
III. RESPONSE TO COMMENTS

A request for public comments regarding the Tentative Tract No. 52539 Draft Environmental Impact Report (Draft EIR) was issued on September 15, 2000. The 45-day public comment period closed on November 6, 2000. The City of Los Angeles Department of City Planning, Environmental Review Unit received a total of seven comment letters during the 45-day public review period regarding the DEIR and the proposed project.

The California Department of Fish and Game (CDFG) submitted comments on the Draft EIR Biological Resources Section in a letter dated October 26, 2000. Based on CDFG's letter, a subsequent site survey by the EIR biologist, and further consultation with CDFG, it was determined that the Draft EIR failed to recognize CDFG's jurisdiction over 0.2 acres of mule fat scrub and 0.2 acres of willow scrub located in the southwestern and southeastern portions of the site, respectively. Implementation of the proposed project would therefore result in a significant biological resources impact to these two jurisdictional areas. These impacts can be mitigated to less than significant levels via implementation of mitigation measures included in the Final EIR. However, because these significant impacts were not disclosed in the Draft EIR, recirculation of the Draft EIR Biological Resources Section was required for a 45-day public review period (CEQA Guidelines Section 15088.5[a]). The recirculation period ended on July 9, 2001. The City of Los Angeles Department of City Planning, Environmental Review Unit received two comment letters in response to the recirculated Biological Resources Section of the Draft EIR.

The Response to Comments on the Draft EIR, together with the Draft EIR, make up the Final EIR (FEIR) as defined in the State CEQA Guidelines Section 15132 as follows:

The Final EIR shall consist of:

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

The environmental review phase of a project precedes the phase that considers the project approval decision. The environmental review phase identifies the environmental impacts in compliance with CEQA, while the project approval phase considers the range of factors (environmental, normative, and preferential) relevant to the decision to approve a project. Certification of the EIR is not the same as project approval, but simply marks the end of the environmental review phase. Certification is a judgment that the EIR is a legally adequate informational document in compliance with CEQA. Only when the EIR document adequately identifies all significant environmental impacts associated with the project can it be used in the project approval phase along with consideration of other relevant factors. To approve a project, CEQA requires that either the significant impacts of the project (as identified in the EIR) be reduced to a less than significant level through the implementation of mitigation measures, or the approving body must adopt a finding of overriding considerations stating that mitigation measures are nonexistent or infeasible and thus constitute an unavoidable significant impact.

The following Response to Comments provides the City's responses to public, written comments received on the Draft EIR for the proposed project.

Written comments made during the public review of the Draft EIR intermixed points and opinions relevant to project approval/disapproval with points and opinions relevant to the environmental review. The responses acknowledge comments addressing points and opinions relevant to consideration for project approval and discuss, as necessary, the points relevant to the environmental review. The response "comment noted" is often used in cases where the comment does not raise a substantive issue relevant to the review of the environmental analysis. Such points are usually statements of opinion or preference regarding a project's design or its presence as opposed to points within the purview of an EIR. These points may be relevant for consideration in the subsequent project approval process. The response is also used in cases where the commenter is correct.

Copies of each comment letter are also included in Appendix A, with the individual comments indicated by a marginal bracket and numerical designation.

Agencies and individuals commenting on the Draft EIR are presented in the following order:

Letter A Stephen Buswell, Program Manager, Transportation Planning Office, Department of Transportation (Caltrans), 120 So. Spring Street, Los Angeles, California, 90012
Date Received: October 26, 2000

Letter B William R. Bamattre, Fire Chief, Fire Department, City of Los Angeles
Date Received: October 25, 2000

Letter C Timothy Germann, 15001 Mission Hills Road, Mission Hills, California, 91345-1102
Date Received: October 25, 2000

Letter D Raymond H. Wellbaum, Transportation Engineer, Department of Transportation (DOT), City of Los Angeles
Date Received: October 27, 2000

Letter E C.F. Raysbrook, Regional Manager, Department of Fish and Game, South Coast Region, 4849 Viewridge Avenue, San Diego, California, 92123
Date Received: November 3, 2000

Letter F Lisa Perez, 11707 Rincon Avenue, Sylmar, California, 91342
Date Received: November 1, 2000

Letter G Kerry Carmody, Clinical Operations Administrator, Providence Holy Cross Medical Center, 15031 Rinaldi Street, Mission Hills, California, 91345-1285
Date Received: November 7, 2000

Agencies commenting on the recirculated Biological Resources Section of the Draft EIR are presented in the following order:

Letter H Governor's Office of Planning and Research, State Clearinghouse, 1400 Tenth Street, Sacramento, California, 95812-3044
Date Received: June 5, 2001

Letter I Jeffrey Smith, Senior Planner, Southern California Association of Governments, 818 West Fifth Street, Los Angeles, California, 90017-3435
Date Received: July 10, 2001

Comment Letter A:

**Stephen Buswell, Program Manager,
Transportation Planning Office, Department
of Transportation, 120 So. Spring Street,
Los Angeles, California, 90012, October 18,
2000**

Comment 1:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The proposed project includes construction of 113 new single-family units. Two existing single-family units and the YMCA childcare facility would remain on the site.

Based on our review of the information received we have no comment at this time. Should we identify any issues that should be brought to your attention, we will contact you further.

If you have any questions regarding this response please reference IGR #000941 and call me at (213) 897-4429 or contact Cheryl Powell, the IGR Coordinator for the project at (213) 897-3747.

Response: Comment noted. No comments on the adequacy of the Draft EIR are provided; therefore, no further response is required per Section 15204(a) of the CEQA Guidelines.

Comment Letter B:**William R. Bamattre, Fire Chief, Fire Department, City of Los Angeles, October 23, 2000**

PROJECT DESCRIPTION

Tentative Tract No. 52539 consists of a 116 lot single-family residential subdivision on a 28.76-acre site at 15065 Mission Hills Road in the Mission Hills community of the City of Los Angeles. The proposed project includes the construction of 113 new single-family units. Two existing single-family units and the YMCA childcare facility would remain on the site on proposed Lot Nos. 93, 115, and 116, respectively. Two existing single-family homes and one small shed would be demolished in order to construct the proposed project. The proposed project will also require the reconfiguration of an existing hospital staff parking lot and the rear northerly retaining wall of the YMCA facility to accommodate the project's primary and secondary (emergency) access. In addition to approval of TT No. 52539, the applicant is also requesting a General Plan Amendment for the project site from a "Residential-Very Low" to a "Residential-Low" land use designation, as well as a zone change.

The following comments are furnished in response to your request for this Department to review the proposed development:

Comment 1:

A. Fire Flow

The adequacy of fire protection for a given area is based on required fire-flow, response distance from existing fire stations, and this Department's judgment for needs in the area. In general, the required fire-flow is closely related to land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard.

Response: Comment noted. The proposed project will comply with all LAFD fire flow requirements. Page IV.I-1 of the Draft EIR states that the Los Angeles Department of Water and Power has confirmed that there are no water service deficiencies in the project area, and thus the fire flow requirements of the proposed project can be accommodated.

Comment 2:

Fire-flow requirements vary from 2,000 gallons per minute (G.P.M.) in Los Density Residential areas to 12,000 G.P.M. in high-density commercial or industrial areas. A minimum

residual water pressure of 20 pounds per square inch (P.S.I.) is to remain in the water system, with the required gallons per minute flowing. The required fire-flow for this project has been set at 4,000 G.P.M. from 4 fire hydrants flowing simultaneously.

Response: Comment noted. The reader is referred to Response to Comment B-1.

Comment 3:

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

Response: The proposed project will be required to meet all Fire Department requirements regarding the provision and location of fire hydrants both off-site and on-site. Page IV.I-2 of the Draft EIR recommends that Tentative Tract 52539 be reviewed by the Fire Department prior to issuance of building permits.

Comment 4:

B. Firefighting Access, Apparatus, and Personnel.

Based on these criteria (response distance from existing fire stations), fire protection would be considered adequate.

Response: Section IV.I of the Draft EIR concludes that the proposed project would not result in any significant unavoidable impacts relative to fire protection.

Comment 5:

At least two different ingress/egress roads for each area, which will accommodate major fire apparatus and provide for major evacuation during emergency situations, shall be required.

Response: In addition to the primary ingress/egress location of off Mission Hills Road, emergency access is proposed via the extension of Indian Hills Road between two existing single-family units. Another emergency access point is proposed to be located at the western boundary of "E Court." This emergency access point would be accessed via the existing driveway at the western end of the Ararat Retirement Home property; this driveway is situated within a Department of Water and Power right-of-way for existing electrical transmission lines and towers.

Comment 6:

Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan D-22549.

Response: The proposed project will conform to the standard street dimensions shown on Department of Public Works Standard Plan D-22549.

Comment 7:

During demolition, the Fire Department access will remain clear and unobstructed.

Response: The proposed project is required to meet all applicable Fire Department standards, including the provision of clear and unobstructed Fire Department access to the site during demolition activities.

Comment 8:

The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.

Response: The proposed project shall meet all applicable Fire Department standards, including compliance with all LAFD roadway and fire lane width requirements.

Comment 9:

Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

Response: The proposed project shall comply with all applicable Fire Department standards, including fire lanes and of cul-de-sacs. Please refer to Response to Comment B-5.

Comment 10:

Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Response: See response to Comments B-8 and B-9.

Comment 11:

CONCLUSION

The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles C.P.C. 19708).

Response: The project applicant shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan.

Comment 12:

Submit plot plans to the Fire Department for review and approval.

For additional information, please contact Inspector Kevin Hamilton of the Construction Services Unit at (213) 485-5964.

Response: Prior to issuance of building permits, the project applicant shall submit plot plans to the LAFD for review and approval.

Comment Letter C:

Timothy Germann, 15001 Mission Hills Road, Mission Hills, California, 91345-1102, October 23, 2000

Comment 1:

I have read the Draft Environmental Impact Report that I obtained at your office. It is long and in some areas detailed, but it does not address any of the environmental problems that I outlined in my letter to Ms. Zaitzevsky on September 24, 1999. Why the Environmental Research Group, Christopher A. Joseph and Associates chose to ignore every one of my questions is **beyond comprehension**.

Response: The September 24, 1999 comment letter referenced by the commenter is provided in Appendix B to the Draft EIR and is focused on five environmental impact categories: 1) water and storm drains; 2) cemetery and grave sites; 3) high power transmission lines; 4) helicopter noise; and 5) ingress and egress. Each of these environmental impact topics is addressed in detail in the Draft EIR. Specifically, water and storm drains are addressed in Section IV.C (Hydrology/Water Quality) of the Draft EIR; cemetery and grave sites are addressed in Section IV.H (Cultural Resources); and high power transmission lines are addressed in Section IV.K (Hazardous Materials) and Section V.C (Impacts Found to be Less than Significant). Helicopter noise is addressed in Section IV.E (Noise) of the Draft EIR. Finally, ingress and egress impacts of the proposed project are discussed in Section IV.G (Transportation/Circulation) of the Draft EIR.

Comment 2:

The following is the review of the environmentally related problems that I outlined in my letter back on September 24, 1999:

1. Water and Storm Drains. The following are the descriptions of the Project site regarding water drainage by William Rose & Associates, Inc. **March 1998**

Page IV. C-3. "Hydrologic Area No. 4 is an area of 5.8 acres located in the southeastern portion of the project site. As mentioned above, runoff from this area drains by sheetflow in an easterly direction into the right-of-way of the Golden State Freeway where it is picked up by existing Caltrans Storm drain system. During a 10-year storm the peak runoff from the Hydrologic Area No. 4 is calculated to be 11.7 cfs; during a 50-year storm the peak runoff is calculated to be 15.4 cfs."

Page IV. C-9. "No Significant storm water runoff impacts from the proposed project are anticipated"

Page I-10. “The second proposed storm drain will pick up the runoff from the eastern portion of the proposed project that currently flows onto the Golden State Freeway right-of-way.”

Page I-10. “The applicant will be required to obtain an encroachment permit from Caltrans to allow for the extension of the new storm drain into Caltrans’ right of way. No significant storm water runoff impact from the proposed project is anticipated”

The Report says that the runoff from the eastern portion of the Project drains **onto** the Golden State Freeway right-of-way, giving the impression that the water drains **onto** the freeway. It cannot do this. The water must drain **under** the freeway into the Los Angeles Storm Drain System. The Report does not say what the Caltrans Storm drain system consists of, nor does it indicate that the consultants contacted Caltrans to see if the system, as it exists, will accept this drainage. As I indicated in my letter, the drainage system, as it now exists, is inadequate to handle storm runoff, and water collects on the southeasterly portion of the proposed development during only moderate storms. **This will be a problem** if it is not addressed before the Project is begun. It would not seem to be much of a problem for the consultants to contact Caltrans in order to determine of what their system consists and whether the system will adequately accept the storm drainage produced by the Project.

Response: Existing runoff from the eastern portion of the project site does not drain onto the Golden State Freeway. As described on page IV.C-3 of the Draft EIR, existing runoff from the eastern portion of the project site drains by sheetflow in an easterly direction into the right-of-way of the Golden State Freeway where it is picked up by existing Caltrans Storm drain system. Proposed Hydrologic Areas 11A and 11B at the eastern portion of the site would continue to drain to the east into the Golden State Freeway storm drain system via a new storm drain to be constructed in proposed “B” Street. The proposed storm drain extension from the existing Caltrans storm drain system will also drain the proposed cul-de-sac (“C” Street), which is currently a sump condition. During a 10-year storm 17.3 cfs would be generated from this area; 22.7 cfs would be produced during a 50-year storm. Per City design criteria, a 50-year storm frequency is required to drain the sump area. The storm drain extension will be designed for a 50-year storm flow of 22.7 cfs. The applicant will be required to obtain an encroachment permit from Caltrans to allow for the extension of the new storm drain into Caltrans’ right-of-way. Any upgrades that may be required to the Caltrans facilities will be done at the (fair share) expense of the applicant. To further ensure that the proposed project would not result in any significant storm drainage impacts to Caltrans facilities, the following mitigation measure has been added to Section IV.C (Hydrology/Water Quality) of the Draft EIR:

“IV.C-9 The applicant shall be responsible for its fair share of any upgrades required to Caltrans’ storm drainage facilities that may be required as a result of the proposed project.”

Comment 3:

None of the concerns of the **Ararat Home** were addressed either. They seem to have a **significant water drainage problem**, which will not be helped by the current proposed development.

Response: As described on page IV.C-1 of the Draft EIR, the Ararat Home is located directly south of Hydrologic Area No. 1. This area consists of 4.7 acres and drains to an existing 36-inch reinforced concrete pipe (RCP) storm drain which outlets to Mission Hills Road. This storm drain, constructed per Los Angeles City Drawing No. D-30036, has a 50-year storm design capacity of 77 cfs. During a 10-year storm event, Hydrologic Area No. 1 will contribute a peak flow of approximately 8.1 cubic feet of storm water runoff per second (cfs) to the 36-inch storm drain; during a 50-year storm this same 4.7-acre site would produce a peak flow of 10.6 cfs.

To handle the developed conditions runoff in this area, the applicant proposes an extension of the existing 36-inch storm drain that currently outlets to Mission Hills Road in a westerly direction. The upstream inlet to the new storm drain extension will pick up storm water runoff from the 7.9 off-site tributary acres located northwest of the project site (i.e., Proposed Hydrologic Area No.1). Runoff from most of the developed site (i.e., 27.4 acres comprising Proposed Hydrologic Areas No. 1-9) will be directed as street flows toward the existing 36-inch storm drain (and its proposed extension). The street flows would enter the storm drain via a series of proposed storm drain catch basins and lateral connections. The 36-inch storm drain was designed in accordance with City code to accommodate a 50-year storm at 77 cfs. During a 10-year storm the combined peak runoff (from Proposed Hydrologic Areas No. 1-9) carried by the 36-inch storm drain would be 66.14 cfs. Since the storm drain has a design capacity of 77 cfs, the storm drain would be adequate to handle a 10-year storm. During a 50-year storm the project would direct a peak flow of 86.8 cfs to the existing storm drain, 9.8 cfs more than the storm drain's design capacity. Consequently, the excess runoff that could not be handled by the storm drain would continue to drain toward Mission Hills Road as street flow down proposed "A" Street.

Based on city general design criteria, storm drains are designed for a 10-year storm frequency for areas without sumps, and flow from a 50-year storm frequency shall not cause any damage to private property, such as flows which overflow the curb on hillside streets. Mission Hills Road has adequate capacity to convey the 50-year storm frequency of 86.8 cfs in combination of storm drain flow of 77 cfs and street surface flow of 9.8 cfs.

Comment 4:

2. Cemetery and Gravesites. The Report seems to belittle and ignore the real existence of gravesites with headstones and graves with body parts on the proposed Project site. There can be **no doubt whatsoever** that these graves exist at the present time on the proposed Project site.

Page IV.H-5 “Weber confirmed that local folklore at and around the Mission in the congregation held that the knolls at the southern end of the property may have been used as an Indian burial ground, and that he did not believe that such accounts were either fanciful or invented.”

Page IV.H-4 “No remains were discovered and the rumor is believed to be unfounded.” (Colby and Farnsworth, 1985)

There are, at the present time, headstones on the Project, which attest to the fact that the site was a cemetery, not for Native Americans but for American Citizens. Enclosed with this statement are photographs of such a **headstone** now existent (**See Attachment A & B**). Photographs of **bones** (**See Attachment C** -left temporomandibular joint; external auditory canal; mastoid process) and coffin accessories, such as **coffin handles** and ornaments, are also enclosed (**See Attachment C**). Any one that is interested can see these at anytime by simply asking me. Why the Project investigators did not contact me or the nuns that live next door to me, regarding the existence of these artifacts is beyond me.

Response: An extensive amount of research was conducted as a part of the Draft EIR in order to determine the potential existence of archeological and human remains on the project site. Please refer to Section IV.H (Cultural Resources) of the Draft EIR. While no archeological resources or human remains were discovered during the Phase I archaeological survey of the site, the Draft EIR acknowledges that such resources could possibly be encountered during grading for the proposed project. As such, the Draft EIR includes appropriate mitigation measures in the event that archaeological resources or human remains are discovered during grading of the project site. Implementation of the mitigation measures would ensure that no significant unavoidable cultural resource impacts would be created by the proposed project.

Comment 5:

3. Helicopter Noise and Roof destruction. The Report erroneously states that the helicopter approach to the heliport at Providence Holy Cross Medical Center is from the **northwest**. It actually is approached from the **northeast** across the Golden State Freeway, directly over my home.

Response: Helicopters use prevailing winds the same way that fixed-wing aircraft do. Take-offs and landings are made into the prevailing wind when winds of any substantial magnitude increase the safety of the maneuver by providing additional lift. Heliports are required to be equipped with "wind socks" or other indicators to make that information available to the pilot. When winds exceed 5 mph, wind direction becomes an important factor in the lift-off direction.

The dominant daytime wind direction at the Holy Cross Medical Center is south to north. The preferred approach by day is from the north and takeoff to the south. At night, wind directions are north to south. The preferred approach is south to north at night, with a takeoff to the north.

Comment 6:

Page IV.IE-13 "Under normal wind patterns, the landing path is from the northwest across the Ararat Home and the school campus into the heliport. The take-off is toward the southeast away from the project site. The noisiest activity is several seconds of hover as the helicopter sets down, and again the vertical take off rise before tilting the rotors forward. While the project site may have been previously been overflown by helicopters because of its low development density and close freeway proximity, most pilots adhere to the "Fly Neighborly" guidelines and avoid noise impact to home where possible. Prevailing wind patterns would normally not bring helicopters over the project site, and pilots would typically avoid the site if possible."

This is egregiously false. It is a nice story, implying that the writer is an expert in helicopter aviation practices but is actually **very wrong**. ("Fly Neighborly"??) I think that the consultant is either being facetious or is intentionally misrepresenting the facts. Anyone who has seen the Project site or looked at the maps of the site would know that helicopters are **prevented from approaching the heliport from the northwest by high-tension towers and wires**. Pilots habitually do what is easiest for them and safest for their craft. Helicopters, at the present time approach the heliport from the **northeast not the northwest and takeoff in the same direction**. I have complained to the Los Angeles County Fire Department Air Operations, but the pilots still do what they think best. And that is, fly directly over my home and at a very low altitude. This is easily confirmed by a phone call to the **L.A. County Fire Captain** in charge. Why the Project investigators did not call the Fire Department Captain in the course of their investigations is negligent and misleading. This is not a silly and inconsequential point in that homebuyers will be severely impacted, not only by the noise, but also by the severe vibrations from the plane's rotors.

Response: The commenter is correct that high-tension power lines force the helicopters more toward the east once they clear the helipad. They are also less constrained by wind direction once they clear the top of the medical center and power lines. They may indeed prefer an arrival and departure toward the northeast once they are less directionally constrained. The project area also experiences a high

percentage of winds less than 5 mph that create minimal constraints upon the approach or departure. Given the limited number of homes northeast of the medical center, that has been the preferred route of site access/egress. The helicopter community is well aware of noise issues, and does indeed try to minimize noise impacts in terms of flight patterns, altitudes and power settings, consistent with safety. The commenter unfortunately lives in the least densely populated direction from the helipad with a very high level of masking noise from the adjacent freeway. The commenter's opinion that existing flight characteristics are not "neighborly" ignores the development patterns that would expose greater numbers of noise-sensitive uses for any other approach/departure direction. The finding of the Los Angeles City Council in approving the "helistop" was that it would not have a significant impact on the environment and that the helicopter ambulance facility would:

" ... have greater beneficial effect upon the community in general, outweighing any possible adverse effect that it might have on the environment." (Planning Committee Resolution CPC 26006)

Helicopter noise will infrequently be quite audible within the project site, and the homebuyer disclosure document must note the presence of the helistop and its occasional use for air ambulance service. Given the infrequent use of the facility, the masking effect of constant freeway noise and the greater public good served by the facility, the impact is not considered adverse, but less than significant due to noise and vibration.

Comment 7:

4. The Weir Box and Reservoir. This seems to be a **significant problem** in that it's study or preservation is to be solved before the present Project continues. I will enclose photographs of the box for everyone's perusal (**See Attachment D & E**).

Response: Section IV.H (Cultural Resources) of the Draft EIR also analyzes the proposed project's impacts to historic resources. Investigations of the brick weir box and associated earthen reservoir existing on the project site indicate that the structures may be eligible for inclusion in the California Register of Historical Resources under Criterion 2, for their association with the San Fernando Mission Land Company. The reservoir and weir box also appear to be eligible under Criterion 3, as embodying the distinctive characteristics of late nineteenth to early twentieth century water supply and control structures, an increasingly rare construction type in the region as suburban development steadily advances on formerly agricultural lands. The resource is significant at the local level. Implementation of the proposed project would eliminate both the reservoir and the weir box. Because these are considered significant historic resources, their destruction would constitute a significant impact under CEQA, and therefore mitigation measures are recommended in Section IV.H of the Draft EIR.

Comment 8:

5. Traffic on Indian Hills and Mission Hills Roads. The traffic study done by Arthur L. Kassan, P.E. in June of 1999 does not seem to reflect actual conditions, both present and after the project is finished, and will affect Ararat Home and Providence Holy Cross Medical Center more than it will affect me. The numbers given **do not seem to be correct**, and the length of time spent waiting for traffic to clear especially traffic waiting to enter the Medical Offices parking lot do not seem to be reflected in the study.

Response: The traffic engineering study was done using the methodology that is required by the City of Los Angeles Department of Transportation and to the standards of the traffic engineering profession. The analysis of current conditions is based on counts of actual flows at the study intersections and along Indian Hill Road adjacent to the Medical Center. The current traffic operations along Indian Hill Road were observed and analyzed, as described in the supplemental report about that street, which is included in the Appendix to the Draft EIR.

The estimates of future conditions are based on trip generation rates for future developments, as published in standard reference sources for such data. (See Section IV.G of the Draft EIR for the pertinent references.) The estimates and analyses of future conditions were reviewed and approved by City Department of Transportation.

Comment 9:

The above representations are **only a few** of the many more **falsehoods and omissions** of the Report, and I am sure that there are many more. For instance, why didn't the consultants access the previous environmental reports made during the Ararat Home construction? By reading the October 6, 1999 letter from Mr. Leonian to the Environmental Review Unit, there seems to be problems with water flow on the western side of the project that have not been mentioned by the consultants. I only looked at problems connected to the eastern side of the project. The **credibility** of the entire Report must be seriously **in doubt**.

If there is any way that I can be of help in clarifying or elucidating any of the above mentioned problems please feel free to **contact me** by fax, e-mail or by phone.

Response: The October 6, 1999 letter from the Ararat Home is included in Appendix B to the Draft EIR and was considered in the preparation of the Draft EIR. Also included in Appendix B is a study prepared for the Ararat Home site titled: "Depth of Groundwater Determination at the Museum Building Area, Ararat Home of Los Angeles" (Hakimian Engineers, April 2, 1998). This study was also considered in the preparation of the Draft EIR for the proposed project.

Comment Letter D:

Raymond H. Wellbaum, Transportation Engineer, Department of Transportation, City of Los Angeles, 15065 Mission Hills Road, October 25, 2000

Comment 1:

The Department of Transportation (DOT) has completed review of the Draft Environmental Impact Report (DEIR) for the proposed 113-unit single-family Mission Hills Community residential development. The DEIR comments are based on a traffic study prepared by Arthur L. Kassan, Consulting Traffic Engineer, completed on July 7, 2000.

After careful review of the pertinent data, DOT has determined that the DEIR adequately describes the anticipated traffic impacts of the proposed project which is expected to significantly impact the intersection of the San Diego (405) Freeway southbound off-ramp and on-ramp and Rinaldi Street. This impact can be mitigated through funding a proportionate share of the cost of the design and construction of the San Diego Freeway Corridor - Phase 1 ATSAC/ATCS System.

Response: Comment noted. No further response is required per Section 15204(a) of the CEQA Guidelines.

Comment 2:

COMMENTS

- Table II.B-1 Related Projects List, on page II-9, should be revised to agree with Table IV.G-3 Related Projects and Table IV.G-4 Trip Generation for Related Projects, on page IV.G-12. Tables IV.G-3 and IV.G-4 are correct and contain all eight related projects analyzed in the traffic study.

Response: Table II.B-1 (Related Projects List) on page II-9 of the Draft EIR has been revised accordingly. Please refer to Chapter II of the Final EIR for the revisions to Table II.B-1.

Comment 3:

- Item 8. Sepulveda Boulevard/northbound I-405 Freeway off-ramp, on page IV.G-3, should be revised to read "Traffic signal with two phases." This intersection was analyzed as a two phase signal in the traffic study.

If you have any questions, you may contact Kevin Ecker of my staff or me at (818) 756-9929.

Response: Page IV.G-3 of the Draft EIR has been revised accordingly. Please refer to Chapter II of the Final EIR for the revision to page IV.G-3.

Comment Letter E:

**C.F. Raysbrook, Regional Manager,
Department of Fish and Game, State of
California, 4949 Viewridge Avenue, San
Diego, CA 92123, October 26, 2000**

The Department of Fish and Game (Department), has reviewed the Proposed Draft Environmental Impact Report (DEIR) for impacts to biological resources. The proposed project includes the subdivision of 28.76 acres of primarily agricultural land interspersed with non-native woodland into 116 single family lots. The proposed project is located at 15065 Mission Hills Road south of the junction of Interstate 405 and 5 freeways in the Mission Hills Community of City of Los Angeles.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code Section 1600 et seq.:

Comment 1:

COMMENTS

Impacts to Biological Resources

- Breeding Birds - Page 24 of Appendix H of the DEIR states that active bird nest will be avoided by conducting nesting surveys "no earlier than 45 days and no sooner than 20 days prior to construction" and that appropriate buffers around any nests will be provided to avoid take of native birds.
 - a. The Department recommends that nest surveys be conducted no earlier than three days prior to ground disturbance activities. Surveys conducted as early as 45 to 20 days prior to project activities as suggested in the DEIR are likely to miss active nests.

Response: Recommendations for conducting nesting bird surveys vary regionally and the Draft EIR utilized suggested survey timing from previously completed projects. However, nesting bird surveys will be conducted as recommended by Fish and Game. Mitigation Measure IV.D-3 on page IV.D-22 has been revised to read as follows:

"IV.D-3 The applicant shall have a field survey conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 100 feet

(200 feet for raptors) of the construction zone. The field survey shall occur no earlier than 3 days prior to construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically March 1 through August 31). Additionally, raptor (nesting) surveys shall be conducted on the site prior to the commencement of construction related activities. Should an active raptor nest be discovered on the site, a 500-foot buffer shall be maintained between project-related activities and the nest until such time fledglings leave the nest and site and it has been determined by the sites' biological monitor that the nest is not being used for repeated, same season nesting attempts. If active nests are found (other than raptors), a minimum 50-foot fence barrier shall be erected around the nest, and clearing within the fenced area shall be postponed or halted, at the discretion of a biologist, until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, as determined by a biologist. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur."

Comment 2:

COMMENTS

- The Department generally considers the breeding bird season to last from March 1 through August 31. Raptors may commence nesting as early as January or February and so nesting surveys for raptors should be planned accordingly for project related disturbances. The Department recommends a 500-foot buffer around any active raptor nest.

Response: Please refer to Response to Comment E-1. Nesting bird surveys will be conducted during the Department's recognized nesting bird season of March 1 – August 31. Additionally, raptor (nesting) surveys will be conducted on the site prior to the commencement of construction related activities. Should an active raptor nest be discovered on the site, a 500 foot buffer will be maintained between project-related activities and the nest until such time fledglings leave the nest and site and it has been determined by the sites' biological monitor that that the nest is not being used for repeated, same season nesting attempts. 50 foot buffers for active nests of birds (other than raptors), will also be established and maintained through the fledgling period and until such time (as determined by the biological monitor) that the nest has been abandoned for the season.

Comment 3:

COMMENTS

- Canada Goose - The agricultural nature of the existing site and the close proximity of the site to Van Norman Reservoir to the west could make the proposed site an important wintering habitat for the last few remaining wintering Canada geese which return to the San Fernando Valley each fall. The loss of wintering habitat for the Canada goose should be considered a locally significant impact under CEQA and addressed in the DEIR.

Response: Expanded research efforts to determine whether or not the site is potentially significant as wintering habitat for the Canada goose revealed no evidence that the site has been or is currently used by the species in any capacity. Research of the Department's resource database (CNDDDB 2000) did not reveal any recorded observation of the species in the area (region, county or quadrangle) despite the fact that the species is known to occur in the Sepulveda, Chatsworth, Encino and Castaic reservoirs.

Communications with Mr. Kimball Garret, Curator, Section of Vertebrates at the Natural History Museum of Los Angeles County and Mr. Art Langton of the local chapter of the Audubon Society were also made. Neither Mr. Garret nor Mr. Langton was aware of any known occurrences of the species on the site. Additionally, Mr. Langton indicated that the Van Norman Reservoir (Los Angeles Reservoir) was "dry" and is used by the City for materials storage thereby suggesting that the necessary linkage of the site to a nearby potentially important body of water (for the Canada goose) does not exist. Several unsuccessful attempts were made to contact Dr. Rosemarie White, the director of the Canada goose Project for the area, by telephone.

Finally, it was suggested by Mr. Harris of the CDFG, that the site be surveyed for sign of use by the species (i.e., feathers, prints etc.) which, though inconclusive, might be helpful. A site survey conducted on December 27, 2000 and did not reveal any sign of the species. Based on the lack of evidence that the site was historically, or is currently important wintering habitat for the Canada goose, it is unlikely that the loss of this site represents a significant impact to the species.

Comment 4:

COMMENTS

Impacts to Riparian Resources

- Table I of Appendix H describes a total of .4 acres of mulefat and willow scrub wetlands within the proposed project site which are proposed for grading during project construction. According to the DEIR the willow scrub is associated with a leaking water pipe.
 - a. The Department opposes the elimination of drainages and their conversion to subsurface drains and therefore recommends that impacts to drainages and associated riparian resources be avoided. If the mulefat scrub is associated with an on site drainage, a

streambed alteration agreement would be required between the applicant and the Department for any impacts to riparian habitat within Department jurisdiction. Please contact Ms. Betty Courtney at (661) 263-8306 to discuss this further.

Response: The mulefat scrub habitat is associated with an agricultural irrigation channel and project-related impacts will require a streambed alteration agreement. Additionally, the willow scrub on site will be included in this agreement. The streambed alteration agreement will be obtained by the project owner prior to the implementation of construction-related activities. Mitigation Measure IV.D-1 on page

IV.D-22 of the Draft EIR has been revised to read as follows:

“IV.D-2 Permitting as required by CDFG shall be executed pursuant to Section 1603 of the Fish and Game Code of California. Permitting, if needed and as required by ACOE, RWQCB, and NRCS, shall be executed pursuant to Section 404 of the federal Clean Water Act and Food Security Act, for all impacts to waters of the United States. All conditions of the agreements with these agencies designed to minimize impacts to biological resources shall be implemented.”

Comment 5:

COMMENTS

Regardless of association with a drainage, mulefat and willow trees, whether natural or created are considered facultative wetland indicator species. It is the Department’s policy that “projects that impact wetlands are damaging to fish and wildlife resources if they result in a net loss of wetland acreage or wetland habitat value” (Page 610, Fish and Game Code). If wetlands cannot be avoided, the Department recommends that loss of wetlands be compensated for at a 1:1 ratio in the form of on-site wetland creation. Often wetland creation may be incorporated into the drainage plan for the site within areas of undisturbed open space. Wetland creation should take place within an area which will not require future flood control maintenance or other disruptive landscape management. It appears that the size of the proposed project site would offer ample opportunity for the creation of .4 acres of mulefat/willow scrub wetland habitat.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Scott Harris, Associate Wildlife Biologist at (818) 360-8140.

Response: At the request of Fish and Game, a jurisdictional wetland delineation was conducted on the site in the two areas where wetland vegetation occurs. The results of the delineation indicate that despite the presence of wetland vegetation, neither of these areas qualified as wetlands as soils were not

hydric and the hydrology criterion was obscured or unknown. Specifically, the hydrology for the willow site remains unknown. However, as recommended by Fish and Game (above), the area will be included as part of the streambed alteration agreement and mitigated at a 1:1 ratio. Please refer to Response to Comment E-4.

Comment Letter F:

**Mrs. Lisa Perez, 11707 Rincon Avenue, Sylmar, California,
91342, November 1, 2000**

I am writing in regards to the letter I received regarding – Project Description, Site Location: 15065 Mission Hills Rd; Los Angeles zone change from A-2 to R1-1 in conjunction with a Tentative Tract Map No. 52539 to permit the construction of 113 single family homes on a 28.76 acre site, with two existing single family homes to remain (lots 93 and 115) as well as the existing YMCA child care facility on Lot 116 and the two remaining family homes due to be demolished as well as a small shed, including Primary access to the proposed project will be provided off of Mission Hills Road via an existing easement located between the Ararat Retirement Home and existing surface parking that will become a fully improved street, Emergency access is proposed via the extension of Indian Hills Road as so on as per letter.

Comment 1:

I am very concerned of future traffic tie up nightmares as you know since the Carey Ranch/Kaufman & Broad New home site. We are very congested from this so much this (they have?) chosen to completely close off roads from 4:00 pm - 6:00 pm and also early morning hours, via laurel cyn (sic) blvd./Hubbard

Response: The commenter's home is east of the Golden State Freeway. As discussed in Section IV.G (Transportation/Circulation) of the Draft EIR, the proposed project would not have significant impacts on the streets in that area. The applicant has no intention of closing any street during the morning or afternoon peak hours or during any other times of day.

Comment 2:

The Back of my homes (sic) faces Laurel Cyn Blvd. My home is on Rincon Avenue. The freeway alone, besides this street Laurel Cyn/Hubbard is noisy and very congested. If this project is to be approved we must have a sound barrier wall installed along Laurel Cyn. blvd. from Rinaldi the freeway five (5) across the street from our homes. It is so loud at nite (sic) Tues thru Thursday is _____. It is hard to sleep at nite (sic) with the Heavy Trucks that pass thru (sic) our streets not to mention our freeway (5 Freeway), behind us.

Response: Pages IV.E-10 and IV.E-11 of Section IV.E (Noise) of the Draft EIR conclude that traffic from the proposed project would not result in any significant noise impacts along Laurel Canyon Boulevard. The existing noise level at approximately 100 feet from the centerline of Laurel Canyon Boulevard (north of Rinaldi Street) is 67.0 CNEL, whereas the existing noise level on the same street between Rinaldi Street and the San Fernando Mission is 66.5 CNEL. Implementation of the proposed

project and the related projects described in Section II.B of the Draft EIR would increase existing noise levels on Laurel Canyon Boulevard by 0.4 decibels, which is a less than significant impact. Therefore, no mitigation measures are required of the proposed project to attenuate noise levels on Laurel Canyon Boulevard.

Comment 3:

Also, theres (sic) no safety for the children at Osceola School crossing at Aztec & Hubbard even with the legal cross walk line next to zero tolerance. Also for the Alemany students recently before it was closed & moved to the mission even with the yellow caution lights blinking in full view, cross traffic forbid crossing, and people not using the cross walks at Rinaldi/Indian Hill to cross the Holy Cross Hospital it is so dangerous.

Response: As described in Section IV.G (Transportation/Circulation) of the Draft EIR, the proposed project would not have significant impacts on the streets near Osceola School. Most of the current traffic on Indian Hills Road is related to the medical center and the ancillary medical-related facilities. It is recommended that the administrators of those facilities institute a program of speeding problem awareness and control among their employees and visitors to address the existing problems that are noted.

Comment 4:

I can't imagine what they were thinking of at the signal at Laurel Cyn Blvd./Hubbard theres (sic) not enough time for cars to get into a single lane to turn right at Hubbard & from Rinaldi to Hubbard I'm concerned that they may eventually go thru (sic) the block wall of our backyards & end up in our bedrooms one day. They use road rage just to get into this single lane without being ticketed by the law enforcement.

Response: Please refer to Response to Comment F-1.

Comment 5:

Our window & if under our open we receive soot from the cars crossing by & the freeway behind us, we are not even allowed to open window at nite (sic) because of great noise level and the air is carbon monoxide. Undoubtably (sic) this will be a new way for the cruisers to be able to use this new route. We can't even get into shops or food retailers due to the cruisin (sic) at nite (sic) from 7pm-10pm especially Friday, Sat nite & Sunday nites (sic).

Response: Please refer to Response to Comments F-1 and F-2. Pages IV.B-19 through IV.B-21 of the Draft EIR conclude that the proposed project would not result in any significant unavoidable air quality impacts related to vehicle trips generated by the project.

Comment 6:

Thank you for allowing me as a resident who will have to endure even more, due to environmental factors and traffic risk factor.

Please excuse my penmanship, at times I've had an injury to my writing hand which makes it difficult at times.

Response: Comment noted. No comments on the adequacy of the Draft EIR are provided; therefore, no further response is required per Section 15204(a) of the CEQA Guidelines.

Comment Letter G:

**Kerry Carmody, Clinical Operations
Administrator, Providence Holy Cross
Medical Center, 15031 Rinaldi Street,
Mission Hills, California, 91345-1285,
November 3, 2000**

Comment 1:

After careful review of the Draft Environmental Impact Report No. 98-0168-PA-ZC-GPA-SUB for Tentative Tract No. 52539 located at 15065 Missions Hills Road in Mission Hills, CA, Providence Holy Cross Medical Center noted several inconsistencies. There is also the need for serious consideration of imposing safety and traffic control measures on Mission Hills Road, Indian Hills Road and Rinaldi Street (and their respective intersections).

This project, without implementation of notable precautionary measures, will have a significant impact on patient, visitor and employee (pedestrian and vehicular) traffic on Rinaldi Street and Indian Hills Road, as well as Mission Hills Road.

Currently, patients, visitors and employees, regularly remark that they feel their safety is compromised while traveling either on foot or in vehicles on Indian Hills Road. It should be noted this project exists even before the start of the proposed development project; the project would add, according the (sic) EIR, additional vehicular traffic traveling on Indian Hills Road daily.

Response: Section IV.G (Transportation/Circulation) of the Draft EIR concludes that the proposed project would not result in any significant traffic impacts to Indian Hills Road. The existing conditions on Indian Hills Road are analyzed in Section IV.G (Transportation/Circulation) of the Draft EIR (pages IV.G-21 through IV.G-23). Most of the current traffic on Indian Hills Road is related to the medical center and the ancillary medical-related facilities. It is recommended that the administrators of those facilities institute a program of speeding problem awareness and control among their employees and visitors to address the existing problems that are noted. Based on the detailed analysis of the vehicle and pedestrian traffic flow, parking, and driveway operations along Indian Hills Road, it is concluded that Indian Hills Road will provide a satisfactory primary ingress and egress route for the proposed project.

Comment 2:

The LADOT itself states, on Summary page 1-19, that “during the morning peak hour, there would be a significant impact at the intersection of Rinaldi Street and the Interstate 405 Freeway Ramps.” Since Indian Hills Road is the **only route** for Providence Holy Cross Medical Center, Holy Cross Medical

Plaza, the Outpatient Diagnostic Center, Greater Valley Medical Office Building, Ararat Home/Skilled Nursing Facility, and the YMCA Child Care Center, the new development would only add to the existing congestion.

Response: The estimated impact of project traffic at the Rinaldi Street/San Diego Freeway southbound ramps intersection will be mitigated by the installation of enhanced traffic signal control equipment, as recommended in Section IV.G (Transportation/Circulation) of the Draft EIR. The proposed project would not have significant impacts at the Rinaldi Street/Indian Hills Road intersection.

Comment 3:

We have received continuing reports of vehicles traveling much too fast on Rinaldi Street and Indian Hills Road to allow for the cross traffic of both vehicles and pedestrians. Also, the peak hours of traffic for the Medical Center will partially coincide with that of the residential development, from 7 to 10 a.m. and 2:30 to 5 p.m. (this is listed incorrectly in the EIR). This not only adds to the current congestion, but extends the peak hours of traffic.

Response: Most of the current traffic on Indian Hills Road is related to the medical center and the ancillary medical-related facilities. It is recommended that the administrators of those facilities institute a program of speeding problem awareness and control among their employees and visitors to address the existing problems that are noted.

The peak hours that were evaluated in the Draft EIR are those for the surrounding street system and for the proposed project.

Comment 4:

It is also noted incorrectly in the EIR that "Almost all truck deliveries take place before noon at the request of the Medical Administration," (Medical Center Administration was not contacted to verify this statement). In fact, deliveries occur every day at all hours of the day. Due to the nature of these deliveries, for medical purposes, these deliveries cannot be imposed or restricted in any fashion.

Response: The information on delivery schedules was obtained from medical center staff. The project applicant was informed that, as a policy, the Providence Holy Cross Medical Center requests that all deliveries be made before noon.

On the day of the Indian Hills Road study (see pages IV.G-21 through IV.G-23 of the Draft EIR), there were 18 entering trucks and 21 leaving trucks at the two delivery areas during the 9 1/2 hours of

observation. All of the entering trucks arrived before noon, and 19 of the 21 leaving trucks left before noon. Two trucks left after noon.

Comment 5:

Finally, in the Transportation/Circulation, page IV.G-22, section of the EIR, it is stated that “throughout the 9 ½ hours of the study period, there was an average of one pedestrian every 2/3 of a minute” crossing mid-block on Indian Hills Road. Therefore, we ask that the City consider requiring the builder to provide for a pedestrian crosswalk (or similar traffic control devices) near the Greater Valley Medical Group driveway as well as at the Holy Cross Medical Plaza driveway in addition to installing speed bumps to slow vehicular traffic.

Response: The width of Indian Hills Road that is devoted to traffic movement is 24 feet wide, and pedestrians crossing midblock have that distance to walk. Most pedestrians walk at the rate of approximately four feet per second or faster, and older or slightly impaired pedestrians walk at the rate of approximately three feet per second. The 24-foot traveled way of Indian Hills Road could be crossed in approximately six to eight seconds.

The pedestrians crossing Indian Hills Road were observed crossing at many different locations, often depending on the location of their curbside parking spaces. Installing a single crosswalk would not address the many pedestrian crossings at random locations along the street.

The analysis provided in Section IV.G (Transportation/Circulation) does not warrant the project to provide a crosswalk or speed bumps. However, your suggestion will be considered by the Decision Maker. It should also be noted that speed bumps would reduce response times for fire and emergency vehicles to the medical center and project site.

Comment Letter H:

**State of California, Governor's Office of
Planning and Research, State Clearinghouse,
1400 Tenth Street, P.O. Box 3044,
Sacramento, CA 95812, May 30, 2001**

Comment 1:

COMMENTS

This is to acknowledge that the State Clearinghouse has received your environmental document for state review. The review period assigned by the State Clearinghouse is:

Review Start Date: May 24, 2001

Review End Date: July 9, 2001

We have distributed your document to the following agencies and departments:

California Highway Patrol
Caltrans, District 7
Department of Conservation
Department of Fish and Game, Region 5
Department of Housing and Community Development
Department of Parks and Recreation
Department of Water Resources
Native American Heritage Commission
Office of Historic Preservation
Public Utilities Commission
Regional Water Quality Control Board, Region 4
Resources Agency
State Lands Commission

The State Clearinghouse will provide a closing letter with any state agency comments to your attention on the date following the close of the review period.

Thank you for your participation in the State Clearinghouse review process.

Response: Comment noted. No comments on the adequacy of the Draft EIR are provided; therefore, no further response is required per Section 15204(a) of the CEQA Guidelines.

Comment Letter I:

**Jeffrey M. Smith, Senior Planner,
Intergovernmental Review, Southern
California Association of Governments, 818
West Seventh Street, 12 Floor, Los Angeles,
CA 90017, July 10, 2001**

Dear Mr. Sholebo,

Comment 1:

COMMENTS

We have reviewed the above referenced document and determined that it is not regionally significant per Areawide Clearinghouse criteria. Therefore, the project does not warrant clearinghouse comments at this time. Should there be a change in the scope of the project, we would appreciate the opportunity to review and comment at that time.

A description of the project was published in the July 1, 2001 Intergovernmental Review Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1867.

Sincerely,

Response: Comment noted. No comments on the adequacy of the Draft EIR are provided; therefore, no further response is required per Section 15204(a) of the CEQA Guidelines.