

**COMMENT No. 9**

August 4, 2003

County Sanitation Districts of Los Angeles County  
James F. Stahl, Chief Engineer and General Manager  
Monica Valenzuela, Project Engineer  
Solid Waste Management Department  
1955 Workman Mill Road  
Whittier, CA 90601-1400

**Comment 9.1:**

Re: Mountaingate Draft Environmental Impact Report

The Sanitation Districts have received your letter dated July 23, 2003 and offer the following comments in regard to solid waste management for the above-mentioned project within unincorporated Los Angeles County:

The Sanitation Districts are responsible for the maintenance and monitoring of Canyons 1, 2, and 3 of the Mission Canyon Landfill located to the north of the proposed project. The proposed development will not have an impact on the Sanitation Districts' maintenance and monitoring of Mission Canyon Landfill.

**Response 9.1:**

Please note that the project site is located within the City of Los Angeles.

It is noted that Sanitation Districts state that the proposed development will not have an impact on the Sanitations Districts' maintenance and monitoring of Mission Canyon Landfill.

**COMMENT No. 10**

August 25, 2003

Metropolitan Water District Of Southern California  
Laura J. Simonek, Manager  
Asset Management and Facilities Planning Unit  
700 N. Alameda Street  
Los Angeles, California 90012

**Comment 10.1:**

**Draft Environmental Impact Report for the Mountaingate Project**

The Metropolitan Water District of Southern California (Metropolitan) has received a copy of the Draft Environmental Impact Report (Draft EIR) for the Mountaingate project. The City of Los Angeles (City) is the lead agency for this project. The proposed project is the last phase of development within the Mountaingate community. The project applicant, Castle & Cooke California, Inc. is seeking approval to subdivide approximately 449 acres into 32 lots, of which 29 would be used to construct 29 single-family homes and the private streets. The remaining three lots would be set aside as permanent open space. The 29 single-family lots and private streets would be constructed on 25.4 acres within the 449-acre project site. The remaining approximately 424 acres would be preserved as permanent open space with not additional development permitted. Metropolitan is providing comment on this Draft EIR, as a potentially affected public agency.

Metropolitan owns and operates a facility adjacent to the proposed project site. Metropolitan's Sepulveda Feeder is a 96-inch diameter pipeline located within a fee-owned property right-of-way, just east of the project area and parallel to Interstate 405. Metropolitan is concerned with potential impacts to this facility associated with future excavation, construction, utilities or any development that may occur as a result of proposed project. Development associated with the proposed project must not restrict any of Metropolitan's day-to-day operations and/or its access to facilities. Nor can the development affect the water quality of Metropolitan supplies by allowing for non-compatible land uses. In order to avoid potential conflicts with Metropolitan's rights-of-way, we request that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval.

**Response 10.1:**

No improvements are proposed along or near Sepulveda that will impact the Metropolitan Water District's feeder.

Please note that a total of 25.7 acres (not 25.4 acres, as stated in the Draft EIR) will be developed for the proposed home lots and private streets, as discussed in the **Section I., Summary**, of this Final EIR.

**Comment 10.2:**

Metropolitan is also concerned with potential impacts to our fee-owned property that may occur as a result of the proposed project. Specifically, Metropolitan is concerned with the project Open Space that may occur as a result of project implementation. The proposed Open Space depicted on Figure IV.O.4-2 in the Draft EIR indicates that this designation along the eastern boundary of the project site occurs within Metropolitan's Sepulveda Feeder fee-owned right-of-way. Metropolitan must maintain its rights-of-way and requires unobstructed access to our facilities and properties at all times in order to repair and maintain our system. As such, Open Space designations cannot be on Metropolitan property. Metropolitan requests that the project area boundaries be revised to exclude our fee-owned property, including any use as open space.

The project applicant may obtain detailed prints of drawings of Metropolitan's pipelines and rights-of-way by calling Metropolitan's Substructures Information Line at (213) 217-6564. To assist the applicant in preparing plans that are compatible with Metropolitan's facilities and easements, we have enclosed a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of The Metropolitan Water District of Southern California." Please note that all submitted designs or plans must clearly identify Metropolitan's facilities and rights-of-way.

**Response 10.2:**

The limits of the tract map coincide with the boundaries of the applicant's property and do not include a portion of the adjacent property.

**Comment 10.3:**

Metropolitan requests that the City analyze the consistency of the proposed project with the growth management plan adopted by the Southern California Association of Governments (SCAG). Metropolitan uses SCAG's population, housing and employment projections to determine future water demand.

**Response 10.3:**

It is noted that the Metropolitan Water District uses the Southern California Association of Governments' (SCAG) population, housing and employment projections to determine future water demand. Please refer to the letter received from the SCAG dated August 4, 2003 and identified as **Letter 4** of this Final EIR. In this letter, SCAG notes their determination that the project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) *Guidelines* (Section 15206). This is because the proposed project is not a residential development of more than 500 dwelling units. Therefore, analysis of the consistency of the project with the SCAG growth projections is not warranted. In addition, the proposed project is consistent with the General Plan land use designation on which these projections are based. Therefore, the project is consistent, and the 29 units proposed by the project will not have a significant impact on the City's water supply.

**Comment 10.4:**

In addition, Metropolitan encourages projects within its service area to include water conservation measures. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports mitigation measures such as using water efficient fixtures, drought-tolerant landscaping, and reclaimed water to offset any increase in water use associated with the proposed project.

We appreciate the opportunity to provide input to your planning process and we look forward to receiving a copy of the Final EIR and coordinating with you further regarding this project. If we can be of further assistance, please contact Mr. William Fong of the Environmental Planning Team, at (213) 217-6899.

**Response 10.4:**

It is noted that the Metropolitan Water District encourages projects within its service area to include water conservation measures. The proposed project will comply with all applicable City water conservation measures applicable to the construction and operation phases of the project.

**COMMENT No. 11**

September 19, 2003

Louise Frankel, President  
Mountaingate Community Association  
12628 Promontory Road  
Los Angeles, CA 90049

**Comment 11.1:**

Re: HR Case No. EIR-99-3251-SUB (TT-53072)

The Mountaingate Community Association and the Mountaingate Open Space Maintenance Association, mindful of construction mistakes that have cost our homeowners vast sums in the past, and concerned with the impact on the community's safety and property values, voluntarily assessed themselves to hire geological and civil engineering firms to monitor and document the proposed development.

We entered into this effort determined to work cooperatively with Castle & Cooke, the developer, assuming that it was to the benefit of all parties to have a safe project that would prove to be an excellent addition to our community, as well as a successful venture for the developer. Our associations made our geologist available to consult with Castle & Cooke's geologist, to go down in borings, to make alternate suggestions, and to be responsive to their questions.

We have had an outgoing, friendly, cooperative relationship with Castle & Cooke, engaged in a mutual effort to reach agreement on the details of the proposed development. Initially, there were many differences between the parties. However, after a long series of meetings with both parties seeking to bridge differences, and both parties open to suggestions, we succeeded in making solid progress. We have reached this point in time having eliminated a long list of conflicting views, but with some significant questions on safety and other impacts on existing residents still outstanding.

From time to time, representatives of the Mountaingate Community Association and the Mountaingate Open Space Maintenance Association have briefed our City Councilperson, and City departments, including Planning, Building and Safety and Grading, providing aerial video of the area, showing the precipitous nature of the terrain, the unstable slopes, and a clear delineation of a trough around the existing landfill which shows that it is moving. The information provided to the City was also offered to the developers.

You have in hand reports from our Consulting Engineer, James F. Mitchell of R. T. Quinn and Associates, and our geologist, Thomas L., Slosson, Supervising Engineering Geologist of Slosson and Associates. We believe the information they provide objectively, and effectively documents the remaining concerns we have.

You will note in the attached reports that: (1) There are still unanswered questions in regard to the mitigation proposed for acknowledged problems with this geologically unstable site.

**Response 11.1:**

Detailed responses have been provided to the comments and questions in the letters submitted by R. T. Quinn & Associates (**Letter 12**) and Slosson and Associates (**Letter 13**). Please see the responses to these comments, which incorporate additional information provided by the project geotechnical engineer, Leighton & Associates, Inc., the project civil engineer, Psomas, and the environmental engineering firm, Geomatrix, that has monitored the conditions of the adjacent landfill. These responses address all individual comments related to the geologic and soils conditions on the project site and the mitigation

proposed to ensure the project as proposed can be built without resulting in significant impacts to the existing Mountaingate community or the proposed homes.

**Comment 11.2:**

(2) There are a multiplicity of perceived problems in regard to responsibility for maintenance of the slopes, the drainage and sewer system, the single retention basin and the brush clearance. An extensive amount of maintenance involving these elements is required in perpetuity; and there must be a definitive assignment of that responsibility as well as regular onsite inspection and reporting.

**Response 11.2:**

Depending on the location of manufactured slopes and fuel modification areas, and the type and location of public facilities including drainage and sewer facilities, maintenance will be the responsibility of the proposed Homeowners Association (HOA) for the project, individual homeowners, individual landowners, or an appropriate public agency. At this time the proposed project includes a proposed Tentative Tract Map (TTM). Final definition of maintenance responsibilities cannot be made at this early stage of the planning process for the following reasons.

After approval of the TTM, a Final Tract Map will be prepared. More detailed improvement plans for all public improvements will be prepared to accompany the Final Tract Map. At the time the Final Tract Map and improvement plans are prepared, a determination will be made by the City of Los Angeles on which facilities will be maintained by a public agency. After this final design of these facilities is reviewed and approved, a maintenance plan will be prepared that defines maintenance requirements and responsibilities, including any recommended inspections. In addition, the applicant is discussing with the Mountains Recreation and Conservation Authority (MRCA) dedicating Lots 30 and 31 to the MRCA. If this occurs, the terms of the agreement will determine whether the MRCA or the current owner is responsible for maintaining brush clearance adjacent to the existing homes. Please refer to the **Response to Comment 12.21** for more information regarding brush clearance maintenance responsibilities.

The maintenance plan will be attached to the Covenants, Conditions, and Restrictions (CC&Rs) for the HOA to inform all future homeowners about the maintenance responsibilities of the HOA and the individual homeowner. Prior to the sale of any of the proposed residential lots, definitive maintenance responsibilities will be prepared to ensure that all manufactured slopes, fuel modification areas and site improvements are properly maintained. The responsibility for any future slope stabilization/repairs will not be transferred to the HOA as part of the subdivision process.

**Comment 11.3:**

(3) It is noted that some of the questions raised in our most recent meetings with the developer have not been addressed in the DEIR, apparently under the assumption that some items we believe to be critical might be allowed by the City. Please see the attached geologic and engineering documents. We assume we will receive specific responses to issues raised in these reports.

**Response 11.3:**

As discussed in the **Response to Comment 11.1** above, detailed responses are provide to each of the detailed questions and comments provided by R. T. Quinn & Associates, Inc., and Slosson and Associates on behalf of the Mountaingate Community Association.

**Comment 11.4:**

(4) Mountaingate has been designated by the State of California as a "Very High Fire Hazard Severity Zone." The DEIR we believe, does not deal adequately with the fire danger. Existing residences have had fire insurance cancelled and/or rates raised in view of the new designation. There are errors, apparently inadvertent, in the DEIR discussing available fire protection. In fact, the fire stations in the vicinity have been characterized thusly: Station 109, 12 men on four shifts. (Station 109 has 4 men on three shifts.) Station 88 was characterized as 20 men on four shifts. (Station 88 has 18 men on three shifts.) The incorrect name and rank of their source of information appears to be inadvertent careless assumptions; and we would hope that does not characterize other elements of the DEIR.

**Response 11.4:**

Fire hazards, safety, and impacts to fire protection services are addressed in Section IV.O.1, Fire, in the Draft EIR. This 20-page section incorporates information provided by the City of Los Angeles Fire Department (LAFD) and contained in the City's Fire Protection and Prevention Plan. Topics addressed in this section include site conditions; fire history in the area; fire protection services; impacts based on the City of Los Angeles significance thresholds for fire protection services; the proposed fire protection/vegetation management plan; site access; water supply; fire-flow requirements; and response distance and time from existing fire stations. Please note that this section of the Draft EIR states on page IV.O-2 that the project site is located in a Mountain Fire District as designated by the City of Los Angeles, and is considered to be in a High Fire Hazard Area, based on the type of natural vegetation on and around the site, steep topography and limited access.

The information in the Fire section on existing fire protection services, such as the staffing levels at fire stations in the area, was provided by the Los Angeles Fire Department in 2001, as indicated in the Draft EIR. The fire department submitted a comment letter on the Draft EIR, **Letter 2** of this Final EIR, that provides updated information on the fire stations that would provide initial response to service calls from the project site. The Draft EIR on page IV.O-4 is revised to reflect this information.

**Comment 11.5:**

The presence of Methane is a continuing hazard. The landfill in question, Mission Canyon Landfill #8, was not constructed in accordance with the current code. Although the word "Methane" is never mentioned in the DEIR, it is of major concern to the residents.

It should be noted that the Malibu Fire started from transformer sparks igniting Methane above the Mission Canyon Landfill #4 to #7, (no more than a mile away) and was unstoppable until it had reached Malibu. It should be noted further that the initial tract for development in this area, proposed by Castle in Cooke in 1990, was denied by the City Council based on the paucity of meaningful data on the methane. In case of an emergency, we have only one viable all-hour ingress and egress to Mountaingate. It is via Mountaingate Drive.

**Response 11.5:**

Section IV.R, Safety, of the Draft EIR provides information on the history and current condition of the Mission Canyon 8 Landfill. This section provides information related to the history of the landfill and the regulatory status of the landfill, including the requirements for maintenance of the landfill under the approved Post-Closure Maintenance Plan. This section addresses the requirements for monitoring and collection of methane, referred to as landfill gas in the Draft EIR. Surface and perimeter probes have been installed and are maintained to monitor the presence of landfill gas. A system of gas collection wells is installed to collect landfill gas and this system is regularly inspected and maintained as required by the Post-Closure Maintenance Plan. Based on the current status and ongoing inspection and maintenance of the landfill, methane from the landfill is not considered to represent a significant factor in fire hazards in the area.

Please refer to **Response to Comment 8.2** for a discussion of measures taken to prevent the potential subsurface lateral migration of landfill gas. Methane gas may migrate laterally or vertically, depending on the presence of preferential pathways located within the landfill and pressure differentials that stimulate gas migration. The Mission Canyon 8 Landfill was required to install an extensive landfill gas monitoring system to monitor for the presence of landfill gas at the perimeter of the landfill to evaluate whether landfill gas is migrating from the landfill and has installed a gas collection system. The parcels located within 1,000 feet of the landfill will be fitted with methane-mitigation measures pursuant to state and City regulations. Any modifications to the existing landfill gas collection system and drainage systems will be subject to the review and approval of the agencies with jurisdiction over the maintenance of the landfill. In addition, the City of Los Angeles is considering adopting an ordinance which would amend Sections 91.7101 et seq. to provide minimum Citywide standards for the construction of buildings to control methane intrusion. The proposed project will comply with all applicable standards.

With regard to emergency access, the proposed improvement of the existing maintenance road on the landfill will be maintained to fire department standards as an emergency secondary access road and will



provide another means of access to the proposed project and the existing Mountaingate community. This road will provide access from the end of the proposed extension of Stoney Hill Road to Sepulveda Boulevard.

**Comment 11.6:**

(5) It was agreed at one of our earliest meetings with Castle & Cooke that the unlighted "emergency road" would be used for access to the development for both heavy equipment and during the construction phase. The DEIR proposes that Stoney Hill Road and the privately-maintained, privately-owned streets beyond the Stoney Hill Gate, be used for access. This is in contradiction to the agreement and is unacceptable to the residents.

**Response 11.6:**

As indicated in this comment, it is the intent of the applicant to use the proposed emergency access road for all construction access to the Stoney Hill portion of the project and that construction traffic not use Mountaingate Drive or other existing streets in the Mountaingate community to access the Stoney Hill portion of the project. If temporary use of the existing street system is necessary during construction for any reason, the applicant will notify the Mountaingate Community Association to discuss and coordinate this activity.

**Comment 11.7:**

(6) Since there is no possibility of extending Stoney Hill Road (a public street removed from public use) beyond the planned development, and since there is a continuing need to maintain the roadway and sidewalks, it is suggested that the EIR propose that Stoney Hill Road from the intersection with Mountaingate Drive through the planned development, be designated a private street.

If Castle & Cooke wishes to continue discussions with us in addressing these problems, we have advised them we will be pleased to do so. If we can furnish additional information, or if you require supporting geological or engineering documentation, we will expedite that for you.

**Response 11.7:**

The applicant's intent is that the proposed extension of Stoney Hill Road would be a private street. An application would need to be made to the City of Los Angeles to request approval of the designation of the existing portion of Stoney Hill Drive and the proposed extension as a private street. The applicant cannot request that the existing portion of Stoney Hill Road be converted into a private street because only the owners of homes adjacent to this portion of Stoney Hill Road may apply to the City of Los Angeles for this action. The applicant will cooperate with the existing homeowners on Stoney Hill Drive to jointly apply for designation of Stoney Hill Drive as a private street by the City of Los Angeles.

**COMMENT No. 12**

September 16, 2003

James F. Mitchell, Vice President  
R. T. Quinn & Associates  
Civil Engineers & Land Surveyors  
1555 West Redondo Beach Boulevard  
Gardena, CA 90247

**Comment 12.1:**

Re: EIR Case No. EIR-99-3251-SUB (TT-53072)

The following comments or questions result from our review of the Draft Environmental Impact Reported dated July 2003 prepared by Impact Science, Inc. for "MountainGate, Vesting Tentative Tract No. 53072, Volumes 1, 2, and 3 Los Angeles City EIR 99-3251-SUB."

This review was performed by our firm R. T. Quinn & Associates at the request of the "MountainGate Community Association."

Should you or the Environmental Review staff have any questions, please call the undersigned at (310) 329-4125.

The following comments or questions result from our review of the Draft Environmental Impact Reported dated July 2003 prepared by Impact Science, Inc. for "MountainGate, Vesting Tentative Tract No. 53072, Volumes 1, 2, and 3 Los Angeles City EIR 99-3251-SUB."

A. Grading

- (a) Regarding the storm drain pipe in the 10 foot wide easement north of Lot 22. Abandonment of the pipe in place should be considered rather than removal of the pipe. Abandonment in place would preclude any chance for diminishing the support of the existing condominium. (maximum depth of pipe is approximately 10 feet).

It is noted that graphically the pipe is shown incorrectly outside of the easement.

**Response 12.1:**

As suggested in this comment, the storm drain pipe in the 10-foot-wide easement north of Lot 22 will be abandoned in place, rather than removed. The pipe will be abandoned in place by grouting the entire pipe.

As noted in this comment, the location of this storm drain pipe was shown outside of the existing easement on the Tentative Tract Map. This location has been corrected on the Tentative Tract Map.

**Comment 12.2:**

- (b) The existing natural slope west of the four existing condominiums north of Lot 22 topographically appears to be 1:1 in steepness. How will access be provided for the construction of the proposed caissons? It would appear that access over the rear yards of the four existing condominiums is needed.

The fact that Tentative Tract No. 53072 is a vesting tentative tract a grading plan proposed for the development is required to be submitted with the filing of the map. This proposed grading plan should indicate how the developer is going to construct the caissons and provide evidence of permission from the offsite owners for access onto their properties.

**Response 12.2:**

The caissons would be constructed by drilling at the location of the caissons and pouring concrete into a form placed at each caisson location. Access for construction of the proposed caissons on Lot 22 will be via the landfill access road. Caissons will also be constructed on Lot 31, which is located northwesterly of Lot 22. Construction of the Lot 31 caissons will necessitate that access be taken from the private property adjacent to Lot 31. The access for the construction of the proposed caissons is intended to be through the rear of the southernmost existing residence and the side yards of the adjacent three residences. Permission for this access would need to be provided by the current homeowners, as indicated in this comment. Any existing site improvements and landscaping adjacent to the existing residences on Stoney Hill Road that needs to be disturbed will be replaced. A portion of the existing standing wall located along the southern perimeter of this residence will have to be removed to allow access for the drilling equipment. This portion of the wall will be replaced after the completion of the construction of the caissons and the grading adjacent to this residence.

The applicant originally proposed the installation of caissons behind the last four residences on Stoney Hill to increase the factor of safety for the existing slope under these residences in order to mitigate any potential for the grading proposed at the bottom of the canyon to affect the stability of this slope. As originally proposed, the bottom of the canyon would be excavated to the depth required to encounter competent materials before fill material was deposited on top until the grade necessary to facilitate proper drainage in the canyon was reached. Additional geotechnical analysis completed by Leighton & Associates, Inc., the project geotechnical engineers, provided in **Appendix C**, concludes that the overexcavation of the canyon bottom originally proposed is not required for the type and amount of fill proposed in the canyon bottom. For this reason, the caissons are no longer recommended as the proposed fill in the canyon bottom is likely to increase, rather than decrease, the stability of the existing slope above. As no significant impact to the stability of the existing slope will result from the proposed construction, the caissons are not needed to mitigate a potential impact.

Installation of these caissons would further increase the stability of the existing slope under these residences. The applicant has voluntarily offered to install the caissons if desired by the owners of these four residences.

**Comment 12.3:**

- (c) Many of the retaining walls between lots appear to be higher than six feet. Those walls higher than six feet within the side yard setback will require variances.

**Response 12.3:**

The proposed retaining walls between the side yards of the residential lots have been redesigned so that all are 6 feet or less in height. Wall heights have been reduced where necessary by adding 2:1 slopes where needed to adjust the grade as necessary. If a higher wall is determined to be needed at any location during final design, a variance will be applied for as required by City standards.

**Comment 12.4:**

- (d) What is the reason for the unusual rear lot line geometry for Lot Nos. 20 and 21?

**Response 12.4:**

The rear lot line geometry for Lots 20 and 21 as shown on the second revised Vesting Tentative Tract Map contained in the Draft EIR reflected prior grading limits. Please refer to the revised Vesting Tentative Tract Map contained in this Final EIR for the revised rear lot line geometry for Lots 20 and 21. Please note that the adjustment of the lot lines for these two lots is not associated with any other changes that would affect the analysis of the impacts of the project as presented in the Draft EIR.

**Comment 12.5:**

- (a) Consider eliminating the storm drain inlet and pipe and grade the tributary area to the street at a minimum slope of 2%.
- (b) If the inlet remains will it be maintained by the owner of Lot 22? Perhaps it should be located outside of Lot 22.

**Response 12.5:**

The storm drain inlet referenced in this comment is proposed to collect water and direct it away from existing homes and the slope below and direct it into the proposed storm drain in the street. If runoff from this area can be conveyed to the storm drain without the use of an inlet structure at this location this inlet will be eliminated in the final improvement plans. To achieve this, the slope of this area must be maintained at 2 percent and drain into the storm drain in the street.

The proposed inlet is located outside of Lot 22 in an area that would be maintained by the proposed HOA. The HOA would have the responsibility to maintain this inlet.

**Comment 12.6:**

Lot 7 will require offsite grading approval along its north property line.

**Response 12.6:**

As currently proposed Lot 7 would require grading off the site on the adjacent golf course property. This grading would require the issuance of an additional grading permit by the City as well as the permission of the property owner. A retaining wall could also be added on Lot 7 to eliminate the need for any off-site grading. If permission to grade off site cannot be obtained for any reason, the retaining wall will be added.

**Comment 12.7:**

Why are Lots 16, 17, 18 and 19 so much larger than for instance Lots 20 and 21?

**Response 12.7:**

The size of Lots 20 and 21 have been increased in size to create rear lot lines that are consistent with the rear lot lines of Lots 16, 17, 18, and 19. Adjustment of these lot lines does not affect the proposed grading plan or other aspects of the design of the project.

**Comment 12.8:**

Catch basins at appropriate intervals on the detention basin access road should be considered rather than allowing the slope surface runoff to flow on the road only. These basins could discharge into the proposed storm drain system that begins at Canyonback Road between Lot 25 and 26. The road, however, should be designed to contain the runoff in the event any or all of the basins become temporarily clogged.

**Response 12.8:**

The maintenance road for the detention basin road will be designed to maintain all weather access. If additional drainage devices such as those suggested are determined to be necessary they will be included in the design of this road in the final improvement plans.

**Comment 12.9:**

Grading of the fill slope that supports Lots 23–27 encroaches in the landslide area (Q1s-5). The encroachment intersects the slide surface approximately 45 feet above the bottom of the slide, thereby removing that portion of the slide. If the balance of the slide remains as is and then eventually slumps onto the "shelf" that drains to the proposed storm drain inlet, the drainage from the tributary watershed at the southwest of the "shelf" would be blocked and pond. Consideration for extending the proposed storm drain and inlet westerly to a point beyond the slide could mitigate this conceivable dilemma.

**Response 12.9:**

Based on the recommendations by the project geotechnical engineer and engineering geologist, removals of alluvium, colluvium, and/or landslide deposits at the toe of Landslide Q1s-5 are not required, as this landslide does not impact the structural integrity of the proposed maintenance road located to the east-northeast of this landslide. The ground preparation for the required fill in this area will be limited to

brushing and grubbing of the loose deposits and debris, scarifying the upper 6 to 12 inches of the in-place materials, and compacting them to 90 percent relative compaction. The placement of additional fill at the toe of Landslide Qls-5 will maintain the slope's current factor of safety and may increase the factor of safety. Regular monitoring and maintenance of the detention basin and related facilities is planned to ensure proper operation. For these reasons, extension of the storm drain and inlet referenced in this comment is not considered necessary to ensure its proper operation. Nonetheless, extending this drain will be considered during the preparation of the final improvement plans.

**Comment 12.10:**

Will the Qls-7 landslide remain as is?

**Response 12.10:**

The project as proposed would leave the Qls-7 landslide in place and undisturbed. No new lots or grading improvements are proposed within, or in the vicinity of, this landslide.

**Comment 12.11:**

The pad grade proposed for Lot 23 is such that a sewage ejector pump will be needed to serve the site.

**Response 12.11:**

As noted in this comment a sewage ejector pump is proposed to pump sewage from Lot 23 up to the new 6-inch main in the proposed Canyonback Road extension. Sewage in this new line in the Canyonback Road extension would gravity flow into the existing sewer main in Canyonback Road at Mountain Crest Lane.

**Comment 12.12:**

Consider a requirement for the drainage channel extending from the proposed detention/debris basin northerly to elevation 1310 be improved with a non-erodible material such as Portland Cement Concrete.

**Response 12.12:**

The detail of the design of this channel is not defined on the Tentative Tract Map. The design of this channel will be detailed in the final improvement plans for the project. Stabilization of this channel with rip-rap is proposed to mitigate any potential impacts from erosion.

**Comment 12.13:**

The proposed 15 foot wide ingress and egress easement is over 500 feet long The fire department requires a minimum of 20 feet when a private driveway exceeds 150 feet (see Par. 12, page I-37).

**Response 12.13:**

All access roads have been revised in response to comments received from the fire department and are now 20 feet in width.

**Comment 12.14:**

The balance site shown on Lot 32 indicates 50,000 cubic yards of cut or fill. Only fill could be placed where shown. The existence of the landfill precludes any excavation.

**Response 12.14:**

The comment correctly notes that the existence of the landfill on Lot 32 precludes any excavation. The location of the designated balance area within Lot 32 has been adjusted so that the balance area is now located adjacent to, but not within, the limits of the existing landfill.

**Comment 12.15:**

Consider restriction of temporary haul roads to areas of proposed grading unless prior arrangements are made with the Grading Division to adequately provide for natural slope restoration and replanting.

**Response 12.15:**

If temporary haul roads are needed outside the areas of proposed grading for any reason during construction, prior arrangements will be made with the City of Los Angeles Department of Building and Safety, Grading Division and all areas disturbed will be restored and replanted with appropriate native vegetation.

**Comment 12.16:**

Consider the requirement that all graded, brushed or bare slope be planted with low-water consumption, native-type plant varieties recommended by a landscape architect.

**Response 12.16:**

All grade slopes and other areas disturbed during construction will be replanted in accordance with City standards, which call for the use of native plants to minimize water consumption. The applicant intends to use native plants to minimize water consumption to the fullest extent allowed by City standards.

**Comment 12.17:**

Consideration for requiring an annual inspection by a licensed civil engineer or licensed geologist together with a report of findings. This inspection might include but not be limited to, all cut and fill slopes, all concrete terraces, concrete downdrains, any and all catch basins and underground piping, drainage structures, slope irrigation and planting and the detention/debris basin. The report would be submitted to the Grading Division of the Department of Building and Safety for its review and approval.

**Response 12.17:**

Please see the **Response to Comment 11.2**. A maintenance plan will be prepared that identifies maintenance standards and requirements, including recommendations for inspections as determined to be warranted.

**Comment 12.18:**

B. Drainage and Sewers

1. Inasmuch as the detention basin will also be subject to the production of debris from tributary natural slopes, the basin should be considered as a combined detention and debris basin.

A staging area for several trucks and loading machines might be considered in order to provide for efficient cleanout procedures.

**Response 12.18:**

The basin will be considered a debris/detention basin. The size of the debris/detention basin as proposed reflects the potential for debris production in areas immediately tributary to the basin. The debris/detention basin will also be maintained on a regular basis to ensure its design capacity is maintained. An access road is provided to facilitate proper maintenance of the basin. The basin has been designed to provide access for heavy equipment that may be used in the maintenance of the basin.

**Comment 12.19:**

2. Will the proposed storm drains and the detention basin be private or public?

**Response 12.19:**

At this stage in the planning and project design process, this decision has not been made. Detailed improvement plans for all proposed facilities, including the storm drain system and debris/detention basin, will be prepared and submitted with the Final Tract Map. At that time, the City will review these plans and determine which facilities should be publicly maintained. As discussed in the **Response to Comment 11.2** from the Mountaingate Community Association, final determination of maintenance responsibilities will be made prior to the sale of any of the proposed lots and will be defined in the maintenance plan to be prepared for the project and attached to the CC&Rs for the proposed HOA.

**Comment 12.20:**

3. Will the proposed sewer pump stations be private or public? Will the sewers and house connections in the private streets be private or public?



**Response 12.20:**

Please see the **Response to Comment 12.19**, above, with regard to the final design of improvements and the determination of maintenance responsibilities for these improvements.

**Comment 12.21:**

C. Fire

1. In order to satisfy the 200' foot brush clearance and irrigation requirements by the fire department (see Par. 2 IV O-14) easements should be reserved over the open space Lot Nos. 30, 31 and 32 for the benefit of each lot owner and that the subdivider prior to the sale of Lot Nos. 1, 2, 3, 4, 5, 6 and 7 acquire easement rights from the owner of Lot II, Tract No. 35197 the golf course lot, for the benefit of each owner of Lot Nos. 1-7.

**Response 12.21:**

Required fuel modification areas will be maintained by individual homeowners, the proposed HOA, or the owners of the property on which these areas are located to ensure these areas are maintained in accordance with applicable requirements. For example, if the 200-foot fuel modification area is located within a lot, the homeowner would be responsible for maintenance. If a fuel modification area is on property owned or maintained by the HOA, then the HOA would be responsible for maintenance. If any portion of a fuel modification area is on land owned by others, such as the current owner, the current owner would be responsible for maintenance. If the proposed open space lots are transferred to any other entity, such as a public agency, then an easement will be reserved in favor of the HOA to allow for maintenance of the fuel modification area by the HOA. In order to maintain a 200-foot fuel modification area from structures that will be built on some of the lots on the Stoney Hill Road extension, an easement or a commitment to maintain these areas by the owners of the adjacent golf course will be obtained prior to sale of any of these lots.

**Comment 12.22:**

2. Why not extend Lot lines, where applicable, to include the 200 foot brush clearance maintenance area?

**Response 12.22:**

Lot lines cannot be modified as suggested in this comment to include all fuel modification areas as, in some locations, these areas will extend onto land owned by others, as discussed above in the **Response to Comment 12.21**. The lot lines are based, in part, upon the geologic conditions of the site. This suggested reconfiguration of the proposed lots would require additional grading to comply with City grading standards that apply to all portions of a residential lot.

**Comment 12.23:**

3. Construction of guard rails along the emergency access road where the slope descends from the pavement should be considered. Inasmuch as the emergency road will not benefit from street lighting, striping of the pavement might be considered as an alternative.

**Response 12.23:**

The details of the design of the emergency access road will be defined in the final improvement plans, which will be reviewed and approved by the City to ensure this road is safe. Guard rails will be provided where determined to be necessary. Striping of the road as suggested in this comment will also be considered.

**Comment 12.24:**

4. That prior to recordation, a bond be posted with the City of Los Angeles guaranteeing the maintenance of the emergency access road including the water line, fire hydrants and appurtenances, that will extend from the proposed Stoney Hill Road cul-de-sac to Sepulveda Boulevard. This bond would remain in effect until the last of the proposed 29 homes is completed. After this time it might be appropriate to require a new 20-year bond to assure the on-going integrity of the emergency access road.

**Response 12.24:**

All bonding requirements of the City will be met during construction. After construction, the emergency access road will be maintained by either the current property owner, who has long-term responsibility of the existing closed landfill, the HOA, or a combination of the two, as determined to be appropriate.

**Comment 12.25:**

5. The requirement that during the entire construction phase for Lot Nos. 1 through 22, including house construction, the access to the site for all workers, construction equipment and material deliveries will be by way of the emergency access road only.

**Response 12.25:**

As indicated in this comment, it is the intent of the applicant to use the proposed emergency access road for all construction access to the Stoney Hill portion of the site and that construction traffic not use Mountaingate Drive or other existing streets in the Mountaingate community to access the Stoney Hill Road portion of the project. If temporary use of the existing street system is necessary during construction for any reason, the applicant will notify the Mountaingate Community Association to discuss and coordinate this activity.

**Comment 12.26:**

D. Water

1. Table IV.Q.3-1 regarding project-related water demand shows a 5 acre quantity for irrigation of cut and fill slopes, the slopes shown on the tentative map measure approximately 19 acres. The gallons per day usage would therefore be 19 Ac x 3,650 gal per day = 69,350 gal per day.

**Response 12.26:**

The 5 acres identified in the Draft EIR is based on the long term, or permanent project irrigation requirements. All proposed cut and fill slopes will require temporary irrigation for approximately two to five years so that replacement plantings have adequate water to grow. New plantings are generally stable in two to three years, but can take up to five years. Based on the revised grading design, the amount of graded slopes requiring temporary irrigation will be 14 acres. The temporary irrigation would use 51,100 gallons per day (gpd) for the period it takes for the plantings to take hold. Table IV.Q.3-1 and the accompanying text are revised to reflect this temporary irrigation.

**Comment 12.27:**

E. Safety

1. The proposed southerly extension of Stoney Hill Road will necessarily require the removal, abandonment and/or the relocation of the monitoring probes. In addition, the possible placement of excess fill (50,000 C.Y.) onto the upper portion of Canyon 8 will mean relocation of certain probes that exist on the surface of Canyon 8.

Consideration might be given to the submittal of a map that would show the eventual locations of the probes and the access to each prior to tentative tract map approval.

**Response 12.27:**

As noted in the comment text, some of the existing landfill gas monitoring probes will be impacted by grading and construction activities. Any landfill boundary monitoring probes that are impacted during site development will be replaced and will be located at locations between the landfill and the proposed development. These new probe locations will be properly documented upon completion.

**Comment 12.28:**

F. Easements

1. Disposition of easements (Parcels 1,2, and 3) described in Instrument No. 87-963856?

**Response 12.28:**

The specific instrument referenced in this comment is not identified in the title report prepared for the site and is not identified on the Vesting Tentative Tract Map for this reason. The Final Tract Map will comply with all subdivision map act requirements with regard to existing and proposed easements.

**Comment 12.29:**

2. Who will maintain the open space lots (Lot Nos. 30, 31 and 32)?

**Response 12.29:**

The applicant proposes to dedicate Lots 30 and 31 as permanent open space. As noted in the **Response to Comment 11.2**, depending on the location of manufactured slopes and fuel modification areas, and the type and location of public facilities including drainage and sewer facilities, maintenance will be the responsibility of the proposed Homeowners Association (HOA) for the project, individual homeowners, individual landowners, or an appropriate public agency. The responsibility for any future slope stabilization/repairs will not be transferred to the HOA as part of the subdivision process. Please see the **Response to Comment 11.2** for more information regarding the determination of maintenance responsibilities at the project site. The applicant will retain ownership of Lot 32 and will be responsible for maintaining Lot 32.

The applicant is discussing with the Mountains Recreation and Conservation Authority (MRCA) dedicating Lots 30 and 31 to the MRCA. If this occurs, the terms of the agreement will determine whether the MRCA or the current owner is responsible for maintaining brush clearance adjacent to the existing homes. Please refer to the **Response to Comment 12.21** for more information regarding brush clearance maintenance responsibilities.

As noted in the **Response to Comment 13.16**, the debris/detention basin will be maintained by the proposed HOA or an appropriate public agency and any silt in the basin will be removed during routine maintenance to preserve the capacity and function of the basin as designed for this purpose.

**COMMENT No. 13**

September 16, 2003

Thomas L. Slosson, Supervising Engineering Geologist  
Slosson and Associates  
Consulting Geologists  
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**Comment 13.1:**

SUBJECT: Review of "Draft Environmental Impact Report, Mountaingate, Vesting Tentative Tract No. 53072, Volumes I - III, Los Angeles City EIR 99-3251-SUB", prepared by Impact Sciences, Inc., dated July 2003

Based on a review of the above-mentioned Draft Environmental Impact Report, as well as past reviews of the Geotechnical Investigation reports by Leighton & Associates, Inc., the following items of concern are presented. Many of these items need to be addressed at the environmental impact stage to assure that the items can actually be mitigated, and that the mitigation proposed can actually work.

**Response 13.1:**

Please see responses to individual comments below.

**Comment 13.2:**

- There are still many unanswered questions regarding the area designated as Qs-(?)/Qls(?) on the map and discussed in the text. The cross-sections for this feature (Sections M-M', UU-UU', and S-S') and the cross-section for Qls-5 are not much different in the slope angle, depth to the slide or slump feature and the angle of the slide or slump feature. This is especially true for Cross-sections M-M' and F-F'. This is interesting since Qls-5 has no borings within the feature to clearly delineate the geometry of the landslide. How can Qls-5 be a slide so clearly yet Qs-(?)/Qls(?) is not so clearly a slide? It is quite possible that the Qs-(?)/Qls(?) is actually a slide with an area of approximately 300 feet by 200 feet and up to 30 feet thick and not a slump. Most slumps are small and shallow, being primarily loose upper soil materials (approximately up to 5 to 6 feet thick).
- Consideration should be given to the fact that the bottom of Qs-(?)/Qls(?) will be partially removed as part of the removals at the north end of the buttress for Qls-8 and Qls-9, as well as the fill in the lower areas of the canyon below Qs-(?)/Qls(?). It is quite possible that, with the removals at the bottom of this slump or slide feature, the feature will activate/reactivate and fail headward and laterally. Given the slope angle that currently exists, there would be a need for some very extensive grading if this slope were to experience failure and need to be rebuilt or stabilized. Given the fact that there was water present at the top of this slope where the latest borings were drilled (next to existing residences), it should be assumed that the toe of the slope would be saturated or have a very high water table. This is also true given the amount of vegetation that exists in the channel or drainage area at the bottom of the slope. There is a very high probability that the slope will fail once the materials toward the bottom of the slope are removed. Without proper consideration of this fact, there may be a very costly and large repair of this slope.
- The potential for failure is great based on the proposed removal depths on the order of 10 to 15 feet or more. These removal depths may be more than 15 feet since no exploration was done in these areas to verify the depths. Cross-section S-S' shows up to 30 feet of removal and Cross-section UU-UU' would indicate removals in excess of 20 feet, just for the Qs-(?)/Qls(?) material, with an unknown amount for the underlying weathered bedrock. If there are deep removals with the ensuing backcuts, the chances for failure during removal is great. This has happened on other jobs similar to this in the recent past which have resulted in litigation and expensive mitigation.

- There is also a potential that Qls-5 may be reactivated by grading in the area of the toe of this landslide and of the fill descending from Canyonback. While this may not be as critical as the area of Qs-(?)/Qls(?), it could still create problems during grading by expanding the area of removals and necessary repairs or mitigation. It is also possible that, post-grading, there would be failure of materials from the steep slopes of Qls-5 onto the access road to the basin and the fill slope. Since little is actually known about the subsurface conditions of Qls-5, it is unknown how it will respond to any grading and future high rainfall years.
- Given that this area of Qs-(?)/Qls(?) is the location of some of the proposed caissons to provide support for proposed Lot 22, it may be prudent to consider of the potential for failure prior to the removals at the toe of the slope and the placement of the caissons or piles for Lot 22. The slope below the proposed caissons will be subject to long-term creep as well as the potential for failure during the construction at the bottom of the slope.

**Response 13.2:**

The nomenclature assigned in previous investigations conducted by others to classify the landslides at the site was used during the preparation of the Geotechnical Map. This nomenclature (landslide and slump designations) has been revised from that which was previously presented by others, based on the findings of the additional investigations conducted by Leighton & Associates, Inc. Landslide Qls-5 was previously mapped by G.A. Nicholl and Associates, Inc. However, the existence, classification (landslide or slump), and geometry of Landslide Qls-5 could not be confirmed in the additional geotechnical studies conducted by Leighton & Associates, Inc. due to access constraints (the location of the slide and the existing rugged topographic terrain in this area). The natural slope where this landslide is located has a subtle topographic signature indicative of a mass-wasting process, and whether this feature is a landslide or slump could not be conclusively determined based on the available data. However, Leighton & Associates, Inc. has maintained the landslide interpretation as mapped by others for conservative purposes and has conservatively assumed subsurface landslide geometries during slope stability analyses. Similarly, for the sake of conservatism, the Qs-(?)/Qls(?) feature was assumed to be a landslide in Leighton & Associates, Inc.'s slope stability analyses. In summary, Leighton & Associates, Inc. has made an interpretation of the geologic features at the site based on the available geologic data, yet has assumed landslide failure planes in Leighton & Associates, Inc.'s slope stability analyses where the existence of a landslide was questionable. Given that the most conservative position has been taken in Leighton & Associates, Inc.'s slope stability analyses, further geologic interpretation is, therefore, not warranted at this time.

Complete removal of the Qs-(?)/Qls(?) feature will be limited to the northern end of the proposed buttress key (approximately in the vicinity of Geotechnical Cross-Section S-S'). In order to minimize the potential of down slope movement/reactivation of this feature, the removals of the alluvial, colluvial, and slump deposits to the north of the proposed buttress key will not be performed. In this specific area, structural fill is not needed to support the proposed construction. The purpose of the proposed canyon fill is to raise the grades to promote drainage between the proposed grading improvements to the south

and the natural conditions to the north. Therefore, the ground preparation in this area will be limited to brushing and grubbing of the loose deposits and debris, scarifying the upper 6 to 12 inches of the in-place materials, and compacting them to 90 percent relative compaction. The placement of additional fill at the toe of the Qs-(?)/Qls(?) feature will at best improve the stability of the slope and at worst maintain its current factor of safety.

In order to decrease the potential for accumulation of water within the placed fill, the lower 2 to 3 feet of the fill should consist of a graded filter material. The graded filter material should be placed so as to be connected to the filter material surrounding the canyon drain that will need to be installed beneath the proposed downstream buttress fill slope. The required additional fill should consist of the on-site materials; a minimum of 1 foot of the on-site materials should cover the graded filter material.

Since compressible materials would be left beneath the compacted fill in this area, the surface of the compacted fill should be established so that positive drainage will be maintained regardless of the settlement that could reasonably be expected to occur. It is expected that the on-site soils will settle/compress a total of no more than 4 percent and probably less than 2 percent. To mitigate the anticipated settlement, this fill area should be overbuilt by a minimum of 1 foot higher than the proposed design grades and a settlement monument installed. Monitoring of the settlement monument will be performed and evaluated during the rough grading period of this project.

To monitor the general performance of the slope within the Qs-(?)/Qls(?) feature during construction of the proposed buttress key and the fill at the canyon bottom, two inclinometers will be installed in the upper portion of the Qs-(?)/Qls(?).

Removals of alluvium, colluvium, and/or landslide deposits at the toe of landslide Qls-5 are not required, as this landslide does not impact the structural integrity of the proposed maintenance road located to the east-northeast of this landslide. The ground preparation for the required fill in this area will be limited to brushing and grubbing of the loose deposits and debris, scarifying the upper 6 to 12 inches of the in-place materials, and compacting them to 90 percent relative compaction. The placement of additional fill at the toe of landslide Qls-5 will maintain the slope's current factor of safety and may increase the factor of safety. A debris wall will be constructed in this area to mitigate the potential for debris originating from the adjacent steep slopes that could impact the storm drain inlet down-canyon to the south. Design parameters for this debris wall will be provided at the 40-scale grading plan review stage of the project.

**Comment 13.3:**

- There is a need to address the subsurface drainage on the lots (Lots 22, 28 and 29) which will have the caissons for support, as well as a possible restriction of appurtenant structures such as pools, spas, etc. If there is a buildup of water on the surface and subsurface, such as from irrigation and leaking plumbing, there is the potential that this water can move laterally into the slump/slide area, causing failure to occur in this mass. A subdrainage system at the pile line and under any fill on top of the bedrock becomes necessary to preclude the failure of the downslope materials. Additionally, as indicated in this section, there is a strong need to preclude or significantly limit any appurtenant structures such as pools and spas in the rear area of these lots, especially in view of the unstable nature of the materials in the downslope direction.

**Response 13.3:**

For the lots in close proximity to unmitigated landslide and slump debris (Lots 1, 2, 22, 28, and 29), a subdrainage system at the caisson pile line and under the pad fill cap will be constructed to collect potential surface water that may infiltrate into the subgrade and adversely affect these geologically sensitive areas.

The subdrain system for these lots should be installed at approximately 2 feet above the level of the recommended lot overexcavation. The approved overexcavation bottom surface should be scarified, moisture conditioned, and recompacted. All processed and fill soils should be compacted as per project grading specifications. The surface of the compacted fill should be relative flat and inclined at approximately 2 percent towards a collection point.

After the recommended overexcavation has been performed and approximately 2 feet of compacted fill have been placed, drainlines consisting of 4-inch or larger diameter perforated pipe should be placed in approximately 1-foot-deep trenches excavated into the compacted fill. The pipe should be placed with the perforations down and surrounded on the bottom, top, and sides by a minimum of 4 inches of clean crushed rock. A slope of at least 2 percent should be maintained for the drainlines to a collection point. The distance between drainlines should not exceed 40 feet.

After the drainlines have been installed, a minimum 1-foot-thick layer of clean gravel or graded filter material should be placed over the fill surface. Either a filter fabric or a graded filter material should be placed to separate the gravel from the compacted fill soils that will be placed to bring the lot to the planned finished grade.

The collection points of the subdrainage system should be connected with solid pipes to permanent drainage devises. The constructed subdrainage systems and outlets will be surveyed and will be shown on the as-built plans for the project.



The construction of pools and/or spas may be feasible for all the proposed lots provided that these appurtenant structures are constructed outside any structural setback area and that their design and construction are reviewed and observed by a geotechnical engineer. Additionally, these appurtenant structures will require independent subdrainage systems included in their design to prevent potential water leakage impacting the adjacent natural slopes and other geologically sensitive areas. The outlets for these independent subdrainage systems should be tied into permanent drainage systems. Design and construction of such appurtenant structures will require separate approval by the City of Los Angeles.

Construction of pools for Lots 1, 2, 22, 28, and 29 will be required deeper overexcavation requirements to allow the installation of the recommended subdrainage system under these lots. The depth of the recommended subdrainage systems should be determined in consideration of the future design depths for the proposed storm drains under the adjacent roads of these lots such that these drainage systems can be tied into the proposed storm drains. Specific depth recommendations will be provided at the 40-scale design stage when the depths of the proposed storm drains become available.

**Comment 13.4:**

- Cross-sections E-E' and F-F', which intersect, do not match up at the intersection point. There is a difference in the topography of  $10 \pm$  feet at the intersection point. On Cross-section F-F', the slide mass is shown as  $4 \pm$  feet thick, and at the same intersection point on E-E' the slide mass is  $15 \pm$  feet thick. This may be due to a drafting error or a lack of actual data for the slide in the area (QIs-5). Either way, there is a need to correct and verify the conditions so that the actual amount of removals and fill is better understood prior to approval and start of construction.

**Response 13.4:**

Cross-Sections E-E' and F-F' have been revised to correct the drafting discrepancy at the intersection point as noted in this comment.

**Comment 13.5:**

- There may be a need to consider restrictions upon the placement of pools, spas and other appurtenant structures along many of the top of slope lots. This is especially true of Lots 1-14, Lot 22, and Lots 28 and 29. These lots are, in effect, cut lots which sit at the top of a steep slope. In the case of Lots 22, 28 and 29, these lots sit at the top of a geologically unstable area. Lots 22, 28 and 29 have plans to place caissons or piles to support the pad areas, while nothing is being done for the slope areas below, even though the areas are mapped and designated as slide and slump/slide. Any waters leaking out of or exiting these structures into the ground could cause further destabilization of these geologically unstable areas.

**Response 13.5:**

Structural setback lines to restrict the construction of pools, spas, and other appurtenant structures will be shown on the final as-built plans. Construction of pools and spas may be allowed if these appurtenant structures comply with all structural setbacks and if they incorporate the recommended subdrain systems

in their design, as discussed in the **Response to Comment 13.3**. The design and construction of these appurtenant structures should be reviewed and observed by a geotechnical engineer and will require approval by the City of Los Angeles.

**Comment 13.6:**

- There is discussion regarding the removal of existing gas probes along the extension of Stoney Hill up to the existing Canyon 8 landfill. Additionally, if there is fill placed on the top of Canyon 8 landfill, those probes will be destroyed and abandoned. It is unclear what future monitoring will replace the probes to be removed. There is a need for some form of monitoring of any possible migration of gases (methane) in the area of the proposed residences and the top of the landfill to assure that there is not a problem with the landfill gases (methane gas) and to allow for proper notification if there is a problem. It is the understanding of this office that, at other locations within the Mountaingate area and at the adjoining golf course, there have been problems with an increase of the amount of landfill gases migrating and affecting structures. There is a high potential that the same problem with migration of landfill gases (methane) will occur at the proposed extension of Stoney Hill. This is especially true since a review of the closed site inspection reports for Mission Canyon Landfill 8 shows high levels of gases in the probes close to proposed Lot 11 and the cul-de-sac end of the extension of Stoney Hill Road. The probes that had high readings include Probe 18 (40 feet from Lot 11), Probe 19 (150 feet from Lot 11) and probe 20 (260 feet from Lot 11). Probe 18 had readings as high as 9.0% by volume. Probe 19 had readings as high as 53% by volume and Probe 20 had readings as high as 554% by volume. Given these past high readings, it is extremely important that there be continuous monitoring as well as the continuous mitigation of the migration when it is found to be occurring by the monitoring.
- Given the past history of the monitoring probes and the need for mitigation as indicated by the Closed Site Inspection Reports, it needs to be clearly indicated who will be in charge of the monitoring and also who will be responsible for the necessary mitigation, such as additional pumps or extraction wells. From 1995 to 2002 there was a need for grading corrections as well as the need to place or drill new extraction wells based on the migration of landfill gases (methane) as noted in the probes (Probes 18-20).

**Response 13.6:**

The landfill gas collection system operator monitors the landfill on a routine basis and in conformance with the SCAQMD 1150.1 requirements established for monitoring Mission Canyon 8 Landfill. Based on the data collected during the monitoring program, the landfill gas collection system operator makes adjustments to the collection system to maintain compliance with the monitoring requirements.

Castle & Cooke, Inc. will be responsible for ensuring that required monitoring and mitigation activities are performed at Mission Canyon 8 Landfill on an as needed basis. Castle & Cooke may at its discretion, contract performance of this work to qualified contractors; but will retain ultimate responsibility for maintaining compliance.

As referenced in the comment text, some of the existing landfill gas monitoring probes will be impacted by grading and construction activities. As previously discussed, any landfill boundary monitoring

probes that are impacted during site development will be replaced and will be located at locations between the landfill and the proposed development.

As is currently the practice, in the event of elevated landfill gas readings, Castle & Cooke will correct via adjustment of existing extraction well vacuums, or by performing localized surface repairs to seal any settlement cracks, or by installation of additional gas extraction wells.

**Comment 13.7:**

- There should be designs presented at this stage of the proposed development for how the foundations will be vented to prevent the buildup of any landfill gases (methane gas) in the foundation area or building. Any buildup could lead to a hazardous situation in any building from the possibility of exposure to deadly or explosive gases in the buildings. This is especially true from a review of the closed site inspection reports for Mission Canyon Landfill 8. If the buildings and foundations are to be vented, it would be prudent to explain and provide designs so that those can be evaluated in the environmental impact stage. These systems would undoubtedly be venting somehow into the atmosphere.

**Response 13.7:**

The City of Los Angeles Building Code (Section 7100 et seq.) and the California Code of Regulations (Title 27) establishes design and construction requirements for structures located in potential methane-producing areas. The parcels located within 1,000 feet of the landfill will be fitted with methane-mitigation measures pursuant to these regulations. This includes Lots 1–22. Typically these requirements include placement of a physical barrier to prevent movement of methane gas into the structure, as well as a passive venting system (which may include venting systems exhausted at the roof level) to act as a secondary barrier to further protect the structure. Additionally, utility vaults and trenches will be fitted with venting devices and sealed to prevent movement of methane gas into the vault and utility trenches. The construction methods and materials to implement these regulations are well known and can be reliably applied to protect structures. In addition, the City of Los Angeles is considering adopting an ordinance which would amend Sections 91.7101 et seq. to provide minimum Citywide standards for the construction of buildings to control methane intrusion. The proposed project will comply with all applicable standards.

**Comment 13.8:**

- There should be a decision as to what foundation setback will be required for the lots with the caissons at this point, and it should follow what the code and the City's requirements are for the conditions. These conditions include a geologically unstable area on the downslope side of the caissons with a factor of safety below what the codes would allow. If there could be movement of those unstable areas, there would need to be some protection for the lots and structures as well as the people.

**Response 13.8:**

No structures should be located within 15 feet of the proposed caisson line. The final setback will be determined by the City of Los Angeles through review of the project geotechnical report and plans.

**Comment 13.9:**

- It is indicated in the section under "Public Services, Fire" that there is a requirement to have a 200-foot clearance of brush from the structure with provisions for irrigation on these areas. Will this be true on the geologically sensitive and unstable areas? It is quite possible that no irrigation should be placed on any of the geologically sensitive areas as this could affect the stability and factor of safety for those areas. There should be consideration as to how to provide the proper brush clearance zone without adding any additional waters into those geologically-sensitive areas, or allowing erosion to occur in these areas.

**Response 13.9:**

Irrigation of any existing natural slope areas where brush is thinned as part of the fuel modification program is not required. Manufactured slopes will be replanted as required by the City with an emphasis on using drought tolerant native plants to minimize irrigation requirements.

**Comment 13.10:**

- It is noted in the document on page 1-49 that the usage of water for irrigation for the site may be approximately 18,250 gallons per day (and possibly up to 69,350 gallons per day by other calculations for the acreage). Given the fact that this is basically a dry natural area with low average rainfall, this could be a significant change in moisture content. Again, consideration should be given as to how to further minimize the chances of any of this irrigation water migrating offsite or into the many geologically-sensitive areas below and surrounding the proposed development. There would be a change from 14-15 rainfall inches per year to approximately 60 inches or greater of rainfall equivalency due to irrigation. Evidence of the potential for an increase in groundwater due to irrigation was seen in the borings drilled near the existing developments. Additionally, some minor failures have occurred on the slope in the Qs(?)/Qls(?) near the existing development. The most recent borings in the natural areas had no groundwater while the two most recent borings closest to the existing development had very noticeable groundwater in the borings. The irrigation of any proposed development will impact the groundwater situation and subsequently adversely impact the geologically unstable or moisture sensitive areas.

**Response 13.10:**

Please refer to the **Responses to Comments 13.3** and **13.19**, which review methods for control of subsurface water resulting from additional irrigation in graded areas adjacent to geologically sensitive areas. In addition, drought tolerant landscaping with minimal water requirements will be used to the maximum extent possible.

Please refer to the **Response to Comment 12.26**. The 5 acres requiring irrigation identified in the Draft EIR are based on long-term or permanent project irrigation requirements. The usage of water for permanent irrigation for the site will be 18,250 gallons per day. In addition, all proposed cut and fill

slopes will require temporary irrigation for approximately two to five years so that replacement plantings have adequate water to grow. New plantings are generally stable in two to three years, but can take up to five years. Based on the revised grading design, the amount of graded slopes requiring temporary irrigation will be 14 acres. The gallons per day usage for temporary irrigation would be 51,100 gallons per day for the period of time it takes for the plantings to take hold. Table IV.Q.3-1 of the Draft EIR and the accompanying text are revised to reflect this temporary irrigation.

**Comment 13.11:**

- Additionally, any increase in irrigation on the proposed development, and the redirection of any drainage into the canyon between Canyonback and Stoney Hill, may create a year-round wetlands or wet zone in the area of the proposed drainage/debris basin. This basin area will most likely be wet and the surrounding earth materials may become saturated year round. This could impact the amount of runoff that will affect this area during any storms, since there will be a saturated condition as compared to the current situation where it is typically saturated or the ground moisture is high only in the months of January to April. With the year-round moisture that will occur in this area, there will be a continuous growth of vegetation in the basin area, which will mean more frequent basin maintenance to assure that the holding capacity is such that it will not cause any increased flow in any of the downstream areas. Additionally, with the year-round saturation of the area, the percent of runoff may be higher than calculated. It needs to be clearly indicated who will be responsible for the maintenance and care of the proposed debris/detention basin and drainage structures.

**Response 13.11:**

The drainage system and basin have been designed to collect and convey all drainage that will be directed between Canyonback and Stoney Hill. The basin will be maintained on a regular basis to ensure the design capacity is maintained. For more details, please refer to the **Response to Comment 12.22**.

**Comment 13.12:**

- It has been indicated that there will be regrading of the road that will go from the proposed terminus off Stoney Hill down to Sepulveda Boulevard as an emergency road. It should be noted that portions of this road have already had continuing distress due to settlement of the landfill materials as well as broken irrigation lines and ponding of water on the roadway. Additionally, there has been continuing cracking of the upper ground surface of the landfill has been noticed due to the settling of the landfill. This would indicate a need for continued maintenance of any roadway constructed on or across the landfill, especially for an emergency access road for equipment such as fire trucks. Continuing maintenance will be needed at the top of the landfill and along the edges of the landfill as the cracking at the ground surface appears to be ongoing but worsens during or after times of high rainfall. Any surface cracking will allow rainwater to flow into the cracks and into the landfill mass, accelerating further the settlement of the landfill. This would allow additional waters into the landfill and lead to a higher water table in the landfill and possible migration of groundwater from the landfill to off-site areas. Any settlement and cracking can also lead to offsite or accelerated migration of landfill gases (methane) to the surface. It needs to be clearly indicated and specified who will be responsible for the care and maintenance of the proposed roads and improvements as well as the monitoring and continued maintenance/mitigation of the landfill in general (Lot 32). It is very important that there clearly be somebody responsible for all of the maintenance/mitigation and repair items in perpetuity for the safety and stability of the property and all involved. This is especially true after a review of the closed site inspection reports for Mission Canyon Landfill 8 from 1995-2002. These reports indicate that there are broken water lines and fissures and ponding due to settlement of the landfill, as well as seepage of leachate out of the slope.

**Response 13.12:**

Castle & Cooke will remain responsible for maintenance of the closed Mission Canyon 8 Landfill in accordance with the approved Post-Closure Maintenance Plan for the landfill.

**Comment 13.13:**

- Has consideration been given to the fact that any additional loading of fill from the proposed development on top of the landfill may lead to additional or accelerated settlement of the landfill? This needs to be evaluated in view of the ongoing distress and cracking of the top and side margins of the landfill due to its current settlement.

**Response 13.13:**

The location of the designated balance area has been readjusted so that the balance area is now located adjacent to, but not within, the limits of the existing landfill.

Please note, however, that Geomatrix Consultants, Inc. conducted a preliminary settlement analysis involving the additional loading of fill from the proposed development onto the top deck of the landfill. Based on this analysis, the surcharge resulting from addition of the fill is not expected to increase the rate of settlement. Additionally, any fill stockpiled in this area would provide a borrow source for fill to maintain the landfill surface.

**Comment 13.14:**

- It should be noted that, on page 1-58, there is a description of an "Alternative 3 - Stoney Hill Ridge Development Only Alternative". Under this heading, in the second paragraph, it states "Economically, this alternative would not be feasible, as the additional seven residential lots would be expected to yield revenue needed in order for the project to be financially feasible for the project applicant. Without those additional lots, the project would not achieve the needed return on the investment for the project in order for it to be implemented. Even though this alternative environmentally has fewer impacts than the proposed project, the fixed economic costs associated with developing the project area make this alternative economically infeasible. For these reasons, this alternative was rejected as infeasible". If this is true, would not the project become infeasible if the Qs-?)/Qls(?) were to activate during grading and require a complete removal of this material and the slope repaired as a 2:1 slope? This needs to be considered, as it very easily could happen during grading due to the geologically unstable condition at this site. If there is a failure during grading, the repair will be quite costly and lots will probably be lost or not useable due to the slope angle and area available for a buttress at a 2:1 slope.

**Response 13.14:**

Specific recommendations as previously discussed in the **Responses to Comments 13.2 and 13.3** have been provided for limited amount of grading within the limits of Qs-?)/Qls(?). If these recommendations are followed during the construction phase of this project, the potential risk of performing complete removals or other large remedial removals due to the reactivation of this feature is considered low.

**Comment 13.15:**

- It is noted that one of the requirements is that the previous lot line adjustments be accepted by the City of Los Angeles, as well as an Approval of the General Plan Amendment, a zone change and approval of lot averaging in the Hillside RE 20-1-H zone. It is not known by this office if these changes are acceptable to the City as well as their effect on surrounding property owners.

**Response 13.15:**

The applicant submitted an application for General Plan Amendment and Vesting Zone Change contemporaneously with the application for Vesting Tentative Tract Map No. 53072. These entitlements are subject to the review and approval of the City of Los Angeles.

**Comment 13.16:**

- Based on the current plan, it appears that all of the surface drainage for the fill descending into the canyon from the Canyonback side will flow down the proposed access road or easement for ingress/egress to the proposed detention basin. All of the terrace drains on this proposed fill slope flow onto the roadway, starting at approximately 1,530 feet, and flow along the road to an elevation of approximately 1,200 feet into the proposed detention basin. This appears to be a concentrated flow along this road and may lead to increased sediment being carried along the road if there are any small slumps or erosion. This may impact the basin and create difficulty for the proper maintenance of this detention basin. Is this a prudent design? It needs to be clearly indicated who will be responsible for the maintenance of these drainage devices and structures in perpetuity for the site.

**Response 13.16:**

Please see the **Response to Comment 12.8**. The maintenance road for the debris/detention basin will be designed to maintain all weather access. If additional drainage devices are determined to be necessary they will be included in the design of this road in the final improvement plans.

Please see the **Response to Comment 11.2** regarding maintenance responsibilities.

The debris/detention basin will be maintained by the proposed HOA or an appropriate public agency and any silt in the basin will be removed during routine maintenance to preserve the capacity and function of the basin as designed for this purpose.

**Comment 13.17:**

- It is noted on the current plan in the EIR that Lots 16-19 have lot lines that go almost to the toe of the fill/buttress slope. Included in this slope area are certain terrace drains for the slope. How will the maintenance of all of these drains be accomplished to assure that the drains are always functioning? It appears that there will be many different property owners for this section of slope and drains. Most of the other proposed slopes will be part of a larger common lot, such as Lot 31. Would it not be better to have all of the fill/buttress slope and terrace drains under the control of one ownership? Who will have the ultimate responsibility for the maintenance and repair of the drainage devices and slope area, including vegetation cleanup and control? The maintenance of these drainage devices and the slopes in general, including the plants, will be important to the overall stability of the proposed buttress and development and is a critical issue.

**Response 13.17:**

Maintenance of fill slopes and drains will either be the responsibility of the individual property owner or the HOA as appropriate. As discussed in the **Response to Comment 11.2** from the Mountaingate Community Association, maintenance responsibilities will be defined in maintenance plan to be prepared for the project prior to the sale of any lots.

**Comment 13.18:**

- There should be a discussion under "*Secondary Seismic Hazards*" regarding the potential of secondary seismic hazards that may affect the landfill and, subsequently, the surrounding areas. One of the secondary seismic hazards from the landfill would be the opening of cracks and subsequent migration of landfill gases generated via those cracks to vent at the surface or in adjacent areas, such as along the ridge near homes. Another secondary seismic hazard would be lateral spreading and settlement of the landfill materials from the seismic shaking, which could impact the escape of hazardous gases from the landfill further, as well as affect surrounding areas with migration of gases or fluids and other hazards. These need to be discussed. In the past, there have been discussions in other areas that seismic shaking led to the migration of gases from natural and man-made sources due to cracking and settlement of overburden. Again, this is especially true after a review of the closed site inspection reports for Mission Canyon Landfill 8. These reports indicate that gas has migrated offsite in the area of probes 18, 19, and 20. Additionally, continuous settlement, cracks, and fissures have been noted on the landfill, as well as seepage.

**Response 13.18:**

As discussed in the text of the comment, a seismic event might act to open surface cracks or to open subsurface preferential pathways that allow landfill gas to migrate or vent to the surface or adjacent areas. In the event of a seismic event, the landfill gas collection system operator will be dispatched to the site to conduct inspections of the landfill gas collection system, gas treatment plant, and landfill surfaces. If possible, the landfill gas system operator will continue or resume operation of the landfill gas treatment plant and the collection system. Additionally, the landfill boundary probes will be monitored on a frequent basis to evaluate whether landfill gas concentrations change or increase in the monitoring probes. If required, the landfill gas collection system will be adjusted and maintenance personnel will be dispatched to conduct required repairs to the landfill gas collection and treatment systems and landfill surfaces to mitigate the detections of landfill gas. Specifically, options for remedy include adjustment of existing extraction well suction, performing localized surface repairs to seal any settlement cracks, or installation of additional extraction wells. Please note that all of these actions are defined in the approved Post-Closure Maintenance Plan for the landfill.

**Comment 13.19:**

- Additionally, under the heading of "*Secondary Seismic Hazards*" there is a discussion that with the corrective grading, in the form of buttresses and shear keys, the potential for seismically-induced landslides will be reduced to a less than significant level. This may not be true for the Qs-(?)/Qls(?), Qls-5, Qls-1, Qls-2, Qls-3, Qls-4 and the other Qls by the DWP water tank. There will be only minimal grading done on Qls-5 and Qs-(?)/Qls(?) toward the toes of these features, and it is not known if this



will stabilize these features. Additionally, the other slides and slump (Q1s-1-4, Q1s) will not be touched at all, and the proposed mitigation is at the top to raise the factor of safety for the lots only. These slides may reactivate during a seismic event, especially when an increase in the water in these areas occurs as a result of irrigation in the upslope areas. The chances of these slides having some form of motion during a seismic event are the same or higher, as they will not be corrected by grading and water will be added to these features.

**Response 13.19:**

The mitigation alternatives (structural setback lines and the construction of buttress fills and caissons) presented in the project geotechnical report are recommended to mitigate the hazard of seismically-induced landslides within the proposed structural areas. The potential for seismically-induced landslides to occur has not been mitigated for landslides and slumps that exist in areas outside the delineated structural setback lines where steep slopes are present. However, based on Leighton & Associates, Inc.'s analysis and findings, these unmitigated areas do not impact the structural areas of the planned development.

For the lots in close proximity to unmitigated landslide and slump debris (Lots 1, 2, 22, 28, and 29), a subdrainage system at the caisson pile line and under the pad fill cap will be constructed (see **Response to Comment 13.3**, above). The construction of these subdrainage systems and other aerial drains coupled with sensitive landscaping design (planting of drought tolerant vegetation and designing irrigation systems minimal water usage) will significantly reduce the water infiltration from irrigation that may adversely impact the geologically sensitive areas outside the structural zones.

**Comment 13.20:**

- Under the discussion of "*Secondary Seismic Hazards*", there is a discussion of lateral spreading and how the potential for it and its effects at the site are considered to be low. It would appear that the potential for lateral spreading in the Qs-(?)/Q1s(?) may be high given the fractured, dilated (up to 3 inches wide), open nature of this feature and the current localized high groundwater affecting at least some portions of this material. Future irrigation of any proposed development will continue to raise the groundwater level within this fractured, sheared, dilated and open material to at least 38 feet below the surface. Any seismic shaking will likely lead to lateral spreading of this material, as well as failure, especially since the main mitigation is at the top of the slope to provide a factor of safety for the pads only. What would happen if the slope were to have distress should be discussed.

**Response 13.20:**

Seismically-induced lateral spreading is a liquefaction-related phenomenon. The liquefaction potential at the site is considered low. Because of the steep surrounding topography of the project site, the concerns of this comment are more appropriately related to the hazard potential for seismically-induced landslides impacting the geologically sensitive areas outside the structural zones. As discussed in the **Response to Comment 13.19**, the hazard potential for seismically-induced landslides will not be mitigated for the left in-place landslides and slumps, or in the areas outside the delineated structural setback lines where steep

slopes are present. Regardless, if down-slope movement of the slump material occurs, the structural areas above the Qs-(?)/QIs(?) feature will be protected by the construction of the recommended caissons.

Fully saturated ground water conditions do not exist in the slump material. Rather, there are perched water seep conditions of limited subsurface extent. Potential for build-up of additional water in this slump subsequent to the completion of construction will be significantly reduced as a result of the mitigation measures previously discussed (see **Responses to Comments 13.3** and **13.19**, above). In addition, the placement of fill at the toe of the slump feature will maintain the slope's current condition and may improve its stability.

At the toe of the slope, potential material that collects in the drainage device(s) will be periodically removed during regularly-scheduled maintenance operations upon the completion of construction.

**Comment 13.21:**

- Under the discussion of "Water" in the subsection for "Surface Water Hydrology", it is indicated that there would be less debris-producing areas within the proposed development at build-out due to the conversion of open space to impervious or stabilized areas. This is not totally true when considering that there maybe a potential for an increase in debris production due to the increased irrigation impacting the areas that are geologically sensitive or unstable. These areas may be more prone to the production of debris. Additionally, there will be erosion of the manufactured slopes until there is adequate vegetative cover to preclude erosion. Another factor may be the fire/flood sequence.

**Response 13.21:**

Manufactured slopes will be replanted in accordance with City requirements as discussed in the previous response with drought tolerant native species requiring minimal irrigation. This vegetation will either be lower lying ground cover with less bulk than the existing taller native vegetation, or the native vegetation used to replant these areas will be similar in height and bulk to the existing vegetation. Increased debris production will not result for this reason. There will be an interim period of usually less than five years when the newly manufactured fill slopes do not have fully developed vegetation. At that time, there would be the possibility for additional debris production.

The grades at the daylight perimeter of the proposed development will be designed to direct surface waters away from the top of the natural slopes and the geologically sensitive areas. Overexcavation bottoms will be graded so as to affect positive drainage away from slope faces. In summary, significant methods of mitigation will be employed to reduce erosion of the slopes and the production of debris. In areas of the proposed caissons adjacent to, or in the vicinity of, the left in-place landslides or slumps, subdrainage systems as discussed in the **Responses to Comments 13.3** and **13.19** will be constructed to

minimize the potential for subsurface water migration into these geologically sensitive areas due to future landscaping irrigation.

**Comment 13.22:**

- As indicated above, the increase in runoff and irrigation will change the conditions in the area of the detention/debris basin, making it more of a year-round wetlands area with the ground at saturation or peak soil moisture all year round. This will impact how much water will infiltrate, and will lead to a quicker and higher runoff from upstream of the basin and in the basin area itself, as well as possibly down gradient from the basin. This needs to be considered in any hydrologic analysis for the proposed development. Additionally, it needs to be discussed and clearly indicated who will be responsible for the maintenance of the debris/detention basin to assure that it will be cleaned and maintained many times a year for the life of the project and overall development.

**Response 13.22:**

The proposed detention basin has been designed to result in no impact on downstream areas with respect to increases in water quantity or velocity. The moisture content of the manufactured slopes will likely be higher after the development than before the development due to irrigation. Surface runoff due to irrigation will be minimal and all runoff will be channeled into a surface drainage system. Increases in runoff and irrigation will be considered in the design of the detention/debris basin and the storm drain system. To mitigate the impact of increased water velocity, a riprap channel will be constructed at the canyon bottom and an energy dissipater will be constructed at the storm drain system outlet. Regular maintenance of the proposed debris basin, particularly after rainy events, will be required to prevent the development of wetlands. Additionally, if the proposed basin is designed to have a soft bottom, a herringbone subdrain system will be installed within the basin bottom footprint. Furthermore, the debris/detention basin will be designed per local agency standards, which includes consideration for a fire/flood sequence. Access to the basin is provided via a maintenance road so that any accumulated debris can be cleared. The basin will have a maintenance plan as directed by the local governing agency.

Please see the **Response to Comment 11.2** for information regarding responsibility for maintenance of facilities.

**Comment 13.23:**

- It was noticed that in the discussion of the fire hazard for the proposed development, there is no mention of the fire hazard that does and will exist as a result of migration to the surface of any of the landfill gases (methane). If any of these gases were to be ignited at the surface by any means, this will increase the potential for fires, such as brush or wildland fires and structure fires, depending on what is impacted by landfill gases (methane) which could be ignited. This is especially true after a review of the Closed Site Inspection Reports for Mission Canyon Landfill 8 from 1995-2002. These reports indicate gases (methane) was migrating to the top and laterally, and was picked up in probes 18-20. This needs to be considered in the EIR.

**Response 13.23:**

Surface monitoring and boundary probe monitoring of landfill is required to evaluate the potential venting or migration of methane gas from the landfill. In the event that methane is detected at the landfill surface or in a boundary probe, adjustments are made to the gas collection system operation to mitigate these detections. The surface and boundary probe monitoring is conducted as part of routine operations in conformance with SCAQMD Rule 1150.1 and the approved Post-Closure Maintenance Plan for the landfill. Therefore, as a result of conducting the routine monitoring and operational adjustments, potential hazards from methane are not considered significant and any potential hazard is fully mitigated.

Please see the **Response to Comment 13.18** for further detail on routine maintenance measures.

Please refer to **Response to Comment 8.2** for additional discussion of measures taken to prevent the potential subsurface lateral migration of landfill gas. The parcels located within 1000 feet of the landfill will be fitted with methane-mitigation measures pursuant to state and City regulations. Any modifications to the existing landfill gas collection system and drainage systems will be subject to the review and approval of the agencies with jurisdiction over the maintenance of the landfill. In addition, the City of Los Angeles is considering adopting an ordinance which would amend Sections 91.7101 et seq. to provide minimum Citywide standards for the construction of buildings to control methane intrusion. The proposed project will comply with all applicable standards.

**Comment 13.24:**

- The actual direction of motion for Qls-6 is still unclear. The slide appears to be at some sort of angle due to the fact that the toe as shown has a top or upper elevation of approximately 1380 feet, and the lower end or edge of the toe is at an approximate elevation of 1300 feet. This is an elevation difference of approximately 80 feet across the toe of the landslide. This should be discussed, as a component to the direction of movement may occur and affect the stability during the grading of this feature.

**Response 13.24:**

Based on the down-hole data obtained from Boring LB-12 the direction of the failure surface of Landslide Qls-6 is to the southwest. The down-hole geologic attitudes obtained from the excavated borings at the site are presented in Plate 1a of the project geotechnical report. In addition, this landslide will be completely removed and will be replaced by compacted fill.

**Comment 13.25:**

- The direction of movement for Qls-9 does not match with the direction of movement as indicated by the shear and geological data that was collected in the borings in Qls-9. There is a need to verify the actual direction of motion of this slide as it may be important to the proposed repair.

**Response 13.25:**

Although the direction of the failure surface of Landslide Qls-9 obtained in Boring LB-2 is to the southwest, the general interpretation of the failure direction for this landslide is to west-northwest (based on the overall geomorphic expression in this area). Boring LB-2 was drilled in the upper reaches of this slide, in the headward portion of the adjacent drainage, and the geologic attitudes obtained from the failure surface in this boring may represent a localized failure direction of this slide. Landslide Qls-9 will be completely removed and replaced with compacted fill.

**Comment 13.26:**

- What is the contingency for grading and mitigation for Lots 22, 28, and 29 if the City of Los Angeles does not allow the proposed caissons or piles to be used to raise the factor of safety for these lots only? These lots will have slides or slumps which will still exist below the piles. The same is also true for those areas such as Canyonback Road between Lots 22, 28, and 29 that may be affected by the adverse geologic conditions. If the City does not allow the proposed mitigation of caissons, there will be a need for a redesign and other mitigation methods.

**Response 13.26:**

The Department of Building and Safety of the City of Los Angeles has prepared review comments for Leighton & Associates, Inc.'s report, dated March 18, 2003, and has given no objection to the use of caissons for these lots.

**Comment 13.27:**

- There needs to be a discussion of who will be responsible for the storm drain inlet on Lot 22 that will be collecting drainage not only from Lot 22, but also from the open space between Lot 22 and the existing residences. This drainage is important since it will be flowing and collecting water from an area that will have no caissons or mitigation and is the top of the Qs(?)/Qls(?). This drain will pick up all of the water flowing from the south of the existing residences and on the west side of Stoney Mountain across this open area. It is important to assure that this system is functioning so as to minimize the impact of any water entering into the adverse geologic area. There needs to be a way to assure that nothing will be built over, block, or affect this inlet if this is the design.

**Response 13.27:**

This storm drain inlet will be located outside the of Lot 22 boundary. The proposed HOA will be responsible for the maintenance of this storm drain inlet structure.

**Comment 13.28:**

- The flowline across the graded lower portion in the area of Qls-8 and Qls-9 is unclear. Will the flow line for the water or drainage coming down the canyon in this area actually flow over the road that is the access to the detention/debris basin? If it flows over this area, it may block the road with debris or cause damage to the road in a peak storm, inhibiting the ability to clean out and maintain this basin. Any impact to this basin could adversely impact the downstream area. Additionally, what will be used to minimize the erosion to the buttress?

**Response 13.28:**

In order to minimize the erosion potential at the toe of the proposed buttress, a riprap channel will be constructed in this area. The design details for this channel will be proved in the Final Improvement Plans.

**Comment 13.29:**

- It is discussed in the EIR that there will be a series of caissons placed along the last of the existing residences along Stoney Mountain in the area of Qs-(?)Qls(?). There is no discussion as to how placing of these caissons will be done, what the access will be, and how this can be accomplished. Given the fact that the slopes below these lots are very steep, it should be discussed how the caissons will be placed. Are there any impacts created by this that should be mitigated?

**Response 13.29:**

The applicant originally proposed the installation of caissons behind the last four residences on Stoney Hill to increase the factor of safety for the existing slope under these residences in order to mitigate any potential for the grading proposed at the bottom of the canyon to affect the stability of this slope. As originally proposed, the bottom of the canyon would be excavated to the depth required to encounter competent materials before fill material was deposited on top until the grade necessary to facilitate proper drainage in the canyon. Additional geotechnical analysis completed by Leighton & Associates, Inc., the project geotechnical engineers, provided in **Appendix C**, concludes that the overexcavation of the canyon bottom originally proposed is not required for the type and amount of fill proposed in the canyon bottom. For this reason, the caissons are no longer recommended as the proposed fill in the canyon bottom is likely to increase, rather than decrease, the stability of the existing slope above. As no significant impact to the stability of the existing slope will result from the proposed construction, the caissons are not needed to mitigate a potential impact.

Installation of these caissons would further increase the stability of the existing slope under these residences. The applicant has voluntarily offered to install the caissons if desired by the owners of these four residences.

The caissons would be constructed by drilling at the location of the caissons and pouring concrete into a form placed at each caisson location. Access for construction of the proposed caissons on Lot 22 will be via the landfill access road. Caissons will also be constructed on Lot 31, which is located northwesterly of Lot 22. Construction of the Lot 31 caissons will necessitate that access be taken from the private property adjacent to Lot 31. The access for the construction of the proposed caissons is intended to be through the rear of the southernmost existing residence and the side yards of the adjacent three residences. Permission for this access would need to be provided by the current homeowners, as indicated in this

comment. Any existing site improvements and landscaping adjacent to the existing residences on Stoney Hill Road that needs to be disturbed will be replaced. A portion of the existing standing wall located along the southern perimeter of this residence will have to be removed to allow access for the drilling equipment. This portion of the wall will be replaced after the completion of the construction of the caissons and the grading adjacent to this residence.

**Comment 13.30:**

- Currently, there is a proposal to place a desilting/detention/debris basin at the toe of Qls-5, where the proposed fill abuts the slide. The design of this basin is unclear. It may not be a prudent design to place a desilting/detention/debris basin at the toe of an existing landslide, especially since nothing is known of the actual geometry of the slide or the slide plane. Placing a basin at the toe of the landslide could lead to saturation of the toe of the landslide, which, in effect, could destabilize the landslide or lead to failure of the landslide. The addition of water to the landslide could destabilize the slide and lead to distress of the slide, the proposed fill and the proposed access road to this and the lower detention basin. It needs to be clearly indicated who will be responsible for the continuing maintenance of this proposed debris basin in perpetuity. It will be important to the overall stability of the landslide, fill slope, and overall project that this basin is maintained.

**Response 13.30:**

There is no longer a desilting/debris/detention basin proposed in the particular area referred to by the commenter. See updated Vesting Tentative Tract Map (2<sup>nd</sup> Revised VTTM 53072), dated January 30, 2004. However, there will be a storm drain inlet in this area. Due to the potential hazard of the adjacent landslide, the storm drain inlet area will be designed to protect the inlet from debris and allow for the passage of runoff without ponding. The storm drain inlet, along with the other inlets, could be "as built" surveyed and shown on a maintenance map. This storm drain inlet is proposed outside the mapped limits of landslide Qls-5. At this time, the maintenance of this storm drain inlet, as well as the maintenance of the proposed debris/detention basin at the bottom of the slope, will be performed by the developer. However, future maintenance and drainage easements will be set up for these areas to be regularly monitored and maintained by the future HOA for the project.

**Comment 13.31:**

- On Lot 29, it appears that the top of Qls-1 will be cut off or removed, leaving fractured, dilated and open slide material exposed at the surface. While it is discussed that the caissons will provide a factor of safety of 1.5 for the pad area, this is leaving the top of the slide open for irrigation water and rain water to infiltrate quickly into the open slide material. As this water infiltrates quickly, it can and will likely lead to activation of this slide as a result of the grading and water infiltration. The same can also be said for the area at the top of Qls-2 and Qls-3. Portions of the top of these slides will be cut down and exposed, and caissons will be placed to provide the factor of safety of 1.5 for the road and Lot 28. The top portions of the slides will be exposed and allow for rapid infiltration and possible activation of the slides that abut the road and lots. This needs to be discussed and some form of mitigation provided to assure that the grading will not lead to the activation of these landslides.

**Response 13.31:**

The top of landslide Qls-1 has already been removed. No additional removals within this landslide are proposed for the construction Lot 29. Lot 29 will be located outside this landslide. No landslide removals are intended for Lot 28 (landslides Qls-2 and Qls-3). Additionally, subsurface drainage systems will be installed at the proposed caisson line and under the pad fill cap for these lots, as previously discussed, to reduce the potential for subsurface water infiltration into the slide areas.

**Comment 13.32:**

- Any areas of any lots that are outside of the factor of safety zone need to be clearly delineated for all to be aware of. It is important that no homeowner alter in any way or place upon any of these areas any improvements, as those may be damaged. This is especially true for any changes in drainage, irrigation, or loading of these areas.

**Response 13.32:**

Areas outside the 1.5 factor of safety line will be delineated as restricted use areas in the final as-built map for this project. Any type of construction within these areas will be prohibited.

**Comment 13.33:**

- It needs to be discussed who will own or be responsible for the different open spaces below the proposed lots. Given the geologically sensitive or adverse nature of these areas, who maintains and controls them is important. In many cases, the slides and slumps below lots are being left in place and it is imperative that the owners know this and maintain these open space lots appropriately. If the lots are not maintained, it could lead to failure of these features.

**Response 13.33:**

For detailed information regarding the definition of maintenance responsibilities, please see the Responses to Comments 11.2 and 12.21.

**Comment 13.34:**

- How will all of the homeowners be advised of the geologic sensitivity of the site, especially those areas that are immediately adjacent to lots, that have a factor of safety clearly below 1.5? All homeowners need to be clearly informed in a written form of all of the conditions, restrictions and other special considerations for their properties, and any adjacent properties. If they are not informed of the problems, potential problems, and the need for continuous maintenance, the chances are high that proper maintenance will not occur and structures will be built in restricted areas.

**Response 13.34:**

As-built grading plans, geotechnical reports and maps will be prepared at the completion of the earthwork construction of the project. These documents will be given to the future homeowners and the HOA to ensure they are available to future homeowners. Information provided will include proper maintenance procedures and a list of improper procedures as well.



**Comment 13.35:**

- It is unclear who will be ultimately responsible for the control and maintenance of Lots 30, 31, and 32. This needs to be clearly indicated since maintenance of landslides to be left in place, the manufactured slopes and drainage devices, and the Canyon 8 landfill in general will need to be done in perpetuity for the projects and for the overall public safety.

**Response 13.35:**

For detailed information regarding the definition of maintenance responsibilities, please see the **Responses to Comments 11.2 and 12.21**.

**Comment 13.36:**

- It is unclear who will be responsible in perpetuity for testing and monitoring of the Canyon 8 landfill or any needed mitigation or repairs to the landfill. It should be clear that no homeowners associations will ever be responsible for the Mission Canyon Landfill 8. This needs to be clarified.

**Response 13.36:**

Castle & Cooke will remain responsible for maintenance and performing mitigation activities at Mission Canyon 8 Landfill.

**Comment 13.37:**

- Along with the need to know who will be responsible for and ensure that the maintenance of the improvements and natural conditions on Lots 30, 31, and 32 will be done in perpetuity, it will be important to have that verified. It would be prudent to have a licensed Civil Engineer and a Licensed Engineering Geologist conduct yearly or twice yearly inspections of all of the areas to verify that the maintenance is being done properly, and to advise if there are any problems or need for other maintenance. The licensed individuals should prepare reports of each inspection and submit them to the City of Los Angeles Building and Safety for approval, as well as any entity that would need copies of these reports.

**Response 13.37:**

For detailed information regarding the definition of maintenance responsibilities, please see the **Responses to Comments 11.2 and 12.21**, which discuss the creation of a maintenance plan and inspections.

**Comment 13.38:**

- It would be prudent to have any and all of the drainage devices, improvements, special area of concern, etc, surveyed and placed onto a map to be given to all property owners, Associations, and responsible parties so that the locations are known and maintenance needs are clearly described. This could be utilized in the yearly or twice yearly inspections, as well as given to all contractors such as landscape contractors, etc., for locating the areas and items that need to be maintained.

**Response 13.38:**

Please see the **Response to Comment 11.2** regarding the definition of maintenance responsibilities. Please note that preparation of a maintenance plan to defined maintenance requirements, inspections, procedures, and responsibilities is proposed.

All drainage and subdrainage devices and other remedial improvements will be surveyed and will be shown on as-built maps at the completion of the grading. The as-built maps will be made available to all property owners, Associations, and responsible parties so that the locations are known and maintenance needs are clearly described and delegated.

**Comment 13.39:**

- It is indicated that there could be cut or fill on the top of Canyon 8 landfill. Hopefully it would only be fill and not cut. It would not be prudent to cut-off the top of the landfill, especially since that was placed as part of the cap of the landfill.

**Response 13.39:**

The location of the designated balance area has been revised so that the balance area is now located adjacent to but not within the limits of the existing landfill.

**Comment 13.40:**

- It is proposed to place caissons along the south and west sides of the last four existing properties on the west side of Stoney Hill. This is to protect these properties from Qs-(?)/Qls(?). The slopes below these properties are very steep, and difficult to get access to for the placement of any caissons for stabilization. It needs to be indicated how these caissons will be placed or constructed on these properties. Will the caissons will be placed on these properties, or just outside the property lines on to Lot 3 1? The placement of caissons along the southern property boundary of the last property may be difficult due to the location of the existing storm drain. It needs to be indicated how the caissons will be placed in this location due to the obstruction.

**Response 13.40:**

Please refer to the **Response to Comment 13.29** for additional information on the proposed location of the caissons and the method of construction.

**Comment 13.41:**

- Will the proposed storm drains, sewers, and sewer pumps be public or private? Who will be responsible for the proper maintenance and repair of these storm drains, sewers, and sewer pumps? The maintenance of these systems will be very important given the geologic sensitivity of the areas, especially those areas which will have a factor of safety of below 1.5. If any water were to escape out of these systems, it could have a very adverse effect on the geologically sensitive areas and the surrounding areas arid properties.

**Response 13.41:**

Please see the **Response to Comment 11.2** regarding the definition of maintenance responsibilities. Please note that preparation of a maintenance plan to defined maintenance requirements, procedures and responsibilities is proposed. Proper design, construction, maintenance and inspection of these facilities will minimize the potential for any water to leak from the drainage system. In addition, please note that a majority of the utilities will be located within the proposed streets. The proposed extension of Stoney Hill Road would be located in a cut area and not a fill area. Cut areas are by nature more stable than fill areas which will minimize the potential for the type of problems identified in this comment.

**Comment 13.42:**

- It appears that, on certain lots on Stoney Hill Road, there may be vertical walls up to or over ten feet high between lots. This includes walls between Lots 8 and 9, 12 and 13, 13 and 14, 15 and 16, and 24 and 25. This is based on the ten foot elevation difference between the lots, and the marking for walls. Additionally, there appears to be an approximate 20 foot elevation difference between Lots 21 and 22, as well as a difference between Lots 5 and 6 of approximately 13 feet. It is unclear from the plans how much will be an interlot 2:1 slope and how high the walls will actually be. This needs to be shown on the plans and clarified. The designs for these walls need to be shown and discussed, including the height of the walls, and the stability of these walls. Additionally, there is a need to assure that proper drainage control such as drains behind the wall and waterproofing along the walls, is utilized, so as to preclude seepage, mold and other problems along walls of this height that will be facing the first, as well as possibly second, story building sides and windows.

**Response 13.42:**

The proposed retaining walls between the side yards of the residential lots have been redesigned so that all are 6 feet or less in height. Wall heights have been reduced where necessary by adding 2:1 slopes where needed to adjust the grade as necessary. If a higher wall is determined to be needed at any location during final design, a variance will be applied for, as required by City standards. Any such variance application is subject to the review and of approval of the City. Detailed wall and slope configurations will be shown at the 40-scale grading plan level. Design and construction recommendations for these walls will be provided at that time.

**Comment 13.43:**

- It is unclear what the proposed build out schedule for the developed lots will be, and if all construction equipment involved in the construction of the lots, buildings, etc., (especially along the extension of Stoney Hill) will be limited to access only along or from the emergency road that runs over the Canyon 8 landfill. It has been stated that all of the grading equipment will access the site only along the emergency road as to not impact the roadways within the existing developments. Will the same be true for the rest of the construction equipment? This needs to be clarified as it may have an impact on the environmental quality. It is unknown if the lots will all be sold and then have residences built by the private owners, which could take an extended period, or if the developer will build out each lot, which should be a much shorter time. This needs to be clarified.

**Response 13.43:**

As indicated in this comment, it is the intent of the applicant to use the proposed emergency access road for all construction access to the Stoney Hill portion of the project and that construction traffic not use Mountaingate Drive or other existing streets in the Mountaingate community to access the Stoney Hill portion of the project. If temporary use of the existing street system is necessary during construction for any reason, the applicant will notify the Mountaingate Community Association to discuss and coordinate this activity.

**COMMENT No. 14**

September 17, 2003

John B. Murdock, Attorney At Law  
1209 Pine Street  
Santa Monica, CA 90405

**Comment 14.1:**

Re: EIR-99-325 1 -SUB (Mountaingate)  
Comments On DEIR

Dear Mr. Liao:

This letter is presented on behalf of my client, the Brentwood Hills Homeowners Association, in response to the request for comments on the above-referenced DEIR per your letter dated July 23, 2003.

**VISUAL IMPACTS**

Our primary concern is the inadequate treatment of "Aesthetic Resources/View" in Section IV.S of the DEIR, which states that it identifies the "views of the site from surrounding areas as seen from off-site public vantage points" (id., p. IV.S-1). After correctly noting that "The most valued visual character of the area surrounding Mountaingate is natural open space" (S-4), the DEIR fails entirely to provide any analysis of the viewshed impacts from the public hiking areas across Mandeville Canyon to the west. The DEIR fails to provide any sightlines, photographs, renderings, or data of any kind which gives the reader any idea whether there will be an impact from the public vantage points of the natural open space areas recently preserved by the City and the Santa Monica Mountains Conservancy. In addition to these public viewshed impacts, the impacts on scenic resources will be felt by Homeowners living in the Westridge Tract. The impacts of concern are caused by the proposed construction of homes along the Canyonback ridgeline on lots 23 through 29.

At page IV.S-10, the DEIR states that "a visual/photographic simulation of the homes was prepared by Impact Sciences based on field reconnaissance, project design features, preliminary engineering plans and photographs of the project area," yet all we find in the DEIR are two photographs, "Existing view 1", and "Existing view 2". Where are the simulated views? It is quite obvious that simulated views were prepared and then omitted from the DEIR, possibly deliberately, so that the impacts would go undetected.

The conclusions found on page IV.S-5, to wit, that "Project impacts would be less than significant and no mitigation measures would be required," and that "No adverse impacts would occur with the implementation of this project," are incorrect. Since there has been no analysis presented, the conclusions are mere speculation. What we request is a Supplement to the DEIR, properly circulated for public review, which includes the above-referenced graphics and a comprehensive analysis of how the proposed structures on lots 23-29 will (or will not) be visible from the hiking trails and the homes on the areas to the west of the subject property.

The photographs depicting the view from the 3200 block of Mandeville Canyon Road do nothing to demonstrate what will be seen by the naked eye, even from this obscure vantage point in the canyon floor. This analysis violates the very language quoted from the L.A. Guidelines at p. IV.S-10, which requires analysis of "The extent to which the project affects recognized views available from a length of a public roadway, bike path, or trail, as opposed to a single, fixed vantage point." The EIR should contain a series of photos from different vantage points, and each one should have superimposed on it the structures representing what the ridge will look like upon completion. Figure IV.S-2 is nothing but a picture of hillside, with no reference of any kind to the proposed structures, where they will be located, or what they will look like. It appears that the DEIR is attempting purposely to sidestep the issue.

We request that the applicant be required to place poles with flags or pennants showing the heights and widths of the proposed structures on these lots, so that the visual impacts can be readily observed from a

distance. Enclosed for your information is a recent article from the L.A. Times (August 28, 2003) demonstrating how effective this method, called "silhouetting", has been in the Palos Verdes area. It is certainly a low-tech, low-cost method of allaying the concerns of apprehensive citizens by showing exactly what the impacts will be, with photographs that can be included in the SEIR. If the structures are not at all visible, as the DEIR states, this will be evident. On the other hand, if the structures will impair the aesthetic views toward otherwise natural ridgelines, this must be disclosed and mitigated by the selection of alternatives, or the alteration and placement of the structures. The DEIR considers only two vantage points (Mandeville Canyon road and Sepulveda pass), neither of which provide insight into the impacts which may be visible from public hiking areas along the western ridges of Mandeville.

At page IV.S-9, there is an entire paragraph discussing "Views from Adjacent Land Uses" which is limited entirely to what the residents of Mountaingate will see. There is no discussion of what the residents across the way, on the west ridge of Mandeville Canyon, will see.

Apart from the proposed seven lots' visibility from portions of the Brentwood Hills community, they will be even more obtrusive when seen from the Westridge Fire Road and parallel hiking trail. These connect Westridge Road in Brentwood with the San Vicente Mountain Park on Dirt Mulholland, gateway to the 18,000-acre "Big Wild" wilderness. This fire road and trail are used for hiking, mountain-biking, picnicking, and other recreational uses by thousands of members of the public, especially on weekends. In the mid-1990's, over ten thousand people from every part of the City signed Petitions leading eventually to the acquisition of the Boeckmann and Tucker/Eastport land as wilderness public parkland by the City of Los Angeles and the Santa Monica Mountains Conservancy. This land commands sweeping panoramic views in every direction, from the Channel Islands and Catalina; to the Laguna Mountains in Orange County; Mount Wilson, Mount Baldy to the Santa Susannas. The proposed degradation of the Canyonback ridgeline in such close proximity to this parkland will have impacts which are completely ignored or overlooked in the DEIR. Enclosed for your information and for the record is a photograph taken from the hiking area looking toward the Canyonback ridgeline as it now exists. The Supplemental DEIR should show the impacts on this ridge with simulations showing structures proposed by the applicant.

The "Initial Study and Checklist" prepared by the City Planning Department correctly stated that all four of the potential impacts under Aesthetics would be "potentially significant unless mitigation [is] incorporated", including the following:

[The project would have a potential to]:

- a. Have a substantial adverse effect on a scenic vista
- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural features within a City-designated scenic highway
- c. Substantially degrade the existing visual character or quality of the site and its surroundings
- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

Thus, the Initial Study recognized at the very outset that the impacts might require mitigation, yet the DEIR has studiously avoided these obvious conclusions by presenting two photographs from static and essentially unrepresentative vantage points to draw the conclusions of "no impacts; no mitigation needed". Please correct this deficiency in the Final EIR by providing a Supplemental DEIR which includes the construction of poles, pennants, and actual photographs from the public hiking and biking trails in the vicinity as well as adjacent residential uses on the west side of Mandeville Canyon.

**Response 14.1:**

Please refer to the **Response to Comment 3.1** for a detailed discussion about supplemental visual impact analyses prepared for the proposed project. Supplemental visual analyses were prepared for the Final EIR in response to comments received on the Draft EIR. In response to these comments, particular attention was paid to the Upper Mandeville and Westridge neighborhoods and to the public trails in the area, both west and east of the project site. These additional analyses support the conclusions in the Draft EIR that the project would not result in a significant impact on the visual character of the site and surrounding areas.

These additional studies show that a limited number of the proposed homes and/or roofs of the proposed homes would be visible to varying degrees from the locations studied. Views of the site from various public viewing points in the area would also include views of existing Mountaingate community homes and/or the existing golf course as well as additional developed areas. From the residential neighborhoods and trails to the west and northwest of the Mountaingate community, the view of the proposed homes would not significantly change the visual character of the area due to the distance, topography, and the limited amount of the proposed development that would be visible. The new proposed homes would extend the existing edge of the Mountaingate community slightly further to the south. As a result of the limited impact of the proposed project on existing views, implementation of the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, nor would it create a substantial adverse effect on a scenic vista.

Story poles to identify the height and location of proposed structures were placed on Lots 28 and 29, as suggested in several of the comments received on the Draft EIR. The use of story poles was determined not to be an effective technique for the proposed homes on Canyonback because a majority of the lots would be created by excavation, and the final building pad grades would be below the existing grades. As a result, most rooftops would be near or below the existing grade.

Photo simulations for the proposed project were not prepared for inclusion in the Draft EIR. The Draft EIR has been revised to reflect this. These revisions are noted in **Section II, Corrections and Additions of the Draft EIR**.

The CEQA *Guidelines*, Section 15163 identify a Supplemental EIR as being an alternative to a Subsequent EIR. The CEQA *Guidelines*, Section 15162, indicate that a Subsequent EIR is prepared after certification of an EIR has occurred, and the Draft EIR has not yet been certified. Circumstances under which an EIR may require recirculation are discussed in Section 15088.5 of the CEQA *Guidelines*. According to the

standards set in Section 15088.5, recirculation of the Draft EIR for this project is not required. The CEQA *Guidelines* state that a lead agency is required to recirculate an EIR when significant new information is added to the EIR. This information can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. Significant new information requiring recirculation could include a new significant environmental impact or a substantial increase in the severity of an environmental impact. The information provided in responses to this comment and other comments in this Final EIR do not identify a new significant environmental impact or a substantial increase in the severity of an environmental impact. The Draft EIR concluded that no significant visual or aesthetic resources impacts will occur as a result of project implementation. Additional visual analyses as requested in this comment and others, such as **Letter 3** submitted by Councilwoman Cindy Miscikowski, have been prepared, as discussed above. These additional analyses support the conclusion reached in the Draft EIR. No significant visual or aesthetic resources impacts will occur as a result of project implementation. According to the CEQA *Guidelines*, recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR. The responses provided to this comment and to other comments received in response to the Draft EIR do clarify, amplify, or make insignificant modifications to the Draft EIR. Therefore, recirculation of the Draft EIR is not required.

**Comment 14.2:**

**ALTERNATIVE ANALYSIS**

The DEIR discusses the "Stoney Hill Ridge Development Only" alternative and concludes it is the environmentally superior alternative, pointing out that "the existing 'unofficial' trail along Canyonback ridge would remain in its current location." The discussion then cites each category of impact that would be less severe than the proposed project, but fails to quantify the reductions. For example, it is admitted that "this alternative would not require the same amount of grading as the proposed project," but no specifics are provided as to the amount of the reduction, other than "approximately nine fewer acres of land would be developed." (p. VI-6). Please provide a detailed breakdown of the amount of grading proposed for lots 23-29. Unlike water consumption, or utilities, public services, or traffic data, which would involve pro-rata reductions, there is no way a reader can even guess at the reduction in grading impacts since no specifics are set forth for the grading needed for each lot. At page VI-7, it is admitted that the aesthetic impacts would be reduced, because "impacts associated with development along the Canyonback ridgeline would not occur." (id). As discussed supra, there is no visual or graphic presentation of the severity of those impacts, nor any discussion *at all* of the impacts from public parklands to the west of the site, hence this discussion fails to provide any insight at all into the desirability of opting for this alternative. Given that it is clearly stated that the "*Implementation of the Stoney Hill Ridge Development Only Alternative would meet the objectives of the proposed project,*" (p. VI-8), it is necessary to present a more detailed and quantifiable analysis along with the visual aids requested, supra.



**Response 14.2:**

Please refer to the **Response to Comment 6.2** for more detailed information regarding grading and grading impacts. As discussed in that response, the earthwork associated with development of the seven Canyonback lots (Lots 23–29) includes grading for the required maintenance access road to the debris/detention basin in the adjacent canyon. Eliminating these lots would not, therefore, eliminate all the grading on this portion of the site. Specifically, the design of the maintenance road to the basin is dependent on the proposed cut of the Canyonback ridge, and the fill of the adjacent canyon slope. The maintenance road has been located to descend into the canyon at the most favorable canyon gradient and to minimize encroachment into existing landslide areas. In addition, the building pads for both Canyonback and Stoney Hill have already been terraced to minimize grading impact on the natural terrain and to join the variable street grade.

Please refer to the **Response to Comment 5.3**. As discussed in that response, a new design for the debris/detention basin is proposed that will minimize impacts to biological resources in Bundy Canyon to the fullest extent feasible.

The CEQA *Guidelines*, Section 15126.6(c) states that the range of potential alternatives to the proposed project addressed in an EIR shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects of the project. As discussed on page VI-8 of the Draft EIR, implementation of the Stoney Hill Ridge Development Only Alternative would meet the basic objectives of the proposed project. Environmentally, this alternative would result in slightly lower levels of environmental impacts for all the topics assessed in the EIR when compared with the proposed project. However, for the one topic this EIR has identified unavoidable significant impacts, Animal Life, this alternative would not be able to avoid this impact. Therefore, project implementation under this alternative would also result in an unmitigated significant impact to the environment. Also, the grading down the entire canyon east of Canyonback Road would still be needed to allow for the access road to maintain the debris/detention basin and to remediate the landslide in that area. Providing an access road to the debris/detention basin from the Stoney Hill development is not considered feasible to due to geotechnical and topographic limitations. These limitations could require substantial changes to the grading design which could have cost implications and geotechnical, biological resources, and drainage impacts. For this reason, the impact to the bottom of Bundy Canyon would not be reduced under this alternative.

As discussed in the Draft EIR on pages VI-8 and I-58, the loss of seven residential lots would reduce the revenue needed to make the project financially feasible for the project applicant.

Even if the Canyonback homes are not built, remediation of the existing adjacent landslides would still be required. Slide remediation consists of caissons to be installed to create structural integrity between existing slide and road access as well as remedial grading to remove a landslide. These caissons will provide structural integrity to the road from the existing end of Canyonback for maintenance access to the debris/detention basin. The project as currently designed provides a reasonable return on risk and investment for the applicant. Elimination of Lots 23 through 29 on Canyonback would create an unreasonable return for the following reasons: (1) Since the most feasible access to the debris/detention basin is through an extension of Canyonback Road, elimination of Lots 23 through 29 (24 percent of the total lots) would not save a proportionate dollar amount in the construction; and (2) a larger amount of the landslide remediation and biological remediation efforts occurs as a result of the scope of work at Stoney Hill Road. Specifically, the cost to develop the road to the detention basin is fixed and unrelated to the cost to develop the seven lots on Canyonback Road. Existing infrastructure for the Mountaingate tract was sized and constructed to accommodate development at a greater intensity than that proposed by the project. Therefore, the only cost savings from not developing these seven lots would be the costs associated with grading the building pads on these lots and providing the utility connections. The sales proceeds from Lots 23 through 29 are needed to help defray these significant remediation costs and reduce the average financial cost of each lot in the project. A savings of less than \$2 million in costs would result if Lots 23 through 29 are eliminated with a corresponding reduction of more than \$7 million in income, which would be used to offset the significant remediation costs, most of which occur as a result of development of Lots 1 through 22. This smaller reduction in costs in relation to the loss in revenue would make the project financially infeasible.

Given that this alternative would not avoid the significant impact of the proposed project on Animal Life identified in the Draft EIR, and would not be financially feasible for the applicant, this alternative has been removed from consideration.

Please refer to the **Response to Comment 3.1** for a detailed discussion about supplemental visual impact analyses prepared for the proposed project. A portion of Canyonback Road would still need to be developed even if the homes on Canyonback Road are not built. This portion of Canyonback Road would be developed to reach the access road leading to the debris/detention basin. As a result, the retaining wall along Canyonback Road near the knoll would still need to be built, and portions of this wall would be visible from some points along the public trails located to the west of the project site and from Canyonback Road.

**Comment 14.3:**

**GATE AT CANYONBACK ROAD**

The DEIR states that the seven (7) residential lots located on Canyonback ridge "would include a gate and pedestrian access at the entrance to the six (6) of seven (7) residential lots on Canyonback Road." This language is vague and ambiguous regarding the locking or unlocking of the gate and pedestrian access. The current terminus of the Canyonback fire road provides a hiking trail which would be impeded if this gated pedestrian access is locked. Past experience with the gated entry to Mountain Crest Lane, immediately adjacent to the proposed Canyonback Road extension, shows that this will create impediments to through hikers. Please explain in detail what is suggested by the language, and what mitigation measures would insure that the passageway is not locked or blocked.

**Response 14.3:**

Please refer to the **Response to Comment 6.3**. The State Canyonback Trail will be realigned and constructed to maintain public access. The applicant will consult with the Santa Monica Mountains Conservancy on final trail design plans. The proposed Canyonback Road gate will include a pedestrian gate for hiking access which will remain unlocked or a trail will be provided around the gate. During construction, the trail access will be maintained and fencing for safety will be provided along with temporary trail access.

**Comment 14.4:**

**LANDSLIDE ISSUES INADEQUATELY DISCUSSED**

We note that lots 23-29 are surrounded by no less than 7 landslides shown on Figure IV.A-1 (QIs-1 through QIs-7). As one might expect, the developer's consultants recommend measures to correct these conditions, however, it is the City taxpayers who always foot the bill when the landslides occur after allowing the development to go forward. Aside from the mitigation measures discussed in the EIR, will the City require adequate bonding to indemnify the City against liability from geologic failures after the homes are built and occupied?

**Response 14.4:**

Geotechnical studies prepared for the proposed development have thoroughly studied the landslide risk, and all risks have been appropriately mitigated or avoided through project design. The project will provide bonding as required by the City.

**Comment 14.5:**

The DEIR vaguely states that the consultants' study recommends that the project "would need to remove and/or rework/replace unsuitable or potentially compressible subsurface material such as colluvium, alluvium, and landslide materials." The DEIR needs to be more specific in providing adequate details about what mitigation measures would actually suffice to stabilize each individual site. It has been the past position of the City geologist to require stabilization of the entire slide mass when a project is proposed, therefore the details of whether and how this can be accomplished should be set forth for public scrutiny in the text of the EIR. The pages in the consultant's "March 2003" Geotechnical Report footnoted at page IV.A-7, if this is indeed the same report found in Appendix I, do not provide the information suggested by the footnotes. Footnote 3 tells us to look at p. 3 of the Report for the assertion that the "Geotechnical Report identified these typical conditions for the development area of the project site," yet page 3 does not discuss these conditions at all, it discusses "Streets and Lots," then it discusses the height of slopes. Similarly, the reference to "pp. 13-14" in footnote 4 does not appear to match the text,

since pages 13-14 of the March report do not set forth recommendations for removal of landslide materials or construction of buttresses, they merely describe the existing landslides. A slippery slope starts with a sloppy DEIR.

**Response 14.5:**

Table 2 "Summary of Landslides & Slumps & Recommended Mitigation Measures" of Leighton & Associates, Inc.'s report, dated March 18, 2003, outlines the proposed mitigation measures for the landslides and slumps that impact the proposed development. Table 2 also indicates which lots are impacted by these landslides and slumps. Leighton & Associates, Inc.'s geotechnical report is provided in Appendix A of the Draft EIR.

The Draft EIR text on page IV.A-7, third full paragraph, is revised to delete footnote references 3 and 4.

**Comment 14.6:**

The existence of 7 identified landslides forming a ring around lots 23-28 certainly provides a persuasive argument for adoption of the Environmentally Superior Alternative, "Stoney Hill Ridge Development Only". The DEIR provides no insight as to why this alternative should not be adopted, thereby avoiding the visual impacts discussed above as well as the landslide liabilities inherent in developments such as this.

**Response 14.6:**

Please refer to the **Responses to Comments 14.2** and **14.8** for a detailed discussion about why the Stoney Hill Ridge Development Only Alternative is not feasible.

Geotechnical studies prepared for the proposed development have thoroughly studied the landslide risk, and all risks have been appropriately mitigated or avoided through project design.

With regard to the landslides referenced in this comment, Lots 23 through 27 are not impacted by landslides. Lots 28 and 29 are located outside the adjacent landslides and construction of caissons has been recommended to meet code requirements for the structural integrity of these two lots.

**Comment 14.7:**

**POWER LINE ISSUE NOT DISCUSSED**

Proposed lots 23-29 are in close proximity to, and directly facing toward, the huge power towers and lines, providing an unsightly and most likely unsaleable set of lots that, after extensive grading, would sit vacant and unsold. Who will spend more than a million dollars for a lot whose yard faces huge towers with numerous power lines stretching across the sight line? The DEIR should address the issue in detail, including the impact of those power lines on any children who should venture forth from the proposed home sites to play under the erector-set like structures.

**Response 14.7:**

Lots 23 through 28 on Canyonback Road would be cut with slopes toward the east. Therefore, views from these lots would be oriented toward the east, away from the tower.

The proposed homes will be located approximately 300 feet and more from the nearest tower, located near the Canyonback Trail. The project will not increase accessibility to the towers. The Canyonback Trail currently provides public access to the area. In addition, the ladders to towers are not accessible from ground level. For these reasons, no significant impacts will result from these towers.

**Comment 14.8:**

**LACK OF INFORMATION REGARDING FEASIBILITY OF ALTERNATIVE**

The environmentally superior alternative has been identified, yet there is no information anywhere in the DEIR as to the feasibility or infeasibility of choosing this alternative, from a financial point of view. The applicant should be required to provide documented cost and expense projections to demonstrate the viability or non-viability of the alternative with no lots developed on Canyonback ridge. This information should not be withheld from public scrutiny, since it is frequently stated by developers that less intensive development is not financially viable. If the lots on Canyonback ridge are not developed, presumably a savings will be realized in the cost of grading and landslide stabilization remediation. These figures should be openly revealed so that the alternative is intelligently studied by the decision-maker.

**Response 14.8:**

Please refer to the **Response to Comment 14.2**. As discussed there, while the Stoney Hill Ridge Development Only Alternative would meet the basic objectives of the proposed project to some degree, it would not be financially feasible for the applicant.

**Comment 14.9:**

Further, the DEIR provides no details about whether providing 7 extra multi-million dollar homes on top of this ridge meets any identifiable need for housing in this area of the City. If there is, instead, a greater need and demand for affordable housing and low-income housing, perhaps the traffic impacts associated with building these additional Mountaingate homes should be shelved and reserved for future housing of a different kind elsewhere in the City. Is there such a crushing demand for mountain-top mansions that the City should sacrifice its scenic vistas, create potential landslide liabilities, and add to traffic congestion by approving these lots, or should the alternative be adopted which lessens or removes these impacts? We do not find any meaningful analysis of these issues in the DEIR.

We know other interested parties will raise comments on other perceived deficiencies of the DEIR, and rather than repeat those here, we incorporate them by reference and reserve all rights to present additional evidence on these matters in the future.

**Response 14.9:**

The proposed project would provide additional single-family housing within the Brentwood-Pacific Palisades District Plan area to address the 18 percent population increase projected for that area as described in the Housing Element of the City of Los Angeles General Plan. The project's addition of 29

dwelling units and approximately 82 persons would be consistent with the forecasts and planned growth for the area, as noted on page VII-2 of the Draft EIR. The project would provide high quality homes in order to respond to the demands of individuals and families seeking those housing opportunities in the Brentwood-Pacific-Palisades District Plan area and would be consistent with the standards of the residences of the existing Mountaingate community.

**COMMENT No. 15**

September 22, 2003

James Wright  
For the Board of Directors  
Upper Mandeville Canyon Property Owners' Association (UMCA)  
P.O. Box 49845  
Los Angeles, CA 90049

**Comment 15.1:**

RE: Request for Comments on Draft Environmental Impact Report

EIR Case No: EIR-99-3251 -SUB  
Project Name: Mountaingate  
Reference Nos: TT-53072  
Location: 2050 Stoney Hill Road / Canyonback Road

The Upper Mandeville Canyon Association (UMCA) has reviewed the Draft EIR for the proposed 29 lot development in the above referenced project. Prior to the preparation of this response, representatives of UMCA also walked the property, and using the plan drawings provided in the DEIR, examined the location and spatial characteristics of each proposed lot relative to our community.

Indications in the DEIR that this is the last proposed entitlement in the Mountaingate project are indeed hopeful, but not necessarily cause for comfort or less consideration of the impact of the project. The removal of 56 acres of open space through the cut/fill and grading of over 1.0 million cubic yards of natural hillsides and canyons is always cause for serious concern.

The UMCA community of approximately 300 homes and adjacent communities (Associations) of Brentwood Hills (BHHA) and Lower Mandeville Canyon (MCA) encompassing an additional approximately 1000 homes, are established neighborhoods on hillsides and canyons adjacent to Mountaingate. Since the 1970s, we have been and continue to day to be directly impacted by virtually any development in Mountaingate. In particular, we are focused on the 7 lots on the Canyonback ridge portion of the proposed development. We have had considerable discussions regarding this project with our neighboring Associations individually, and through our Tri-Association meetings.

We believe the Draft EIR has not adequately addressed several issues related to this portion of the development, and its impact on our community and neighboring communities. We would like these issues addressed in the revised (Final) EIR and in the reality of the lot development program, should this property be granted entitlements. These comments relate specifically to the 7 lots proposed along the Canyonback ridge.

1. Viewshed - Although we believe that homes built on the proposed Canyonback lots (7) will generally not be able to be seen by most residents of Mandeville Canyon (UMCA), the grading and the home development will be clearly visible to any hiker, jogger or bike rider from the Westridge fire-road/trail to the west, diminishing the natural beauty associated with using the trail. Further, we believe that some residents of the upper portion of Westridge that face eastward may directly view some of the homes along both the Canyonback and the Stoney Hill Road portions of the development.

The Draft EIR is conspicuously weak in this category of analysis. We request that the continuing EIR/approval process investigate the sightlines, view corridors and viewshed characteristics in some detail, prepare renderings (including potential home construction) of the potential impact on the views from the Westridge fire-road/trail and the Westridge community (BHHA), and present these to all interested communities and users of the Westridge fire-road/trail and other recreation trails in the area. Additionally, we believe it is essential for the developer to erect poles, flags, netting, and other appropriate markers/"props" to clearly identify the location and maximum construction

"envelope" of homes to be built on these lots. This demonstrative representation of the potential viewshed issues for our communities is the best way to understand the impact. This demonstration program would need to be coordinated with our communities so that its specific time and duration can be identified for viewing and assessment by members of our Associations.

**Response 15.1:**

Please refer to the **Response to Comment 3.1** for a detailed discussion about supplemental visual impact analyses prepared for the proposed project. Supplemental visual analyses were prepared for the Final EIR in response to comments received on the Draft EIR. In response to these comments, particular attention was paid to the Upper Mandeville and Westridge neighborhoods and to the public trails in the area, both west and east of the project site. These additional analyses support the conclusions in the Draft EIR that the project would not result in a significant impact on the visual character of the site and surrounding areas.

These additional studies show that a limited number of the proposed homes and/or roofs of the proposed homes would be visible to varying degrees from the locations studied. Views of the site from various public viewing points in the area would also include views of existing Mountaingate community homes and/or the existing golf course as well as additional developed areas. From the residential neighborhoods and trails to the west and northwest of the Mountaingate community, the view of the proposed homes would not significantly change the visual character of the area due to the distance, topography, and the limited amount of the proposed development that would be visible. The new proposed homes would extend the existing edge of the Mountaingate community slightly further to the south. As a result of the limited impact of the proposed project on existing views, implementation of the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, nor would it create a substantial adverse effect on a scenic vista.

Story poles to identify the height and location of proposed structures were placed on Lots 28 and 29, as suggested in several of the comments received on the Draft EIR. The use of story poles was determined not to be an effective technique for the proposed homes on Canyonback because a majority of the lots would be created by excavation, and the final building pad grades would be below the existing grades. As a result, most rooftops would be near or below the existing grade.

**Comment 15.2:**

We request that the EIR further develop/propose and ultimately incorporate into its development plan, cost estimates for natural plantings and other mitigation measures to obscure the retaining wall and other related grading required to establish Lot 29, 28 and 23-27 along Canyonback facing west.



**Response 15.2:**

Natural vegetation will be planted to screen the retaining wall along the Canyonback Road curve by the knoll. All graded slopes will be revegetated. The grading for these lots is limited to the ridge top. Lots 23 through 28 on Canyonback Road would be cut with new slopes facing toward the east, not the west. Therefore, views are oriented toward the east. All cost for planting will be borne by the developer.

**Comment 15.3:**

2. Recreation Access - The Canyonback portion of the proposed development currently serves as a recreation corridor connecting Kenter Canyon to the Santa Monica Mountains Recreation Area (specifically the Eastport-Tucker property). The prospect of removal of this access from the development of lots for private homes, and the likelihood that the home development will be guard-gated is an unacceptable aspect of this proposed project.

We request that the subsequent EIR revisions incorporate access from Kenter Canyon, connecting through Mountaingate to the Santa Monica Mountains Recreation Area. Many residents of Mandeville Canyon and BHHA, as well as other visitors, hikers, runners and bikers utilize the current fire-roads and trails through this area. Connection to the dedicated recreation areas of the region from residential communities and other open space/trails into the area is vital to the integrity of mountain recreation, as well as for wildlife.

**Response 15.3:**

Please refer to the **Response to Comment 6.3**. The Canyonback Trail will be realigned and constructed to maintain public access. The applicant will consult with the Santa Monica Mountains Conservancy on final plans. The proposed Canyonback Road gate will include a pedestrian gate for hiking access which will remain unlocked or a trail will be provided around the gate.

**Comment 15.4:**

3. Lighting - Homes built on the lots proposed by this development will be large, and will have associated with them significant outdoor amenities and hardscape. These areas will be well lit for personal use, safety and for entertainment. In all cases, the backyards of the Canyonback lots will face west toward Mandeville Canyon and Westridge. The glow of outdoor lighting will be able to be seen by the residents of Mandeville Canyon and will be a significant change to our environment.

The developers of this property must consider this factor and evaluate and recommend specific mitigation measures to reduce this impact. Through lot/pad design, home development restrictions, specific restrictions as to the design, intensity, height and direction of lighting, vegetation to reduce illumination to the west, or other methods or provisions through CCRs associated with the property, a program to reduce this impact is essential for further consideration of entitlement.

**Response 15.4:**

Please refer to the **Response to Comment 6.11** for a detailed discussion about potential lighting impacts resulting from implementation of the proposed project. As discussed there, Mitigation Measure 3 on page IV.E-17, in Section IV.E, Animal Life, of the Draft EIR, states that all lighting along the perimeter of

natural areas shall be downcast luminaries with light patterns directed away from natural areas. The proposed mitigation measures for lighting will mitigate lighting impacts to a less than significant level.

Please refer to the **Response to Comment 3.1** for a detailed discussion about supplemental visual impact analyses prepared for the proposed project. As shown on Site Sections CC and DD in **Figure III-3**, the proposed homes would not be visible from Mandeville Canyon Road. Lots 23 through 28 on Canyonback Road would be cut with slopes toward the east. There may be minimal lighting impacts from the home on Lot 29.

**Comment 15.5:**

4. Noise - During construction of the lots and homes, and in particular the grading phase, considerable noise will be generated by earth moving equipment. The canyon areas are well known for the reverberation of noise across ridges. Noise can travel far and be easily heard by many more residents of the area than the developer may think. Additionally, construction noise levels are much more distinguishable in areas which are generally free of large volumes of traffic and have significantly lower ambient noise levels than normal residential neighborhoods.

Further development of the EIR should consider specific mitigation measures regarding noise including limitations of hours/days of operation, equipment adjustments and other techniques or requirements to reduce noise. Further, the plan of development should incorporate a community relations program that identifies to all residents to the west (specifically Upper Mandeville Canyon and the higher elevation of Westridge) the daily time periods and duration of grading operations.

UMCA submits these comments regarding the Draft EIR of the proposed project in the best interests of clarifying the impacts of the project for the developer and the City of Los Angeles, and in the interests of responsible mitigation to issues of concern from the adjacent communities.

If you have any questions regarding our comments, please do not hesitate to contact us.

**Response 15.5:**

Noise impacts from construction of the proposed project were analyzed in the Draft EIR in Section IV.F, Noise. The City of Los Angeles has designated a maximum allowable noise level of 75 dB(A) measured at 50 feet from the noise source operation in any area that is within 500 feet of any residential zone. Operations in such areas that exceed 75 dB(A) at 50 feet from the noise source are not allowed by the City unless use of all feasible noise reduction devices and/or techniques cannot satisfactorily attenuate noise levels. Periodic noise levels of up to 90 dB(A) could occur on off-site residential properties within 100 feet of the loudest construction equipment. Periodic construction noise levels would be noticeable to residents at home during the time of construction operations, and would constitute a temporary adverse change in the ambient noise environment at these off-site residences. As a result of the temporary increase in noise levels at the adjacent residential uses, construction noise impacts are considered to be significant. Due to the distance of the residences in Mandeville Canyon, the existing topography which

will serve as barrier for construction noise, and the limited duration and hours of construction, impacts to residences in this portion of Mandeville Canyon will be less than 90 dB(A).

The proposed project will comply with the City of Los Angeles Municipal Code (LAMC) Noise Ordinance, highlighted on pages IV.F-6 and IV.F-7 of the Draft EIR. Per LAMC Section 41.40, construction restrictions are in place between the hours of 9:00 P.M. and 7:00 A.M. Additional construction restrictions are established before 8:00 A.M. or after 6:00 P.M. on any Saturday or national holiday, or at any time on any Sunday.

The proposed project will also comply with LAMC Section 112.05, which establishes performance standards for powered equipment of tools.

Additional mitigation measures as suggested in this comment will be considered.

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