require the applicant for a development to replace trees on a dollar value basis, it is very misleading in the EIR for the consultant to try to make intended users of the EIR believe that the applicant will be replacing dollar for dollar value of the trees lost. I believe that if the EIR discusses dollar value of trees lost and vegetation replaced, that it should be clear that over $9,000,000 in value of mature trees will be replaced with plants or seeds with a value of under $200,000.

In Appendix G, Biological Technical Report pages 208-215, the consultant does a tree valuation report with very different results than are discussed in Section D of the main EIR. The Tree Rating and Appraisal in Appendix G gives a basic tree cost for each tree that will be directly destroyed by the project. This report assigns a value of $4,833,793 to the oaks and sycamores that would be lost with trees having a cost of up to $79,749. I believe that this is a more accurate valuation of the trees that will be lost except for trees omitted and trees that will be partially damaged or destroyed from the potential impacts of the project that are nearby the graded areas. The value of $4,833,793 is substantially different than the tree value of $182,298 that is on Page IV.D-123. The valuation method using the value of the raw land as I have discussed is an unreasonable method and must be removed from the EIR.

The EIR must contain a mitigation measure to mitigate the impact on the native trees by having the developer before any work on the project commences, pay the City of Los Angeles the equivalent of the cost of the trees that will be destroyed plus 25% to cover additional trees destroyed by remedial grading. From this mitigation fund, the cost of purchasing and replacing native trees shall be paid. The amount of this fund will be $4,833,793 plus 25% for remedial grading or $1,208,448. Therefore, the total of this native tree mitigation fund shall be $6,042,241. This fund might be adequate to mitigate the cost of the trees lost by this project.

I also believe that though the law does not require the applicant to replace each adult tree lost at a ration of 10 to 1, that they should do so with actual trees and not acorns. The survivability of young trees is low especially if they are expected to grow in areas which are not suitable for their survival. The viability of acorns is even lower. The consultant's recommended replacement rate of trees other than seedlings and acorns is 6 to 1. For each actual tree lost, excluding seedlings and acorns, we believe a more viable replacement ratio should be 10 to 1. The actual tree loss may be much higher for the reasons previously discussed in this section.

Trees are a valued asset in the City of Los Angeles. From Chapter 9 of the General Plan, it describes trees and the benefit of maintaining trees. We have included this below.

Urban Forest

Trees, singly, and collectively as the urban forest, provide enormous benefits to our city. They

- Provide oxygen and clean the air by absorb ing pollution, including carbon dioxide (CO2), the principal greenhouse gas
- Reduce moisture loss and increase atmo spheric moisture

- Block the wind, and filter noise and dust
- Protect against the sun's ultraviolet rays, reducing glare and heat, lowering surface temperatures by five to nine degrees
- Encourage pedestrian traffic, benefitting neighborhood businesses
- Control erosion, protect the urban water shed and aid stormwater management efforts
- Provide wildlife habitat; an
- Add beauty, unity, identity, pride and value in communities and contribute to the quality of life of the City's residents.

While the urban forest includes all of the trees in the City of Los Angeles on both publicly-owned land and privately-owned land, the portion of this forest that is most vulnerable to the deleterious decisions and operations of other infrastructure systems is street trees.

The project must have as additional mitigation measures having a certified arborist make daily visits of the project areas when grading occurs to identify detrimental effects caused by the equipment or grading activities. The arborist must have the authority and must stop the destruction, damage, or other injuries to trees that are not identified as impacted by the development in the EIR. The certified arborist must be able to impose corrective measures to minimize or eliminate any destruction, damage, or other injuries that are or will be caused to trees not previously identified as impacted. The arborist must be able to impose corrective measures to also minimize impacts to trees that are scheduled to be destroyed. Additional trees might be saved with certain lot, road, or other infrastructure changes that would still make these areas viable the project and preservation of trees.

The project must now meet the requirements of the Scenic Plan. The EIR must recommend additional mitigation measures and comply with this ordinance. The San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan says regarding oak tree preservation,

Section 8 B. Oak Trees. Notwithstanding LAMC Section 46.00 to the contrary, no oak tree (*quercus agrifolia, q. lobata*) of eight inches or more as measured four and one-half feet above the ground level at the base of the tree shall be removed, cut down or moved without the prior written approval of the Director or the Advisory Agency on lots 20,000 square feet or larger. The Director or the Advisory Agency may approve the removal, cutting down or moving of an oak tree if one of the following findings can be made:

1. It is necessary to remove the oak tree because its continued existence at its present location prevents the reasonable development of the subject property; or

2. The oak tree shows a substantial decline from a condition of normal health and vigor, and restoration, through appropriate and economically reasonable preservation procedures and practices, is not advisable (as evidenced by an oak tree report); or

3. Because of an existing and irreversible adverse condition of the oak tree, the tree is in danger of falling, notwithstanding the tree having been designated an Historical Monument or as part of an Historic Preservation Overlay Zone; or

4. The presence of the oak tree interferes with utility services and roadways within or without the subject property and the only reasonable alternative to the interference is the removal of the tree; or

5. It has no apparent aesthetic value that will contribute to the appearance and design of the surrounding properties, or is not located with reference to other trees or monuments in such a way as to acquire a distinctive significance at that location.

If an approval to remove an oak tree has been obtained from the Director or Advisory Agency, no further approval is required from the Board of Public Works.

Due to the errors of omission and measurement of the project site's native trees, the tree survey must be redone as the report significantly understates the number of trees and what may be lost in the impact area. An accurate assessment of the native trees must be done to determine the replacement of native trees and habitat loss. The EIR must discuss the full potential of all native adult trees that will be lost directly and indirectly from the development activities of the applicant. Mitigation measures must be done to preserve trees in adjacent areas that might be impacted by the construction activities. The project must conform with the new Scenic Plan.

Section IV. D.3. BIOLOGICAL RESOURCES-WILDLIFE MOVEMENT

Observation of Wildlife Movement based on wildlife observation in Figure IV.D-21, indicates that the biologists made observations only from fire roads or trails on the property. The biologists did not go off main through ways to make wildlife movement surveys. If you look at the property it is covered with an extensive network of animal use trails. We observed many of these trails and noted evidence of deer eating some plants near one of the trails. They are evident when you observe areas between some of the plants. Many of these may traverse steep gradients that people would not use, but animals utilize these wildlife corridors.

Actually, the project biologists actually do admit finding wildlife trails on Page 291 of Appendix G, the Biological Technical Report. They show photographs on this page of wildlife trails. As the project biologists have found wildlife trails on the project site, they must reach the conclusion that there are wildlife corridors on the project site. Why the project biologist chose to ignore facts indicating the existence of wildlife corridors on the project site is unknown. The EIR must be corrected to reflect that there are wildlife corridors on the project site and that the project will have a significant and unavoidable impact on them. Unless, the developers are prepared to leave 1,000 foot wide open space corridors between small groups of perhaps 6-8 homes, there are no mitigation measures that the developer has proposed that would actually mitigate the loss of

wildlife corridor impact. Leaving substantial size wildlife corridors between groups of homes as we have recommended would be something that would make the project more environmentally friendly.

The wildlife movement study was conducted from March 2002 to December 2002. The number of days when observations were made, how long each day's observation was made, time of day the observation was made, and dates or times of the year were not disclosed in the study. Also, the report notes that observations were made during a significantly low rainfall year which would also impact observations. The study may not be adequate because too few observations were made.

Track stations were placed in locations that were determined to be potentially important for wildlife movement. However, the track stations were set up for only four consecutive days. Four consecutive days is an insufficient sample size to make any determinations about wildlife movement within the region. The corridors must be studied over time through all of the seasons to begin to make determinations about the lack of significance of the project site as a wildlife movement corridor.

Also, even though there were 21 track stations, they were not located in all the expected areas of wildlife movement. There were 6 stations clustered together south of La Tuna Canyon Road near the junction with I-210, but not near the project site. There were another 6 stations, located in two clusters of three south of La Tuna Canyon Road in or near the Santa Monica Mountains Conservancy land across from Development Area B. There were 7 stations cluster together in the southern part of Development Area A in one of the riparian drainages. There is one station in Development Area A in the very northern part. The 21st station is not located on the Figure IV.D.-21 Wildlife Movement map. We do not know if this station existed.

There were no track stations in the areas where the "Missing Link" wildlife corridors are supposed to exist. Therefore, the EIR cannot make the conclusion that these wildlife corridors do not exist. No field studies were done to dispel their existence. There were no track stations in the La Tuna Canyon Wash near the Development B Area. It would be expected that this would be a very significant wildlife corridor area as wildlife can move unimpeded through the wash. No track stations were located in the Development B Area at all. The EIR cannot make any conclusions about the non-existence of wildlife corridors in this area. Even within Development Area A, track stations were lacking on most of the impacted area in this portion of the development. Also, there was only 1 northern area track station, which is an inadequate sample. Again, the EIR cannot make any conclusions about the non-existence of wildlife corridors in this area.

While it is easy to conclude the presence of a species on a project site, it is difficult to conclude a species is not present. The EIR conclusions based on these studies are deficient. Even if you did carefully explore the entire project site, tracks are difficult to observe because animals do tend to walk lightly and soil conditions may not allow tracks to be observed. Behind my own house, I have observed many animals ranging from rats, to deer and bobcat. When I look for the animal

tracks later, I cannot find them even though I observed their location on my property.

There also were no night observations made on site including important sensitive areas like the riparian areas of Project A and the riparian areas including La Tuna Canyon Wash in Project B. It is critical that this should have been done because there are many nocturnal animals that apparently went undetected even with the tracking stations that were set-up. Motion activated infrared video cameras could have been set-up to observe animals during the night and day at critical areas.

The EIR biologists work did not disprove that wildlife corridors through the site area discussed in 2001 report prepared by a California Interagency and Organization group do not exist. This report describes these corridors and the threats to them are described in a of scientists representing most of the major governmental wildlife protection agencies located in California, major Conservation Organizations in California and those associated with Universities and Colleges. This report is called "Missing Linkages: Restoring Connectivity to the California Landscape" and is found on the California Wilderness Coalition website. This report indicates that there is an important linkage through this site area, Linkage #27 on South Coast Missing Linkages figure 6-1.

I have excerpted portions of the South Coast Ecoregion Missing Linkages report.

"The key species used to identify the linkages belonged to a number of taxonomic groups. Mammals recognized as key species included mountain lion, bobcat, black bear, coyote, gray fox, bighorn sheep, mule deer, badger, Mojave ground squirrel, San Bernardino kangaroo rat, and Los Angeles pocket mouse. Birds listed as key species included golden eagle, Le Conte's thrasher, Least Bell's vireo, coastal California gnatcatcher, southwestern willow flycatcher, least tern, snowy plover and other migratory birds. Fish recognized as key species included three-spined stickleback, southern steelhead, and Santa Ana sucker. Reptiles and amphibians listed as key species included desert tortoise, southwestern pond turtle, western spadefoot toad, and arroy southwestern toad. The quino checkerspot butterfly was the only invertebrate listed as a key species. Both single and multiple key species were used in identifying the linkages; 82% (49/60) of the linkages recognized mammals as key species, 27% (16/60) used birds, 12% (7/60) used amphibians or reptiles, and 8% (5/60) used fish. Mammalian carnivores were recognized as key species in 78% (47/60) of the linkages.

The primary features identified as facilitating animal movement in the region included waterways, flood-control channels, riparian corridors, contiguous or semi-contiguous habitat, underpasses, and culverts. Remnants of riparian habitat are vital connections in this heavily modified region. In fact, 48% (29/60) of the linkages identified are associated with waterways. Riparian linkages specifically mentioned included the Ventura, Santa Clara, and Santa Clarita Rivers, San Gorgonio, Oso, San Juan and San Marcos Creeks, and Temescal Wash. In a region with such an extensive road network, underpasses and culverts have also become critical movement corridors; 35% (21/60) of the linkages identified in the region are associated with underpasses or culverts."

The report describes that the greatest threat to most of these wildlife corridors was urbanization of these areas. It reports that 85% (51 of 60) wildlife corridors are threatened by development. Development is the greatest threat to Southern California wildlife corridors. This project represents a threat to wildlife corridor #27 identified in Southern California by this report. This development does create a significant impact on this wildlife corridor. The EIR must state so to be accurate.

The EIR never considers that bird movement could be part of a wildlife corridor. I also agree with other biologists assessment of the existence of wildlife corridors on site and the deficiencies of the EIR regarding this issue. Some of the discussion that follows is information that we concur with.

The data provided by the wildlife movement study in the EIR show the great extent the project site is utilized by medium-sized mammals. The study also confirms that the Wentworth Street underpass for the 210 Freeway is used by wildlife moving between Tujunga Wash and the Verdugo Mountains. The Verdugo Mountains are completely isolated from all other large tracts of habitat in the region, including those in the San Gabriel Mountains, except for this link at Wentworth Street and the point where the North Fork of Tujunga Wash crosses under the 210 Freeway. While this link may be tenuous, it does not mean it is not functional. Its functionality has been proven be the referenced EIR study.

The Santa Monica Mountains Conservancy also recently acquired several parcels at the southwestern corner of the Wentworth Street undercrossing. The EIR states that fences in this area make it extremely difficult for wildlife to use the corridor. The tone in the text make it seem like this is not a viable wildlife corridor. Fences can be moved, thereby opening up the corridor further. Native vegetation can also be added. Animals are traversing this area even with the fences.

Without actually tracking animals using radio telemetry, it cannot be accurately stated that the project site is mainly only utilized for localized wildlife movement. The points an animal is moving cannot be determined by identifying a track or scat on a path.

The development footprint for Area B completely cuts off movement between the northern and southern portions of that area of the project. The EIR states that a local movement path will be provided through the central portion of Development Area B. The EIR shall remain deficient until this "local movement path" is accurately described and mapped for decision makes to review. To utilize this path, wildlife would have to move between the narrow portions of ungraded land on the southern edge of development in Area B. They would then have to move between two houses down a corridor the width of a driveway and then cross a road in the development. This is not an adequate wildlife movement corridor segment to keep the remainder of the Verdugo Mountains ecologically viable. This corridor is the only adequate means for wildlife to move between the publicly protected lands in the Verdugo Mountains and the San Gabriel Mountains. For these reasons, the wildlife corridor can adequately be protected only by preserving all of Area B.

The EIR is deficient for stating that local movement pathways within the project site will not be impacted. Over 35 of the sightings in Area A occurred within the proposed grading limits of the project. The EIR states that wildlife movement will be preserved by providing breaks in walls. Breaks in walls in between houses does not constitute a sufficient wildlife movement corridor. The figure depicting the corridors through the development forces the wildlife corridor onto private land near Drainage 4. This does not adequately protect a wildlife corridor totally encompassed within Area A. The maintenance of a wildlife corridor on adjacent private lands cannot be guaranteed and cannot be credited or relied upon to mitigate the subject project.

A wildlife movement corridor must be preserved through Area A connecting the northwestern and southeastern portions of the project site. This corridor must be a minimum of 500 feet in width to be ecologically effective with residences on both sides. Only roads would be allowed to traverse this corridor. Without this corridor, the northwestern corner of Area A would be totally isolated biologically. The wildlife movement study did not find any evidence of wildlife entering this portion of Area A from the north or via the culverts under the 210 freeway. A fully protected corridor encompassed totally within the project site is the only means to ensure the protected open space in the northwestern corner is not completely isolated.

What is written in the Canyon Hills DEIR is in conflict with information contained in the Hillview Estates EIR, EIR No. 89-1163-SUB(ZC/GPA), SCH No. 93021045, published May 1997. In this development's EIR, aka Duke Development, the authors of that EIR write the following.

"Species dependent upon specific resources within sheltered, moist portions of the main drainage must currently travel northeast over the top of the ridgeline to reach the uppermost portions of the heavily forested canyon off site to the east via a small wetland area below the existing residential development to the north. Species of limited mobility or which are sensitive to heat, sunlight, or desiccation would only be able to migrate from the main canyon area during winter rainfall. Bird species might easily fly from this site to adjacent suitable habitats.

The smaller, western tributary drainage channel contains no oak trees, and offers only partial sheltering with large shrubs. Its use as a movement corridor is probably limited to larger species with greater mobility, such as coyote, mule deer, raccoon, gray fox, bobcat and opossum. It does provide access via a low pass to the large, biotically diverse canyon west of the site, and could function as a major habitat linkage for chaparral and sage scrub elements."

The proposed Hillview Estates aka Duke Development is right next to the proposed Canyon Hills Development. Many of the routes they discuss leading out of the Duke Development area go into the Canyon Hills site. It is doubtful that in 5 years time between when the Duke study was done and the Canyon Hills survey work was done that the wildlife in the Duke Development area became extirpated and would not have been observed on the Canyon Hills site. Thus, it would lead us to conclude that the Canyon Hills Wildlife Movement Study is inadequate because observations were not done over a wide enough area, not enough observation times were done, the period of observation was too short, the observations were not made during the right

season(s) of the year, or climatic conditions such as drought impacted the study.

Destruction of even the local wildlife corridors would remain a significant impact under CEQA and would violate Policy 6.1.2.b of Objective 6.1 of the Los Angeles General plan where the objective is "Protect the City's natural settings from the encroachment of urban development, allowing for the development, use, management, and maintenance of each component of the City's natural resources to contribute to the sustainability of the region." and the goal is "Preserving habitat linkages, where feasible, to provide wildlife corridors and to protect natural animal ranges".

The wildlife movement study must be redone correcting those possible deficiencies in observation methods noted above. If this is not done, the EIR will remain inadequate and will not report a significant impact that cannot be mitigated. Also, the EIR report must report that this development will cause a significant unmitigable impact on Wildlife Movement based on the CEQA standard that, "Impacts on wildlife movement would be significant if the proposed project interferes substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Section IV. E NOISE

The City of Los Angeles does have sections of the Municipal Code regulating noise from construction activities.

SEC. 112.03. CONSTRUCTION NOISE.
Noise due to construction or repair work shall be regulated as provided by Section 41.40 of this Code. **(Amended by Ord. No. 161,574, Eff. 9/8/86.)**

SEC. 41.40. NOISE DUE TO CONSTRUCTION, EXCAVATION WORK – WHEN PROHIBITED.
(a) No person shall, between the hours of 9:00 P.M. and 7:00 A.M. of the following day, perform any construction or repair work of any kind upon, or any excavating for, any building or structure, where any of the foregoing entails the use of any power driven drill, riveting machine excavator or any other machine, tool, device or equipment which makes loud noises to the disturbance of persons occupying sleeping quarters in any dwelling hotel or apartment or other place of residence. In addition, the operation, repair or servicing of construction equipment and the job-site delivering of construction materials in such areas shall be prohibited during the hours herein specified. Any person who knowingly and wilfully violates the foregoing provision shall be deemed guilty of a misdemeanor punishable as elsewhere provided in this Code. **(Amended by Ord. No. 158,587, Eff. 1/29/84.)**
(b) The provisions of Subsection (a) shall not apply to any person who performs the construction, repair or excavation work involved pursuant to the express written permission of the Board of Police Commissioners. The Board of Police Commissioners may grant such permission, upon application in writing, where the work proposed to be done is effected with public interest, or where hardship or injustice, or unreasonable delay would result from the interruption thereof during the hours above-mentioned, or where the building

or structure involved is devoted or intended to be devoted to a use immediately incident to public defense; nor shall the provisions of this section in any event apply to construction, repair or excavation work done within any district zoned for manufacturing or industrial uses under the provisions of Chapter I of this Code, nor to emergency work necessitated by any flood, fire or other catastrophe.
(c) **(Amended by Ord. No. 166,170, Eff. 9/29/90.)** No person, other than an individual homeowner engaged in the repair or construction of his singlefamily dwelling shall perform any construction or repair work of any kind upon, or any earth grading for, any building or structure located on land developed with residential buildings under the provisions of Chapter I of this Code, or perform such work within 500 feet of land so occupied, before 8:00 a.m. or after 6:00 p.m. on any Saturday or national holiday nor at any time on any Sunday. In addition, the operation, repair or servicing of construction equipment and the job-site delivering of construction materials in such areas shall be prohibited on Saturdays and on Sundays during the hours herein specified. The provisions of this subsection shall not apply to persons engaged in the emergency repair of:
1. Any building or structure.
2. Earth supporting or endangering any building or structure.
3. Any public utility.
4. Any public way or adjacent earth.
(d) The provisions of Subsection (c) shall not apply to construction work done on the Metro Rail Project and the tunnel-station portions of the Los Angeles-Long Beach Rail Project between Sixth to Twelfth Streets, provided however that such construction work shall not include the utilization of soldier pile drilling, vibrating hammer driving, blasting, or any construction activities that will exceed the ambient noise levels as provided in the action of the Police Commission, pursuant to Subsection (b) hereof, granting a variance for such work. In addition, such construction work will be subject to all the conditions of said conditional variance granted by the Police Commission. This section shall have no force or effect upon completion of the construction work herein described. **(Amended by Ord. No. 162,045, Eff. 4/5/87.)**
(e) The provisions of this section shall not apply to construction work done by CALTRANS to repair the collapsed sections of the Santa Monica Freeway within a one mile radius of the intersection of Interstate 10 and Fairfax Avenue. This section shall have no force and effect upon completion of the construction work herein described. **(Added by Ord. No. 169,669, Eff. 5/13/94.)**

The EIR does discuss these regulations and the applicant must observe these during the period of construction.

The construction noise impacts however may last substantially longer than the EIR indicates. The EIR projects a 60 month build out time including construction of all infrastructure improvements such as roads, sewers, utilities and building pads and construction of the homes themselves. If you look to comparable projects, the build out time may be substantially longer and the EIR must discuss this as a potential impact.

Oakmont IV in Glendale was started about in 1986 and took about 2-3 years to complete the grading, road building, sewers, utilities and grading of the pads. There was less grading that

needed to be done in this project but the infrastructure improvements took longer. This may mean that the 9 and 19 months need to make this infrastructure improvements in Development Areas B and A respectively may be too short.

The applicant anticipates that all the homes will be built and completed in the next 51 to 41 months after the infrastructure is complete in Development Areas B and A respectively. However, if you look at comparable hillside developments, Oakmont IV in Glendale, had its infrastructure completed in 1988. This development consisted of 197 lots for hillside homes that would be in the expected price range that the applicant would be selling their lots to the public. Even 15 years after the infrastructure was completed, there are still vacant lots and they are still building homes there. The Canyon Hills Development is proposed to have 280 lots. This would mean that it would be expected for home construction to continue for another 15 years beyond the completion of the infrastructure on the project site. The build out time may actually be as long as 23 years especially if adverse economic conditions prevail during any portion of the build out period.

It would seem reasonable then that local residents could anticipate construction noise for the next 25 years. The EIR must be modified to reflect this possibility.

The Construction noise will be higher sometimes than the EIR indicates. Sometimes several machines may be working in tandem. The report does discuss the use that multiple machines and tasks may be occurring at the same time and in the same area on the project site to produce a much greater sound level than indicated. However, this does not include other construction site vehicles like pick-up trucks or passenger vehicles that may be performing a work related task while the other machines are operating. Also, the consultant has excluded discussing the noise impacts of trash trucks required to haul away debris created during the construction process. This will impact the noise levels and must be reflected in the EIR.

Also, the construction noise calculations grossly understate the potential noise from the construction site. Table IV.E-4 lists noise levels from various construction equipment. The table does disclose that these are at the low end of noise. However, if you refer to Appendix H, Exhibit I.1-1 in the Ove Arup & Partners noise consultants table, there is a great range of noise that these machines could produce. For example, Table IV.E-4 lists a tractor producing 77dBA noise. If you refer to the noise consultant's Exhibit, the same tractor could also produce a sound of 98 dBA at 50 feet. 98 dBA is a very loud sound and even at 500 feet, just one machine would be very noticeable.

The EIR must provide a range of likely noise impact from construction activities. This is what would be expected in actual construction. The maximum expected noise using the combination of machines and their maximum noise output must be calculated and discussed in the EIR. Also, the average of the high and low range of the maximum expected noise using the combination of the machines needs to be calculated and discussed in the EIR. It is very misleading only to discuss the very lowest amount of noise produced by the construction equipment. This is a very unlikely scenario that the lowest amount of noise would be produced everyday on the construction site. The average of the high and low range of the maximum expected noise would normally be expected to occur on a typical

day. The low range and high range would only be expected to occur occasionally.
The EIR must be corrected to reflect the impacts of the average expected construction noise output and the maximum expected construction noise output.

CANYON HILLS DEVELOPMENT
NUMBER OF TRUCKS NEEDED & AMOUNT OF GRADING DONE

	DEVELOPMENT AREA A		DEVELOPMENT AREA B	
Amount of Grading with 20% Remedial Grading	4,080,000	cubic yds	1,452,000	cubic yds
No. of Dump Trucks Required- 90% Full*	302,222	truck trips	107,555	truck trips
Grading Time Period	19	months	12	months
No of Working Days in Grading Time Period **	410	days	260	days
Less Holidays Off	(15)	days	(10)	days
Days work stopped due to Adverse Weather	(32)	days	(20)	days
Total Project Work Days Available	363	days	230	days
Total Truck Trips per Day Required at Each Site	833	truck trips per day	468	truck trips per day
No of Trucks Required on Site Each Day if 27 trips per day****	31	Operating Trucks on Site	16	Operating Trucks on Site
No of Trucks Required on Site Each Day if 18 trips per day*****	46	Operating Trucks on Site	26	Operating Trucks on Site

* Assumes Dump Truck Capacity is 15 cubic yards
** Assumes working Monday-Friday during week, 5 working days per week
*** Assumes Work day is 9 hrs from 7am-5pm with 1 hr. off for lunch

**** Assumes it takes only 20 minutes for each truck to be filled, drive to drop off fill & return
***** Assumes it takes only 30 minutes for each truck to be filled, drive to drop off fill & return

According to the information providing in the EIR, the developer may need 8 to 12 times the equipment that is listed on Page IV.E-9 & 10 for Development Area A. In order to complete the grading in Development Area A in 19 months, it requires 833 on-site truck trips per day to haul dirt working every allowable weekday. This means that if each truck took 20 minutes to be filled, drive to an adjacent area to drop off the fill, and return back to be filled it would take 31 trucks operating 9 hours per day continuously to do this. If each truck took 30 minutes to be filled, drive to an adjacent area to drop off the fill, and return back to be filled it would take 46 trucks operating 9 hours per day continuously to do this. The equipment lists only indicate that 4 trucks are needed. Does this also mean that 8 to 12 times the number of support equipment are needed, so that instead of 8 scrapers, 64 to 96 are needed, instead of 2 Cat loaders, 16 to 24 are needed, and instead of 6 tractors, 48 to 72 are needed to complete the task in Development Area A???? Even if it takes 57 months to do the grading in Development Area A, about 3 to 4 times the number of trucks and other equipment will be needed. If the grading time is off substantially, then the project build date is incorrect and all the measurements of build out time and impacts in 2009 are incorrect and must be redone.

According to the information providing in the EIR, the developer may need 4 to 7 times the equipment that is listed on Page IV.E-9 & 10 for Development Area B. In order to complete the grading in Development Area B in 12 months, it requires 468 on-site truck trips per day to haul dirt working every allowable weekday. This means that if each truck took 20 minutes to be filled, drive to an adjacent area to drop off the fill, and return back to be filled it would take 16 trucks operating 9 hours per day continuously to do this. If each truck took 30 minutes to be filled, drive to an adjacent area to drop off the fill, and return back to be filled it would take 26 trucks operating 9 hours per day continuously to do this. The equipment lists only indicate that 4 trucks are needed. Does this also mean that 4 to 7 times the number of support equipment are needed, so that instead of 6 scrapers, 24 to 42 are needed, instead of 2 Cat loaders, 8 to 14 are needed, and instead of 4 tractors, 16 to 28 are needed to complete the task in Development Area B???? Even if it takes 36 months to do the grading in Development Area B, about 1 1/3 to 2 1/3 times the number of trucks and other equipment will be needed. If the grading time is off substantially, then the project build date is incorrect and all the measurements of build out time and impacts in 2009 are incorrect and must be redone.

This also means that the projected construction noise in the EIR is grossly understated. The EIR must be redone to account for this substantial increase in construction equipment. Otherwise, if the EIR is not corrected, it will be useless as an impact mitigation planning tool.

The EIR really did not discuss the effects of the impact of airblasts and vibrations from blasting. However, in Appendix H, Pages 4 and 22, **the sound consultant indicates that existing residents by both Development Areas A and B could hear brief blast noise between 93 dB to 114 dB.** This would be a significant adverse impact. This is an increase of from 25 dB to 35 dB over the ambient noise level. This must be a finding in the EIR. The EIR does mention the

possibility that blasting to level parts of the construction site is possible. The EIR must discuss whether blasting would cause property damage to adjacent existing structures or other property in proximity to the blast area. Additionally, the EIR should discuss the following mitigation measures or similar measures to mitigate the impact of blasting.

- When blasting occurs, the applicant must be required to give public notice of such an event a month in advance. This would give many sensitive receptors a chance to leave the area and not experience the effects of it. This would be a very helpful mitigation measure.

- The EIR must discuss the health hazards of noise and vibration in greater depth. This includes numbers of persons expected to become ill or injured as a result of noise and vibrations from the project.

I could not find the LEQV2 output files in Appendix J that were prepared by Linscott Law & Greenspan that discussed the traffic noise that would be generated from the operation of the development after construction ceases. These were found in Appendix H. The EIR references must be corrected to reflect the proper location of this information. Also, it is not clear what assumptions were used to compute the expected Mechanical noise levels that would be expected from the use of various machines that are part of the operational development. These would need to include use of air conditioners, heaters, yard maintenance equipment, and any other expected noise from the operational development. These assumptions and calculations must be included to determine if there would be an increase in 3 dBA noise level after the development is built.

The EIR does not discuss the significance of the impact of freeway noise on the development's residents after the development is built. Table IV.E-8 describes the impact on some project residents with and without sound walls. At receptor site 12 (R12), the sound does exceed the 3 dBA increase in noise level and according to Ove Arup & Partners noise consultant information found in Appendix H, Page I.2-3, this level of noise is what is considered "Normally Unacceptable". Thus this is a significant and unavoidable impact even after mitigation.

The noise levels must be measured at all receptor sites during the peak traffic times on the Foothill Freeway and La Tuna Canyon road. The noise levels during peak traffic times might exceed 67 dBA even after sound walls are built for significant periods of time. This would be in excess of Caltrans standards. Additional mitigation measures must be done if this is true including not building residences where sound levels after mitigation would exceed 67 dBA for periods of 15 minutes or greater. If this is not done, it would pose a significant health risk to those residents that are exposed to constant excessive noise.

Also, in Appendix H, Pages 25 and 27 indicate that at Receptor Sites 10, 11 & 12, that the level of noise after mitigation exceeds Caltrans criteria of significant noise impact from highways. The sound at these 3 receptor sites exceed the 67 dBA criteria even after sound walls are built. The noise consultant recommends that these lots not be developed and homes not be built here as a mitigation measure. If this is not done then the noise impact on the development residents here is