICER NATOLI: So the transplantation is considered to be a successful feasible mitigation?

MR. JOHN ARVIN: Yes.

HEARING OFFICER NATOLI: And I just wanted to clarify the -- for the traffic impacts, level of service was utilized rather than vehicle miles traveled due to the county's congestion management plan; is that correct, also? The congestion management plan requires level of service instead of vehicle miles traveled?

MR. JOHN ARVIN: I would have to refer to my traffic consultant. It was done in conjunction with the traffic department, the county's traffic department.

HEARING OFFICER NATOLI: Thank you. I don't have any other questions for you.

And what I would like to do -- thank you, Mr. Arvin. If you could take a seat.

We'll start on with the speakers, people who have signed up to speak on tonight's item. And see where we go from there.

MR. SAM DEA: Let me call the first three

23.1

23.2

23.3

23 speakers. Sandia Ennis, Bonnie Nikolai, Andre Hollings.

24 HEARING OFFICER NATOLI: What I would like for

25 you to do, please. The first two people that are

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1 called, come on up to the table, take a seat, we don't  
2 care who starts first. If the third person could take a  
3 seat there in the special seats. When one person has  
4 finished their testimony, please vacate the seat and the  
5 next person come on up. That way we can get through  
6 quickly and have time for conversation.

7 Whoever would like to begin, that's fine.

8 MS. BONNIE NIKOLAI: Hello. Good evening. My  
9 name is Bonnie Nicholai. And I'm a member of the  
10 Castaic Area Town Council. I am speaking to you as a  
11 local resident, but since my council approved this  
12 project within the last two years, I can also say that  
13 I'm speaking to you as a council member.

14 I'm here tonight to speak support for this new  
15 community development. There is a great need for  
16 housing in the Castaic area, as many local businesses  
17 are suffering, and there's a declined enrollment for our  
18 school district. With the creation of new jobs and  
19 bringing new residents into Castaic, new homes would  
20 bring in more families.

21 New students would make a tremendous positive  
22 impact on the Castaic Union School District by means of  
23 increasing enrollment.

24 The construction of new homes is vital to  
25 supporting our local businesses. The families that will

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1 move into NorthLake will help increase businesses  
2 throughout the area, which is an important fact in  
3 helping Castaic's economy thrive and grow.

4 Furthermore, the parks, open space and trails  
5 that are being developed within the community will be  
6 very positive for our residents. The new trails  
7 associated with the NorthLake project will also be very  
8 positive. These new community trails will connect to  
9 our existing trails at the lake in order to create  
10 connectivity.

11 Lastly, there are not enough sport fields for  
12 youth teams, and this development will bring in parks  
13 and open space, which will be a valuable addition. I  
14 advise that you expedite the plan and all the  
15 construction begin as soon as possible.

16 Castaic is in desperate need of a well thought

23.4

17 out development with so many great community benefits.  
18 I believe that NorthLake would accomplish this.

} 23.4 cont.

19 Thank you.

20 HEARING OFFICER NATOLI: Thank you,  
21 Miss Nicholi.

22 THE WITNESS: Good evening. My name is Andre  
23 Hollings, and I am a resident of the Santa Clarita  
24 Valley.

25 I come before you to speak in support of the

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1 NorthLake project. The specific plan was approved in  
2 1992 by the Castaic Area Town Council as well as the Los  
3 Angeles County Board of Supervisors. NorthLake is  
4 compliant with the Santa Clarita Valley area plan, One  
5 Valley/One Vision, as well as the Los Angeles County  
6 General Plan in respects to the Castaic Community  
7 Standards District.

8 The developers for NorthLake have worked with  
9 the local community as well as the town council to  
10 redevelop this plan. There has been a reduction in the  
11 density of housing units. The plan first proposed 3,623  
12 units, and now there will only be 2,800 units. The  
13 proposed golf course has been eliminated and have  
14 instead added 167 acres of parks and open space. A  
15 reclaimed water usage system will be used, and the total  
16 water consumption has been reduced by nearly 35 percent  
17 in the updated plan.

18 NorthLake will also contribute approximately  
19 \$60 million towards Castaic area traffic improvements.

20 A new fire station will be on-site and the  
21 updated NorthLake plan has been redesigned to  
22 incorporate low-impact development standards.

23 Our local businesses are struggling and  
24 enrollment in our schools has decreased. Castaic is  
25 looking forward to incorporating NorthLake community.

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1 New rooftops will help Castaic grow and attract  
2 new families. New residents will help our community  
3 thrive by supporting local businesses as well as  
4 bringing an increase in student enrollment for our  
5 school district.

6 On behalf of the residents of Castaic, we hope  
7 you take initiative and support the NorthLake project.

8 Thank you very much.

9 Thank you, Mr. Hollings.

10 MR. SAM DEA: Last call for Sandia Ennis. Next

} 23.5

three speakers: Jack Crawford, Flo Lawrence, Cheryl Ramirez.

HEARING OFFICER NATOLI: Go right ahead, ma'am.

MS. CHERYL RAMIREZ: Good evening. My name is Cheryl Ramirez. I'm speaking on behalf of the Santa Clarita Valley Chamber of Commerce. I'm here to speak in favor the NorthLake project.

The Santa Clarita Valley Chamber of Commerce voted unanimously to support the NorthLake community development. The chamber recognizes the need for additional growth in this area as many of the business members are suffering due to lack of population. Many businesses located to the area in anticipation of this development.

Due to economic conditions, the project was

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1 delayed. Now with new ownership, the SCV chamber is  
2 highly encouraged that this new community will come to  
3 fruition. We urge you and your department to expedite  
4 and quickly move this project through its final stages  
5 of approval.

6 The County of Los Angeles Board of Supervisors  
7 approved the specific plan in 1992, which was also part  
8 of One Valley/One Vision.

9 In addition to this new project being good for  
10 our economy and local businesses, new homes would bring  
11 new families and students, which are desperately needed  
12 in the Castaic Union School District.

13 The owners of NorthLake have been trusted and  
14 supported members of the local business community. We  
15 appreciate it when local developers work with us  
16 proactively for the betterment of our community. The  
17 approval of this plan is crucial.

18 Thank you.

19 HEARING OFFICER NATOLI: Thank you,  
20 Miss Ramirez. Please, sir.

21 MR. FLO LAWRENCE: My name is Flo Lawrence.  
22 I'm a local resident; I have been for nineteen years. I  
23 am also a former member of the Castaic Area Town  
24 Council; I'm the president of the Castaic Lion's club; I  
25 also a member of the Friends of Castaic Lake.

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1 I am here to speak in favor the NorthLake  
2 project. I think there's all kinds of positive impacts.  
3 I coached both my kids in everything they  
4 played, baseball, soccer, basketball, flag football. We

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23.7

5 don't have enough fields in this town. And so new  
6 fields for little league, for AYSO, for football, would  
7 be invaluable for the kids in the community.

8 And the trail system is wonderful. The fact  
9 that they are going to connect to existing trails, both  
10 to the lake, we have the Tapia Project coming in with  
11 trails over there. It would be ideal for hiking and  
12 mountain biking as residents who live and work in the  
13 city want to have a home of their own, to come out here  
14 and have all these out door activities literally at  
15 their doorsteps is wonderful.

16 All the open spaces and parks, I have a home in  
17 Hillcrest Park. They didn't build any parks there. And  
18 we missed the boat on that. There was no place for me  
19 to go and shoot baskets with my sons or throw a  
20 baseball, there was nowhere to go. The schools were  
21 locked. And so the idea that there's all these open  
22 spaces and parks, again, is great for families.

23 We need housing. You know I went on a hike  
24 this morning with gal. She wanted to rent a condo over  
25 here on The Old Road and Parker, a three-bedroom,

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1 \$2,000. Twenty-four applications. She was not the one  
2 selected.

3 The market is tight. Realtors tell me that  
4 when they are selling properties in Castaic, people are  
5 bidding each other up, there's multiple bids. So  
6 there's a need for housing here. People want to realize  
7 the American dream; they want to have their own home.

8 I represent now Region 4, or did represent  
9 Region 4 on the Town Council. There is so much unused  
10 retail space on the north end. We lost a supermarket,  
11 we lost a drugstore chain, we lost a fast food. There's  
12 medical buildings built that are completely empty. And  
13 so having these new rooftops, having these families,  
14 will bring jobs and invigorate that north end of  
15 Castaic, which is just a ghost town commercially.

16 People talked about the school system. Most of  
17 the homes in Castaic were sold between '97 and 2001,  
18 2002. We all moved in at the same time. My kids were  
19 two and four when we moved in. They are twenty and  
20 twenty-two. And what's happened is the kids in Castaic  
21 have grown up and the schools have half the census that  
22 they once had. We need schools for our school system.

23 You know, it's been said time and time again, I  
24 know there are people here speaking against, this  
25 specific plan was approved in '92, twenty-five years

23.7 cont.

1 ago. The Board of Supervisors approved this. It would  
2 have been built ten years ago, but the market collapsed.  
3 This project is sleeker, it's greener, it's more  
4 outdoorsy, and it allows people to realize the American  
5 dream and have -- for families to have a home of their  
6 own.

7 Thank you so much for listening.

8 HEARING OFFICER NATOLI: Thank you.

9 MR. SAM DEA: Last call for Jack Crawford.

10 Next three speakers: Bert Abel, Dawn Faulcower, Phillip  
11 Owen.

12 HEARING OFFICER NATOLI: Please, go ahead and  
13 take a seat.

14 MS. DAWN FAULCOWER: Good evening. My name is  
15 Dawn Faulcower, and I am a member -- I was a member of  
16 the Castaic Area Town Council for almost four years in  
17 Region 5. Region 5 actually encompassed everything from  
18 Parker Road north. So this plan, this particular  
19 development, would fall into that plan.

20 But today I come to you as a fifteen-year  
21 resident of the NorthLake community.

22 The reason we moved into our NorthLake home  
23 specifically was because of the NorthLake project. From  
24 its original conception and approval in 1992, I have  
25 firmly believed that this project is what this community

23.7 cont.

1 needs.

2 Although the original plan has changed a bit,  
3 it has changed for the better. The project now brings  
4 it with more efficient homes, ones that are more suited  
5 to the needs of today's family and lifestyles, all while  
6 implementing special plans for each home as well as for  
7 the whole community.

8 With more open space, trails and parks, I see  
9 this project as a robust and thriving place to live. As  
10 our community ages and no new development, our schools  
11 are seeing a reduction in the student population. The  
12 rooftops will bring us a growing community with more  
13 families, which puts more children for our schools.

14 Retail businesses in the area are closing.  
15 Like it has been mentioned, we have seen the loss of  
16 Ralph's, Right-Aid, Burger King, and that's just to name  
17 a few, not to mention the small entrepreneurs. We will  
18 see the bank close as well. So that will be another  
19 vacant building.

23.8



20 Sustainability is a key component in this  
21 development. We ask the county to expedite and quickly  
22 move this project through the final stages of approval.  
23 The specific plan was approved by the County of Los  
24 Angeles Board of Supervisors as well as by the Castaic  
25 Area Town Council back in 1992. The residents have been

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23.8 cont.

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1 waiting a very long time for this project and the growth  
2 of our area demands that we build more homes.

3 Thank you.

4 HEARING OFFICER NATOLI: Thank you,  
5 Miss Faulkner.

6 MR. BURT ABLE: Hi there. My name is Burt  
7 Able. I'm a commercial real estate retail specialist.  
8 And I'm here to address some of the concerns  
9 that have already been expressed about the economic  
10 downturn for the Castaic market itself.

11 Since the mid 1990s I have been involved  
12 primarily in ground-up development of retail projects in  
13 Santa Clarita. So I have devoted quite a few years to  
14 this. I have been the principal person in starting the  
15 developments for over 2 million square feet of retail in  
16 this valley including -- not Castaic Village, Walgreen's  
17 Center, Hasley Center and the Regency Ralph's Center.

18 I now -- or at the end of last year put  
19 together a joint-venture partnership that included a  
20 local developer who's very well known for his  
21 high-quality retail developments and another group out  
22 of Houston, Texas to buy the Castaic Village Center out  
23 of bankruptcy, and we've done that.

24 Right now we have as I -- going back to 2005,  
25 and I have to talk since it was mentioned about this

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1 being the tip of growth back when the Specific Plan was  
2 written. I talked Walgreen's into coming into the  
3 center across the street. We developed that, and they  
4 were there in anticipation of the growth, as was  
5 Ralph's, and as was Rite-Aid, and several others, and  
6 now Chase, which is just operating an ATM at the Castaic  
7 Village Center.

8 The good news is that we have now lined up an  
9 array of tenants for the center, Castaic Village Center.  
10 That would anchor the center and allow or bring back  
11 traffic to that center. But what we lack and what will  
12 kill our deals is for the NorthLake project not to go  
13 forward. We have to have that go forward.

14 We can bring in the supermarket that everyone  
15 wants, we can bring back -- we can bring in a gym, we  
16 have two gyms that want to come in.

17 So, in other words, the economic pain that a  
18 lot of our local merchants felt would probably end --  
19 not probably, would definitely end with the approval of  
20 NorthLake.

21 So thank you for letting me speak.

22 HEARING OFFICER NATOLI: Thank you.

23 THE WITNESS: Good evening my name is Phillip  
24 Owen.

25 HEARING OFFICER NATOLI: I'm sorry.

36

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1 THE WITNESS: My name is Phillip Owen. I'm  
2 speaking against the project.  
3 I don't have anything typed out. I just moved  
4 into NorthLake. I moved away from the Castaic High  
5 School. And in the first presentation you talked about  
6 the less-than-significant impact would be emergency  
7 response. And my question is: Is there going to be  
8 more police and patrol by the Sheriff's Department up in  
9 this area? You have more houses being built around the  
10 high school. You have more houses being built in  
11 between the Cambridge development and the Hillcrest.  
12 Now you're adding more houses on the top over here.  
13 We already don't have a Sheriff's Department  
14 patrolling up here. There's one car from Stevenson's  
15 Ranch up to Gorman to -- one car.  
16 Where is public safety involved with this?  
17 This plan was developed in 1992. A lot has changed  
18 since 1992. We've seen how the county has treated the  
19 Antelope Valley since 1992. You know, it's kind of that  
20 simple; you're going to put apartment buildings, we all  
21 know what comes next, Section 8. Here comes the grim.  
22 That's all I have to say.  
23 HEARING OFFICER NATOLI: Thank you, Mr. Owens.  
24 Okay. Next three speakers: Lynn Plambeck,  
25 Sally White, Kenneth Nelson.

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1 MS. SALLY WHITE: Good evening. My name is  
2 Sally white. I'm a long-time Santa Clarita Valley  
3 resident and a member of a number of social justice and  
4 environmental justice organizations within the  
5 community.

6 I would like to talk a bit about the NorthLake  
7 development.

8 If any of you were checking out The Signal, our  
9 local newspaper, on May 9th, you might have noticed two  
10 very interesting articles.

11 On page 1 we read in Housing Plans Unveiled  
12 then there were plans in the offing which included  
13 building close to 300 homes, 70 apartment buildings and  
14 half a dozen multi-family buildings in the NorthLake  
15 area of Castaic. This was a total of 3150 units.

16 Then you turnover a few pages to page 7 in the  
17 opinion piece, and a gentleman begins his piece saying  
18 America's the most populous state, California, is the  
19 most polluted in the country. He noted that for  
20 year-round fine particulate matter pollution, nine of  
21 the ten worst counties in the United States are in  
22 California, and one of them is Los Angeles.

23 It's really quite easy for me to realize that  
24 Santa Clarita Valley does not need over 3,000 more homes  
25 with the resulting increase in cars and trucks on our

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1 freeways, constantly adding to the already unhealthy  
2 amount of particulate matter and other pollutants that  
3 we are breathing in every day. 23.11

4 Los Angeles County should not try to be the  
5 worst county for air pollution in the whole of the  
6 United States, nor should we try to be the worst valley  
7 in the county.

8 Besides that, we should not be required to  
9 share our already dwindling supply of water with a  
10 potential of 10,000 more people. 23.12

11 People move here for quality of life. But with  
12 every new home that we add to this valley, we are  
13 reducing that quality of life for everyone. 23.13

14 I strongly oppose the addition of the NorthLake  
15 development and urge the Regional Planning Commission to  
16 do the same. Although it is a beautiful development,  
17 very beautifully planned, but it just isn't the right  
18 time or the right place for.

19 Thank you.

20 HEARING OFFICER NATOLI: Thank you, Miss White.

21 MR. KEN NELSON: Hi there. My name is Ken  
22 Nelson. I'm a seventeen-year resident of Castaic  
23 proper.

24 So I think 25 years ago, the Board of  
25 Supervisors probably didn't know where Castaic was when

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1 this was approved.

2 I have to agree with her; the plan seemed  
3 awfully pretty. However, Castaic is basically the end  
4 of the road when the 5 Freeway closes, which happens  
5 several times a year. And currently when the freeway  
6 closes, our little slit of land up here doesn't support  
7 all the traffic. The trucks need to park until the  
8 freeway opens, as it is, adding an additional minimum of  
9 3,000 cars that is certainly not going to help our  
10 lifestyle up here.

11 I personally spent between three and six hours  
12 just getting off the freeway from Hasley Canyon when the  
13 freeway closes. So once again, an additional 3,000 more  
14 cars is not going to help our situation at all.

15 I am a seven-year veteran of wildland fire  
16 fighting, and I can tell you that the problem is not the  
17 brush; the problem is when you insert homes into  
18 wildland, urban interface, which is exactly what this  
19 is.

20 So by adding all these homes into the wildland  
21 interface you're putting people's lives at risk.  
22 There's just no need for it.

23 Seems like every other public service message I  
24 hear is talking about saving water. Which is  
25 legitimate, by the way, I have been all over the state

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1 the last couple years and the reservoirs are very, very  
2 dry. Save natural gas, save electricity because there's  
3 not enough to go around. I don't see how adding more  
4 homes will help that situation.

5 So I am here to speak against it. I do  
6 appreciate your time. So increased tax base and profit  
7 lines aside.

8 Thank you very much for hearing me.

9 HEARING OFFICER NATOLI: Thank you, Mr. Nelson.

10 MR. SAM DEA: The next three speakers: Adrian  
11 Dyrness, Jack Crawford.

12 MR. ADRIAN DYRNESS: Hello. My name is Adrian  
13 Dyrness. I wasn't expecting to speak today. So I just  
14 wrote something up real quick. Felt a little  
15 inspiration to voice my opinion on some things that I'm  
16 hearing here today. I moved here in 1990. Back then  
17 anybody that's been here that long knows it was all stop  
18 lights, no Starbucks, no large conglomerates; it was mom  
19 and pop shops, and that's the reason why you move here.  
20 You're either a lake person or you want to get away from  
21 the city.

22 What I keep seeing is more and more things

23.14

23.15

23.16

23.17

23.18

23 being built here. And it just -- we're just going to  
24 become like every other city. We're the furthest north  
25 in L. A. County, but we're the most different, as well.

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23.18 cont.

1 If this project is to continue going forward, then year  
2 after year things are just going to be passed along  
3 because it's already going to be too late; we're going  
4 to fill up.

5 So as I said, we need to realize if we continue  
6 to develop year after year, that we'll lose what makes  
7 Castaic so unique.

8 And thank you; that's it.

9 HEARING OFFICER NATOLI: Thank you,  
10 Mr. Dyrness.

11 MR. JACK CRAWFORD: My name is Jack Crawford.  
12 My wife and I own the UPS store on Castaic Road in the  
13 Castaic Village Shopping Center, which people used to  
14 think of as the Ralph's Shopping Center.

15 When we bought the store in 2004, the shopping  
16 center was full and we were told that Castaic High  
17 School was going to open in 2007. In fact, it was  
18 supposed to be located in the development we're talking  
19 about tonight. Both the high school and the NorthLake  
20 development were key factors in our decision to buy the  
21 store.

22 Much has changed since then, not the least of  
23 which is that Ralph's is no longer there. Neither is  
24 Rite-Aid, Blockbuster, Starbucks, Great Clips, Hasley  
25 Medical, Quiznos, Castaic Hardware, Burger King, and at

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23.19

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1 least a half dozen other locally-owned businesses have  
2 exited from that center.

3 It's been a struggle, but our store has managed  
4 to survive along with several other small local  
5 businesses. What was once a vibrant bustling shopping  
6 center now sits about 75 percent empty, and it's not  
7 just our shopping center. Every shopping center near us  
8 has multiple vacancies, where at one time they were  
9 nearly all fully occupied.

10 Small businesses cater primarily to the local  
11 community, rely on local residents, and on the synergy  
12 that comes from having other small businesses located  
13 near us. Developments like this one are crucial to our  
14 continued existence. The additional homes and residents  
15 will provide an incentive for other small businesses to  
16 make an investment in filling the many vacancies that

17 now exist in our shopping centers.  
18 When more goods and services were available  
19 here in Castaic, it's that much more convenient for all  
20 of us, rather than having to drive five or more miles  
21 down the road.  
22 We have great customers, and I'm extremely  
23 thankful for every one of our customers. When people  
24 come in, the two most frequently-asked questions are  
25 "You're not going anywhere, are you? Please don't leave

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1 like everyone else," and "Are they ever going to put  
2 anything in the old Ralph's space?"  
3 First let me say we do not plan to leave. We  
4 have several years remaining on our lease and we expect  
5 to fulfill it; however, the answers to both questions  
6 are interrelated.  
7 I don't know the answer to filling the Ralph's  
8 space; I can't speak for the center management, but I  
9 would say that if this project moves forward, it will  
10 greatly increase the possibility that a company might be  
11 interested in opening a store in that space.  
12 If this development is not approved, in my  
13 opinion, it will be much more difficult for the center  
14 owners to find a tenant. And if it is not approved,  
15 then I think each of the remaining small businesses,  
16 including ours, will have to question the long-term  
17 viability of our investment in time and money when there  
18 are no signs of continued growth in the Castaic  
19 community.  
20 So from the perspective of a struggling small  
21 business owner striving to serve and stay in the Castaic  
22 community, I think the answer is clear. It may not be  
23 simple, but it is clear. It is vital that we find a way  
24 to make this expansion of NorthLake work. It will bring  
25 much needed new homes and families to the community; it

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1 will have a tremendously beneficial effect on the  
2 Castaic Union School District; it will boost the local  
3 economy by increasing the number of customers for the  
4 struggling local businesses; it will rejuvenate the  
5 empty shopping centers by attracting new businesses to  
6 locate here.  
7 HEARING OFFICER NATOLI: Mr. Crawford, are you  
8 almost ready to wrap up?  
9 MR. JACK CRAWFORD: About ten seconds.  
10 There will be hundred of acres of open space,

23.19 cont.

11 parks and trails for all Castaic residents to enjoy.  
12 Please lend your support in getting this  
13 much-needed project to move forward. Thank you.  
14 HEARING OFFICER NATOLI: Thank you,  
15 Mr. Crawford.  
16 MR. SAM DEA: Last call for Lynn Plambeck and  
17 Sandia Ennis.  
18 This concludes all the speakers for Item Number  
19 2.  
20 HEARING OFFICER NATOLI: All right. Thank you.  
21 Mr. Sackett or Mr. Dea, do you have anything to  
22 add to the comments that have been given tonight through  
23 public testimony?  
24 MR. SAM DEA: Just one line item.  
25 All the issues that were raised today,

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1 obviously will be included in the transcript for the  
2 Planning Commission as well as responses to comments in  
3 the final EIR.  
4 HEARING OFFICER NATOLI: Thank you.  
5 And are there any speakers for the public  
6 comment period?  
7 MR. SAM DEA: No speakers signed up for public  
8 comments.  
9 HEARING OFFICER NATOLI: Okay. I am going to  
10 close the public hearing on Item 2, Project  
11 R201500408-5.  
12 I just want to give you the next steps and,  
13 Mr. Sackett, make sure that I am covering the important  
14 items.  
15 Comments that were given tonight must be  
16 responded to in what's called "Responses To Comments,"  
17 that becomes part of the Draft EIR that will go to the  
18 Regional Planning Commission for their consideration.  
19 So they will hear your -- they will read your comments;  
20 they will read the responses from the applicant, and you  
21 will also have a chance to see those before the Regional  
22 Planning Commission hearing.  
23 The comment periods is open until the 15th of  
24 June. So if you leave tonight and something else comes  
25 to mind about the Draft EIR, you have until about

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1 another three weeks to be able to submit those comments  
2 to Mr. Sackett. And, again, if you need some contact  
3 information, please see him after the meeting.  
4 The transcript of proceedings from tonight will



usually be online about ten business days after tonight's hearing. So if you want to look something up afterwards, about ten business days later you can go to the Regional Planning website and find those transcripts online.

With that, then, we are finished with Item 2 and Part 2 of the public hearing.

Part 3, public comment. As there is no one here to comment on any item not on today's agenda, which is also within my purview, I am moving to Part 4, which is the adjournment of tonight's meeting.

And with that, this hearing examiner meeting is adjourned. Thank you very much for coming tonight. I appreciate your participation.

(PROCEEDINGS CONCLUDED AT 7:01 P.M.)

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CERTIFICATE  
OF  
CERTIFIED SHORTHAND REPORTER

I, TIMOTHY SCOTT, CERTIFIED SHORTHAND REPORTER, CERTIFICATE NO. 8517, DO HEREBY CERTIFY:  
THAT SAID PROCEEDINGS WERE TAKEN BEFORE ME AT THE TIME AND PLACE THEREIN SET FORTH AND WERE TAKEN DOWN BY ME IN SHORTHAND AND THEREAFTER TRANSCRIBED, SAID TRANSCRIPT BEING A TRUE COPY OF MY SHORTHAND NOTES THEREOF.

I FURTHER CERTIFY THAT I AM NEITHER COUNSEL FOR, NOR RELATED TO, ANY PARTY TO SAID PROCEEDINGS, NOR IN ANY WAY INTERESTED IN THE OUTCOME THEREOF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME THIS DATE: JUNE 7, 2017.

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CERTIFICATE NUMBER 8517

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## **Response to Hearing Examiner Comments (Comment Letter 23)**

**Gina M. Natoli, Hearing Examiner**  
**May 24, 2017**

**Response 23.1.** The comment questions if the precipitation figure represents a normal wet year. Page 1-1 of the Draft SEIR provides an overall description of the environmental setting of the Project site, including a statement that “precipitation in the vicinity of the Project site averages between approximately 14 and 16 inches per year and generally occurs from November through April.” This statement is intended to give a general understanding of the average climate in the Project area and represents a normal year. It is noted that this statement is conservative in comparison to the Water Quality Technical Report, included as Appendix H-2 of the Draft SEIR, which states a mean annual precipitation that varies from 16.5 to 20.5 inches of rainfall.

**Response 23.2.** The comment asks if transplantation of Mariposa lilies is considered to be a successful mitigation. The proposed mitigation for special status plants, MM 5.2-4, on page 5.2-42, and 5.2-43, describes the current appropriate mitigation for these species. Although replacement of lilies through a variety of techniques have been previously implemented, the proposed method is among the suitable options to mitigate for the species in the region. This mitigation presents a feasible method for replacing lost functions and values of the impacted rare plant community. In addition, the ratio of 2:1 replacement is intended to offset the potential for a less than 100 percent success rate.

**Response 23.3.** The commenter asks why level of service was used for the traffic analysis instead of vehicle miles traveled. The County of Los Angeles Congestion Management Plan as well as the County’s traffic study guidelines require an analysis of traffic impacts based on volume-to-capacity ratio and level of service for intersections. The State of California has not yet finalized the Senate Bill 743 Vehicle Miles Traveled guidelines; therefore, the analysis in Section 5.11 of the Draft SEIR was based on existing requirements.

**Response 23.4.** The comment is in support of the Project; no response is necessary.

**Response 23.5.** The comment is in support of the Project; no response is necessary.

**Response 23.6.** The comment is in support of the Project; no response is necessary.

**Response 23.7.** The comment is in support of the Project; no response is necessary.

**Response 23.8.** The comment is in support of the Project; no response is necessary.

**Response 23.9.** The comment is in support of the Project; no response is necessary.

**Response 23.10.** The commenter asked about Sheriff services. As noted on page 7-8 of the Draft SEIR, Sheriff protection services were analyzed for the Project as part of the Initial Study. As identified in this discussion, the Project would be required to pay the Los Angeles County Sheriff’s established fee for law enforcement facilities for North Los Angeles County (refer to SCVAP MM 3.15-4 identified on page 7-8 of the Draft SEIR). Payment of the fees would ensure that additional and adequate resources are available to serve the Project and payment of the fees is deemed to be adequate mitigation under CEQA for any potentially significant impacts.

**Response 23.11.** The comment identifies that the Project would increase air pollutants. Section 5.1, Air Quality, of the Draft SEIR provides a full evaluation of the Project’s anticipated air quality impacts by modeling the expected increases in pollutant emissions throughout the life of

the Project. As detailed in Section 5.1 of the Draft SEIR, the Project would increase construction-related emissions of oxides of nitrogen (NO<sub>x</sub>), which would exceed established thresholds of significance. Mitigation measures have been identified, including:

- 1) developing a Construction Traffic Emission Management Plan to minimize emissions from construction vehicles (refer to MM 5.1-1 on page 5.1-23 of the Draft SEIR);
- 2) developing a Construction Dust Emission Management Plan to minimize construction-related dust and particulate emissions (refer to MM 5.1-2 on page 5.1-24 of the Draft SEIR);
- 3) developing a Construction Equipment Exhaust Emission Management Plan to minimize construction-related exhaust emissions (refer to MM 5.1-3 on page 5.1-25 and 5.1-26 of the Draft SEIR);
- 4) discontinuing grading on days forecast for first state alerts (refer to MM 5.1-4 on page 5.1-26 of the Draft SEIR);
- 5) limiting grading near Northlake Hills Elementary School to times when school is not in session (refer to MM 5.1-6 on page 5.1-31 of the Draft SEIR);
- 6) limiting unnecessary construction equipment idling to 3 minutes (refer to MM 5.7-21 on page 5.1-31 of the Draft SEIR);
- 7) employ a Dust Control Supervisor (refer to MM 5.1-16 on page 5.1-43 of the Draft SEIR);
- 8) implement measures to prevent Valley Fever among construction crews (refer to MM 5.1-17 on page 5.1-43 of the Draft SEIR); and
- 9) provide residents with disclosure of temporary risk of exposure to Valley Fever spores (refer to MM 5.1-18 on page 5.1-43 of the Draft SEIR).

Additionally, daily operational emissions of carbon monoxide (CO), volatile organic compounds (VOC), NO<sub>x</sub>, particulate matter (PM<sub>10</sub>) and fine particulate matter (PM<sub>2.5</sub>) would also increase and exceed established thresholds of significance. Mitigation measures have been identified, including:

- 1) establish a Transportation Management Association to implement and coordinate a ride share program and a commuter bus program (refer to MM 5.7-22 on page 5.1-31 of the Draft SEIR);
- 2) provide parking for carpools and vanpools (refer to MM 5.1-7 on page 5.1-34 of the Draft SEIR);
- 3) allow only natural gas fired hearths (refer to MM 5.1-8 on page 5.1-35 of the Draft SEIR);
- 4) develop a commuter computer program for NorthLake residents (refer to MM 5.1-9 on page 5.1-35 of the Draft SEIR);
- 5) incorporate sustainable features into both residential and non-residential buildings (refer to MM 5.1-10 and 5.1-11 on page 5.1-35 of the Draft SEIR);

- 6) require minimum parking for alternative-fueled vehicles, electric vehicles, and bicycles (refer to MM 5.1-12 on page 5.1-36 of the Draft SEIR);
- 7) limit idling, post bus and Metrolink schedules, and configure work schedules around local bus schedules (refer to MM 5.1-13 on page 5.1-36 of the Draft SEIR);
- 8) demonstrate satisfactory criteria pollutant and toxic air pollutant concentrations (refer to MM 5.1-14 on page 5.1-42 of the Draft SEIR); and
- 9) prohibit recreational uses use of the Southern California Edison easement (refer to MM 5.1-15 on page 5.1-43 of the Draft SEIR).

As noted on page 5.1-44, despite implementation of identified mitigation measures, no other feasible mitigation is available and these impacts would be significant and unavoidable on a Project and cumulative basis.

**Response 23.12.** The commenter is concerned with adequacy of the water supply. A Water Supply Assessment was prepared for and approved by the Newhall County Water District for the Project. As discussed on pages 5.12-27 through 5.12-38, total available water supply to the Project would be adequate to serve the anticipated demands during average/normal years, single dry years, and multiple dry years.

**Response 23.13.** This comment is noted for the record and will be provided to the Planning Commission for consideration. The comment does not address or question the content of the Draft SEIR.

**Response 23.14.** The comment identifies that the area is not able to support current traffic when the freeway closes. The commenter is referred to Section 5.11, Traffic, Access, and Circulation for a full analysis of anticipated traffic impacts. As discussed in Section 5.11, proposed Project would result in significant Project-level and cumulative impacts at six of the Project's study area intersections. Implementation of mitigation measures would reduce impacts to less than significant levels for one intersection (Castaic and Ridge Route Road). The Project Applicant and County will coordinate with Caltrans regarding recommended improvements and potential improvements required to reduce impacts to the extent feasible for the intersections of The Old Road and I-5 Southbound Ramps, I-5 Northbound Ramps and Lake Hughes Road, I-5 Southbound On-Ramp and Parker Road, and I-5 Northbound Off-Ramp and Ridge Route Road; however, impacts at these four intersections would remain significant and unavoidable because the intersection is under the jurisdiction of another agency (Caltrans) and the County cannot require that agency to approve and implement the required physical improvements. Additionally, the intersection of Ridge Route Road at Lake Hughes would remain significant and unavoidable because the necessary improvements would be infeasible.

**Response 23.15.** The comment states that adding homes to the area increases risk of wildland fires. The commenter is referred to Section 5.5, Fire Hazards, Emergency Response, and Environmental Safety for a full analysis of impacts related to wildland fires. As discussed in Section 5.5 of the Draft SEIR, introduction of residential development into VHFHSZs increases the risk of exposing people and property to wildland fires; however, with the implementation of the regulatory requirements, the potential impacts related to wildfires would be less than significant and no mitigation is required.

**Response 23.16.** The comment states that there is a need to save water. Refer to Response 23.12. Additionally, the Project includes many water conservation measures, including compliance with the County's Green Building Standards Code as detailed in Section 4.4.2 in the

Sustainable Features discussion of the Draft SEIR. For example, the Project would include landscape design features to limit water use through drought-tolerant species, hydrozoning techniques; and water conservation features such as use of recycled water, SmartSense appliances, tankless water heaters, low flow showerheads, high efficiency dishwashers, grey water systems, and Smart Showers.

**Response 23.17.** The comment states that there is not enough electricity and natural gas to go around. The commenter is referred to Section 5.4, Energy, for a full analysis of impacts related to energy. According to the analysis provided in Section 5.4 of the Draft SEIR, compliance with applicable plans, policies, and regulations that are detailed in the Draft SEIR as well as implementation of mitigation measures requiring that all standards are met would ensure that a significant impact related to energy would not occur.

**Response 23.18.** The comment states that adding more development will contribute to the loss of what makes Castaic unique. This comment is noted for the record and will be provided to the Planning Commission for consideration. However, because the comment does not address or question the content of the Draft SEIR, no further response is necessary.

**Response 23.19.** The comment is in support of the Project; no response is necessary.

## SECTION 3.0 DRAFT EIR CLARIFICATIONS AND REVISIONS

Any corrections to the Draft Supplemental Environmental Impact Report (SEIR) text, tables, and figures generated either from responses to comments or independently by the County, are stated in this section of the Final SEIR. The Draft SEIR text, tables, and figures have not been modified and published in its entirety as a single document to reflect these EIR modifications.

These Draft SEIR revisions are provided to clarify, refine, and provide supplemental information for the Draft SEIR. Changes may be corrections or clarifications to the text and tables of the original Draft SEIR. Other changes to the Draft SEIR clarify the analysis in the Draft SEIR based upon the information and concerns raised by comments during the public review period. None of the information contained in these Draft SEIR revisions constitutes significant new information or changes to the analysis or conclusions of the Draft SEIR.

The information included in these Draft SEIR revisions that resulted from the public comment process does not constitute substantial new information that requires recirculation of the Draft SEIR. Section 15088.5 of the State CEQA Guidelines states in part:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the Project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect (including a feasible Project alternative) that the Project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:
  - (1) A new significant environmental impact would result from the Project or from a new mitigation measure proposed to be implemented.
  - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - (3) A feasible Project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project, but the Project’s proponents decline to adopt it.
  - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the Draft SEIR included in these SEIR modifications do not constitute “significant” new information. Therefore, recirculation of the Draft SEIR is not required because the new information added to the SEIR through these modifications clarifies or amplifies information already provided or makes insignificant modifications to the already adequate Draft SEIR.



The EIR modifications contained in the following pages are in the same order as the information appears in the Draft SEIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by underlining (underline) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for easy reference.

## **Section 1 – Executive Summary**

1. Page 1-2, Section 1.3, First Paragraph, Second Sentence is hereby revised to read as follows:

The proposed Project involves implementation of the previously approved Specific Plan; specifically, the proposed Project would involve development of up to 3,150 residential units, 9.2 acres of commercial uses, 13.97 acres of industrial uses, ~~791.6~~799.5 acres of parks and open space, a 23-acre school site in the Phase 2 area, and a 1.4-acre pad for a future fire station.

2. Page 1-2, Section 1.3, Third and Fourth Paragraphs are hereby revised to read as follows:

To implement the project, the project Applicant has requested approval of: (1) VTTM No. TR073336 to subdivide ~~737720~~ acres into a total of ~~407386~~ lots; and (2) Conditional Use Permit No. 201500019 to authorize: (a) Northlake Specific Plan site plan review: (b) grading exceeding 100,000 cubic yards; and (c) construction of water tanks and water supply infrastructure.

Collectively, the Project is defined as the entire 1,330-acre Specific Plan site including the ~~737720~~-acre VTTM No. TR073336 area and associated External Map Improvements (Phase 1), and the remaining property for Phase 2 to be developed at a future time.

3. Page 1-3, Section 1.3.1, Fifth Paragraph, First and Second Sentence is hereby revised to read as follows:

The purpose of the No Industrial Development Alternative is to evaluate the short-term construction and long-term operational impacts related to build-out of the proposed Project without the 13.97-acre industrial component. Under this alternative, future development would be limited to the proposed Project site, similar to the proposed Project; however, the impact footprint would be 13.97 acres smaller than the proposed Project.

4. Page 1-4, Table 1-1 is hereby revised to read as follows:

**TABLE 1-1  
LAND USE AREA COMPARISON**

	Existing <i>NorthLake Specific Plan</i>		Proposed Plan		Difference	
	(ac)	(du)	(ac)	(du)	(ac)	(du)
Residential	600.3	3,623	341.9	3,150	(258.4)	(473)
Commercial	13.2		9.2		(4.0)	
Industrial	50.1		13.9 <del>7</del>		(36.2) <del>4</del>	
Open Space	476		<del>624.6</del> 632.5		<del>148.6</del> 156.5	
Recreation- Golf	167		0		(167)	
Recreation- Trails/Parks	0		167		167	
School/Park Facilities	23.1		43.7 <del>5</del> <sup>a</sup>		20.6 <del>4</del>	
Utilities <sup>b</sup>			7.3		7.3	
Right of Way <sup>b</sup>			120.5		120.5	
Public Services (Fire Station Pad) <sup>b</sup>			1.4		1.4	
<b>Total</b>	<b>1,330.0</b>		<b>1,330.0<sup>c</sup></b>			
ac: acres; du: dwelling units; (): negative <sup>a</sup> Northlake Hills Elementary School was previously constructed on a 20.6-acre site. <sup>b</sup> The <i>NorthLake Specific Plan</i> did not provide a breakdown of acreages for utilities, right of way or public service facilities. Roadways were included in Residential. <sup>c</sup> Totals may not add due to rounding and mapping. Source: Sikand 2015.						

5. Page 1-5, Table 1-2 is hereby revised to read as follows:

**TABLE 1-2  
LAND USE STATISTICAL SUMMARY TABLE  
FOR PHASE 1 (VTTM 073336)**

Use	Phase 1 (VTTM 073336)	
	Number of Units	Area (Acres)
Residential: Single-Family <sup>a</sup>	588	<del>78.6</del> <b>73.3</b>
Residential: Multi-Family <sup>a</sup>	1,041	<del>69.2</del> <b>74.5</b>
Residential: Senior <sup>ab</sup>	345	49.1
Commercial		6.7
Commercial Highway		2.5
Industrial		<del>13.9</del> <b>7</b>
Park(s)		
Trails		10.5
Grasshopper Creek Park		10.6
Enhanced Parkway		38.3
Castaic Lagoon Park		17.2
Sports Park		25.8
Cody Dog Park		1.0
Open Space- Manufactured Slope		<del>136.9</del> <b>143.9</b>
Open Space- Undisturbed		167
<b>Utilities and Water Quality Features</b>		
<del>Water Tank</del>		<del>6.5</del>
<del>Pump Station</del>		<del>0.2</del>
Roadways		84.3
Fire Station Pad		1.4
VTTM: Vesting Tentative Tract Map		
<sup>a</sup> <b><u>It is noted that there are 300 detached, condominium units that are classified multi-family on the Vesting Tentative Tract Map which are identified as single-family units for purposes of the SEIR analysis.</u></b>		
<sup>ab</sup> This overlay provides for a development option of attached single-family residences and age-restricted areas designated for homeowners that are 55 years of age and older. Lot sizes and configurations will be similar to those in the Single-Family area with the addition of the Attached Single-Family designation as an option. It should be noted that development within these areas may or may not be age-restricted.		
Source: Sikand Engineering 2015.		

6. Table 1-3, MM 5.1-3, second bullet, is hereby revised to read as follows:

Schedule construction activities that affect traffic flow to off-peak hours (e.g., ~~between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM, and between 7:00 PM and 6:00 AM provided that a noise disturbance is not generated across a residential or commercial property line~~).

7. Table 1-3, MM 5.1-6 and the following text, is hereby revised to read as follows:

**MM 5.1-6** The Project Applicant or Construction Manager shall ensure that, during mass grading activities, mass grading shall not occur within 1,600 feet of the Northlake Hills Elementary School when school is not in session to the maximum extent feasible.

**MM 5.1-19** **Prior to the issuance of each grading and building permit, the applicant/developer shall require in contract specifications, that contractors set goals to limit unnecessary construction equipment idling to 3 minutes and include methods to encourage equipment operators to achieve the 3-minute goal.**

**MM 5.1-20** **Prior to the issue of the first occupancy permit for commercial or industrial facilities, the master developer shall establish the NorthLake Community Transportation Program to establish and coordinate the following programs that would reduce single-vehicle commuting and the associated criteria pollutant and GHG emissions:**

- **Ride share program – The program will establish a system for coordinating ride sharing among employees of on-site commercial and industrial businesses. The program will also work with employers to support vanpools.**
- **Commuter bus program – The program will coordinate with Santa Clarita Valley Transit to (1) extend the existing bus routes into the NorthLake Project area and (2) determine employee demand for express commuter buses to the Project Site and establish commuter bus service in response to demand.**

The following Project specific MMs from Section 5.7, Greenhouse Gas Emissions, are relevant to this analysis:

**MM 5.7-21, MM 5.7-22**

8. Table 1-3, MM 5.1-9, is hereby revised to read as follows:

A commuter computer program shall be developed for the NorthLake residents in an attempt to reduce commuter vehicle trips generated by the proposed projects.  
**(1992 SP EIR MM 4.5-9)**

9. Table 1-3, MM 5.1-10, is hereby revised to read as follows:

Prior to the issuance of each non-residential building permit, the Applicant and its contractors shall provide plans and specifications to the County demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the County prior to the issuance of occupancy permits.

- For buildings **that are greater than 100,000 square feet of building space or** with more than ten tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code.<sup>8</sup>
- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.

- The Project shall install 135 electric vehicle (EV) chargers<sup>9</sup> at nonresidential parking spaces within the community

10. Table 1-3, MM 5.1-17, second bullet, is hereby revised to read as follows:

Require crews to use **NIOSH-approved respiratory protection with particulate filters** ~~masks or respirators that are adequate~~ to restrict inhalation of particulates during Project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.

11. Table 1-3, MM 5.2-6, the sixth sentence of the first paragraph is hereby revised to read as follows:

Sage scrub habitat restoration/enhancement implementation shall begin not ~~more~~ **less** than one year ~~following~~ **prior to** Project impacts to this habitat type.

12. Table 1-3, MM 5.2-6, the first sentence in Part 'd' is hereby revised to read as follows:

At least ~~two~~ **three** years prior to mitigation implementation of the Project Applicant or its consultants/contractors shall initiate collection of the native seed materials specified in the HMMP.

13. Table 1-3, MM 5.2-9, is hereby revised to insert as the first bullet the following:

- **Prior to implementing the Spadefoot Relocation Plan, a focused survey will be conducted within the prior appropriate season. If any additional ephemeral ponds are determined to be occupied besides those identified in recent surveys (i.e. 2015), the Spadefoot Relocation Plan will be modified to include replacement of the additional occupied pond as well as others.**

14. Table 1-3, MM 5.2-13, is hereby revised as follows:

If the Biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the Biologist shall delineate an appropriate buffer zone ~~(at a minimum of 25 feet)~~ around the nest depending on the sensitivity of the species and the nature of the construction activity. **Typical nest buffers may be approximately 200 feet for song birds and 500 feet for raptors.** Any nest found during survey efforts shall be mapped on the construction plans. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by a qualified Biologist: (1) clearing limits shall be established within a buffer around any occupied nest ~~(the buffer shall be 25-100 feet for nesting birds and 300-500 feet for nesting raptors)~~, determined by a qualified Biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by a qualified Biologist.

15. Table 1-3, MM 5.2-18, last sentence of the first paragraph and first sentence of the second paragraph are hereby revised to read as follows:

The Fencing Plan shall include provisions for signs and **wildlife friendly** split-rail fencing to direct residents to keep out of sensitive natural open space and revegetation and/or mitigation areas.

In areas bordering natural open space and fuel-modification zones, the Landscape Plan shall reflect a transition zone designed to buffer natural habitats from developed areas **and proposed fencing.**

16. Table 1-3, MM 5.2-19, last sentence of the first paragraph and first sentence of the second paragraph are hereby revised to read as follows:

**MM 5.2-19** Landscaping designs shall be submitted to LACDRP for review and approval by a qualified Biologist. The review shall ensure that no invasive, exotic plant species are used in any proposed landscaping and that suitable substitutes are proposed. ~~Ideally, only~~ Only native species from the Santa Clarita Valley region shall be used in landscaping along the project boundaries adjacent to open space.

17. Table 1-3, MM 5.2-20, is hereby revised as follows:

If the potential for colonial roosting is determined, **CDFW will be consulted** and those rocky outcrops or trees shall not be removed during the bat maternity roost season (March 1 to July 31).

In addition, the following sentence is hereby inserted as the last sentence of MM 5.2-20:

**In addition, the habitat replacement requirements of other Mitigation Measures further reduces the impact to bats through the preservation, enhancement, restoration and/or creation of impacted vegetation which shall be generally suitable for impacted bat species.**

In addition, the following sentence is hereby revised to insert the following sentence as the last sentence in the mitigation measure:

**Prior to disturbance of any roosting habitat, a Bat Relocation Monitoring Plan (BRMP) shall be submitted and approved by the CDFW and the LADRP. The BRMP shall include, at a minimum, the following discussion items: (1) species of bats present onsite, (2) habitat uses of the site (i.e., roosting, hibernating, etc.) (3) roosting habitat replacement feature guidelines, (4) construction monitoring guidelines, (5) habitat replacement feature monitoring, and (6) reporting requirements. Reporting shall occur annually to LADRP and CDFW. The BRMPs will be submitted annually for five years or until performance standards are met.**

18. Table 1-3, MM 5.3-1, first sentence, is hereby revised to read as follows:

All Project-related ground-disturbing activities in **native sediments** ~~archaeologically sensitive sediments~~ shall be monitored by a qualified Archaeologist to reduce any archaeological resources impacts to a level considered less than significant.

19. Table 1-3, MMs 5.7-2 through 5.7-13 are hereby revised to read as follows:

**MM 5.7-2** Prior to the issuance of building permits, the applicant shall provide evidence of energy- efficient designs, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and

County standards, such as those found in the Leadership in Energy and Environmental Design (“LEED”) Green Building Ratings and/or comply with Title 24, Part 11, the California Green Building Standards Code. **(SCVAP MM 3.4-2)**

**MM 5.7-3** Prior to the issuance of building permits, the applicant shall provide evidence of energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems, in accordance with the requirements of the ordinances adopted pursuant to the County’s Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-3)**

**MM 5.7-4** Prior to the issuance of building permits, the applicant shall provide evidence of light colored “cool” roofs and cool pavements, in accordance with the requirements of the ordinances adopted pursuant to the County’s Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-4)**

**MM 5.7-5** Prior to the issuance of building permits, the applicant shall provide evidence of efficient lighting (including LEDs) for traffic, street, and other outdoor lighting purposes, in accordance with the requirements of the ordinances adopted pursuant to the County’s Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-5)**

**MM 5.7-6** Prior to the issuance of building permits, the applicant shall provide evidence of efficient pumps and motors for pools and spas, in accordance with the requirements of the ordinances adopted pursuant to the County’s Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-6)**

**MM 5.7-7** Prior to the issuance of building permits, the applicant shall provide evidence of the ability to install solar, and solar hot water heaters, in accordance with the requirements of the ordinances adopted pursuant to the County’s Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-7)**

**MM 5.7-8** Prior to the issuance of building permits for, the applicant shall provide evidence of water-efficient landscapes, in accordance with the requirements of the ordinances adopted pursuant to the County’s Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-8)**

**MM 5.7-9** Prior to the issuance of building permits, the applicant shall provide evidence of water efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods, in accordance with the requirements of the ordinances adopted pursuant to the County’s Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-9)**

**MM 5.7-10** Prior to the issuance of building permits, the applicant or their contractor shall submit a site construction management plan for



the reuse and recycle construction and demolition (including soil, vegetation, concrete, lumber, metal, and cardboard) to the Department of Public Works for review and approval in accordance with the requirements of the ordinances developed pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-10)**

**MM 5.7-11** Prior to the issuance of building permits, the applicant shall provide evidence of reuse and recycling receptacles in residential, industrial, and commercial projects, in accordance with the requirements of the ordinances developed pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-11)**

**MM 5.7-12** Prior to the issuance of building permits, the applicant shall provide evidence of consistency with "smart growth" principles to reduce GHG emissions (i.e., ensure mixed- use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services). **(SCVAP MM 3.4-12)**

**MM 5.7-13** Prior to implementing project approval, the applicant shall preserve existing trees, to the extent feasible and consistent with mitigation measures, encourage the planting of new trees consistent with the final landscape palettes, and create open space where feasible. **(SCVAP MM 3.4-13)**

#### **Section 4 – Project Description**

1. Page 4-1, bottom of the page, item 1, is hereby revised to read as follows:

1. VTTM No. 073336 to subdivide 720 acres into a total of ~~384~~**386** lots.

2. Page 4-2, first paragraph, is hereby revised to read as follows:

Collectively, the proposed Project is defined as the entire 1,330-acre site, including ~~the 1) Phase 1 (defined as 720-acre VTTM No. 073336, totaling 720 acres); area and 2) the remainder property for Phase 2 to be developed at a future time; and 3) associated off-site external map improvements totaling on 65.13 acres; more particularly~~ **which are** described on page 4-8 ~~and , which include remedial grading, drainage features and road and utility alignments, and the remainder property for Phase 2 to be developed at a future time (the "External Map Improvements").~~ In addition to updating program-level information from the 1992 Specific Plan EIR, this SEIR evaluates Project-level impacts from implementation of the *NorthLake Specific Plan*, including both development of Phase 1 as well as future development of Phase 2.

3. Page 4-3, Phase 1 Implementation, item 1, is hereby revised as follows:

1. VTTM No. 073336 to subdivide 720 acres into a total of ~~384~~**386** lots.

4. Page 4-4, Site Constraints and Associated Approvals Required, second paragraph, is hereby revised to read as follows:

An existing crude oil pipeline easement containing two oil pipelines that traverse the entire north-south length of the Project site will be relocated ~~approximately 1,500 to 2,000 feet~~ to an alignment along the eastern boundary of the proposed development area and within the identified grading footprint property within a new easement. ~~The relocation of the alignment for one of the oil pipelines, the Pacific Oil pipeline, is proposed through adjacent lands owned by the Los Angeles Department of Water and Power (LADWP) and the Castaic Lake State Recreation Area (SRA). Agreements between the Applicant and both agencies for receipt of easements to realign the pipeline through these publicly owned properties are pending and would be a condition of approval prior to initiation of development.~~

5. Page 4-6, Table 4-2 is hereby revised to read as follows:

**TABLE 4-2  
LAND USE AREA COMPARISON**

	Existing NorthLake Specific Plan		Proposed Plan		Difference	
	(ac)	(du)	(ac)	(du)	(ac)	(du)
Residential	600.3	3,623	341.9	3,150	(258.4)	<u>(473)</u>
Commercial	13.2		9.2		(4.0)	
Industrial	50.1		<u>13.97</u>		<u>(36.24)</u>	
Open Space	476		<del>624.6</del> <u>632.5</u>		<del>148.6</del> <u>156.5</u>	
Recreation- Golf	167		0		(167)	
Recreation- Trails/Parks	0		167		167	
School/Park Facilities	23.1		<u>43.75<sup>a</sup></u>		<u>20.64</u>	
Utilities <sup>b</sup>			<u>7.3</u>		<u>7.3</u>	
Right of Way <sup>b</sup>			120.5		120.5	
Public Services (Fire Station Pad) <sup>b</sup>			1.4		1.4	
<b>Total</b>	<b>1,330.0</b>		<b>1,330.0<sup>c</sup></b>			
ac: acres; du: dwelling units; (): negative <sup>a</sup> Northlake Hills Elementary School was previously constructed on a 20.6-acre site. <sup>b</sup> The NorthLake Specific Plan did not provide a breakdown of acreages for utilities, right of way or public service facilities. Roadways were included in Residential. <sup>c</sup> Totals may not add due to rounding and mapping. Source: Sikand 2015.						

6. Page 4-7, Table 4-3 is hereby revised to read as follows:

**TABLE 4-3  
LAND USE STATISTICAL SUMMARY TABLE  
FOR PHASE 1 (VTTM 073336) AND PHASE 2**

Use	Phase 1 (VTTM 073336)		Phase 2	
	Number of Units or square footage	Area (Acres)	Number of Units	Area (Acres)
Residential: Single-Family <sup>a</sup>	588	<del>78.6</del> <b>73.3</b>	1,176	145.0
Residential: Multi-Family <sup>a</sup>	1,041	<del>69.2</del> <b>74.5</b>	-	-
Residential: Senior <sup>ab</sup>	345	49.1	-	-
Commercial		6.7		-
Commercial Highway		2.5		-
Industrial		<b>13.97</b>		-
Park(s)				
Trails		10.5		1.7
Grasshopper Creek Park		10.6		5.6
Enhanced Parkway		38.3		2.5
Castaic Lagoon Park		17.2		-
North Ridge Route Park		-		8.5
Northvalley Paseo Park		-		8.8
Northvalley Park		-		9.7
Sports Park		25.8		-
Cody Dog Park		1.0		-
Vista Park		-		26.8
Open Space- Manufactured Slope		<del>136.9</del> <b>143.9</b>		<del>190.7</del> <b>161.0</b>
Open Space- Undisturbed		167		<del>130.2</del> <b>160.6</b>
Utilities				
<del>Water Tank</del> <b>School</b>		<del>6.5</del>		<del>0.6</del> <b>43.5</b>
<del>Pump Station</del>		<del>0.2</del>		-
Roadways		84.3		36.2
Fire Station Pad		1.4		-
VTTM: Vesting Tentative Tract Map				
<sup>a</sup> <b>It is noted that there are 300 detached, condominium units that are classified multi-family on the Vesting Tentative Tract Map which are identified as single-family units for purposes of the SEIR analysis.</b>				
<sup>ab</sup> This overlay provides for a development option of attached single-family residences and age-restricted areas designated for homeowners that are 55 years of age and older. Lot sizes and configurations will be similar to those in the Single-Family area with the addition of the Attached Single-Family designation as an option. It should be noted that development within these areas may or may not be age-restricted.				
Source: Sikand Engineering 2015.				

7. Page 4-8, Vesting Tentative Tract Map No. 0073336 (Phase 1), third and fourth sentences, are hereby revised to read as follows:

The proposed VTTM 073336 provides for a total of 1,974 dwelling units, including 588 single-family units on approximately ~~78.6~~ **73.3** acres and 1,041 multi-family units on approximately ~~69.2~~ **74.5** acres, and 345 senior multi-family units on approximately 49.1 acres. Lots are also provided for light industrial parcels (**13.97** acres), commercial development parcels (9.2 acres), open space and parks (~~407.3~~ **414.3** acres which is

comprised of 167 acres golf course replacement), ~~utilities (6.7 acres)~~, roadways (84.3 acres), and a fire station pad (1.4 acres). **It is noted that there are 300 detached, condominium units that are classified multi-family on the Vesting Tentative Tract Map which are identified as single-family units for purposes of the SEIR analysis.**

8. Page 4-9, Phase 2 Undeveloped Area, is hereby modified and moved to page 4-8 immediately preceding the Off-Site/External Map Improvements subsection:

**Phase 2 Undeveloped Area**

The remainder of the Project site, referred to as the Phase 2 area, is included in VTTM 073336 and the CUP as ~~35~~ **21** large lot parcels (~~20~~ **40** acres or more) for future lease and finance purposes. Future development of the Phase 2 area is fully analyzed as part of this SEIR and proposed land uses are detailed previously in Table 4-3.

9. Page 4-10, Proposed Land Uses, second-to-last sentence, is hereby revised to read as follows:

The proposed Project has been designed to **reduce exposure of future residents to** potential environmental hazards **through remedial grading and earthwork, as described in Section 5.6, Geotechnical Hazards,** and the residential and non-residential uses are separated from each other in order to protect the residential nature of each neighborhood.

10. Page 4-12, Industrial, first sentence, is hereby revised to read as follows:

Approximately 13.~~97~~ acres of industrial areas are proposed...

11. Page 4-13, Table 4-4, is hereby revised to read as follows:

**TABLE 4-4**  
**LAND USE AREA COMPARISON WITH OPTIONAL PHASE 1 SCHOOL SITE**

	Existing <i>NorthLake Specific Plan</i>		Proposed Plan		Difference	
	(ac)	(du)	(ac)	(du)	(ac)	(du)
Residential	600.3	3,623	333.4	3,150	(266.9)	<b>(473)</b>
Commercial	13.2		9.2		(4.0)	
Industrial	50.1		13.9 <del>7</del>		(36.2 <del>4</del> )	
Open Space	476		<del>633.4</del> <b>641.3</b>		<del>157.1</del> <b>165.3</b>	
Recreation- Golf	167		0		(167)	
Recreation- Trails/Parks	0		167		167	
School/Park Facilities	23.1		43.7 <del>5</del> <sup>a</sup>		20.6 <del>4</del>	
Utilities <sup>b</sup>			7.3		7.3	
Right of Way <sup>b</sup>			120.5		120.5	
Public Services (Fire Station Pad) <sup>b</sup>			1.4		1.4	
<b>Total</b>	<b>1,330.0</b>		<b>1,330.0<sup>c</sup></b>			
ac: acres; du: dwelling units; (): negative <sup>a</sup> Northlake Hills Elementary School was previously constructed on a 20.6-acre site. <sup>b</sup> The <i>NorthLake Specific Plan</i> did not provide a breakdown of acreages for utilities, right of way, or public service facilities. Roadways were included in Residential. <sup>c</sup> Totals may not add due to rounding and mapping. Source: Sikand 2015.						

12. Page 4-14, Table 4-5, is hereby revised to read as follows:

**TABLE 4-5  
LAND USE STATISTICAL SUMMARY TABLE FOR PHASE 1 (VTTM 073336)  
AND PHASE 2 WITH OPTIONAL PHASE 1 SCHOOL SITE**

Use	Phase 1 (VTTM 073336)		Phase 2	
	Number of Units or square footage	Area (Acres)	Number of Units	Area (Acres)
Residential: Single-Family <sup>a</sup>	<del>431</del> <b>588</b>	<del>59.1</del> <b>50.6</b>	1,176	156.0
Residential: Multi-Family <sup>a</sup>	1,041	69.2	-	-
Residential: Senior <sup>ab</sup>	345	49.1	-	-
Commercial		6.7		-
Commercial Highway		2.5		-
Industrial		<b>13.97</b>		-
Park(s)				
Trails		10.5		1.7
Grasshopper Creek Park		10.6		5.6
Enhanced Parkway		38.3		2.5
Castaic Lagoon Park		17.2		-
North Ridge Route Park		-		8.5
Northvalley Paseo Park		-		8.8
Northvalley Park		-		9.7
Sports Park		25.8		-
Cody Dog Park		1.0		-
Vista Park		-		26.8
Open Space- Manufactured Slope		<del>133.3</del> <b>141.5</b>		<del>202.6</del> <b>161.0</b>
Open Space- Undisturbed		167		<del>130.2</del> <b>160.6</b>
Utilities				
<del>Water Tank</del> <b>School</b>		<del>6.5</del> <b>23</b>		<del>0.6</del> <b>43.5</b>
<del>Pump Station</del>		<del>0.2</del>		-
Roadways		84.3		36.2
Fire Station Pad		1.4		-
VTTM: Vesting Tentative Tract Map				
<sup>a</sup> <b>It is noted that there are 300 detached, condominium units that are classified multi-family on the Vesting Tentative Tract Map which are identified as single-family units for purposes of the SEIR analysis.</b>				
<sup>ab</sup> This overlay provides for a development option of attached single-family residences and age-restricted areas designated for homeowners that are 55 years of age and older. Lot sizes and configurations will be similar to those in the Single-Family area with the addition of the Attached Single-Family designation as an option. It should be noted that development within these areas may or may not be age-restricted. Source: Sikand Engineering 2015.				

13. Page 4-15, Open Space, Recreation, and Parks, first sentence is hereby revised to read as follows:

The Project includes a total of ~~791.6~~**799.5** acres of land for recreation and open space purposes

14. Page 4-15, Open Space, second sentence, is hereby revised to read as follows:

Approximately ~~624.6~~**632.5** acres of open space will remain undeveloped on the Project site, including ~~303.9~~**310.9** acres in Phase 1 and ~~320.9~~**321.6** acres in Phase 2.

15. Page 4-16, Second Paragraph, is hereby revised to read as follows:

There will be approximately ~~327.6~~**304.9** acres of undeveloped landscaped open space (i.e., graded slopes) throughout the Project site. An additional ~~297.2~~**327.6** acres will be set aside as undisturbed open space areas within the Project site.

17. Page 4-17, Relocation of Facilities, last sentence, is hereby revised to read as follows:

One of the crude oil pipelines (the 14-inch Pacific Pipeline) would be relocated **to an alignment along the eastern boundary of the proposed development area and within the identified grading footprint** ~~approximately 1,500 to 2,000 feet to the east within property owned by the LADWP and the Castaic Lake SRA.~~

18. Page 4-23, second bullet, is hereby revised to read as follows:

**Construction Waste Reduction, Disposal and Recycling.** The Project will recycle and/or salvage a minimum of 65 percent of the non-hazardous construction and demolition debris or meet a local construction and demolition waste management ordinance. Additionally, in response to California's 75 Percent Initiative, at least 75 percent of all solid waste will be recycled or reused by 2020. **This will be accomplished through reuse, salvage, and recycling of construction materials and implementation of an on-going recycling program including use of recycling receptacles and pick-up of recyclable materials by the selected waste management service.**

19. Page 4-23, footnote 2, is hereby revised to read as follows:

Assumed **Required** to be Level 2 chargers that can provide enough electricity to provide a 25 mile driving range per hour spent charging.

## **Section 5.1 – Air Quality**

1. Page 5.1-21, fifth paragraph, is hereby revised to read as follows:

~~For site preparation, 1,000 hauling trips were assumed. Additional haul trips were assumed for the fine grading phases.~~ **This analysis assumed that site preparation would require 2,000 hauling truck trips, Fine Grading of Phase 1 would require 1,000 haul truck trips, and Fine Grading of Phase 2 would require 1,000 haul truck trips.**

2. Page 5.1-25, MM 5.1-3, second bullet, is hereby revised to read as follows:

- Schedule construction activities that affect traffic flow to off-peak hours (e.g., ~~between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM, and~~ **between 7:00 PM and 6:00 AM provided that a noise disturbance is not generated across a residential or commercial property line**).



3. Page 5.1-31, MM 5.1-6, is hereby revised to read as follows:

The Project Applicant or Construction Manager shall ensure that, during mass grading activities, mass grading shall not occur within 1,600 feet of the Northlake Hills Elementary School when school is not in session to the maximum extent feasible.

4. Page 5.1-31, Mitigation Measures 5.7-21 and 5.7-22, are hereby revised to read as follows:

~~The following Project specific MMs from Section 5.7, Greenhouse Gas Emissions, are relevant to this analysis:~~

**MM 5.7-~~21~~-19**

Prior to the issuance of each grading and building permit, the applicant/developer shall require in contract specifications, that contractors set goals to limit unnecessary construction equipment idling to 3 minutes and include methods to encourage equipment operators to achieve the 3-minute goal.

**MM 5.7-~~22~~-20**

Prior to the issue of the first occupancy permit for commercial or industrial facilities, the master developer shall establish at ~~Transportation Management Association~~ **the NorthLake Community Transportation Program that would be established through the creation of Covenants, Codes and Restrictions (CC&Rs) for all commercial and industrial properties within the Specific Plan** to establish and coordinate the following programs that would reduce single-vehicle commuting and the associated criteria pollutant and GHG emissions:

- Ride share program – The program will establish a system for coordinating ride sharing among employees of on-site commercial and industrial businesses. The program will also work with employers to support vanpools.
- Commuter bus program – The program will coordinate with Santa Clarita Valley Transit to (1) extend the existing bus routes into the NorthLake Project area and (2) determine employee demand for express commuter buses to the Project Site and establish commuter bus service in response to demand.

5. Page 5.1-35, MM 5.1-10, is hereby revised to read as follows:

Prior to the issuance of each non-residential building permit, the Applicant and its contractors shall provide plans and specifications to the County demonstrating that the following features have been incorporated into the building designs. Proof of compliance shall be provided to the County prior to the issuance of occupancy permits.

- For buildings **that are greater than 100,000 square feet of building space or** with more than ten tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3, Nonresidential Voluntary Measures, of the California Green Building Standards (CALGreen) Code.<sup>8</sup>

- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3, Nonresidential Voluntary Measures (Tier 1), of the CALGreen Code.
  - The Project shall install 135 electric vehicle (EV) chargers<sup>9</sup> at nonresidential parking spaces within the **Project limits and/or the greater Castaic community.**
6. Page 5.1-40, first paragraph, following the last sentence, is hereby revised to read as follows:
- MM 5.1-14 is provided to reduce the operational criteria pollutant and TAC emissions to less than significant levels.**
7. Page 5.1-40, fourth paragraph, last sentence, is hereby revised to read as follows:
- Based on the distance and topographical location of proposed ~~residential~~ **park and playground** areas relative to I-5, it is considered that the health risks to these receptors would be less than significant and no mitigation is required.
8. Page 5.1-43, MM 5.1-17, second bullet, is hereby revised to read as follows:
- Require crews to use **NIOSH- approved respiratory protection with particulate filters** ~~masks or respirators that are adequate~~ to restrict inhalation of particulates during Project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.

## **Section 5.2 – Biological Resources**

1. Page 5.2-4, Wildlife Surveys, of the Draft SEIR is hereby revised to read as follows:
- In addition to the general wildlife surveys, focused surveys were conducted on the Project site for the arroyo toad (*Bufo californicus*) in 2000 and 2014; the western spadefoot (*Spea hammondi*) concurrent with arroyo toad surveys in 2014; the California red-legged frog (*Rana aurora draytonii*) in 2003; the California red-legged frog (*Rana aurora draytonii*) in 2003; the burrowing owl (*Athene cunicularia*) in 2007, and 2014-2015, **and 2017.**
2. Page 5.2-4, Wildlife Surveys, of the Draft SEIR is hereby revised to read as follows:
- Dry season surveys ~~are currently underway~~ **were completed in 2015** and ~~results will be available in mid-summer 2015.~~ **R** ~~results of the completed surveys are included in Attachment C of the Biological Technical Report.~~
3. Page 5.2-4, Wildlife Surveys, of the Draft SEIR is hereby revised to have the following text inserted at the end of the Wildlife Surveys section:
- Wildlife movement within and surrounding the Project site was assessed through a literature review, including South Coast Missing Linkages (Penrod et al. 2005) and site surveys (see Wildlife Crossing Assessment Technical Memo in Appendix D to the Final SEIR). Each of the I-5 under-crossings with**

potential to support wildlife movement was visited on multiple occasions in the Summer of 2017 by Psomas Senior Biologist Marc Blain and Psomas Biologist Sarah Thomas. Initial visits include photographic documentation of the crossing followed by recording dimensions and assessing the topographic features and vegetative cover within the area. Each visit included a search for evidence of wildlife use such as tracks or scat.

4. Page 5.2-12 of the Draft SEIR is hereby revised to read as follows:

#### Mammals

Bats occur throughout most of southern California and may use any portion of the Project site as foraging habitat. The riparian vegetation type and steep rocky cliff faces in Grasshopper Canyon provide potential roosting habitat for many bat species. Most of the bats that could potentially occur on the Project site are inactive during the winter and either hibernate or migrate, depending on the species. Common bat species detected or expected to forage or roost on the Project site include big brown bat (*Eptesicus fuscus*), Brazilian free-tailed bat (*Tadarida brasiliensis*), California myotis (*Myotis californicus*), Western small-footed bat (*Myotis ciliolabrum*), Yuma myotis (*Myotis yumanensis*), western pipistrelle (*Parastrellus Hesperus*), and hoary bat (*Lasiurus cinereus*), Mexican free-tail (*Tadarida brasiliensis*).

5. Page 5.2-14 of the Wildlife Movement section of the Draft SEIR on Page 5.2-14 is hereby revised to read as follows:

West of the Project site, a single underpass beneath the southbound lanes of I-5 is likely **feasible** to be utilized by a variety of wildlife as a safe crossing to and from either side of the highway. **However, use of this undercrossing is expected to be minimal for a variety of factors. The location of the crossing is not associated with any notable natural landscape feature, which typically would concentrate movement such as a ridge line, water feature, or drainage. The location is associated with an unimproved road but the road travels across a slope providing vehicular access to transmission towers but offering little to no cover for wildlife. In addition, the location is not associated with any corresponding crossing in the vicinity that allows wildlife to travel under the north bound lanes of the I-5. There are no ridge lines or drainages or similar features that typically convey concentrated movement to or from a crossing of the northbound lanes of I-5. In fact, the nearest under-crossings of the northbound lanes are located approximately one mile north and approximately two miles south of this crossing. As a result, potential undercrossing events of both the northbound lanes and the southbound lanes at this location are expected to be rare at best.**

A second crossing west of the southern tip of the Project includes both northbound and southbound lanes. However, the southbound crossing stretches over 700 feet within a narrow concrete-lined channel rendering it as low potential for use by most wildlife. Furthermore, the northern entrance extends upstream into the un-vegetated concrete lined-channel with adjacent developed land offering no cover for wildlife.

A third under-crossing of the southbound lanes is located immediately west of the northwestern portion of the site. Similar to the undercrossing to the

south described above, this location is not associated with any notable natural landscape feature, which typically would concentrate movement such as a ridge line, water feature, or drainage. However, this location does have a corresponding undercrossing directly opposite under the northbound lanes, 1,600 feet to the west, which may render it more likely than others to be utilized on occasion. In addition, the east side of this crossing provides access to the northeast without significantly steep slopes rendering it more compatible to movement events. Due to the constraints of the southern and eastern edges of the site, wildlife using these ~~this~~ crossings are expected to move to and from the crossing and areas north of the Project site to allow continued east-west movement. Under existing conditions, the Project site itself does not represent an important component of the regional movement of the area. Consequently, although the Project may inhibit access for wildlife moving from south of the Project, such movement is only expected to represent infrequent local movement due to existing impediments east and south of the Project site.

One additional I-5 undercrossing in the area is likely to represent the greatest potential for wildlife movement traversing the I-5 in the area. At this location, the I-5 freeway lanes are combined so that the single underpass, Templin Highway, traverses both the northbound and southbound lanes. In addition, the crossing is aligned and associated with a canyon bottom and drainage leading from the west and the east, which include areas of significant vegetative cover. Furthermore, the open space linkage opportunities are minimally constrained from this crossing. Of all the crossing described, this is the only one that provides for movement to the east/northeast without the formidable barrier of Castaic Lake.

It should be noted that the Project site is partially within the Linkage Design of the South Coast Wildlands Missing Linkages Sierra Madre-Castaic Connection (Penrod et al. 2005). However, only the northern tip of the Project site falls within the southern edge of Linkage Design which has a width of approximately 17 miles within the area. The Project represents an extremely small percentage of the linkage width. In addition, the Linkage Design provides further evidence that Castaic Lake represent a formidable barrier and excludes movement other than shallow areas at the northern tip of the lake.

6. Page 5.2-21, Special Status Plant Species, of the Draft SEIR is hereby revised to read as follows:

Round-leaved filaree (*Erodium macrophyllum*) is a CRPR of 1B.1 species. One population of ~~39~~ **60** round-leave filaree individuals were observed on the Project site during the 2003 2001 botanical surveys.

7. Page 5.2-22, Table 5.2-4, Special Status Wildlife Species Known to Occur in the Project Region, of the Draft SEIR is hereby revised as follows:

Species	Status		Potential to Occur on the Project site; Results of Surveys
	USFWS	CDFW	
<i>Spea hammondi</i> western spadefoot	—	SSC	Observed during 2014 focused surveys <b><u>and incidentally during other surveys in 2005 and 2015</u></b> ; suitable habitat

8. Page 5.2-23, Table 5.2-4, Special Status Wildlife Species Known to Occur in the Project Region, of the Draft SEIR is hereby revised as follows:

Species	Status		Potential to Occur on the Project site; Results of Surveys
	USFWS	CDFW	
<i>Aquila chrysaetos</i> golden eagle	—	SSC/FP	Observed; suitable foraging habitat; <b><u>limited</u></b> <del>no</del> suitable nesting habitat

9. Page 5.2-25 Table 5.2-4, Special Status Wildlife Species Known to Occur in the Project Region, of the Draft SEIR is hereby revised to read as follows:

<b>Mammals</b>			
<i>Antrozous pallidus</i> pallid bat	—	SSC	<del>May occur for foraging and roosting; suitable foraging habitat; limited roosting habitat</del> <b><u>Detected; suitable foraging habitat; limited roosting habitat</u></b>
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	—	CST/SSC	<del>May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</del> <b><u>Detected; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</u></b>
<i>Eudernna maculatum</i> spotted bat	—	SSC	May occur for foraging and roosting; suitable foraging habitat; limited suitable roosting habitat
<i>Eumops perotis californicus</i> western mastiff bat	—	SSC	<del>May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</del> <b><u>Detected; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</u></b>
<b><u>Lasiurus blossevillii</u></b> <b><u>western red bat</u></b>	—	<b><u>SSC</u></b>	<b><u>Detected; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat</u></b>
<i>Lasiurus cinereus</i> hoary bat	—	SSC	May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat
<i>Lepus californicus bennettii</i> San Diego black-tailed jackrabbit	—	SSC	May occur; potentially suitable habitat
<i>Macrotis californicus</i> California leaf-nosed bat	—	SSC	Not expected to occur; limited suitable habitat; outside current known range

<i>Myotis ciliolabrum</i> western small-footed myotis	—	SA	May occur for foraging and roosting; suitable foraging habitat; limited roosting habitat
<i>Myotis yumanensis</i> Yuma myotis	—	SA	May occur for foraging; not expected to occur for roosting; limited suitable foraging habitat; no suitable roosting habitat
<b><u>Neotoma bryanti intermedia</u></b> <b><u>San Diego desert woodrat</u></b>	=	<b><u>SSC</u></b>	<b><u>Observed; suitable habitat</u></b>
<i>Onychomys torridus ramona</i> southern grasshopper mouse	—	SSC	May occur; potentially suitable habitat
<i>Taxidea taxus</i> American badger	—	SSC	Observed; suitable habitat

10. Page 5.2-26, fourth sentence under Amphibians on is hereby revised as follows:

However, during all these **2014** surveys **and during incidental observations in 2005 and 2015**, the western spadefoot was observed both in the cattle pond **in the northwestern portion of the site** and in **both** the ephemeral ponds **located in the central portion of the site (see Attachment D of the Biological Technical Report)**.

11. Page 5.2-27, Special Status Wildlife Species, of the Draft SEIR is hereby revised to read as follows:

#### *Mammals*

**Three nights of acoustic bat detection surveys were conducted on July 18-20, 2017. The focused survey report is included in Appendix C of the Final SEIR. The following special status species were detected: Western mastiff bat (*Eumops perotis californicus*), Pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillei*), and Townsend's big eared bat (*Corynorhinus townsendii*).** ~~Six~~**Eight** special status bat species have potential to occur on the Project site (Table 5.2-4). Four of these species, pallid bat (*Antrozous pallidus*), spotted bat (*Euderma maculatum*), hoary bat and western small-footed myotis (*Myotis ciliolabrum*), also have potential or limited potential to roost on the Project site.

**Four** ~~Three~~ other special status mammals have potential to occur on the Project site (Table 5.2-4). The San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), and southern grasshopper mouse (*Onychomys torridus ramona*) may occur on the Project site; and **San Diego desert woodrat (*Neotoma bryanti intermedia*), and** American badger ~~was~~ **were** observed on the Project site.

12. Page 5.2-34, in Section 5.2.6, Relevant Project Characteristics, of the Draft SEIR is hereby revised to have the following text inserted after the first sentence of this section:

**This undeveloped natural open space would be undisturbed by the Project and does not include fuel modification areas. The development footprint impact area includes a fuel modification buffer zone.**

13. Page 5.2-34, in Section 5.2.7, Impact Analysis and Mitigation Measures, of the Draft SEIR is hereby revised as follows:

#### Special Status Plants

~~Eight~~ **Seven** special status plant species are known to occur on the Project site: round-leaved filaree club-haired mariposa lily, slender mariposa lily, Peirson's morning-glory, paniculate tarplant, ~~bobtail barley~~, southern California black walnut, and southwestern spiny rush.

Bobtail barley changed from on-site to off-site due to project boundary changes over time. The initial discussion of this species on page 5.2-21 of the DEIR and Exhibit 5.2-2 of the DEIR correctly reflect the species as off-site but the second discussion was never revised and incorrectly indicated the species as on-site. The sentence has been corrected by removing the species name and changing the value for the number of species on-site from eight to seven at the beginning of the sentence.

14. Page 5.2-35, Special Status Plant Species, of the Draft SEIR is hereby revised to read as follows:

Round-leaved filaree was previously found at one location in ~~2003~~ **2001** (~~39~~ **60** individuals) in annual grassland in the impact area.

15. Page 5.2-36, under the Special Status Plants section, the first sentence of the first full paragraph is hereby revised as follows:

Southern California black walnut was observed along the road in the ~~southern~~ **northern** portion of the study area.

16. Page 5.2-37, under the Special Status Wildlife section, the second to the last sentence is hereby revised as follows:

Additionally, MM 5.2-15 requires consultation with ~~CDFW~~ **USFWS** within the framework of Section 7 through the USACE regulatory permitting process.

17. Page 5.2-39 and 5.2-40, in Section 5.2.7, Impact Analysis and Mitigation Measures, of the Draft SEIR is hereby revised to read as follows:

The proposed Project would potentially impact foraging habitat for the several bat species, including pallid bat, Townsend's big-eared bat (*Corynorhinus townsendii*), spotted bat, western mastiff bat (*Eumops perotis californicus*), **western red bat (*Lasiurus blossevillii*)**, hoary bat, **California myotis (*Myotis californicus*)**, western small-footed myotis (*Myotis ciliolabrum*), ~~and~~ Yuma myotis (*Myotis yumanensis*), **western pipistrelle (*Parastrellus hesperus*)**, and **Mexican free-tail (*Tadarida brasiliensis*)**. This foraging habitat is located in the foothills, a topographical area where relatively abundant open spaces still remain in the region. The loss of 1,070.16 acres of foothill foraging habitats consisting of grasslands, coastal sage scrub, and riparian vegetation types for these bat species would contribute to an ongoing cumulative loss of regional and local foraging habitat. This impact is considered adverse but less than significant under Section 15380 of the State CEQA Guidelines because the Project would not impact a substantial population of the bat species mentioned above and would not cause regional populations to drop below self-sustaining levels.



The study area provides potential, but limited, daytime roosting opportunities for bat species such as pallid bat, spotted bat, and small-footed myotis. Areas such as shallow voids between or under rocks, rock crevices, and tree foliage (particularly western sycamore) can potentially provide day roosting habitat. Habitat that could potentially support maternity or hibernation roosts, do not occur in the study area. Maternity and hibernation roost generally include areas such as rock crevices, spaces between rocks in rock outcrops, and mines or caves. The study area contains few large rocks or boulders with fractures/cavities or rock outcrops. Most of the larger rocks in the study area are associated with creek bottoms. There are some areas on steep slopes, mostly in the northern portion of the study area, that contain exposed rocks, but these rocks are generally not assembled into rock outcrops. Caves and mines do not occur in the study area. Project implementation may impact bats directly and indirectly if large trees or rocky areas are used for roosting by bats. Roosting habitat in the study area is considered to be marginal and unable to support large numbers of bats; therefore, this impact would contribute to an ongoing cumulative loss of regional roosting habitat that is considered adverse but less than significant under Section 15380 of the State CEQA Guidelines. The direct loss of roosting bats, however, would be considered potentially significant and would require mitigation. Implementation of MM 5.2-12 and 5.2-20 would reduce this impact to a level considered less than significant. These measures require a biologist during vegetation removal and pre-construction bat surveys, including methods for avoiding direct impacts to bats.

**Four** ~~Three~~ other **special** status mammal species are either potentially present (San Diego black-tailed jackrabbit and southern grasshopper mouse) or were observed (**San Diego desert woodrat**, and American badger) on the Project site. Project implementation would result in the loss of 1,070.16 combined acres of grassland, coastal sage scrub, and riparian habitats that provide potentially suitable habitat for the San Diego black-tailed jackrabbit and southern grasshopper mouse and suitable habitat for the **San Diego desert woodrat and** American badger. These impacts would be considered adverse but not substantial enough on a regional basis to warrant a finding of significance under Section 15380 of the State CEQA Guidelines for these three species because the Project would not impact a substantial population of these species mentioned above and would not cause regional populations to drop below self-sustaining levels.

18. Page 5.2-41, bottom of the page, above the last line of text, is hereby revised as follows:

**Hydrologic Changes to Downstream Areas**

**Without appropriate engineering considerations, modification of undeveloped and/or undisturbed lands have the potential to result in hydrologic changes downstream of modified areas. Changes may include increases and/or decreases in stream flow characteristics such as volume, velocity, sediment transport, and duration of surface flow. Such changes may in turn result in impacts on many other factors such as turbidity, erosion, depth, and width (i.e., hydromodification). Stream ecosystems have typically evolved under existing conditions for many years resulting in consistent suitable conditions for a particular suite of biological resources. Impacts resulting from hydrologic modifications have the potential to disrupt these conditions, which may result in less than suitable or unsuitable conditions for plant and wildlife species occupying the area. Many aquatic species have maximum and/or minimum thresholds of various habitat parameters such as turbidity, velocity, and temperature which may change**

**as a result of Project induced flow modification. Ultimately, the impacts may result in the loss of particular vegetation types and/or plant and wildlife populations from affected areas.**

**Los Angeles County has adopted a Low Impact Development (LID) Ordinance, consistent with the requirements of the Los Angeles Regional Water Quality Control Board's latest Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (National Pollutant Discharge Elimination Program No. CAS004001). A primary purpose of the LID Ordinance, which includes a hydromodification standard, is to "lessen the adverse impacts of stormwater runoff from development and urban runoff on natural drainage systems, receiving waters and other water bodies" (Section 12.84.410 of the County of Los Angeles Municipal Code). As described in Section 1.2, the Project design incorporates a regional detention/retention basin system, which complies with the LID ordinance and reduces potential impacts downstream such that associated biological resources are not expected to be effected by the Project. Additional details can be found in *Biological Resources Downstream Impacts Assessment* technical memo in Appendix B of the Final SEIR. As a result, downstream impacts on biological resources resulting from hydrologic changes are considered less than significant.**

19. Page 5.2-43, MM 5.2-4, fourth and fifth bullets of the mitigation measure is hereby revised as follows:

- Approximately ~~60~~**20** percent of the seeds and bulbs collected shall be spread and/or placed in the fall following soil preparation. ~~Forty~~ **Eighty** percent of the seed and bulbs shall be kept in storage for subsequent seeding, if necessary.
- ~~Approximately 60 percent of the seeds and bulbs collected shall be spread and/or placed in the fall following soil preparation. Forty percent of the seed and bulbs shall be kept in storage for subsequent seeding, if necessary.~~

20. Page 5.2-44, MM 5.2-6 of the Draft SEIR, the second sentence of the mitigation measure is hereby revised as follows:

Sage scrub habitat restoration/enhancement implementation shall begin not ~~more~~ **less** than one year ~~following~~ **prior to** project impacts to this habitat type.

21. Page 5.2-45, MM 5.2-6 of the Draft SEIR, the first sentence under Part 'd' of the mitigation measure is hereby revised as follows:

At least ~~two~~ **three** years prior to mitigation implementation of the Project Applicant or its consultants/contractors shall initiate collection of the native seed materials specified in the HMMP.

22. Page 5.2-52, MM 5.2-9 of the Draft SEIR is hereby revised as follows to insert as the first bullet the following:

**Prior to implementing the Spadefoot Relocation Plan, a focused survey will be conducted within the prior appropriate season. If any additional ephemeral ponds are determined to be occupied besides those identified in recent surveys (i.e. 2015), the Spadefoot Relocation Plan will be modified to include replacement of the additional occupied pond as well as others.**

23. Page 5.2-55, MM 5.2-13, is hereby revised as follows:

If the Biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the Biologist shall delineate an appropriate buffer zone ~~(at a minimum of 25 feet)~~ around the nest depending on the sensitivity of the species and the nature of the construction activity. **Typical nest buffers may be approximately 200 feet for song birds and 500 feet for raptors.** Any nest found during survey efforts shall be mapped on the construction plans. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by a qualified Biologist: (1) clearing limits shall be established within a buffer around any occupied nest ~~(the buffer shall be 25–100 feet for nesting birds and 300–500 feet for nesting raptors)~~, determined by a qualified Biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by a qualified Biologist.

24. Page 5.2-56, Mitigation Measure 5.2-18 shall be revised as follows:

**MM 5.2-18:** To limit the amount of human disturbance to surrounding natural open space areas, a Fencing Plan to deter project occupants from entering the natural areas shall be prepared by the project developer and implemented. The Fencing Plan shall include provisions for signs and **wildlife friendly** split-rail fencing to direct residents to keep out of sensitive natural open space and revegetation and/or mitigation areas.

In areas bordering natural open space and fuel-modification zones, the Landscape Plan shall reflect a transition zone designed to buffer natural habitats from developed areas **and proposed fencing**. This transition zone should reduce impacts associated with invasion by introduced species and should help buffer human activity adjacent to the wildlife habitat. Landscaping in areas adjacent to natural open space shall use species native to the project region (e.g., toyon) and be consistent with guidelines from the Los Angeles County Fire Department.

25. Page 5.2-57, Mitigation Measure 5.2-19 shall be revised as follows:

**MM 5.2-19:** Landscaping designs shall be submitted to LACDRP for review and approval by a qualified Biologist. The review shall ensure that no invasive, exotic plant species are used in any proposed landscaping and that suitable substitutes are proposed. ~~Ideally, only~~ **Only** native species from the Santa Clarita Valley region shall be used in landscaping along the project boundaries adjacent to open space.

26. Page 5.2-57, Mitigation Measure 5.2-20 shall be revised as follows:

If the potential for colonial roosting is determined, **CDFW will be consulted** and those rocky outcrops or trees shall not be removed during the bat maternity roost season (March 1 to July 31).

27. Page 5.2-57, the last sentence of Mitigation Measure 5.2-20 shall be revised as follows:

**In addition, the habitat replacement requirements of other Mitigation Measures further reduce the impact to bats through the preservation, enhancement, restoration and/or creation of impacted vegetation, which shall be generally suitable for impacted bat species.**

28. Page 5.2-57, following the last sentence of Mitigation Measure 5.2-20 shall be revised as follows:

**Prior to disturbance of any roosting habitat, a Bat Relocation Monitoring Plan (BRMP) shall be submitted and approved by the CDFW and the LADRP. The BRMP shall include, at a minimum, the following items: (1) species of bats present onsite, (2) habitat uses of the site (i.e., roosting, hibernating, etc.) (3) roosting habitat replacement feature guidelines, (4) construction monitoring guidelines, (5) habitat replacement feature monitoring, and (6) reporting requirements. Reporting shall occur annually to LADRP and CDFW. The BRMP will be submitted annually for five years.**

29. Page 5.2-58, Threshold 5.2-2 shall be revised in the first and eighth sentence, as follows:

Implementation of the proposed Project would impact 4,404.97 **1,071.07** acres of natural open space and wildlife habitat. The impact areas of the proposed Project are shown in Exhibit 5.2-4, Project Impact Area, and impact acreages are summarized in Table 5.2-5, Impacted Vegetation Types. [] The combined loss of 4,070.16 **1,071.07** acres of native habitat and annual grassland habitat would be considered a significant impact on biological resources, because these habitats provide valuable nesting, foraging, roosting, and denning opportunities for a wide variety of wildlife species.

### **Section 5.3 – Cultural Resources**

1. Page 5.3-2, Existing Conditions, is hereby revised to read as follows:

**Southern California has a long history of human occupation, with dates of the earliest evidence of occupation during the late Pleistocene (Glassow et al. 2007: 191; Jones and Kennett 2012: 40; Madsen 2015). Several chronologies are generally used to describe the sequence of the prehistoric periods of Southern California. William Wallace (1955) developed the first comprehensive California chronologies and defines four periods for the southern coastal region. This framework is divided into four major periods: Horizon I: Early Man or Paleo-Indian Period (11,000 BCE to 7,500 BCE); Horizon II: Milling Stone Assemblages (7,500 BCE to 1,000 BCE); Horizon III: Intermediate Cultures (1,000 BCE to 750 CE); and Horizon IV: Late Prehistoric Cultures (750 CE to 1769 CE).**

Wallace's synthesis is largely "descriptive and classificatory, emphasizing the content of archaeological cultures and the relationships among them" (Moratto 1984:159). Wallace relies on the concept of "cultural horizons", which are generally defined by the temporal and spatial distribution of a set of normative cultural traits, such as the distribution of a group of commonly associated artifact types. As a result, his model does not allow for much cultural variation within the same time period, nor does it provide precise chronological dates for each temporal division.

Nonetheless, although now more than **60** years old, the general schema of the Wallace chronology has provided a general framework for Southern California prehistory that remains valid today.

**Horizon I: Early Man or Paleo-Indian Period (11,000 BCE<sup>14</sup> to 7,500 BCE).**

While Wallace (1955) initially termed this period the Early Man Horizon (I), this early stage of human occupation is commonly referred to as the Paleo-Indian Period today (Chartkoff and Chartkoff 1984:24). The precise start of this period is still a topic of considerable debate (Jones and Kennett 2012: 39-40). Archaeological evidence from coastal and inland sites during this period indicate that the economy was a diverse mixture of hunting and gathering, with a major emphasis on aquatic resources in many coastal areas (Jones et al. 2002). Although few Clovis-like or Folsom-like fluted points have been found in southern California, it is widely thought that there was a greater emphasis on hunting at near-coastal and inland sites during the Paleo-Indian Period than in later periods (e.g., Dillion 2002; Erlandson et al. 1987). At inland archaeological sites, the surviving material culture of this period is primarily lithic, consisting of large, extremely well made stone projectile points and tools such as scrapers and choppers. Encampments were probably temporary, located near major kills or important resource areas.

**Horizon II: Milling Stone Assemblages (7,500 BCE to 1,000 BCE).**

Encompassing a broad expanse of time, the Milling Stone Period was named for the abundant milling stone tools associated with sites of this period and is the earliest well-established period of occupation in the southern California (Glassow et al. 2007: 192; Erlandson 2012: 30). This period is characterized by an ecological adaptation to collecting, accompanied by a dependence on ground stone implements (Hildebrandt and McGuire: 2010: 134) associated with the horizontal motion of grinding small seeds: milling stones (i.e., metates, slabs) and hand stones (i.e., manos, mullers). Milling stones are found in large numbers for the first time and become more numerous toward the end of this period. As evidenced by their tool kits and shell middens in coastal sites, people during this period practice a mixed food-procurement strategy. Subsistence patterns became more specialized as groups became better adapted to their regional or local environments. Projectile points from this period are relatively rare, but are large and generally leaf-shaped, and were probably employed with darts or spears thrown with atlatls. Bone tools, such as awls, and items made from shell, including beads, pendants, and abalone dishes, are also quite common. Evidence of weaving or basketry is present at a few sites. The mortar and pestle, associated with the vertical motion of pounding foods such as acorns, were introduced during the Milling Stone Period, but do not become common until the Intermediate Period. These tools, the mano and metate, were used to process small, hard seeds from plants associated with shrub-scrub vegetation communities. An annual round of seasonal migrations was likely practiced, with movements coinciding with ripening vegetal resources and the periods of maximal availability of various animal resources. Along the coast, shell midden sites are common site types. Some formal burials, occasionally with associated grave goods, are also evident. This period of time is roughly equivalent to Warren's (1968) Encinitas Tradition. Warren (1968) suggests that, as

<sup>14</sup> BCE is defined as "Before Common Era" and generally refers to that time period commonly referred to as "Before Christ" (B.C.).

~~millingstones are common and projectile points are comparatively rare during this period of time, hunting was less important than the gathering of vegetal resources.~~

~~More recent studies suggest that a diversity of subsistence activities, including hunting of various game animals, were practiced during this period. At present, little is known about cultural change during this time period in Southern California. While this lack of noticeable change gives the appearance of cultural stasis, almost certainly many regional and temporal cultural shifts did occur. Future research that is focused on temporal change within the Milling Stone Period would greatly benefit the current understanding of Southern California prehistory.~~

**Horizon III: Intermediate Cultures (1,000 BCE to 750 CE<sup>15</sup>).** The Intermediate Period is identified by a mixed strategy of plant exploitation, terrestrial hunting, and maritime subsistence strategies. Chipped stone tools, such as projectile points, generally decrease in size, but increase in number. Abundant bone and shell remains have been recovered from sites dating to these time periods. In coastal areas, the introduction of the circular shell fishhook and the growing abundance of fish remains in sites over the course of the period suggest a substantial increase in fishing activity during the Intermediate Horizon. It is also during this time period that mortar and pestle use intensified dramatically (Glassow et al. 2007: 199). The mano and metate continued to be in use on a reduced scale, but the greatly intensified use of the mortar and pestle signaled a shift away from a subsistence strategy based on seed resources to that of the acorn and other pulpy plant foods (Glassow et al. 2007: 200). It is probably during this time that the acorn became the food staple of the majority of the indigenous tribes in Southern California. This subsistence strategy continued until European contact. Material culture became more diverse and elaborate and included steatite containers, perforated stones, bone tools, ornamental items, and asphalt adhesive.

2. Page 5.3-4, Existing Conditions, is hereby revised to read as follows:

**The NorthLake Specific Plan Project area is the traditional use area of the Native American group known as the Tataviam.** The Tataviam were hunter-gatherers that spoke a variant of the indigenous Takic language. Takic-speakers are believed to have migrated into Southern California from the Great Basin sometime between 1,000 and 3,000 years ago, an event some archaeologists believe interrupted the long-standing Milling Stone way of life. Tataviam subsistence centered upon the seasonal gathering of plant foods (yucca, acorns, sage seeds, and juniper berries) and hunting (rabbit, rodents, deer, and antelope). Acorns, the staple food of most Late Period groups in California, may have been less important to the Tataviam, who utilized yucca more extensively. The plant was roasted in stone-lined earth ovens, often identified archaeologically.

**The Tataviam territory was known to include the upper reaches of the Santa Clara River drainages and traveled north to the southwestern edge of the Antelope Valley (King and Blackburn 1978). However, it should be noted that these boundaries were defined in the early 1900s as part of the Bureau of American Ethnology mapping of Native American groups and (Robinson et**

<sup>15</sup> CE is defined as "Common Era" and generally refers to that time period commonly referred to as "annō Domini" (A.D.).

al. 2012: 275) and there is a possibility the traditional use area for the Tataviam encompasses a much larger area. Nonetheless, most of what is known about the Tataviam has been gleaned from raw field notes taken by anthropologists John P. Harrington and Alfred L. Kroeber; from records at Mission San Fernando, where many Tataviam were taken; and diaries of early Spanish explorers. At the time of historic contact, the total Tataviam population was approximately fewer than 1,000 people. In 1776, Francisco Garces explored the area that the Tataviam inhabited and found them to share similar culture traits to their southern Takic neighbors in dress, political organization, and language (King and Blackburn 1978). These southern neighbors included the Cahuilla, Luiseno, Juaneno, Gabrielino, and Serrano.

Late Period archaeology is generally better understood because the late nineteenth and early twentieth century descendants of these groups provided additional information to early anthropologists. Similar associations between the Tataviam and the Takic groups have been found in the archaeological record, including the types of artifacts found and the internal organization of cemeteries and villages. Possible shared concepts of ritual and religion may have also existed between the Tataviam and the neighboring Chumash as evidenced from ritual paraphernalia documented in caves, such the nearby Bowers Cave (Elsasser and Heizer 1963, Robinson et al. 2012: 283-284).

With the establishment of the mission system within California beginning in 1769, nearly all the Tataviam had been baptized at the San Fernando Mission (King and Blackburn 1978). Furthermore, the descendants of most of the Tataviam had married members of other Native American groups at the mission or in the Tejon region.

However, so few descendants could be identified from the Tataviam or Alliklik, whose territory included the Castaic Creek area, that very little of them is known. By the time anthropologists began to collect data about traditional native cultures in California (about 1900), the opportunity to learn first-hand and collect more information about the group became increasingly difficult. Fortunately, groups such as the Fernandeno Tataviam Band of Mission Indians is dedicated to preserving the cultural identity of the Tataviam for future generations through member participation in cultural education, linguistic and ethnographic research, archaeological analysis, and oral tradition.

Decimated by Spanish missionization and absorbed by other groups through inter-marriage, the Tataviam vanished rapidly from the cultural landscape. What is known about their culture has been reconstructed through linguistic and ethnohistoric research, archaeological analysis, and remembrances of individuals from neighboring bands.

Recent work with these materials has helped considerably in understanding more about Tataviam life. Their territory encompassed a roughly triangular area from the Piru area, eastward along the upper Santa Clara River through the Newhall area to Soledad Pass, and northward across the Sierra Pelona, Sawmill, and Liebre Mountains to the westernmost edge of the Antelope Valley and southernmost slopes of the Tehachapi Mountains.

~~With the Santa Clara River Valley and Antelope Valley acting as east-west corridors between the deserts and coast, the Tataviam likely participated in “down the line” long-distance trade. Shell beads found in the western Mojave Desert, for example were acquired by the Takic-speaking Kitanemuk through a trade network in which the Tataviam may have been linked with Hoka-speaking Chumash on the coast.~~

3. Page 5.3-11, Threshold 5.3-2, is hereby revised to read as follows:

Based on consultation with the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, two known historic resource sites are located within ½ mile of the Project site:

- ~~CA-LAN-990H. CA-LAN-990H.~~ This historic resource, known as Old Ridge Route, is a roadway listed on the National Register of Historic Places (NRHP) and on the CRHR. This road was opened in 1915 and was the most direct automobile and truck route connecting Los Angeles to Northern California (P.5.3-11).
- The Old Ridge Route (~~CA-LAN-990H~~) (~~CA-LAN-990H~~), which is adjacent to a portion of the Project site, is a roadway listed on the NRHP as well as on the CRHR (P.5.3-13).

4. Page 5.3-12, Last Paragraph, is hereby revised to read as follows:

~~Subsequently~~ **Contrary to the Jones & Stokes finding of lack of significance,** in 2007, the State Historic Preservation Office (**SHPO**), in a communication with SCE, **made the determination that the line was an NRHP eligible property. SHPO further** concurred with Edison’s proposal to conduct Level II Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscapes Survey (HABS/HAER/HALS) documentation for each tower as ongoing changes and maintenance occur to the line, ~~which had been determined a NRHP eligible property.~~ According to the letter (refer to Appendix E of the Cultural Resources Assessment [included as Appendix E-1]) SCE would bear the responsibility associated with this documentation at the time modifications are proposed; **therefore, impacts would be fully mitigated by Edison and no further mitigation would be required.**

5. Page 5.3-13, First Paragraph, is hereby revised to read as follows:

The Old Ridge Route (CA-LAN-990H), which is adjacent to a portion of the Project site, is a roadway listed on the NRHP as well as on the CRHR. According to the NRHP, this road was opened in 1915 and was the most direct automobile and truck route connecting Los Angeles to Northern California. The segment of Ridge Route Road that is considered historic, per the ~~CNRHP~~ and CRHR criteria, is an unbroken span of the original Ridge Route roadway that retains most of its original 1914 to 1917 engineering features, and additional upgrades and modifications undertaken before 1933 (BonTerra Psomas 2015).

6. Page 5.3-14, Net Level of Significance, is hereby revised to read as follows:

**Net Level of Significance:** Less than significant. The Project would impact several utility lines through proposed development and relocation activities; **With**



the exception of the Bailey-Pardee and Pardee-Pastoria 220-kilovolt Transmission Lines which were determined to be an NRHP eligible property and which would be fully mitigated by Edison thus requiring no further mitigation however, these structures do not meet any of the criteria necessary for listing in the registries and therefore do not appear eligible for listing in the NRHP or CRHR as significant historic resources.

7. Page 5.3-14, Threshold 5.3-3 and Threshold 5.3-4, is hereby revised to read as follows:

Based on consultation with the SCCIC, ~~four~~ six previously recorded archaeological sites are located within ½ mile search radius of the Project site:

- **CA-LAN-323.** This resource consists of prehistoric lithic artifacts, midden, and bedrock mortar features. The site was first recorded in 1965.
- **CA-LAN-325.** This resource consists of a prehistoric rock shelter containing basketry and beads. The site was first recorded in 1965.
- **CA-LAN-1222.** This resource consists of a prehistoric rock shelter and an associated lithic artifact. This site was first recorded in 1985.
- **CA-LAN-1672H.** This resource consists of the remains of a historic ranch, including ceramic, glass, and metal artifacts. This site was first recorded in 1989.
- **CA-LAN-4475. This resource was first recorded in 2014 and consists of a prehistoric lithic scatter.**
- **CA-LAN-4478H. This resource consists of a historic telephone pole alignment. The site was recorded in 2014.**

In addition to the previously recorded archaeological sites identified within the search radius, the cultural resources survey resulted in the discovery of three new historic archaeological sites (NL-1, NL-2, and NL-3) within the NorthLake Specific Plan Boundary. The historic archaeological sites consist of two historic refuse deposits (NL-1 and NL-2) and the remains of a wooden structure (NL-3). These sites lack sufficient density, diversity, and integrity for inclusion in the CRHR (BonTerra Psomas 2015). The survey also discovered five previously unrecorded isolated occurrences (isolates) of prehistoric artifacts. The prehistoric isolates consist of ground and chipped stone artifacts. Isolated artifacts will not meet the criteria for inclusion in the CRHR (BonTerra Psomas 2015). Therefore, these sites neither the three newly identified historic archaeological site nor the five prehistoric isolates are not archeological resources under CEQA.

None of the identified archaeological resources discussed above occur within Project site boundaries the Project Disturbance Area or in the External Improvements Area; therefore, implementation of the *NorthLake Specific Plan* would not impact these recorded resources.

### 5.3.8 Cumulative Impacts

The SCCIC records searches identified six previously recorded cultural resources within the ½ -mile search radius of the Project area (CA-LAN-323, CA-LAN-325, CA-LAN-1222, CA-LAN-1672H, CA-LAN-4475, and CA-LAN-4478H). The previously recorded resources include four prehistoric sites and two historic sites. The prehistoric sites include rock shelters and a habitation site. The historic sites include a historic electrical transmission line dating to 1913 and the historic Old Ridge Route. Of the six previously recorded

cultural resources identified in the search radius, the two historic sites are located within the NorthLake Specific Plan boundary. In addition to the previously recorded archaeological sites identified within the search radius, the cultural resources survey resulted in the discovery of three new historic archaeological sites and five prehistoric isolates within the NorthLake Specific Plan boundary.

The resources indicated that human occupation occurred on the Project area during both the prehistoric and historic periods. However, none of the identified archaeological resources discussed above occur within the Project Disturbance Area or in the External Improvements Area; therefore, implementation of the NorthLake Specific Plan would not impact these recorded cultural resources.

Additionally, the paleontological resources records search results were negative for paleontological resources within the NorthLake Specific Plan boundary. Therefore, unless ground disturbing activities occur within buried geologically sensitive sediments in is unlikely that the NorthLake Specific Plan will impact significant paleontological resources.

~~The known archaeological resources in the vicinity are either inundated by the water in Castaic Lake or on the opposite side of the freeway from the Project site. There are no known archaeological or paleontological resources on the Project site.~~

~~Impacts to potential historical, archaeological, and paleontological resources as a result of the proposed Project are less than significant with the implementation of the recommended mitigation measures. Therefore, the proposed Project would not generate cumulative impacts to historical, archaeological or paleontological resources~~

8. Page 5.3-17 under Section 5.3.8, Cumulative Impacts, is hereby revised to read as follows:

The SCCIC records searches identified six previously recorded cultural resources within the ½ -mile search radius of the Project area (CA-LAN-323, CA-LAN-325, CA-LAN-1222, CA-LAN-1672H, CA-LAN-4475, and CA-LAN-4478H). The previously recorded resources include four prehistoric sites and two historic sites. The prehistoric sites include rock shelters and a habitation site. The historic sites include a historic electrical transmission line dating to 1913 and the historic Old Ridge Route. Of the six previously recorded cultural resources identified in the search radius, the two historic sites are located within the NorthLake Specific Plan boundary. In addition to the previously recorded archaeological sites identified within the search radius, the cultural resources survey resulted in the discovery of three new historic archaeological sites and five prehistoric isolates within the NorthLake Specific Plan boundary.

The resources indicated that human occupation occurred on the Project area during both the prehistoric and historic periods. However, none of the identified archaeological resources discussed above occur within the Project Disturbance Area or in the External Improvements Area; therefore,

**implementation of the NorthLake Specific Plan would not impact these recorded cultural resources.**

**Additionally, the paleontological resources records search results were negative for paleontological resources within the NorthLake Specific Plan boundary. Therefore, unless ground disturbing activities occur within buried geologically sensitive sediments in is unlikely that the NorthLake Specific Plan will impact significant paleontological resources.**

~~The known archaeological resources in the vicinity are either inundated by the water in Castaic Lake or on the opposite side of the freeway from the Project site. There are no known archaeological or paleontological resources on the Project site.~~

~~Impacts to potential historical, archaeological, and paleontological resources as a result of the proposed Project are less than significant with the implementation of the recommended mitigation measures. Therefore, the proposed Project would not generate cumulative impacts to historical, archaeological or paleontological resources.~~

9. Page 5.3-16, MM 5.3-1, first sentence, is hereby revised to read as follows:

All Project-related ground-disturbing activities in **native sediments** ~~archaeologically sensitive sediments~~ shall be monitored by a qualified Archaeologist to reduce any archaeological resources impacts to a level considered less than significant.

## **Section 5.5 – Fire Hazards, Emergency Response, and Environmental Safety**

1. Page 5.5-6, Santa Clarita Area Fire Department Resources, first paragraph, is hereby revised to read as follows:

The Santa Clarita Valley area receives primary fire protection services from the LACFD as part of the Consolidated Fire Protection District. There are 416 fire stations within Los Angeles County, **172** ~~470~~ of which are operated by LACFD (**LACFD 2017**)~~(FireDepartment.net 2015)~~. According to the SCVAP 2012, ~~There were a total of 15 13 LACFD stations as of 2015 2009 (including 1 3 temporary stations) with plans to replace the temporary station with a permanent one by 2020 (LACFD 2017) serving the area with plans to build 15 new, permanent stations by 2016 (LACDRP 2012b).~~ The Project site is approximately 2.7 miles from the nearest station, No. 149, located to the south at 31770 Ridge Route Road in the Community of Castaic. This station houses one engine company, one patrol unit and one **paramedic** squad unit (FireDepartment.net 2015, **LACFD 2017**). Other stations in the area include 3 stations in the City of Santa Clarita: Station 76 located at 27223 Henry Mayo Drive, Station 156 located at 24525 Copper Hills Drive, and Station 126 located at 26320 Citrus Street (FireDepartment.net 2015). Should a significant incident occur, the resources of the entire LACFD, not just the stations closest to the Project Site, would be used.

2. Page 5.5-14, Project Design Features, second paragraph, is hereby revised to read as follows:

The existing oil line that currently traverses the Project site would be relocated, prior to grading activities, to an alignment **along the eastern boundary** of the proposed development areas **and within the identified grading footprint**.

## **Section 5.7 – Greenhouse Gas Emissions**

1. Table 5.7-4, Row LUT-3: Transit Expansion, Second Column, is hereby revised to read as follows:

Existing Initiatives and New Actions	NorthLake Specific Plan Implementation Actions
<p><b>LUT-3: Transit Expansion.</b> Work with Los Angeles County Metropolitan Transportation Authority (LA Metro) on a transit program that prioritizes transit by creating bus priority lanes, improving transit facilities, reducing transit-passenger time, and providing bicycle parking near transit stations. Construct and improve bicycle, pedestrian and transit infrastructure to increase bicyclist and pedestrian access to transit and transit stations/hubs.</p>	<p><b>Consistent.</b> The proposed mobility plan would minimize vehicular trips through the linkage of land use areas and site elements via a multi-modal system including bike lanes, bus routes, and pedestrian connections. The <del>Transportation Management Association</del><b>NorthLake Community Transportation Program</b> would include a program to extend Santa Clarita Valley Transit into the Project site. Bus stops would be added with the development of the Project and the Castaic Middle school. Implementation of bus priority lanes, improving transit facilities, reducing transit-passenger time, and providing bicycle parking near transit stations is the responsibility of and directed to the County of Los Angeles. The Project will include a variety of TDM measures, including provision of a shuttle system to major employment centers.</p>

2. Page 5.7-38 through 5.7-39, MMs 5.7-2 through 5.7-13 are hereby revised to read as follows:

**MM 5.7-2** Prior to the issuance of building permits, the applicant shall provide evidence of energy- efficient designs, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and County standards, such as those found in the Leadership in Energy and Environmental Design ("LEED") Green Building Ratings and/or comply with Title 24, Part 11, the California Green Building Standards Code. **(SCVAP MM 3.4-2)**

**MM 5.7-3** Prior to the issuance of building permits, the applicant shall provide evidence of energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-3)**

**MM 5.7-4** Prior to the issuance of building permits, the applicant shall provide evidence of light colored "cool" roofs and cool pavements, in accordance with the requirements of the ordinances adopted

pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-4)**

**MM 5.7-5** Prior to the issuance of building permits, the applicant shall provide evidence of efficient lighting (including LEDs) for traffic, street, and other outdoor lighting purposes, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-5)**

**MM 5.7-6** Prior to the issuance of building permits, the applicant shall provide evidence of efficient pumps and motors for pools and spas, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-6)**

**MM 5.7-7** Prior to the issuance of building permits, the applicant shall provide evidence of the ability to install solar, and solar hot water heaters, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-7)**

**MM 5.7-8** Prior to the issuance of building permits for, the applicant shall provide evidence of water-efficient landscapes, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-8)**

**MM 5.7-9** Prior to the issuance of building permits, the applicant shall provide evidence of water efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods, in accordance with the requirements of the ordinances adopted pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-9)**

**MM 5.7-10** Prior to the issuance of building permits, the applicant or their contractor shall submit a site construction management plan for the reuse and recycle construction and demolition (including soil, vegetation, concrete, lumber, metal, and cardboard) to the Department of Public Works for review and approval in accordance with the requirements of the ordinances developed pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-10)**

**MM 5.7-11** Prior to the issuance of building permits, the applicant shall provide evidence of reuse and recycling receptacles in residential, industrial, and commercial projects, in accordance with the requirements of the ordinances developed pursuant to the County's Green Building Program and other applicable State and County standards. **(SCVAP MM 3.4-11)**

- MM 5.7-12** Prior to the issuance of building permits, the applicant shall provide evidence of consistency with “smart growth” principles to reduce GHG emissions (i.e., ensure mixed- use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services). **(SCVAP MM 3.4-12)**
- MM 5.7-13** Prior to implementing project approval, the applicant shall preserve existing trees, to the extent feasible and consistent with mitigation measures, encourage the planting of new trees consistent with the final landscape palettes, and create open space where feasible. **(SCVAP MM 3.4-13)**

3. Page 5.7-71, MM 5.1-9 is hereby revised to read as follows:

- MM 5.1-9** A commuter computer program shall be developed for the NorthLake residents in an attempt to reduce commuter vehicle trips generated by the proposed projects. **(1992 SP EIR MM 4.5-9)**

### **Section 5.8 – Hydrology and Water Quality**

1. Page 5.8-45, immediately following RR 5.8-3 and preceding Section 5.8.6, Threshold Criteria, is hereby revised to read as follows:

**PDF 5.8-1: Prior to the issuance of any grading or building permit (whichever comes first) and as part of the design level hydrology study and facilities plan, a final LID Plan shall be prepared consistent with the terms and content of the NorthLake Specific Plan Water Quality Technical Report and the Low Impact Development Plan, Vesting TTM No. 073336 NorthLake Phase 1 that specifically identify the LID, treatment, and hydromodification control BMPs to be used on the NorthLake Project site.**

**PDF 5.8-2: For the post-construction (operational) phase, the Project shall implement the following LID BMP Performance Standard for runoff volume reduction and water quality treatment:**

**LID BMPs shall be selected and sized to retain the volume of stormwater runoff produced from a 1.15 inch storm event (LID design volume). When it has been demonstrated that 100 percent of the LID design volume cannot be feasibly infiltrated, then biofiltration shall be provided for 1.5 times the portion of the LID design volume that is not retained. Runoff from roadways shall be retained or biofiltered in retention or biofiltration BMPs sized to capture the design storm volume or flow, per the guidance in USEPA’s Managing Wet Weather with Green Infrastructure: Green Streets. Regional facilities shall be implemented within the Project to infiltrate or biofilter the runoff volume from the 1.15 inch design storm volume that has not been retained or biofiltered within parcels or road right-of-ways.**

2. Page 5.8-71, Industrial Activities, first sentence, is hereby revised to read as follows:

The proposed Project contains approximately 13.~~9~~**7** acres of property zoned for light-industrial land uses.

3. Page 5.8-72, Wastewater Discharges, fourth paragraph, is hereby revised to read as follows:

In order to comply with the Upper Santa Clara River Chloride TMDL, the SCVSD will need to add facilities because the existing treatment processes do not provide chloride removal. **Advanced treatment of the Valencia WRP effluent would be necessary for the SCVSD to comply with the 100 mg/L chloride limit in the treated wastewater discharged by the SCVSD's two wastewater treatment plants to the Santa Clara River.** The Valencia WRP NPDES Permit (Order No. R4-2015-0071) includes requirements and deadlines for several implementation actions related to adding chloride removal facilities, which are required to be constructed by July 1, 2019. During this period, an interim effluent limitation for chloride, which is a three-month rolling average that reflects the Saugus WRP and Valencia WRP monthly effluent flows and chloride concentrations, but not to exceed a maximum of 230 mg/L, is in effect. The Valencia WRP discharges have been in compliance with this interim effluent limitation.

## **Section 5.9 – Land Use**

1. Page 5.9-12, Relevant Project Characteristics, is hereby revised to read as follows:

As detailed in Section 4.0, Project Description, the Project will include a variety of recreational amenities such as an enhanced park network, a sports park, recreation facilities, and a greenbelt-trail loop system that is integrated with the adjacent open space trails system. A 1.4-acre site is designated as a future fire station site located within the residential component of Phase 1 of the proposed Project site. A total of ~~791.6~~ **799.5** acres of land is proposed for recreation and open space purposes, consisting of a sports park; community and neighborhood parks; and an extensive greenbelt and trails system. Of this land, approximately ~~327.6~~ **304.9** acres of undeveloped landscaped open space (i.e., graded slopes) will be provided throughout the Project site and an additional ~~297.6~~ **327.6** acres will be set aside as undisturbed open space areas.

2. Table 5.9-1, Title, is hereby revised to read as follows:

**SCAG RTP/SCS COMPASS GROWTH VISION CONSISTENCY ANALYSIS**

3. Table 5.9-2, Row Policy P/R 3.1, Policy P/R 3.2, Policy 3.9, is hereby revised to read as follows:

Goal/Policy	Project Consistency
<p><b>Policy P/R 3.1:</b> Acquire and develop local and regional parkland to meet the following County goals: 4 acres of local parkland per 1,000 residents in the unincorporated areas and 6 acres of regional parkland per 1,000 residents of the total population of Los Angeles County.</p> <p><b>Policy P/R 3.2:</b> For projects that require zone change approvals, general plan amendments, specific plans, or development agreements, work with developers to provide for local and regional parkland above and beyond their Quimby obligations.</p> <p><b>Policy P/R 3.9:</b> The Department of Parks and Recreation does not accept undeveloped park sites from developers. Developers are required to provide a developed park to the County on a "turn-key" basis and receive credit for the costs of developing the public park up to and against any remaining Quimby obligation, after accounting for the net acreage dedicated to the County.</p>	<p><b>Consistent.</b> Based on an anticipated population increase of approximately 9,734 new residents, approximately 48.67 acres of parkland would be required to be consistent with the County standard of 5 acres of parkland per 1,000 residents as recommended by the SCVAP 2012. Approximately <del>791.6</del><b>799.5</b> acres of parks and open space are proposed within the NorthLake Specific Plan and, within these areas, approximately 166.9 acres would be designated as parkland and other recreational facilities, including parks, enhanced parkways, trails, a sports park, and neighborhood parks. As part of the Project, a portion of this acreage would be designated as public parklands, consistent with the County Code and the Quimby Act.</p>

4. Table 5.9-3, Row Policy CO-2.2.3, Policy CO-2.2.4, is hereby revised to read as follows:

Goal/Policy	Project Consistency
<p><b>Policy CO-2.2.3:</b> Preserve designated natural ridgelines from development by ensuring a minimum distance for grading and development from these ridgelines of 50 feet, or more if determined appropriate by the reviewing authority based on site conditions, to maintain the Santa Clarita Valley's distinctive community character and preserve the scenic setting.</p> <p><b>Policy CO-2.2.4:</b> Identify and preserve significant geological and topographic features through designating these areas as open space or by other means as appropriate.</p>	<p><b>Consistent.</b> Open space is integrated throughout the proposed Project site to respond to topographical conditions; to preserve ridgelines and hillsides; to create a buffer adjacent to natural resources; to provide view amenities; to accommodate the greenbelt trail; and to separate residential neighborhood enclaves. Approximately <del>624.6</del><b>632.5</b> acres of open space will remain undeveloped on the Project site. Much of this open space area consists of interior and perimeter slopes. The largest expanses of undeveloped open space will be located along the edges of the Project site, including areas to the north, west, south, and east.</p>



5. Table 5.9-3, Row Policy CO-3.1.10, is hereby revised to read as follows:

Goal/Policy	Project Consistency
<b>Policy CO-3.1.10:</b> To the extent feasible, encourage the use of open space to promote biodiversity.	<b>Consistent.</b> As described in Section 4.0, Project Description, approximately <del>624.6</del> <b>632.5</b> acres of open space would remain undeveloped on the Project site. Much of this open space area consists of interior and perimeter slopes. The largest expanses of undeveloped open space will be located along the edges of the Project site, including areas to the north, west, south, and east. There would be approximately <del>327.6</del> <b>304.9</b> acres of undeveloped landscaped open space (i.e., graded slopes) throughout the Project site. An additional <del>297.2</del> <b>327.6</b> acres will be set aside as undisturbed open space areas within the Project site.

6. Table 5.9-3, Row Policy CO-10.2.1, Policy CO-10.2.2, is hereby revised to read as follows:

Goal/Policy	Project Consistency
<b>Policy CO-10.2.1:</b> Encourage provision of vegetated open space on a development project's site, which may include shallow wetlands and ponds, drought tolerant landscaping, and pedestrian hardscape that includes vegetated areas.	<b>Consistent.</b> Open space is integrated throughout the proposed Project site to respond to topographical conditions; to preserve ridgelines and hillsides; to create a buffer adjacent to natural resources; to provide view amenities; to accommodate the greenbelt trail; and to separate residential neighborhood enclaves. Approximately <del>624.6</del> <b>632.5</b> acres of open space will remain undeveloped on the Project site. Much of this open space area consists of interior and perimeter slopes. The largest expanses of undeveloped open space will be located along the edges of the Project site, including areas to the north, west, south, and east.  There will be approximately <del>327.6</del> <b>304.9</b> acres of undeveloped landscaped open space (i.e., graded slopes) throughout the Project site. An additional <del>297.2</del> <b>327.6</b> acres will be set aside as undisturbed open space areas within the Project site.
<b>Policy CO-10.2.2:</b> Encourage that open space provided within development projects be usable and accessible, rather than configured in unusable strips and left-over remnants, and that open space areas are designed to connect to each other and to adjacent open spaces, to the extent reasonable and practical.	

7. Page 5.9-54, NorthLake Specific Plan, Third Paragraph, Third Sentence, is hereby revised to read as follows:

The Project proposes to develop ~~13.9~~**7** acres of the 50.1 industrial acres and 9.2 acres of the 13.2 commercial acres, remaining consistent with the Specific Plan.

8. Page 5.9-54, NorthLake Specific Plan, Fourth Paragraph, Fourth Sentence, is hereby revised to read as follows:

The proposed Project designates a total of ~~791.6~~**799.5** acres of land as recreation and/or open space, consistent with the *NorthLake Specific Plan*.

## **Section 5.10, Noise**

1. Page 5.10-36, Construction Noise, is hereby revised to read as follows:

There would be a potential for significant cumulative construction noise and vibration impacts if off-site construction would occur near a sensitive receptor concurrently with on-site construction near that same receptor. There are no identified projects that are near off-site sensitive receptors that would **be developed** concurrently with the proposed Project.

## **Section 5.11 – Traffic, Access, and Circulation**

1. Page 5.11-49, Second Paragraph is hereby revised to read as follows:

As shown in Table 5.11-32, the proposed Project is forecasted to add 150 or more peak hour trips to both of these monitoring locations. At the segment of I-5 north of the SR-126, the Project would contribute a maximum of 772 vehicles per hour in the northbound direction and a maximum of 756 vehicles per hour in the southbound direction. This would not be a significant impact based on CMP criteria because a freeway mainline segment is considered to be significantly impacted if each of two conditions are met: the segment is forecast to operate deficiently (i.e., worse than LOS E) and compared to the V/C in the no-project alternative, the V/C in the with-project alternative increases by greater than or equal to 0.02. In this case, the segment operates at a LOS B in the PM peak hour (max 772 vehicles in NB direction) and LOS D in the AM peak hour (max 756 in SB direction) **as shown in Table 5.11-28**. At the I-5 segment north of SR-14, the Project would contribute a maximum of 182 vehicles per hour in the northbound direction and a maximum of 178 vehicles per hour in the southbound direction. **This would also not be a significant impact based on CMP criteria because the segment does not operate worse than LOS E. The segment is forecast to operate at a LOS D in both the AM and PM peak hours as shown in Table 5.11-28. The analysis presented in Table 5.11-28 shows that the trips generated by the Project, when added to the I-5 freeway together with additional cumulative growth in traffic, do not result in a significant impact to the I-5 freeway since the level of service is not worse than the CMP criteria of LOS E.** The next two closest CMP freeway monitoring locations do not meet the CMP analysis criteria since the maximum number of Project trips at those locations is less than 150 vehicles per hour during the peak hour.

2. Page 5.11-54, Third full paragraph, is hereby revised to read as follows:

The proposed Project would not conflict with the City's **County's** adopted policies, plans, or programs supporting alternative modes of transportation. Impacts would be less than significant and no mitigation is required.

## **Section 5.12 – Utilities**

1. Page 5.12-10, Water Supply Specific to Newhall County Water District, fourth paragraph, is hereby revised to read as follows:

CLWA currently has a contract with the Los Angeles County Sanitation District for 1,700 **1,600** afy of recycled water that became available in 2003). However, the NCWD does not currently have any infrastructure in place to utilize recycled water, but the NCWD does indirectly benefit because any recycled water use will allow

for an offset of potable water supplies (including groundwater and SWP water) to be used in other areas of the Santa Clarita Valley, including the Proposed Project.

2. Page 5.12-11, Sanitation Districts of Los Angeles County, second paragraph, first sentence, is hereby revised to read as follows:

Collectively, the Sanitation Districts own, operate, and maintain over 1,400 miles of main trunk sewers and 11 wastewater treatment plants with a total design capacity of ~~634.6~~ **650.8** million gallons per day (mgd) (LACSD 2016a).

3. Page 5.12-12, Cumulative Design Capacity, the first paragraph is hereby revised to read as follows:

The SCVJSS has a permitted treatment capacity of 28.1 mgd (6.5 mgd at SWRP and 21.6 mgd at the VWRP) and currently processes an average flow of ~~19.3~~ **17.9** mgd (LACSD). A 2-phase expansion of the VWRP **(Stages V and VI)** was approved and will ultimately increase the treatment capacity of the SCVJSS by a total of 15 mgd. The first phase **(Stage V)** of 9.0 mgd was completed in ~~2003~~ **2005**; the second phase **(Stage VI)**, which has not been completed as of May 2015, will consist of an additional 6 mgd and would increase the total treatment capacity of the SCVJSS to 43.1 mgd. **Construction of Stage VI has not occurred because the need for the additional capacity has not yet materialized.**

4. Page 5.12-24, On-site Operational Impacts, first sentence, is hereby revised to read as follows:

The proposed Project would result in a total increase in water demand of ~~2,575~~ **2,580** afy at Project buildout, thereby affecting existing water treatment and conveyance facilities.

5. Table 5.12-29, is hereby revised to read as follows:

**TABLE 2.1-1  
POTABLE WATER DEMAND**

Land Use	Development Summary				1992 Demand Coefficients				2006 Demand Coefficients			
	1992 NorthLake <sup>1</sup>		2014 NorthLake <sup>2</sup>		Demand Coefficient <sup>1</sup>	Demand Units	Average Day Demands		Demand Coefficient <sup>3</sup>	Demand Units	Average Day Demands	
	Acreage (acre)	Dwelling Units (DU)	Acreage (acre)	Dwelling Units (DU)			1992 EIR (afy)	Proposed Project (afy)			1992 EIR (afy)	Proposed Project (afy)
Single Family Residential												
Low Density		2,337		430	0.64	afy/DU	1,505	1,041	0.90	afy/DU	2,107	388
Low/Medium Density				1,187		afy/DU			0.63	afy/DU		745
Subtotal		2,337		1,617			1,505	1,041			2,107	1,133
Multi-Family Residential												
High Density		1,286		1,527	0.12	afy/DU	154	183	0.27	afy/DU	352	418
Non-Residential												
Commercial	3.9 <sup>4</sup>		9.2		4.55	afy/acre	18	41	3.99	afy/acre	16	37
Industrial	12.5 <sup>4</sup>		13.9 <sup>5</sup>		2.58	afy/acre	32	36	3.99	afy/acre	50	55
Institutional	23.1		10.7		4.37	afy/acre	101	47	2.51	afy/acre	58	27
Pro/Shop	1.4 <sup>4</sup>		0.0		0.27	afy/ 1,000 ft	16	0	3.99	afy/acre	6	0
Landscape Areas/Recreation and Manufactured Slopes <sup>8</sup>	314.0		322.4 <sup>6,7</sup>		2.00	afy/acre	628	645	2.51	afy/acre	789	810
			40.0 <sup>6</sup>					80	2.51	afy/acre	0	100
Recreation Areas not Irrigated	0.0		126.9 <sup>9</sup>		0.00	afy/acre	0	0	0.00	afy/acre	0	0
Golf Course	166.9		0.0		2.40	afy/acre	400	0	2.51	afy/acre	419	0
Subtotal	521.8		521.9				1,195	849			1,337	1,029
Total		3,623		3,144			2,855	2,073			3,796	2,580
Source: AKEL Engineering Group, Inc. 2015												
1 Source: Excerpt of 1992 NorthLake EIR												
2 Unless noted otherwise, acreages and dwelling units are taken from NorthLake Conceptual Plan. It is noted that the water demand is based on slightly larger acreages of industrial and commercial lands, however, this analysis scenario for water demand represents a more conservative analysis of water supply.												
3 Source: 2006 Castaic Water System Master Plan, Table 3-1 (Average Water Demand Unit Use Factors by Land Use Type)												
4 Acreage calculated from square feet floor area given in Excerpt of 1992 NorthLake EIR												
5 Actual acreage is 13.7 acres; this figure represents a conservative calculation												
56 Landscape Areas/Recreation and Manufactured Slopes includes 322.4 acres of Irrigated Manufactured Slopes and approximately 40 acres of Park												
67 Source: Open Space Exhibit												
78 Demand (afy) = Demand (gpm) x 1.61												
89 Recreation land use includes Park and Open Space land use types												
9 Approximately 126.9 acres of Recreation land uses are intended as passive park systems and are not irrigated												

## **Section 6 – Alternatives to the Proposed Project**

1. Page 6-2, Project Description, first paragraph, is hereby revised to read as follows:

The proposed Project involves implementation of the previously approved Specific Plan; specifically, the proposed Project would involve development of up to 3,150 residential units, 9.2 acres of commercial uses, 13.97 acres of industrial uses, 794.6 **799.5** acres of parks and open space, school uses, and a 1.4-acre pad for a future fire station.

2. Page 6-7, Creek Avoidance Alternative, is hereby revised to read as follows:

As the current applicant was re-initiating the Specific Plan a land plan was laid out that avoided the creek bottom that runs through the middle of the pProject. This land plan placed development on one side of the creek with development terraced up the slope to minimize grading, **which would require export of over 10 million cubic yards of soil and extensive buttressing along all west facing slopes along Grasshopper Canyon.** This plan was attempted to avoid impacting the creek habitat, avoid jurisdictional wetlands (waters under the authority of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board).

Although this alternative would be less impactful **for some resource areas**, it would also eliminate more than half of the residential units and the other uses **due to the limited development area.** However **Despite the reduction in developable area,** the infrastructure requirements would be largely the same **as access and utilities would be required to cross Grasshopper Canyon.** The road-ways would still be needed as well as the need for all of the services to be engineered in place: water, sewer, street lights, curbs and gutters, and other utility lines would be required to be brought to the site. **Up to three bridges would be required to provide for access and extension of utilities.** The development would also require **development of amenities including** schools, **and** parks. ~~The amount of development would be reduced to the point of not making the development feasible.~~

**A Project design that avoids the creek would require all utility pipelines to be attached to bridges as they cross over the creek. Attaching active utility pipelines to bridges would introduce risks of accidental spills into the creek that do not exist in other Alternatives. Furthermore, a Project design that avoids the creek would require the addition of several sewage pumping stations to lift sewage up and over the creek. These additional sewage pumping stations would add spill and contamination risks, decrease reliability of the sewage disposal system, and generate GHG and noise impacts due to the pump stations' reliance on fuel-consuming mechanical equipment.**

3. Page 6-11, Immediately following the Greenhouse Gas Emissions paragraph, the following text is hereby added:

### **Energy Resources**

**The No Project/No Development Alternative would not use, or create a new demand for, energy sources because no new development would occur. Less than significant impacts resulting from the proposed Project related to public services and utilities would be avoided.**

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**Fire Hazards, Emergency Response, and Environmental Safety**

**Under this alternative, the project site would remain undeveloped and there would be no impacts related to creation of hazards, exposure of people to hazards, or resulting in inadequate emergency access.**

4. Page 6-11, Attainment of Project Objectives, is hereby revised to read as follows:

***Attainment of Project Objectives***

The No Project/No Development Alternative would not meet any of the project objectives identified in Section 6.3. Retention of the site as a vacant area that has been subject to historic cattle ranching activities and utility construction and maintenance would not fulfill the objective related to developing housing that satisfies the needs of the present and future residents of the NorthLake community and would not help to meet the new housing demands in the County. Additionally, this alternative would not create new jobs, economic growth, or stability for the County through the creation of a permanent employment center within the local community, ~~and would not increase the tax revenue for the County.~~

5. Page 6-11, Section 6.6.2, Description of the Alternative, is hereby revised to read as follows:

The purpose of the No Project/Development Pursuant To The Approved Northlake Specific Plan is to evaluate the short-term construction and long-term operational impacts related to build-out of the previously approved Specific Plan in comparison to the proposed Project. Under this alternative, future **uses** include a greater number of residential units, additional commercial and industrial acreage, and a golf course as the primary recreational use. The maximum allowed development for each land use under this alternative scenario is shown in Table 6-2 below compared to the currently proposed Project.

6. Page 6-12, Table 6-2, Land Use Area Comparison, is hereby revised to read as follows:

**TABLE 6-2**  
**LAND USE AREA COMPARISON**

	Existing <i>NorthLake Specific Plan</i>		Proposed Plan		Difference	
	(ac)	(du)	(ac)	(du)	(ac)	(du)
Residential	600.3	3,623	341.9	3,150	(258.4)	<u>(473)</u>
Commercial	13.2		9.2		(4.0)	
Industrial	50.1		<u>13.97</u>		<u>(36.24)</u>	
Open Space	476		<del>624.6</del> <b>632.5</b>		<del>148.6</del> <b>156.5</b>	
Recreation- Golf	167		0		(167)	
Recreation- Trails/Parks	0		167		167	
School/Park Facilities	23.1		<del>43.75</del> <sup>a</sup>		<del>20.64</del>	
Utilities <sup>b</sup>			<del>7.3</del>		<del>7.3</del>	
Right of Way <sup>b</sup>			120.5		120.5	
Public Services (Fire Station Pad) <sup>b</sup>			1.4		1.4	
<b>Total</b>	<b>1,330.0</b>		<b>1,330.0<sup>c</sup></b>			
ac: acres; du: dwelling units; (-): negative <sup>a</sup> Northlake Hills Elementary School was previously constructed on a 20.6-acre site. <sup>b</sup> The <i>NorthLake Specific Plan</i> did not provide a breakdown of acreages for <del>utilities</del> , right of way, or public service facilities. Roadways were included in Residential. <sup>c</sup> Totals may not add due to rounding and mapping. Source: Sikand 2015.						

7. Page 6-13, Cultural Resources, is hereby revised as follows:

### **Cultural Resources**

The No Project/Development Pursuant To The Approved Northlake Specific Plan would involve disturbance of on- and off-site areas that would occur with implementation of the *NorthLake Specific Plan*; however, this alternative would involve a larger development footprint and areas designated for natural, undisturbed open space would be reduced in acreage. Development of the No Project/Development Pursuant To The Approved Northlake Specific Plan would have the potential to impact **a greater number of** unknown archaeological and paleontological resources during ground-disturbing activities **as than** with the proposed Project. Consistent with the proposed Project, these impacts would be reduced to less than significant levels with implementation of identified mitigation measures.

8. Page 6-15, Noise, is hereby revised as follows:

### **Noise**

Development of the No Project/Development Pursuant To The Approved Northlake Specific Plan would involve construction activities similar to proposed Project, **however construction-related noise impacts would occur for a longer duration due to the larger development footprint**. Therefore, short-term noise and vibration effects related to construction of the approved *NorthLake Specific Plan* would be similar to the construction impacts associated with the proposed Project. As with the proposed Project,

construction noise and vibration impacts would be less than significant **except for impacts from blasting which would be significant and unavoidable**; long-term off-site traffic noise impacts at off-site residential uses and the Northlake Hills Elementary School would be significant for direct project impacts and cumulative impacts.

9. Page 6-16, Immediately following the Greenhouse Gas Emissions paragraph, the following text is hereby added:

**Energy Resources**

**The No Project/ Development Pursuant To The Approved NorthLake Specific Plan Alternative would create new demand for energy, and the level of demand would be comparatively greater than with the proposed Project due to the increase in overall development. Despite the increase in demand, impacts related to energy would be less than significant with this alternative and the proposed Project.**

**Fire Hazards, Emergency Response, and Environmental Safety**

**The No Project/Development Pursuant To The Approved Northlake Specific Plan would involve disturbance of on- and off-site areas that would occur with implementation of the NorthLake Specific Plan; however, this alternative would generate a larger population and would expose more residents to hazards, including fire hazards. Consistent with the proposed Project, these impacts would be less than significant.**

10. Page 6-16, No Industrial Development, Description of the Alternative, first paragraph, is hereby revised to read as follows:

The purpose of the No Industrial Development Alternative is to evaluate the short-term construction and long-term operational impacts related to build-out of the proposed Project without the 13.97-acre industrial component. Under this alternative, future development would be limited to the proposed Project site, similar to the proposed Project; however, the impact footprint would be 13.97 acres smaller than the proposed Project. The maximum allowed development for all other land uses under this alternative scenario would be the same as the proposed Project as shown previously in Table 6-2.

11. Page 6-17, Biological Resources, first paragraph, second sentence is hereby revised to read as follows:

However, the development footprint, and therefore, the impact area, would be reduced by approximately 13.97 acres when compared to the proposed Project due to the elimination of 13.97 acres of industrial development.

12. Page 6-18, Geology and Soils, first paragraph, first sentence is hereby revised to read as follows:

The No Industrial Development Alternative would involve development of the Project site including off-site areas that would occur with implementation of the proposed Project; however, this alternative would result in a slightly smaller impact footprint when compared to the proposed Project due to the elimination of 13.97 acres of industrial development.



13. Page 6-19, Land Use and Planning, first paragraph, first sentence is hereby revised to read as follows:

The No Industrial Development Alternative would result in the development of a primarily residential Project, similar to the proposed Project except for the elimination of 13.97 acres of industrial uses.

14. Page 6-19, Noise, first paragraph, is hereby revised to read as follows:

**Noise**

Development of the No Industrial Development Alternative would involve construction activities similar to proposed Project; however, construction noise would not occur as near to Northlake Elementary School as with the proposed Project due to the elimination of the industrial uses. As with the proposed Project, short-term noise and vibration effects related to construction of the proposed Project would be less than significant assuming implementation of MMs identified in Section 5.10 of this SEIR. **A significant and unavoidable impact related to blasting would continue to occur with the alternative.**

Long-term, operational noise impacts in the area proposed for industrial uses would be lessened, including those that might impact Northlake Elementary School; however, these impacts were found to be less than significant with implementation of mitigation measures. As with the proposed Project, the number of project-related vehicles traveling along Ridge Route Road for the No Industrial Development Alternative would increase ambient noise levels in the surrounding residential community to a level considered to be significant and unavoidable.

15. Page 6-20, Public Services and Utilities, first paragraph, first sentence is hereby revised to read as follows:

The No Industrial Development Alternative would create new demand for public services including fire protection services and police services, but the level of demand for service calls and regular patrols may be slightly reduced when compared to the proposed Project due to the elimination of 13.97 acres of industrial development.

16. Page 6-20, Greenhouse Gas Emissions, first paragraph, first sentence is hereby revised to read as follows:

The No Industrial Development Alternative would result in a minor reduction in construction-related GHG emissions generated by on-site uses and occupants due to the elimination of 13.97 acres industrial uses associated with the proposed Project.

17. Page 6-21, Immediately preceding the Conclusions paragraph, the following text is hereby added:

**Energy Resources**

**The No Industrial Development Alternative would create new demand for energy, but the level of demand would be slightly reduced when compared to the proposed Project due to the elimination of 13.9 acres of industrial development. Consistent with the proposed Project, potential impacts resulting from the No Industrial Development Alternative would be less than significant.**

**Fire Hazards, Emergency Response, and Environmental Safety**

**The No Industrial Development Alternative would involve not include any industrial development; therefore, impacts associated with hazardous materials would be reduced when compared to the Proposed Project. No additional impacts related to emergency response and environmental safety would occur. As with the Proposed Project, no significant impacts requiring mitigation would occur.**

18. Page 6-21, Ability to Avoid or Substantially Lessen the Significant Impacts of the Project, is hereby revised to read as follows:

***Ability to Avoid or Substantially Lessen the Significant Impacts of the Project***

Development of the Project site with the No Industrial Development Alternative would decrease development intensity compared to the proposed Project. Although the degree of impacts for some topics may be ~~worsened~~ **less** with this alternative, the overall impact conclusions would be consistent with the proposed Project. Consistent with the proposed Project, the No Industrial Development Alternative would result in significant and unavoidable impacts related to air quality, noise, and traffic. No additional significant impacts would occur with this alternative.

19. Page 6-21, Attainment of Project Objectives, second paragraph, first sentence is hereby revised to read as follows:

As discussed previously under Land Use and Planning, because the overall development would eliminate 13.97 acres of industrial development that is part of the proposed Project, the No Industrial Development Alternative would not maximize the development potential of the 1,330-acre Project site allowed by the *NorthLake Specific Plan*.

20. Table 6-3 is hereby revised to read as follows:

**TABLE 6-3  
LAND USE STATISTICAL SUMMARY TABLE  
FOR PHASE 1 (VTTM 073336)**

Use	Phase 1 (VTTM 073336)	
	Number of Units	Area (Acres)
Residential: Single-Family	588	<del>78.6</del> <b>73.3</b>
Residential: Multi-Family	1,041	<del>69.2</del> <b>74.5</b>
Residential: Senior <sup>a</sup>	345	49.1
Commercial		6.7
Commercial Highway		2.5
Industrial		<del>13.9</del> <b>7</b>
Park(s)		
Trails		10.5
Grasshopper Creek Park		10.6
Enhanced Parkway		38.3
Castaic Lagoon Park		17.2
Sports Park		25.8
Cody Dog Park		1.0
Open Space- Manufactured Slope		<del>136.9</del> <b>143.9</b>
Open Space- Undisturbed		167
<b>Utilities and Water Quality Features</b>		
<del>Water Tank</del>		<del>6.5</del>
<del>Pump Station</del>		<del>0.2</del>
Roadways		84.3
Fire Station Pad		1.4
VTTM: Vesting Tentative Tract Map		
<sup>a</sup> <b><u>It is noted that there are 300 detached, condominium units that are classified multi-family on the Vesting Tentative Tract Map which are identified as single-family units for purposes of the SEIR analysis.</u></b>		
<sup>a</sup> This overlay provides for a development option of attached single-family residences and age-restricted areas designated for homeowners that are 55 years of age and older. Lot sizes and configurations will be similar to those in the Single-Family area with the addition of the Attached Single-Family designation as an option. It should be noted that development within these areas may or may not be age-restricted.		
Source: Sikand Engineering 2015.		

21. Page 6-25, First Paragraph, immediately follow the last sentence, the following text is hereby added:

**While this alternative would be meet the goals and policies as described, it would not be to the same extent as the proposed Project due to the reduced number of housing units and reduction in park and open space areas.**

22. Page 6-25, Noise, is hereby revised to read as follows:

### **Noise**

Development of the Phase 1 Development Alternative would involve construction activities similar to proposed Project; however, the duration of construction noise would be reduced

in comparison to the proposed Project due to the elimination of development in the northern portion of the NorthLake Specific Plan area. As with the proposed Project, short-term noise and vibration effects related to construction of the proposed Project would be less than significant assuming implementation of MMs identified in Section 5.10 of this SEIR. **A significant and unavoidable impact related to blasting would continue to occur with the alternative.** Long-term, operational noise impacts related to traffic would be reduced due to a reduction in anticipated vehicle trips, including those that would impact off-site residential uses due to Project-generated traffic on Ridge Route Road north of Castaic Lake Road and Ridge Route Road north of Lake Hughes Road, thus potentially reducing significant and unavoidable impacts to less than significant levels.

23. Page 6-26, last two paragraphs are hereby revised to read as follows:

As shown in the Table 6-4, with the Phase 1 Development Alternative, most intersections within the study area continue to operate at LOS B or better. The locations closest to being impacted are the on and off-ramp intersections at Ridge Route/Parker Road, which are forecast to operate at LOS C with a peak hour ICU of 0.72, but would not be significantly impacted by the Phase 1 Development Alternative based on the County's significant impact criteria. Therefore, the Phase 1 Development Alternative would avoid impacts to three study intersections, discussed in Section 5.11, Traffic, Access and Circulation. **However, impacts at two study intersections would remain significant and unavoidable.**

Similar to the proposed Project, the ~~No-Industrial~~ **Phase 1** Development Alternative would not conflict with the Los Angeles County Congestion Management Program, would provide or accommodate non-vehicular transportation facilities, and would not conflict with adopted policies supporting alternative transportation.

24. Page 6-26, immediately following the Greenhouse Gas Emissions paragraph, the following text is hereby added:

**Energy Resources**

**The Phase 1 Development Alternative would create new demand for energy, and the level of demand would be comparatively less than with the proposed Project due to the reduction in overall development. Consistent with the proposed Project, impacts related to energy would be less than significant with this alternative and the proposed Project.**

**Fire Hazards, Emergency Response, and Environmental Safety**

**The Phase 1 Development Alternative would involve disturbance of a smaller development area. This alternative would generate a smaller population and would thereby expose fewer residents to hazards, including fire hazards in comparison to the proposed Project. Consistent with the proposed Project, these impacts would be less than significant.**

25. Table 6-5 is hereby revised as follows:

**TABLE 6-5  
ALTERNATIVES IMPACT COMPARISON**

Environmental Topic	Proposed Project	Alternative 1: No Project/No Development	Alternative 2: No Project/ Development Pursuant to the NorthLake Specific Plan	Alternative 3: No Industrial	Alternative 4: Phase 1 Development
<b>Aesthetics</b>	Less than Significant	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Air Quality</b>	Significant and Unavoidable	Less than Proposed Project	More Emissions; Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Biological Resources</b>	Mitigated to Less than Significant	Less than Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Cultural Resources</b>	Mitigated to Less than Significant	Less than Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Energy</b>	<u>Less than Significant</u>	<u>Less than Proposed Project</u>	<u>Consistent with Proposed Project</u>	<u>Consistent with Proposed Project</u>	<u>Consistent with Proposed Project</u>
<b>Fire Hazards, Emergency Response, and Environmental Safety</b>	<u>Less than Significant</u>	<u>Less than Proposed Project</u>	<u>Consistent with Proposed Project</u>	<u>Consistent with Proposed Project</u>	<u>Consistent with Proposed Project</u>
<b>Geology and Soils</b>	Mitigated to Less than Significant	Less than Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Greenhouse Gas Emissions</b>	Mitigated to Less than Significant	Less than Proposed Project	More Emissions; Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Hydrology and Water Quality</b>	Mitigated to Less than Significant	Less than Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Land Use</b>	Less than Significant	Policies not met to same extent; Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Noise</b>	Significant and Unavoidable	Less than Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Less than Proposed Project
<b>Public Services and Utilities</b>	Mitigated to Less than Significant	Less than Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project	Consistent with Proposed Project
<b>Traffic, Access and Circulation</b>	Significant and Unavoidable	Less than Proposed Project	Greater than Proposed Project	Consistent with Proposed Project	Less than Proposed Project

26. Page 6-28, last paragraph, is hereby revised as follows:

In compliance with Section 15126.6(e)(2) of the State CEQA Guidelines, the Phase 1 Development Alternative is considered the environmentally superior alternative. Due to the reduction in development area footprint as well as the reduction in proposed dwelling units, the impact levels would be less than the proposed Project for traffic and noise, primarily due to the reduction in VMTs since. **The Phase 1 Development Alternative would result in fewer significant and unavoidable impacts when compared to the proposed Project.**

## **Section 7 – Other CEQA Topics**

1. Page 7-3, Section 7.1.4, Biological Resources, is hereby revised to read as follows:

### **Biological Resources**

- **Convert Oak Woodlands or Otherwise Contain Oak or Other Unique Native Trees:** Based on preliminary biological surveys conducted for the proposed project, there are no oak trees or areas characterized as oak woodlands on the project site **and no other unique native trees would occur within the project disturbance footprint**. No impact would occur.

2. Page 7-5, Second Bullet, is hereby revised to read as follows:

**Hazardous Materials Sites Compiled Pursuant to Section 65962.5 of the *California Government Code*:** There are currently no active sites listed on the CERCLIS Database or the Envirostor Database on the NorthLake Specific Plan project site. **A Phase I ESA was completed on December 23, 2013 by Cardno ATC. It is attached to this Final SEIR as Appendix F. As detailed in the Phase I ESA, no recognized environmental conditions were identified in connection with the Project site and no further action is recommended.**

3. Page 7-9, Parks, second sentence, is hereby revised to read as follows:

Approximately ~~791.6~~**799.5** acres of parks and open space are proposed within the NorthLake Specific Plan and, within these areas, approximately 166.9 acres would be designated as parkland and other recreational facilities, including parks, enhanced parkways, trails, a sports park, and neighborhood parks.

4. Page 7-13, Significant Irreversible Environmental Effects, third paragraph, is hereby revised to read as follows:

Determining whether the proposed Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The proposed Project site has historically been used for grazing purposes **and continues to be used for limited grazing under existing conditions**. However, the County's General Plan, the SCVAP, and the NorthLake Specific Plan anticipate that the site will eventually support uses that would provide residential opportunities and generate jobs and revenue. Additionally, the proposed Project would permanently alter the site by converting the undeveloped property which has ~~previously~~ been used for grazing purposes to urban uses. This is a significant irreversible environmental change that would occur as a result of Project implementation. Because no significant mineral or agricultural resources were identified within the Project limits, no significant impacts related to these issues would result from development of the Project site.

5. Page 7-14, Growth-Inducing Impacts, third and fourth paragraphs, is hereby revised to read as follows:

As described in detail in Section 4.0, Project Description, the proposed Project involves the development of the Project site with residential, commercial, industrial, recreational, utility, school, and open space uses. Approximately 297.2 acres would be set aside as undisturbed open space areas. The Project would be located

adjacent to the Castaic Lake State Recreation Area and Castaic Lake to the east; residential development to the south; Interstate 5 (I-5) to the west; and open space and the Angeles National Forest to the north beyond the Project site. Therefore, property to the north and to the east of the Project site would not be able to accommodate new development due to the existing open space/recreational uses of the land. Property to the south of the Project site is already developed. **Property to the west of I-5 may be further developed in the future; however, the development of these areas would not be the result of the proposed Project due to the I-5 freeway's physical barrier to connected growth to the Project.**

~~Property to the west of I-5 may be further developed in the future; however, the development of these areas would not be the result of the proposed project.~~ This Project is the implementation of a previous commitment to develop 3,623 residential units; 13.2 acres of commercial uses; and 50.1 acres of industrial uses, including a golf course, school, park, and fire station site. These commitments were made in 1992 when the *NorthLake Specific Plan* was adopted. Therefore, this Project is developing housing that was previously planned for and approved. Additionally, Los Angeles County is experiencing a shortage of all housing types and the proposed Project would be accommodating an existing population and housing demand rather than providing a surplus or inviting more growth.

## **Appendix E-1 – Cultural Resources Technical Report**

1. Page MS-2, Dates of Investigation, is hereby revised to read as follows:

A cultural resources records search was conducted by BonTerra Psomas for the Project at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on May 13, 2014. **A subsequent SCCIC records search was conducted on September 12, 2017.** Native American consultation was initiated on May 9, 2014, with a letter to the Native American Heritage Commission (NAHC) and information can be found in Appendix B. The NAHC responded on May 16, 2014, and provided BonTerra Psomas with a list of Native American groups and individuals who may have knowledge regarding Native American cultural resources not formally listed on any database. Letters were sent to Native American tribes and individuals on May 20, 2014 (Appendix B). The field survey of the property was conducted from June 2 through June 10 of 2014. The Plains Pipeline was evaluated in January of 2015 by Pamela Daly. David M. Smith prepared and completed this technical report in January 2015.

2. Pages MS-2 and MS-3, Recommended Mitigation Measures, are hereby revised to read as follows:

Section 15064.5(f) of the State CEQA Guidelines states that a lead agency “should make provisions for historical or unique archaeological resources accidentally discovered during construction”. To that end, BonTerra Psomas recommends that a qualified Archaeologist be retained for the Project **during construction to observe grading activities in the uppermost layers of sediment (soils and younger Quaternary Alluvium) and to salvage and catalogue archaeological resources, as necessary.** The designated Archaeologist should be present during the pre-grade meeting to discuss cultural resources sensitivity and to assess whether archaeological resources have the potential to be encountered. ~~The Archaeologist should also be present during all Project related ground disturbing activities in native sediments to reduce any archaeological resources impacts to a level considered less~~

than significant. If potential archaeological evidence (e.g., stone artifacts, dark ashy soils or burned rocks, old glass, metal, or ceramic materials, or structural foundations) becomes apparent during construction-related ground disturbances, work in that location should be diverted under the supervision of a qualified archaeologist. The project proponent should then be notified if the materials are believed to be potentially significant, and the archaeologist may recommend further study. **The Archaeologist must first determine whether an archaeological resource uncovered during construction is a “unique archaeological resource” pursuant to Section 21083.2(g) of the California Public Resources Code or a “historical resource” pursuant to Section 15064.5(a) of the State CEQA Guidelines.** If the archaeological resource is determined to be a “unique archaeological resource” or a “historical resource”, the Archaeologist shall formulate a mitigation plan in consultation with the County of Los Angeles. Additionally, when the Project Archaeologist is on-site for monitoring activities, it is recommended that a qualified Native American Tribal Monitor shall be invited to observe ground-disturbing activities **that satisfies the requirements of the above-listed Sections.**

4.—If human remains are encountered during excavation activities, all work shall halt in the vicinity of the remains and the County Coroner shall be notified (*California Public Resources Code* §5097.98). The Coroner will determine whether the remains are of forensic interest. If the Coroner, with the aid of a qualified Archaeologist, determines that the remains are prehistoric, s/he will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the *California Health and Safety Code*. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. If feasible, the MLD’s recommendation shall be followed and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials (*California Health and Safety Code* §7050.5). If the landowner rejects the MLD’s recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (*California Public Resources Code* §5097.98).

3. Page 1, Project Personnel, is hereby revised to read as follows:

The cultural resources study for the NorthLake Project was completed by David M. Smith, Patrick O. Maxon, M.A., RPA, Mark Roeder, Anthony Kuhner, Todd Perry, and Pamela Daly, M.S.H.P. Mr. Smith authored this report. **Revisions to the report were made by Charles Cisneros, M.S., RPA in September 2017.**

4. Pages 5 and 6, Prehistoric Background, paragraphs 1 through 5, are hereby revised to read as follows:

**Southern California has a long history of human occupation, with dates of the earliest evidence of occupation during the late Pleistocene (Glassow et al. 2007: 191; Jones and Kennett 2012: 40; Madsen 2015).** Several chronologies are generally used to describe the sequence of the prehistoric periods of Southern California. William Wallace (1955) developed the first comprehensive California chronologies and defines four periods for the southern coastal region. **This framework is divided into four major periods: Horizon 1: Early Man or Paleo-Indian Period (11,000 BCE to 7,500 BCE), Horizon II: Milling Stone**



**Assemblages (7,500 BCE to 1,000 BCE), Horizon III: Intermediate Cultures (1,000 BCE to 750 CE), and Horizon IV: Late Prehistoric Cultures (750 CE to 1769CE).**

Wallace's synthesis is largely "descriptive and classificatory, emphasizing the content of archaeological cultures and the relationships among them" (Moratto 1984:159). Wallace relies on the concept of "cultural horizons", which are generally defined by the temporal and spatial distribution of a set of normative cultural traits, such as the distribution of a group of commonly associated artifact types. As a result, his model does not allow for much cultural variation within the same time period, nor does it provide precise chronological dates for each temporal division. Nonetheless, although now more than 50 years old, the general schema of the Wallace chronology has provided a general framework for Southern California prehistory that remains valid today.

**Horizon I: Early Man or Paleo-Indian Period (11,000 BCE<sup>16</sup> to 7,500 BCE).** While Wallace (1955) initially termed this period the Early Man Horizon (I), this early stage of human occupation is commonly referred to as the Paleo-Indian Period today (Chartkoff and Chartkoff 1984:24). The precise start of this period is still a topic of considerable debate (**Jones and Kennett 2012: 39-40).** **Archaeological evidence from coastal and inland sites during this period indicate that the economy was a diverse mixture of hunting and gathering, with a major emphasis on aquatic resources in many coastal areas (Jones et al. 2002).** **Although few Clovis-like or Folsom-like fluted points have been found in southern California, it is widely thought that there was a greater emphasis on hunting at near-coastal and inland sites during the Paleo-Indian Period than in later periods (e.g., Dillion 2002; Erlandson et al. 1987).** At inland archaeological sites, the surviving material culture of this period is primarily lithic, consisting of large, extremely well made stone projectile points and tools such as scrapers and choppers. Encampments were probably temporary, located near major kills or important resource areas.

**Horizon II: Milling Stone Assemblages (7,500 BCE to 1,000 BCE).** Encompassing a broad expanse of time, the Milling Stone Period was named for the abundant millingstone tools associated with sites of this period **and is the earliest well-established period of occupation in southern California (Glassow et al. 2007: 192; Erlandson 2012 2012: 30).** This period is characterized by an ecological adaptation to collecting, accompanied by a dependence on ground stone implements (Hildebrandt and McGuire: 2012: 134) associated with the horizontal motion of grinding small seeds; milling stones (i.e., metates, slabs) and hand stones (i.e., manos, mullers). Milling stones are found in large numbers for the first time and become more numerous toward the end of the period. As evidenced by their tool kits and shell midden in coastal sites, people during this period practice a mixed food-procurement strategy. Subsistence patterns became more specialized as groups became better adapted to their regional or local environments. Projectile points from this period are relatively rare, but are large and generally leaf-shaped, and were probably employed with darts or spears thrown with atlatls. Bone tools, such as awls, and items made from shell, including beads, pendants, and abalone dishes, are also quite common. Evidence of weaving or basketry is present at a few sites. The mortar and pestle, associated with the vertical motion of

<sup>16</sup> BCE is defined as "Before Common Era" and generally refers to that time period commonly referred to as "Before Christ" (B.C.).

**pounding foods such as acorns, were introduced during the Milling Stone Period, but do not become common until the Intermediate Period.** These tools, the mano and metate, were used to process small, hard seeds from plants associated with shrub scrub vegetation communities. An annual round of seasonal migrations was likely practiced, with movements coinciding with ripening vegetal resources and the periods of maximal availability of various animal resources. Along the coast, shell midden sites are common site types. Some formal burials, occasionally with associated grave goods, are also evident. This period of time is roughly equivalent to Warren's (1968) Encinitas Tradition. Warren (1968) suggests that, as millingstones are common and projectile points are comparatively rare during this period of time, hunting was less important than the gathering of vegetal resources.

More recent studies (Koerper 1981; Koerper and Drover 1983) suggest that a diversity of subsistence activities, including hunting of various game animals, were practiced during this period. At present, little is known about cultural change during this time period in Southern California. While this lack of noticeable change gives the appearance of cultural stasis, almost certainly many regional and temporal cultural shifts did occur. Future research that is focused on temporal change within the Milling Stone Period would greatly benefit the current understanding of Southern California prehistory.

**Horizon III: Intermediate Cultures (1,000 BCE to 750 CE<sup>17</sup>).** The Intermediate Period is identified by a mixed strategy of plant exploitation, terrestrial hunting, and maritime subsistence strategies. Chipped stone tools, such as projectile points, generally decrease in size, but increase in number. Abundant bone and shell remains have been recovered from sites dating to these time periods. In coastal areas, the introduction of the circular shell fishhook and the growing abundance of fish remains in sites over the course of the period suggest a substantial increase in fishing activity during the Intermediate Horizon. It is also during this time period that mortar and pestle use intensified dramatically (**Glassow et al. 2007: 199**). The mano and metate continued to be in use on a reduced scale, but the greatly intensified use of the mortar and pestle signaled a shift away from a subsistence strategy based on seed resources to that of the acorn **and other pulpy plant foods (Glassow et al. 2007: 200)**. It is probably during this time period that the acorn became the food staple of the majority of the indigenous tribes in Southern California. This subsistence strategy continued until European contact. Material culture became more diverse and elaborate and included steatite containers, perforated stones, bone tools, ornamental items, and asphalt adhesive.

5. Pages 6 and 7, Tataviam, are hereby revised to read as follows:

**The NorthLake Specific Plan Project area is the traditional use area of the Native American group known as the Tataviam.** The Tataviam were hunter-gatherers that spoke a variant of the indigenous Takic language. Takic-speakers are believed to have migrated into Southern California from the Great Basin sometime between 1,000 and 3,000 years ago, an event some archaeologists believe interrupted the long-standing Milling Stone way of life. Tataviam subsistence centered upon the seasonal gathering of plant foods (yucca, acorns, sage seeds, and juniper berries) and hunting (rabbit, rodents, deer, and antelope). Acorns, the

<sup>17</sup> CE is defined as "Common Era" and generally refers to that time period commonly referred to as "annō Domini" (A.D.).

staple food of most Late Period groups in California, may have been less important to the Tataviam, who utilized yucca more extensively. The plant was roasted in stone-lined earth ovens, often identified archaeologically.

The Tataviam territory was known to include the upper reaches of the Santa Clara River drainages and traveled north to the southwestern edge of the Antelope Valley (King and Blackburn 1978). However, it should be noted that these boundaries were defined in the early 1900s as part of the Bureau of American Ethnology mapping of Native American groups and (Robinson et al. 2012: 275) and there is a possibility the traditional use area for the Tataviam encompasses a much larger area. Nonetheless, most of what is known about the Tataviam has been gleaned from raw field notes taken by anthropologists John P. Harrington and Alfred L. Kroeber; from records at Mission San Fernando, where many Tataviam were taken; and diaries of early Spanish explorers. At the time of historic contact, the total Tataviam population was approximately fewer than 1,000 people. In 1776, Francisco Garces explored the area that the Tataviam inhabited and found them to share similar culture traits to their southern Takic neighbors in dress, political organization, and language (King and Blackburn 1978). These southern neighbors included the Cahuilla, Luiseno, Juaneno, Gabrielino, and Serrano.

Late Period archaeology is generally better understood because the late nineteenth and early twentieth century descendants of these groups provided additional information to early anthropologists. Similar associations between the Tataviam and the Takic groups have been found in the archaeological record, including the types of artifacts found and the internal organization of cemeteries and villages. Possible shared concepts of ritual and religion may have also existed between the Tataviam and the neighboring Chumash as evidenced from ritual paraphernalia documented in caves, such the nearby Bowers Cave (Elsasser and Heizer 1963, Robinson et al. 2012: 283-284).

With the establishment of the mission system within California beginning in 1769, nearly all the Tataviam had been baptized at the San Fernando Mission (King and Blackburn 1978). Furthermore, the descendants of most of the Tataviam had married members of other Native American groups at the mission or in the Tejon region.

However, so few descendants could be identified from the Tataviam or Alliklik, whose territory included the Castaic Creek area, that very little of them is known. By the time anthropologists began to collect data about traditional native cultures in California (about 1900), the opportunity to learn first-hand and collect more information about the group became increasingly difficult. Fortunately, groups such as the Fernandeno Tataviam Band of Mission Indians is dedicated to preserving the cultural identity of the Tataviam for future generations through member participation in cultural education, linguistic and ethnographic research, archaeological analysis, and oral tradition.

Decimated by Spanish missionization and absorbed by other groups through inter-marriage, the Tataviam vanished rapidly from the cultural landscape. What is known about their culture has been reconstructed through linguistic and ethnohistoric research, archaeological analysis, and remembrances of individuals from neighboring bands.

~~Recent work with these materials has helped considerably in understanding more about Tataviam life. Their territory encompassed a roughly triangular area from the Piru area, eastward along the upper Santa Clara River through the Newhall area to Soledad Pass, and northward across the Sierra Pelona, Sawmill, and Liebre Mountains to the westernmost edge of the Antelope Valley and southernmost slopes of the Tehachapi Mountains.~~

~~With the Santa Clara River Valley and Antelope Valley acting as east-west corridors between the deserts and coast, the Tataviam likely participated in “down the line” long-distance trade. Shell beads found in the western Mojave Desert, for example were acquired by the Takic-speaking Kitanemuk through a trade network in which the Tataviam may have been linked with Hoka-speaking Chumash on the coast.~~

6. Page 11, Cultural Resources Records Search, paragraph 1, is hereby revised to read as follows:

A cultural resources records search and literature review was conducted by BonTerra Psomas at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on May 13, 2014 (Appendix A). **A subsequent records search was conducted on September 12, 2017.** The SCCIC is the designated branch of the California Historical Resources Information System (CHRIS) for archaeological and historical resources in Los Angeles, Ventura, and Orange Counties. The records search was conducted (1) to determine whether the Project site had been previously surveyed for cultural resources, and if so, to what extent and (2) to identify the potential for any cultural or paleontological resources to be adversely affected by the Project.

7. Page 12, Cultural Resources Sites, is hereby revised to read as follows:

The **2014 and 2017** SCCIC literature review revealed that six **eight** cultural resources sites have been recorded within ½ mile of the Project site. Two of these are located on or adjacent to the subject property.

**TABLE 1  
CULTURAL RESOURCES SITES WITHIN ONE-HALF MILE  
OF THE PROJECT SITE**

<b>Site Trinomial</b>	<b>Year</b>	<b>Description</b>	<b><u>Proximity to the Project Site</u></b>
CA-LAN-323	1965	Prehistoric lithic artifacts, midden, and bedrock mortar features.	<b><u>Outside</u></b>
CA-LAN-325	1965	Prehistoric rock shelter containing basketry and beads.	<b><u>Outside</u></b>
CA-LAN-1222	1985	Prehistoric rock shelter with lithic artifact.	<b><u>Outside</u></b>
CA-LAN-1672H	1989	Historic ranch remains with ceramic, glass, and metal artifacts.	<b><u>Outside</u></b>
19-186861	2003	Historic electrical transmission line dating to 1913.	<b><u>Within</u></b>
<b><u>CA-LAN 990H</u></b> <b><u>CA-LAN 990H</u></b>	Unknown?	Old Ridge Route.	<b><u>Within</u></b>
<b><u>CA-LAN-4475</u></b>	<b><u>2014</u></b>	<b><u>Prehistoric lithic artifacts</u></b>	<b><u>Outside</u></b>
<b><u>CA-LAN-4478H</u></b>	<b><u>2014</u></b>	<b><u>Historic telephone pole alignment</u></b>	

8. Page 12, Cultural Resources Studies, is hereby revised to read as follows:

The literature review also identified 45 **16** cultural resources studies undertaken within one mile of the current Project site. Three of these studies included at least a portion of the Project site. Table 2, below, includes a listing of the studies.

**TABLE 2  
CULTURAL RESOURCES STUDIES COMPLETED  
WITHIN ONE-HALF MILE OF THE PROJECT SITE**

<b>Report Number</b>	<b>Recorder/Year</b>	<b>Type of Study</b>	<b>Located on the Project Site</b>
LA-00088	Carrico 1973	Archaeological Survey	
LA-01233	Tartaglia 1983	Archaeological Survey	
LA-01667	Woodward 1987	Archaeological Survey	
LA-01808	Robinson 1987	Archaeological Survey	x
LA-02105	Tartaglia 1990	Archaeological Survey	
LA-02987	Woods et al. 1987	Archaeological Survey	
LA-03289	Davis 1990	Archaeological Survey	
LA-03796	1989	Archaeological Survey	
LA-03848	Tartaglia 1989	Archaeological Survey	x
LA-04008	1996	Archaeological Survey	
LA-04287	1995	Environmental Impact Report	x
LA-05184	Nixon 2000	Archaeological Survey	
LA-05552	McKenna 2000	Cultural Resource Evaluation	
LA-06658	Maki 2002	Archaeological Survey	
LA-08255	Arrington and Sikes 2002	Final Monitoring Report	
<b><u>LA-12892</u></b>	<b><u>Vader and Lockwood 2015</u></b>	<b><u>Archaeological Survey</u></b>	

9. Page 13, Cultural Resources Survey, is hereby revised to read as follows:

The survey resulted in the re-location of the two previously recorded Historic Resource sites, the Ridge Route Road (**CA-LAN-990H**) (~~CA-LAN-990H~~), and the Bailey-Pardee and Pardee-Pastoria 220-kilovolt Transmission Lines (19-186861; Table 3); the discovery of three new historic archaeological sites (NL-1, NL-2, and NL-3; Table 3), and one new historic resource site (NL-4; Table 3).

10. Page 14, Cultural Resources Survey, is hereby revised to read as follows:

**TABLE 3  
HISTORIC ARCHAEOLOGICAL SITES AND HISTORIC RESOURCES**

Temporary Number	Site Type	Description
19-186861	2003	Historic electrical transmission line dating to 1913.
<del>CA-LAN-990H</del> <del>CA-LAN-990H</del>	Roadway	Old Ridge Route.
NL-1	Residential/commercial refuse	Washer, dryer, box spring, bicycle frames, etc.
NL-2	Residential/ commercial refuse	Glass bottles, tin cans, assorted rusted metal
NL-3	Building debris	Milled lumber, window pane, bricks, enamelware
NL-4	Petroleum Pipeline	14-inch crude oil pipeline

11. Page 14, Old Ridge Route, paragraph 1, sentence 1, is hereby revised to read as follows:

The Old Ridge Route ~~(CA-LAN-990H)~~ ~~(CA-LAN-990H)~~, which is adjacent to a portion of the Project site, is a roadway listed on the NRHP as well as on the CRHR Inventory.

12. Page 18, Summary, is hereby revised to read as follows:

**The SCCIC records searches identified six previously recorded cultural resources within the ½ -mile search radius of the Project area (CA-LAN-323, CA-LAN-325, CA-LAN-1222, CA-LAN-1672H, CA-LAN-4475, and CA-LAN-4478H). The previously recorded resources include four prehistoric sites and four historic sites. The prehistoric sites include rock shelters and a habitation site. The historic sites include two trash scatters, a historic electrical transmission line dating to 1913 and the historic Old Ridge Route. Of the six previously recorded cultural resources identified in the search radius, the historic electrical transmission line and Old Ridge Route are located within the Northlake Specific Plan boundary. In addition to the previously recorded archaeological sites identified within the search radius, the cultural resources survey resulted in the discovery of three new historic archaeological sites and five prehistoric isolates within the Northlake Specific Plan boundary.**

~~The cultural resources survey resulted in the discovery of~~**The five** 5 prehistoric isolated artifacts, which, ~~by definition are~~ **are** not significant resources **and are therefore ineligible for the CRHR.** ~~The t~~Three historic archaeological sites, consisting of refuse and debris deposits were recorded and evaluated. None of ~~the~~ three are recommended eligible for the CRHR. The previously recorded Ridge Route Road and 220 kV transmission line have been determined ineligible for inclusion in the CRHR. The short section of the Pacific Pipeline on the property has been evaluated and determined ineligible for inclusion in the CRHR (Appendix D).

**Archaeologically, the resources indicated that human occupation occurred on the Project area during both the prehistoric and historic periods. However, none of the identified archaeological resources discussed above occur within the Project Disturbance Area or in the External Improvements Area; therefore, implementation of the NorthLake Specific Plan would not impact these recorded cultural resources.**

**Additionally, the paleontological resources records search results were negative for paleontological resources within the Northlake Specific Plan boundary. Therefore, unless ground disturbing activities occur within buried geologically sensitive sediments in is unlikely that the Northlake Specific Plan will impact significant paleontological resources.**

13. Page 19, Recommendations, paragraph 1, is hereby revised to read as follows:

The presence of subsurface archaeological resources is always a possibility in ~~areas where only surface inspection has taken place~~ **native sediments. Therefore, it is recommended that all Project-related ground-disturbing activities in native sediments shall be monitored by a qualified Archaeologist to reduce any archaeological resources impacts to a level considered less than significant.** If potential archaeological evidence (e.g., stone artifacts, dark ashy soils or burned rocks, old glass, metal, or ceramic materials, or structural foundations) becomes apparent during construction-related ground disturbances, work in that location should be diverted and **under the supervision of** a qualified archaeologist ~~should be contacted immediately to evaluate the find.~~ The Project proponent will then be notified if the materials are believed to be potentially significant, and the archaeologist may recommend further study. **Additionally, when the Project Archaeologist is on-site for monitoring activities, a qualified Native American Tribal Monitor shall be notified and invited to observe ground-disturbing activities. The Native American Tribal Monitor shall coordinate with the Project Archaeologist and provide input regarding potential resources or cultural sites.** If human remains are discovered, the Los Angeles County Coroner's Office must be notified immediately under state law, and all activities in that area must cease until appropriate measures have been implemented. If the Coroner determines that the remains are prehistoric, the NAHC must also be contacted under state law. The NAHC will designate a Most Likely Descendent (MLD) who will have the authority to make procedural determinations concerning disposition of the remains.

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