# Memorandum

Date:April 17, 2020To:All Reviewing AgenciesFrom:Scott Morgan, DirectorRe:SCH # 2020020548Chadwick Ranch Estates Specific Plan

Pursuant to the attached letter, the Lead Agency has *extended* the review period for the above referenced project to **April 30, 2020** to accommodate the review process. All other project information remains the same.

Please contact the Lead Agency for further information if you no longer have the project.

cc: Trayci Nelson, Project Manager City of Bradbury 600 Winston Avenue Bradbury, CA 91008 City of Bradbury

## **UPDATED NOTICE OF SCOPING MEETING**



**DATE:** April 6, 2020

**TO:** Responsible Agencies, Trustee Agencies, CA Office of Planning and Research and Other Interested Parties

**SUBJECT**: Updated Notice of Scoping Meeting (Original Notice of Preparation of an Environmental Impact Report and Scoping Meeting sent February 27, 2020)

Project Title: Chadwick Ranch Estates Specific Plan

Project Applicant: Nevis Capital, LLC, C/O TRG Land Inc.

Given the COVID-19 crisis, the City has extended the time to comment on the Notice of Preparation for the Chadwick Ranch Estates Specific Plan Project until April 30, 2020 and has rescheduled a scoping meeting for **April 22, 2020 at 7:00 p.m**. The scoping meeting will be held via GoToWebinar which can be accessed through your computer, tablet, iPad, or smart phone.

Please register for CHADWICK RANCH ESTATES PROJECT PUBLIC SCOPING MEETING on Apr 22, 2020 7:00 PM PDT at:

https://attendee.gotowebinar.com/register/6464159008046798347

After registering, you will receive a confirmation email containing information about joining the webinar. At the time of the scoping meeting, click on "join the webinar" from your email.

When you log on, you will have the choice to listen from your computer or from your phone – please note that the screen comes quickly on which to choose so be prepared. The phone call in number will be 1 (562) 247-8422 and the access code is 344-753-755.

You may provide comments and questions via email ahead of the meeting by sending them to Ms. Trayci Nelson, Project Manager at <u>tnelson@CityofBradbury.org</u>. Please include your name, phone number, address and email or that or your agency's contact person in your response. Please include "Chadwick Ranch Estates" in the subject line. Additionally, you will have the opportunity to post questions and comments during this presentation.

The Initial Study and original Notice of Preparation are available for public review on the City's website at: <u>http://www.cityofbradbury.org/city-services/development-projects/chadwick-project-2</u>. There will also be a link on the City's website allowing direct registration from there. Detailed instructions will also be included on the City's website.

March 30, 2020

Trayci Nelson City of Bradbury 600 Winston Ave Bradbury, CA 91008 tnelson@cityofbradbury.org

### Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for Chadwick Ranch Specific Plan, SCH # 2020020548, Los Angeles County

Dear Ms. Nelson:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for Chadwick Ranch Specific Plan (Project).

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

## CDFW's Role

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

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" (see Fish & G. Code, § 2050) of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

**Project Location:** The Project site is located along the northern urban fringe of the City of Bradbury. It is bordered by predominantly vacant land to the immediate east in the City of Duarte, vacant land to the north, both within the City of Bradbury and in the City of Monrovia. A combination of flood control facilities and vacant land within the City of Bradbury are to the west. Urban development both in the City of Bradbury and City of Duarte generally occurs southwest, south, and southeast of the Project site. The Assessor's Parcel Numbers (APNs) for the Project site are 8527-005-001, 8527-005-004, and 8527-001-010. Collectively, these three parcels total approximately 111.8 acres.

**Project Description/Objectives:** Chadwick Ranch Estates is comprised of 14 numbered estate residential lots and 14 lettered non-residential lots. The proposed Project also includes a site access roadway extending from the intersection of Bliss Canyon Road/Long Canyon Road as well as an on-site backbone circulation system and requisite infrastructure. In addition, a water tank, a booster station, and debris and water quality basins, among others will also be included. Easements for a portion of the site access roadway will be required from the Los Angeles County Flood Control District (LACFCD). The Project has been designed in such a manner that more than half of the land area of the site will remain undisturbed and dedicated to a conservancy.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Bradbury in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

## **Specific Comments**

- 1) <u>Lake and Streambed Alteration Agreement (LSA)</u>: Figures 2.2-1 and 2.2-2 (Site Imagery) as well as review of the United States Geological Survey The National Map indicate that the Project activities could impact at least three ephemeral streams located in the Project area.
  - a) As a Responsible Agency under CEQA, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow; or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream; or use material from a streambed. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether an LSA Agreement (Agreement) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of an Agreement for a Project that is subject to CEQA will require related environmental compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document prepared by the local jurisdiction (Lead Agency) for the Project. To minimize additional requirements by CDFW pursuant to section 1600 et seq. and/or under CEQA, the DEIR should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA (available at www.wildlife.ca.gov/habcon/1600).
  - b) The Project area is located in an area that support aquatic, riparian, and/or wetland habitats; therefore, CDFW recommends an investigation of the site for possible

surface drainages in the surrounding areas that may feed into these ephemeral streams. A preliminary jurisdictional delineation of the streams and their associated riparian habitats should be included in the DEIR. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service (USFWS) wetland definition adopted by the CDFW (Cowardin et al. 1970). Some wetland and riparian habitats subject to CDFW's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' section 404 permit and Regional Water Quality Control Board section 401 Certification.

- c) In areas of the Project site which may support ephemeral streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of ephemeral channels and help maintain natural sedimentation processes; therefore, CDFW recommends effective setbacks be established to maintain appropriately-sized vegetated buffer areas adjoining ephemeral drainages.
- d) Project-related changes in upstream and downstream drainage patterns, runoff, and sedimentation should be included and evaluated in the DEIR.
- e) As part of the LSA Notification process, CDFW requests the 100, 50, 25, 10, 5, and 2-year frequency storm event for existing and proposed conditions. CDFW recommends the DEIR evaluate the results and address avoidance, minimization, and/or mitigation measures that may be necessary to reduce potential significant impacts.
- 2) <u>Nesting Birds</u>. As stated in the Initial Study, the Project site is "heavily vegetated with trees and shrubs." This vegetation may provide potential nesting habitat where Project activities may impact nesting birds. Project activities occurring during the breeding season of nesting birds could result in the incidental loss of fertile eggs, or nestlings, or otherwise lead to nest abandonment in trees directly adjacent to the Project boundary. The Project could also lead to the loss of foraging habitat for sensitive bird species.
  - a) CDFW recommends that measures be taken to avoid Project impacts to nesting birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
  - b) Proposed Project activities including (but not limited to) staging and disturbances to native and nonnative vegetation, structures, and substrates should occur outside of the avian breeding season which generally runs from February 15 through August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, CDFW recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300-feet of the disturbance area (within 500-feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian

species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

- 3) <u>Landscaping</u>. Section 4.9 indicates that landscaping will occur as part of the on-site improvements. Habitat loss and invasive plants are a leading cause of native biodiversity loss. Invasive plant species spread quickly and can displace native plants, prevent native plant growth, and create monocultures. CDFW recommends using native, locally appropriate plant species for landscaping on the Project site. CDFW recommends invasive/exotic plants, including pepper trees (*Schinus* genus) and fountain grasses (*Pennisetum* genus), be restricted from use in landscape plans for this Project. A list of invasive/exotic plants that should be avoided as well as suggestions for better landscape plants can be found at <a href="https://www.cal-ipc.org/solutions/prevention/landscaping/">https://www.cal-ipc.org/solutions/prevention/landscaping/</a>.
- 4) Tree Replacement: Section 2.3 states the Project site is "heavily vegetated with trees and shrubs, the majority of which is mixed chaparral with inclusions of coastal sage scrub, as well as native scrub oak woodland and scattered large oaks on the canyon floor areas." Figures 2.2-1 and 2.2-2 Site Imagery show the presence of trees on areas of the Project site that will be developed. Habitat loss is one of the leading causes of native biodiversity loss. To compensate for any loss of trees, CDFW recommends replacing all non-native trees removed as a result of the proposed work activities at least a 1:1 ratio with native trees. CDFW recommends replacing native trees at least a 3:1 ratio with a combination of native trees and/or appropriate understory and lower canopy plantings. CDFW considers oak woodlands a sensitive vegetation community. Oak woodlands are a community that includes the trees, as well as any understory plants, duff, and dead logs. Removal or thinning of an understory in oak woodland directly impacts the functions and values of the entire oak woodland. CDFW recommends that any loss of oaks should be replanted at a minimum 10:1 ratio. Replacement oaks should come from nursery stock grown from locally sourced acorns, or from acorns gathered locally, preferably from the same watershed in which they were planted.
- 5) Biological Baseline Assessment. Section 2.2.1 states, "The Project site is vacant and devoid of man-made improvements." In addition, Figure 2.1-3 indicates that the Project site is located on undeveloped land and is heavily vegetated. A review of California Natural Diversity Data Base (CNDDB) indicates the presence of Southern Coast Live Oak Riparian Forest, a sensitive vegetative community, on the Project site. Undisturbed land may be considered sensitive habitat or may provide suitable habitat for special status or regionally and locally unique species. CDFW recommends providing a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area, with emphasis upon identifying endangered, threatened, sensitive, regionally and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts, as referred in Specific Comment 6 and General Comment 3. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the Project. CDFW also considers impacts to Species of Special Concern a significant direct and cumulative adverse effect without implementing appropriate avoid and/or mitigation measures. The DEIR should include the following information:
  - a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The DEIR should include measures to fully avoid

and otherwise protect Sensitive Natural Communities from Project-related impacts. Project implementation may result in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a state-wide ranking of S1, S2, S3 and S4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities#sensitive%20natural%20communities;

- b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <u>https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline</u>);
- c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the Project site and within the neighboring vicinity. *The Manual of California Vegetation*, second edition, should also be used to inform this mapping and assessment (Sawyer, 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
- d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by the Project. CDFW's CNDDB in Sacramento should be contacted to obtain current information on any previously reported sensitive species and habitat. CDFW recommends that CNDDB Field Survey Forms be completed and submitted to CNDDB to document survey results. Online forms can be obtained and submitted at <u>http://www.dfg.ca.gov/biogeodata/cnddb/submitting\_data\_to\_cnddb.asp</u>;
- e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050 and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the Project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the USFWS; and,
- f) A recent, wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame, or in phases.
- 6) <u>Biological Direct, Indirect, and Cumulative Impacts</u>. Section 2.2.1 of the Initial Study states, "Adjacent land uses include vacant, undeveloped land to the west; open space to the east

(Duarte Wilderness Preserve); open space, including the Angeles National Forest, to the north; and open space managed by LACFCD to the south." It is essential to understand how these open spaces and the biological diversity within them may be impacted by Project activities. This should aid in identifying specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends providing a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The following should be addressed in the DEIR:

- a) A discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (NCCP, Fish & G. Code, § 2800 et. seq.). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR;
- b) A discussion of potential adverse impacts from lighting, noise, human activity, and exotic species and identification of any mitigation measures;
- c) A discussion on Project-related changes on drainage patterns and downstream of the Project site; the volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and, post-Project fate of runoff from the Project site. After review of the Natural Communities Commonly Associated with Groundwater (NCCAG) Dataset (USDAFS, 2014), this hydrology impact discussion is especially important due to the identification of Coast Live Oak as a groundwater dependent ecosystem downstream from the Project site. Coast Live Oak woodlands are a sensitive vegetative community and may be adversely impacted by changes to hydrology. The discussion should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary and the potential resulting impacts on the habitat (if any) supported by the groundwater. Mitigation measures proposed to alleviate such Project impacts should be included;
- d) An analysis of impacts from land use designations and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DEIR; and,
- e) A cumulative effects analysis, as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
- 7) <u>Wetland Resources</u>. A review of NCCAG Dataset indicates the presence of Palustrine wetlands (USFWS, 2016) consisting of scrub-shrub vegetation that is seasonally flooded, located on the southern edge of the Project site. CDFW, as described in Fish and Game Code section 703(a), is guided by the Fish and Game Commission's policies. The Wetlands Resources policy (<u>http://www.fgc.ca.gov/policy/</u>) of the Fish and Game Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement and expansion of wetland habitat in California. Further, it is the policy of the Fish and Game

Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, Project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."

- a) The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, the Project must include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions for the benefit to on-site and off-site wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the DEIR and these measures should compensate for the loss of function and value.
- b) The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this state that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this state; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).
- 8) <u>Fuel Modification</u>. Section 3.2.4 states, "The Project site is in a very high fire severity zone." In addition, the Initial Study recognizes the need for fuel modification zones within the plans for the proposed Project. The DEIR should include information as to how the Project or adjacent land may be affected by fuel modification requirements. Fuel modification should not adversely impact resources in areas adjacent or mitigation lands. A discussion of any fuel modification requirements for this Project should be included in the DEIR to allow CDFW to assess potential impacts to biological resources. CDFW recommends all fuel modification requirements be met on the Project, and not in mitigation lands or habitat adjacent to the Project. Habitat being subjected to fuel modification (e.g., thinning, trimming, removal of mulch layer) should be considered an impact to these vegetation communities and mitigated accordingly. CDFW also recommends any irrigation proposed in fuel modification zones drain back into the development and not onto natural habitat land as perennial sources of water allow for the introduction of invasive Argentine ants.

## **General Comments**

- 1) <u>Project Description and Alternatives</u>. To enable CDFW to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the DEIR:
  - a) A complete discussion of the purpose and need for, and description of, the proposed Project, including all staging areas and access routes to the construction and staging areas; and,
  - b) A range of feasible alternatives to Project component location and design features to ensure that alternatives to the proposed Project are fully considered and evaluated. The alternatives should avoid or otherwise minimize direct and indirect impacts to sensitive biological resources and wildlife movement areas.
- 2) CESA. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or State-listed rare plant species that results from the Project is prohibited, except as authorized by state law (Fish and G. Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
- 3) <u>Compensatory Mitigation</u>. The DEIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement, financial assurance and dedicated to a qualified entity for long-term management and monitoring. Under Government Code section 65967, the lead agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.

- 4) Long-term Management of Mitigation Lands. For proposed preservation and/or restoration, the DEIR should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the Project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.
- 5) <u>Translocation/Salvage of Plants and Animal Species</u>. Translocation and transplantation is the process of moving an individual from the Project site and permanently moving it to a new location. CDFW generally does not support the use of, translocation or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant or animal species. Studies have shown that these efforts are experimental and the outcome unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving sensitive plants and animals and their habitats.
- 6) <u>Moving out of Harm's Way</u>. The proposed Project is anticipated to result in clearing of natural habitats that support many species of indigenous wildlife. To avoid direct mortality, we recommend that a qualified biological monitor approved by CDFW be on-site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Projectrelated construction activities. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. If the Project requires species to be removed, disturbed, or otherwise handled, we recommend that the DEIR clearly identify that the designated entity should obtain all appropriate state and federal permits.

## CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City of Bradbury in identifying and mitigating Project impacts on biological resources. If you have any questions or comments regarding this letter, please contact Felicia Silva, Environmental Scientist, at (562) 430-0098 or by email at Felicia.Silva@wildlife.ca.gov.

Sincerely,

DocuSigned by: Erinn Wilson-Olgin

Erinn Wilson Environmental Program Manager I

ec: CDFW Victoria Tang – Los Alamitos Andrew Valand – Los Alamitos Felicia Silva – Los Alamitos Malinda Santonil – Los Alamitos CEQA Program Coordinator – Sacramento State Clearinghouse

### References

Cowardin, Lewis M., et al. 1970. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

Sawyer, J. O., Keeler-Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2nd ed. ISBN 978-0-943460-49-9.

US Department of Agriculture Forest Service. 2014. Existing Vegetation South Coast, 2002-2010, v2 [ESRI File Geodatabase]. MeClellan, CA. Accessed June 2016.

US Fish and Wildlife Service. 2016. National Wetlands Inventory, v2, California Wetlands. Accessed May 2016.

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836 SACRAMENTO, CA 94236-0001

(916) 653-5791

MAR 2 4 2020 Ms. Trayci Nelson City of Bradbury 600 Winston Avenue Bradbury, California 91008

MAR 3 0 2020

Notice of Completion and Environmental Document Transmittal for the Chadwick Ranch Estates SCH# 2020020548 Los Angeles County

Dear Ms. Nelson:

The Division of Safety of Dams (DSOD) has reviewed the Notice of Preparation for the residential Chadwick Ranch Estates project. This project includes the development of 14 residential lots and 14 non-residential lots, the construction of an access roadway, an onsite circulation system, a water tank, a booster station, debris and water quality basins, and requisite infrastructure.

The project description does not provide enough information to make an accurate jurisdictional determination for the water quality basins and the water tank. Furthermore, it is unclear whether part or all the work will be subject to State jurisdiction for dam safety. Therefore, the City of Bradbury must submit preliminary plans for each of the proposed basins and the water tank so that DSOD can make an accurate jurisdictional determination.

As defined in Sections 6002 and 6003, Division 3, of the California Water Code, dams 25 feet or higher with a storage capacity of more than 15 acre-feet, and dams higher than 6 feet with a storage capacity of 50 acre-feet or more are subject to State jurisdiction. The dam height is the vertical distance measured from the maximum possible water storage level to the downstream toe of the barrier.

If any of the dams are subject to State jurisdiction, a construction application, together with plans, specifications, and the appropriate filing fee, must be filed with DSOD for this project. All dam safety-related issues must be resolved prior to the approval of the application, and the work must be performed under the direction of a Civil Engineer registered in California. Erik Malvick, our Design Engineering Branch Chief, is responsible for the application process and can be reached at (916) 565-7840.

Ms. Nelson MAR 2 4 2020 Page 2

If you have any questions or need additional information, you may contact, Area Engineer Ashley Moran at (916) 565-7830 or me at (916) 565-7827.

Sincerely,

Run ?

Richard Draeger, Southern Regional Engineer Field Engineering Branch Division of Safety of Dams

cc: Governor's Office of Planning and Research State Clearinghouse state.clearinghouse.opr.ca.gov

## DEPARTMENT OF TRANSPORTATION

DISTRICT 7- OFFICE OF REGIONAL PLANNING 100 S. MAIN STREET, SUITE 100 LOS ANGELES, CA 90012 PHONE (213) 897-0067 FAX (213) 897-1337 TTY 711 www.dot.ca.gov



Making Conservation a California Way of Life.

March 25, 2020

Trayci Nelson City of Bradbury 600 Winston Avenue Bradbury, CA 91008

> RE: Chadwick Ranch Estates – Notice of Preparation (NOP) SCH# 2020020548 GTS# 07-LA-2020-03175 Vic. LA-210 PM R36.151 Vic. LA-605 PM 26

Dear Trayci Nelson,

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Project involves a specific plan and vesting tentative tract map to address the development of 14 numbered estate residential lots and 14 lettered non-residential lots. The proposed project also includes a site access roadway extending from the intersection of Bliss Canyon Road/Long Canyon Road, an on-site backbone circulation system, requisite infrastructure, as well as a water tank, a booster station, and debris and water quality basins, among others. Easements for a portion of the site access roadway will be required from the Los Angeles County Flood Control District (LACFCD). The 111.8-acre project has been designed in such a manner that more than half of the land area of the site will remain undisturbed. It is the Applicant's intent to ultimately dedicate this area to a conservancy to be named.

The nearest State facilities to the proposed project are SR-210 and I-605. After reviewing the NOP, Caltrans has the following comments:

As required by SB 743, VMT will be the standard transportation metric for land use projects and new Transportation Impact Studies, and these guidelines will be used to analyze and address transportation impacts on the State Transportation System. Caltrans concurs with the decision to use of the California Governor's Office of Planning and Research's (OPR) suggested VMT reduction thresholds and looks forward to the full VMT analysis to confirm that the project will result in a net reduction in per capita VMT.

Currently the project is designed in a way that induces a high number of trips per household due to being exclusively large-lot, single-family residential. The Lead Agency is encouraged to

Trayci Nelson March 25, 2020 Page 2

integrate transportation and land use in a way that reduces VMT and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths and achieve a high level of non-motorized travel and transit use. To address the significant transportation impacts of a project of this nature, Caltrans supports the prioritization of nearby transit service, like the Metro Gold Line Duarte/City of Hope Station, to offset the daily trip generation that the project will create.

Additionally, transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods.

If you have any questions, please contact project coordinator Anthony Higgins, at anthony.higgins@dot.ca.gov and refer to GTS# 07-LA-2020-03175.

Sincerel

MIYA EDMONSON IGR/CEQA Branch Chief cc: Scott Morgan, State Clearinghouse

April 22, 2020

--REVISED--

Trayci Nelson Project Manager City of Bradbury Bradbury, CA 91008

Dear Ms. Nelson:

On behalf of the City of Duarte ("Duarte"), we have reviewed the Notice of Preparation ("NOP") advising that the City of Bradbury ("COB") intends to prepare an Environmental Impact Report ("EIR") for the project entitled "Chadwick Ranch Estates" ("Project"). The Project is characterized by the development of an 111.8 acre parcel for 14 residential lots and 14 non-residential lots.

The City has a significant interest in the consideration of the Project. The project's location is directly adjacent to the part of Duarte referred to as the Mesa, and as such, impacts caused by this development are anticipated to directly impact Duarte residents. First, the project allows for one million cubic yards of grading to accommodate roadways and building pads and grading to this extent could mar the natural beauty of this undisturbed hillside with retaining walls and roadway cutbacks. Second, the project will disturb the plant and animal communities within its borders and adjacent areas. Years ago the City of Duarte established an area immediately adjacent to the eastern boundary of the project site as wilderness space. Developing the land immediately adjacent to the wilderness area will reduce the effectiveness of this area as a wildlife habitat.

Our review of the NOP reveals that several issues with the Project may cause significant impacts if not properly analyzed and/or mitigated. We have listed the issues that continue to concern the City and would like to see them included and further analyzed in the EIR. The City of Duarte's environmental concerns/comments continue to be as follows:

## • VIEWS AND AETHETICS

- Residents of the Duarte Mesa currently enjoy westerly views of undisturbed hillside and the City of Duarte is concerned that the proposed development will significantly degrade the quality of these views during the construction phase of the project and thereafter due to maintenance requirements. Given the severity of the potential of these impacts, it is critical that a full analysis be performed to determine the extent of the anticipated impacts so that appropriate decisions can be made about the project. After reviewing the Initial Study for this project, it is clear that the analysis performed on this topic is insufficient. Additional study should be performed to address the following points:
- The views from the development, especially Figure 5 of page 2.2-3, are misleading because they don't show the homes of the Mesa that will be on the opposite ridge from the development and will clearly be visible. This section of the Initial Study should be revised to accurately show the neighboring development to first acknowledge the impact to the neighbors' views and then to property mitigate those impacts. Another important omission in regards to view analysis is the view of site from the freeway. An analysis should be done to determine which road cuts and pad grading would be visible from the freeway since the view of the mountains in their natural state is important

to the residents of Bradbury and Duarte alike. Cuts to the slopes that leave a lasting scar of the natural vista would not be acceptable.

- A topographic map of the project site that shows the existing conditions prior to the proposed improvements is needed to understand where improvements will be relative to existing ridgelines. It would be beneficial to provide a map that overlays proposed improvements on top of existing contour lines.
- The Initial Study analysis explains that improvement of pads would rely on market forces, though buildout is expected to be completed within five years. By plan, graded pads could remain unimproved for five years. If market forces are not strong in the next five years, then the pad could remain unimproved for longer. This represents a high aesthetic risk of having eyesore unimproved pads visible from Duarte. It must be noted that at the time that this Initial Study was written the economic conditions were more stable than they are now, so one can conclude that the risk of having unimproved pads sit vacant for longer periods of time is more likely than previously forecast.
- The project residences would be situated in an area of very high risk from wildfire. As such they will be required by Los Angeles County Fire Department to maintain a fire protection zone around structures on the property. The implication of this requirement is that much of the native trees and chaparral will be removed structures, which will significantly alter the view from the Duarte Mesa and forever change the natural appearance of the hillside that currently exists.
- Given the important nature of potential view impacts, a digital 3d model or topographic map should be provided for public review. This document should provide perspectives from the Duarte Mesa, freeway, Huntington Drive, and at various points within Bradbury and Duarte.
- BIOLOGICAL IMPACT
  - The analysis within the Initial Study determined that the project site is not within any boundaries of any area intended for the protection of biological resources. While this may be true, the project site is adjacent to a designated wilderness area within the City limits of Duarte. The plant and animal communities with the Duarte wilderness area undoubtedly extend into the project site since there is no fencing that separate these properties. The development of the project site will diminish the habitat for these plants and animals. Study should be performed to determine which critical habitats exist onsite and on the adjacent sites and examine how the proposed development will impact those habitats. Mitigation measures should be imposed to restrict property owners from altering the existing native habitat to the greatest extent possible without compromising the safety of the residents on the property.
- GRADING IMPACTS
  - The proposed project acknowledges that approximately one million cubic yards of earth will need to be moved around to balance the site. There are aesthetic concerns with moving that much earth and those have been articulated earlier in this letter. In addition to views, there are noise concerns. It was acknowledged that blasting would be necessary if the soil was rocky, but the only information provided about this practice was that it would be temporary and done only as necessary. Given the significant sound disruption that blasting can have on nearby properties, additional study is warranted to project how much blasting will be necessary based on the existing geology.
  - The practice of grading is associated with air pollution because the moving of earth material is going to create dust in the air and the machines the do the grading emit fumes. Within an urban setting, there must be an allowance for temporary disruption in air quality to allow for construction in accordance with regional air quality standards, however, the proposed project anticipates a five year buildout and the Initial Study acknowledges even more time may be necessary dependent on market forces. Given that construction of the proposed project will extend well beyond the duration of a typical construction project and what many would consider "temporary", mitigation measures should be considered to protect air quality at a higher level than typically used.
- WATER

- Per the Initial Study, Cal American Water requires a well to be dug to serve the community, but the perspective well sites are within the City of Duarte and require approval from Duarte. P.3.2.1. The entitlement for the well site would require its own CEQA review. Please provide an analysis to determine if the water supply is sufficient to support this development.
- SEWAGE
  - Septic tanks are proposed instead of sewer connections for the development (IS P.3.2.1), but these are not the preferred environmental option. Furthermore, on page 4.7.4 of the Initial Study there is an acknowledgement that the soils may not be suitable for septic and further study is warranted. There should be an analysis undertaken to evaluate the environmental risks of expanding Bradbury's use of septic tanks for residential properties. The analysis should specifically evaluate the risk of ground water contamination from these tanks. If septic tanks are found not to be a suitable option for the development then installation of traditional sewer infrastructure must be analyzed as part of this Environmental Impact Report.
- FLOOD HAZARD
  - The initial Study concludes that there this development has no potential flood hazard impacts. Please explain how this could be possible considering that the secondary point of access to this development utilizes a LA Flood Control District road? In the event of a major rainfall event, this road could prioritized for utility trucks servicing the debris basin and may be unsafe for use by the general public.

Thank you for your careful consideration of these comments. Please contact me directly if you have any questions concerning the matters addressed in this letter.

Sincerely,

11

Nick Baldwin, AICP Associate Planner

Cc Craig Hensley, AICP, Community Development Director Dominic Milano, City Engineer Jason Golding, Planning Manager Amanda Hamilton, Public Works Manager



March 23, 2020

**To:** Ms. Trayci Nelson City of Bradbury Planning Department 600 Winston Avenue Bradbury, CA 91008

## RE: Initial Study (IS) Chadwick Ranch Estate, Feb. 2020

Dear Ms. Nelson,

The California Environmental Quality Act (CEQA) requires agencies to ensure "the longterm protection of the environment..." (Pub. Res. Code § 21001 (d).) To effectuate this purpose, CEQA requires public agencies considering a project of this magnitude to prepare an Environmental Impact Report (EIR) that informs governmental decision makers and the public about the potential significant environmental impacts of proposed activities, identifies ways that environmental damage can be avoided or significantly reduced, and requires the adoption of feasible alternatives and mitigation measures. CEQA Guidelines § 15002 (a)(1)-(3).

Unfortunately, the Oak View Estates Project now under review falls far short of meeting the legal mandates imposed by CEQA. The Project will have significant impacts on biological resources, traffic, air quality, water supply, and quality of life. I will follow up with more specific details in the rest of my letter regarding these concerns and issues.

Section 15123(b)(2) of the CEQA Guidelines states that an EIR summary should identify areas of controversy known to the Lead Agency, including issues raised by agencies and the public. A complete Draft EIR for the Oak View Estates Project is located in an extremely high fire area. The foothills and surrounding wildlands/urban interface are covered with large amounts of vegetation, also known by the LA County Fire Department as "fuel load"/ high fire danger. Recall that not too long ago, wildlands/urban interface homes in the nearby foothills were destroyed by the Colby Fire (2014).

## Here are some of my areas of concern and controversy:

1. <u>Living Conditions/Fire Prevention in Essential Planning for High Fire Risk Zones</u>. Regarding the proposed 14 homes on the Chadwick Ranch Estates Project, the site is located in a High Fire Hazard Severity Zone on the foothill slopes of the San Gabriel Mountains. Existing fuel loads of vegetation on the site consist of mixed non-native grasslands, riparian woodlands, and chaparral/sagebrush scrub, including additional fire risks of canyons separated by hilltops. Thus, the proposed project does expose people and/or structures to a significant risk of personal and property losses, including injury or death involving wildlands fires.

2. <u>Fire Prevention, Health Risks, and Mitigation Concerns</u>. The city of City of Bradbury is well-known for the Santa Ana winds with red flag warnings. Gusts of winds can pose safety concerns regarding fires within the foothills. In wildlands/urban interface areas, hot embers can come from many sources, such as devastating brushfires and family barbecues. Many homes have liquid- petroleum- gas -fueled cooking devices, plus outdoor barbecues, fire pits, and fire places, Even electric cooking devices pose a potential risk for brush fires in this area. Studies need to address these concerns and related mitigation plans? Related concerns affect both local and regional AQMD studies of air quality impacts, spread, and residual effects of toxic smoke and gases, resulting in more agency involvement which an EIR in final draft should emphasize. What health problems are most likely to happen to people, plants domestic animals, people with health problems, elderly, young children? What health effects will smoke potentially pose for us and wildlife? The DEIR needs to address these concerns regarding indoor and outdoor fires and cooking in the foothills.

3. <u>Wildlife & Increase of Pest Control, Prevention, Intervention</u>. Will cooking and smell of food attract wildlife to these areas and adjacent areas creating more of a danger to people and pets? The DEIR needs to assess this potential threat and provide in-depth local and regional studies, including comment from regional, state, and federal agencies on Pest Control, Prevention, and/or Intervention. These impacts are becoming of increasing concern in the foothill and wildlands/urban interface areas. Just for first steps, the DEIR for air quality for the above questions and concerns needs to be addressed. I'm sure the South coast Air Quality Management District has plenty of data to share for your area to help design more healthful planning, or recommend mitigation or no fireplaces, etc. for these impacts. As the impacts are becoming more varied and far-reaching in terms of negative and detrimental impacts on neighborhoods and wildlife, more agencies are needed and getting involved in planning processes.

4. <u>Wildlife Urban Interface Issues.</u> When we put housing developments in the hillsides of The City of Bradbury, we are building in nature's back yard. The deer, bear, rabbits, squirrels and birds inhabited the hillsides and fields long before homes and residential neighborhoods showed up. Animals do not recognize property boundaries. They live where there is habitat: food, water, shelter, and space. Normally these are provided for by nature. When subdivisions are built where the foothills areas once were open space, the animals will continue to live nearby. If the necessities for life are provided around houses, wild animals and people will intermingle. This creates a conflict and an opportunity for dangerous encounters and interactions, putting children and people at risk and possibly being attacked and injured or even killed.

The conflict arises because humans and wild animals do not necessarily make good neighbors. If pets and their food are left outside, these might prove to be an irresistible attraction to hungry bears or mountain lions. Bears will eat nearly anything including

garbage, pet food, seeds, and suet from bird feeders. Mountain lions and coyotes have been known to kill pets, and in many instances, attack small children. If wildlife is being attracted by food and garbage that homeowners leave out, either purposely or inadvertently, animals become attracted to our homes. Once animals lose their natural tendency to avoid people, dangerous situations are created. The DEIR needs to address this concern and should be addressed to insure and evaluate the potential dangers.

**5.** <u>Recorded Easements Omissions</u>. There are no recorded easements allowing waterlines, utility services, and roadways traveling through this property. Of particular concern are DEIR essential needs to address the known blue-line streams that travel through this proposed development. The three federal agencies, the State Resources Division Wildlife Conservation Board, USFWS and US Army Corps of Engineers, all will need to grant permits before anything is decided on this proposed development. My question and concern is that without the permits being granted, this proposed development does not have essential legal access. This is another concern that needs to be addressed in the DEIR. Also, the existing tanks that are intended to provide water have not been evaluated to meet codes for fire safety sprinklers for adequate water supply for fire protection. And also, are the water tanks undersized for additional housing to supply water services?

6. <u>Oak Woodlands Environmental Impacts.</u> I'm very concerned about the environmental impacts this proposed development will have on oak woodlands. Think of all the oxygen production and air cleaning by the oaks for an urban area that we will be losing. This is one of the last of the largest oak woodlands in the San Gabriel Valley and Foothills.

The draft EIR needs to take into account that more oak trees will be adversely impacted that run adjacent to this site increasing the number of oaks that will be destroyed. There are several mature oak trees that run adjacent to this property. Any mitigation by the major oak and established oak woodlands loss with this proposed project will fail.

The extensive grading in this area will also negatively impact the woodlands, causing the oaks to die from the alteration and disturbance of the soils. Native oaks valuable to humans and environment tolerate very few impacts and changes in their environment once established. Any substantial change in the mature oak's environment can weaken or kill an oak, even a healthy specimen. A good rule of thumb is to leave the tree's root protection zone (RPZ) undisturbed. This area, which is half again as large as the area from the trunk to the drip-line, is the most critical to the oak. Many problems for oaks are initiated by disturbing the roots within this zone. This impact cannot be mitigated. How does the city or developer prepare to mitigate the above issues? Where and how does the City Oak or Tree Ordinance help protect trees in developments? There are no supporting facts or studies that cover off-site tree impacts with adjacent proposed developments.

7. <u>Alternative Road Access to the Property. Ingress and Egress Concerns</u>. The DEIR needs to evaluate alternate road access points that may be feasible. This should be included in the DEIR to inform public full disclosure, including a comparison chart showing the impacts each road access alternative would have on adjacent stress, and also including traffic studies to help distribute the flow of traffic onto multiple street access points and ways to lessen the flow of traffic during peak hours. An environmental impact study needs to be included to compare the proposed Road Extension in comparison to alternate streets, and also, impacts each road access would pose.

If waivers or variances are approved for this project, will these approvals set City legal precedent by allowing other developers requesting similar waivers and variances to take advantage? Such approvals would weaken what the City had intended and adopted with what were once high standards to protect the hillsides and the scenic views of the hillsides for all to enjoy.

**8.** <u>Cultural Resources</u>. In 2014, the California Legislature approved Assembly Bill 52. AB 52 creates a new category of environmental resources that must be considered under the California Environmental Quality Act: "tribal cultural resources." The legislation imposes new requirements for consultation regarding projects that may affect a tribal cultural resource, includes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures. AB 52 requires lead agencies to consider the effects of projects on tribal cultural resources and to conduct consultation with federally and non-federally recognized Native American tribe(s) early in the environmental planning process. If your project has filed a Notice of Preparation (NOP) or a notice of Negative Declaration or Mitigated Negative Declaration (MND) on or after July 1, 2015, and the tribe has submitted a request for consultation, your project is subject to AB 52.

CEQA defines tribal cultural resources as "sites, features, places cultural landscapes, sacred places and objects with cultural value to a California Native American Tribe" that have been determined to be significant. (Public Resources Code §21074.) It is important to note that tribal cultural resources are not limited to archeological artifacts, but also include landscapes and places of importance to tribes. The DSEIR needs to examine/review the Project site for possible impacts on such resources. It is well documented that the Gabrieleno Band of Mission Indians/ Kizh Nation has resided in the San Gabriel Valley Foothills. Dr. Gary Stickel, Ph.D., Tribal Archaeologist should be consulted for relevant input, studies, and maps.

**9.** <u>Chadwick Ranch Estate, Noise & Vibration Studies.</u> The residents who live adjacent to the proposed development would be impacted. Construction of the new roadways would include the use of a vibratory roller. It is anticipated that the vibratory roller would result in vibration levels that may exceeded State Standards. Such studies

need to be included in the DEIR to Consider Mitigation Measures for Significant Construction Noise and Vibration Impacts.

## 10. Additional COMMENTS AND RECOMMENDATIONS for Sensitive Species &

<u>Geology</u> <u>Studies</u>. A number of state and federally listed rare and sensitive species are and have been studied and documented regionally, cautioning all proposed developments to include thorough studies within the San Gabriel Mountains/ Foothills Biodiversity Hotspot Areas.

The Thread-leaved Brodiaea is a California endangered plant species, also federally listed and protected. Studies need to be conducted by a trained biologist to see if this plant is on onsite. Thread-leaved brodiaea has been well documented in the San Gabriel Valley Foothills including Glendora and adjacent areas.

The plant species known as Braunton's Milk Vetch, another protected, endangered plant species, is also well-documented in nearby Monrovia.

The California Gnatcatcher is federally protected by the USFWS and CDFW. Focused surveys need to be done on site. California Gnatcatcher has been well documented within the San Gabriel Valley Foothills.

The Coastal Cactus Wren is presently listed as a California State Species of Special of Concern by the USFWS, and is well-known within the San Gabriel Valley Foothills. Surveys studies need to be done within this project site.

A complete study under CEQA and the impacts this proposed development will have on very rare snail Glyptostoma Gabrielense that is known to be on this proposed development site. The Glyptostoma genus of air-breathing land snails, terrestrial pulmonate gastropod mollusks in the family Megomphicidae. These are large (to about 40 mm or 1.5 inches in diameter) dark brown snails, much shorter than wide. They are found in hilly areas, or low mountains, along the Pacific coast of North America, from California to Baha California.

The San Gabriel Mountains is well documented for having the Sierra Madre Fault traveling through on and near this proposed development site. Complete Geotechnical Investigation and Geologic Study need to be verified and/or initiated to include: slope stability studies and groundwater studies. Historical springs have been noted in the Bradbury Foothills. Since faults can disrupt the movement of groundwater to the surface to form springs, the location of springs can be very important in locating faults.

## 11. Establishment of the National Monument

The National Monument was established on October 10, 2014, by proclamation of President Barack Obama under the Antiquities Act. More than 15 million people live within 90 minutes of the San Gabriel Mountains, which provides 70 percent of the open space for Angeleños and 30 percent of their drinking water. The Oak View Estates Project is adjacent to The National Monument. CEQA studies need to be done to see how this project will impact adjacent properties. The City of Monrovia and Duarte will be negatively impacted by this proposed development. CEQA studies need to address these issues.

# 12. CONCLUSIVELY. For the record: Chadwick Ranch Estate, needs to have a complete EIR under CEQA. There are many unanswered questions that need to addressed to help the decision-makers including the City, State, and Federal Agencies.

Thank you in advance for considering all of the above comments.

Respectfully submitted,

Jeff Michelsen

Enironmental Science Enforcement



From: Toan Duong <<u>TDUONG@dpw.lacounty.gov</u>>

**Sent:** Monday, May 4, 2020 9:53 AM

**To:** Nelson, Trayci <<u>tnelson@mbakerintl.com</u>>; <u>tnelson@cityofbradbury.org</u>

**Cc:** Jose Suarez <<u>JSUAREZ@dpw.lacounty.gov</u>>; Jose Cruz <<u>JoCruz@dpw.lacounty.gov</u>>; Long Thang <<u>LTHANG@dpw.lacounty.gov</u>>; Prabesh Sharma <<u>PSharma@dpw.lacounty.gov</u>>; **Subject:** RE: EXTERNAL: Chadwick Ranch Estate NOP-DEIE time extension

Ms. Trayci Nelson,

## NOTICE OF PREPARATION (NOP) DRAFT ENVIRONMENTAL REVIEW (DEIR) CHADWICK RANCH ESTATES SPECIFIC PLAN CITY OF BRADBURY RPPL2020001433

Thank you for the opportunity to review the subject project NOP. The City of Bradbury is proposing the development of 14 new contour graded parcels on an undeveloped hillside for residential homes. The other 14 parcels will be used for non-residential uses including a backbone circulation system, requisite infrastructure, a water tank, a booster station, debris and water quality basins, as well as open space.

The following comments are for your consideration:

1. The proposed access improvements, access alignments, storm water runoff, and water quality would potentially affect Los Angeles County Flood Control District (LACFCD) facilities. Identify all impact and provide mitigation for all affected LACFCD facility in the DEIR. Coordination of easement access, permit, plan review and approval are required from the LACFCD for any proposed improvement affecting the debris basins.

2. It is not clear from the Initial Study if new storm drains will be proposed and if they will be transferred to the LACFCD for operation and maintenance. In the DEIR, include clarification on the proposed storm drains and how they will affect the LACFCD facilities downstream.

3. If rock blasting is needed for site preparation, impacts and mitigation to all LACFCD facility should be identified and included in the DEIR.

4. Portions of the development would not be protected by the 3 existing LACFCD debris basins. Additional basins may be required

upstream for debris protection.

For questions regarding the above comments, please contact Prabesh Sharma of Public Works, Stormwater Planning Division at (626) 300-2379 or <u>psharma@pw.lacounty.gov</u>.

Please submit future environmental document regarding this project to Mr. Jose Suarez of Public Works, Land Development Division, at (626) 458-4921 or jsuarez@pw.lacounty.gov.

Sincerely,

Toan Duong Civil Engineer Los Angeles County Public Works Office: (626) 458-4921



CHAIRPERSON Laura Miranda Luiseño

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COMMISSIONER [Vacant]

EXECUTIVE SECRETARY Christina Snider Pomo

#### NAHC HEADQUARTERS

1550 Harbor Boulevard Suite 100 West Sacramento, California 95691 (916) 373-3710 nahc@nahc.ca.gov NAHC.ca.gov MAR 19 2020

## NATIVE AMERICAN HERITAGE COMMISSION

March 2, 2020

Trayci Nelson City of Bradbury 600 Winston Avenue Bradbury, CA 91008

### Re: 2020020548, Chadwich Ranch Estates Project, Los Angeles County

Dear Ms. Nelson:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015. If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). Both SB 18 and AB 52 have tribal consultation requirements. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of <u>portions</u> of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Page 1 of 5

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

a. A brief description of the project.

<u>AB 52</u>

**b.** The lead agency contact information.

**c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).

**d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. <u>Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a</u> <u>Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report</u>: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

**a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. <u>Mandatory Topics of Consultation If Requested by a Tribe</u>: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. <u>Discretionary Topics of Consultation</u>: The following topics are discretionary topics of consultation:
  - **a.** Type of environmental review necessary.
  - **b.** Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.

**d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. <u>Confidentiality of Information Submitted by a Tribe During the Environmental Review Process</u>: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. <u>Discussion of Impacts to Tribal Cultural Resources in the Environmental Document</u>: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

**b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. <u>Conclusion of Consultation</u>: Consultation with a tribe shall be considered concluded when either of the following occurs:

**a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

**b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. <u>Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document</u>: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9.** <u>Required Consideration of Feasible Mitigation</u>: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10.** Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- **a.** Avoidance and preservation of the resources in place, including, but not limited to:
  - i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

**b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

- i. Protecting the cultural character and integrity of the resource.
  - ii. Protecting the traditional use of the resource.
  - iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11.** <u>Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource</u>: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

**a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

**b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

**c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: <u>http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\_CalEPAPDF.pdf</u>

<u>SB 18</u>

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09\_14\_05\_Updated\_Guidelines\_922.pdf.

Some of SB 18's provisions include:

1. <u>Tribal Consultation</u>: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe. (Gov. Code §65352.3 (a)(2)).

2. <u>No Statutory Time Limit on SB 18 Tribal Consultation</u>. There is no statutory time limit on SB 18 tribal consultation.

3. <u>Confidentiality</u>: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. <u>Conclusion of SB 18 Tribal Consultation</u>: Consultation should be concluded at the point in which:

**a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or

**b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <u>http://nahc.ca.gov/resources/forms/</u>.

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (<u>http://ohp.parks.ca.gov/?page\_id=1068</u>) for an archaeological records search. The records search will determine:

- a. If part or all of the APE has been previously surveyed for cultural resources.
- b. If any known cultural resources have already been recorded on or adjacent to the APE.
- c. If the probability is low, moderate, or high that cultural resources are located in the APE.
- d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

**a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

**b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

**a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

**b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

**a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

**b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

**c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: <u>Andrew.Green@nahc.ca.gov</u>.

Sincerely,

Indrew Green

Andrew Green Staff Services Analyst

cc: State Clearinghouse



SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017 T: (213) 236-1800 www.scag.ca.gov

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Transportation Cheryl Viegas-Walker, El Centro March 30, 2020

Ms. Trayci Nelson, Project Manager City of Bradbury 600 Winston Avenue Bradbury, California 91008 Phone: (626) 358-3218 E-mail: tnelson@cityofbradbury.org

### RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Chadwick Ranch Estates Specific Plan [SCAG NO. IGR10141]

Dear Ms. Nelson,

Thank you for submitting the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Chadwick Ranch Estates Specific Plan ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.<sup>1</sup> SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Community Strategies (RTP/SCS) goals and align with RTP/SCS policies.

SCAG staff has reviewed the NOP of a DEIR for the Chadwick Ranch Estates Specific Plan. The proposed project will develop 111.8 acres of hillside land adjacent to the US Forest land. In conjunction with the Vesting Tentative Tract Map 82349, 14 residential parcels and 14 non-residential parcels are proposed.

When available, please email environmental documentation to <u>au@scag.ca.gov</u> or send to SCAG's Los Angeles office in Los Angeles (900 Wilshire Boulevard, Ste. 1700, Los Angeles, California 90017) providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Anita Au, Associate Regional Planner, at (213) 236-1874 or <u>au@scag.ca.gov</u>. Thank you.

Sincerely,

Ping Chang

Ping Chang Manager, Compliance and Performance Monitoring

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

### COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CHADWICK RANCH ESTATS SPECIFIC PLAN [SCAG NO. IGR10141]

### **CONSISTENCY WITH RTP/SCS**

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS. For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the RTP/SCS.

Please note the Draft 2020 RTP/SCS (Connect SoCal) was released for public review on November 14, 2019 until January 24, 2020. The Final Connect SoCal is anticipated to be adopted by SCAG's Regional Council in late April 2020. Please refer to Connect SoCal goals and growth forecast for RTP/SCS consistency for future projects. The Proposed Final Connect SoCal is now available for review here: https://www.connectsocal.org/Pages/Connect-SoCal-Final-Plan.aspx.

### 2016 RTP/SCS GOALS

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <a href="http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx">http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx</a>). The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

| SCAG 2016 RTP/SCS GOALS |   |  |  |  |  |  |
|-------------------------|---|--|--|--|--|--|
| RTP/SCS G1:             | Align the plan investments and policies with improving regional economic development and competitiveness  |  |  |  |  |  |
| RTP/SCS G2:             | Maximize mobility and accessibility for all people and goods in the region  |  |  |  |  |  |
| RTP/SCS G3:             | Ensure travel safety and reliability for all people and goods in the region   |  |  |  |  |  |
| RTP/SCS G4:             | Preserve and ensure a sustainable regional transportation system  |  |  |  |  |  |
| RTP/SCS G5:             | Maximize the productivity of our transportation system  |  |  |  |  |  |
| RTP/SCS G6:             | Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)                       |  |  |  |  |  |
| RTP/SCS G7:             | Actively encourage and create incentives for energy efficiency, where possible  |  |  |  |  |  |
| RTP/SCS G8:             | Encourage land use and growth patterns that facilitate transit and active transportation  |  |  |  |  |  |
| RTP/SCS G9:             | Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies* |  |  |  |  |  |
|                         | *SCAG does not yet have an agreed-upon security performance measure.  |  |  |  |  |  |

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

| SCAG 2016 RTP/SCS GOALS |  |  |  |  |  |  |  |  |
|-------------------------|--|--|--|--|--|--|--|--|
|                         | Goal   | Analysis   |  |  |  |  |  |  |
| RTP/SCS G1:             | Align the plan investments and policies with improving regional economic development and competitiveness | Consistent: Statement as to why;<br>Not-Consistent: Statement as to why;<br>Or<br>Not Applicable: Statement as to why;<br>DEIR page number reference |  |  |  |  |  |  |
| RTP/SCS G2:             | Maximize mobility and accessibility for all people and goods in the region                               | Consistent: Statement as to why;<br>Not-Consistent: Statement as to why;<br>Or<br>Not Applicable: Statement as to why;<br>DEIR page number reference |  |  |  |  |  |  |
| etc.                    |  | etc.   |  |  |  |  |  |  |

### 2016 RTP/SCS STRATEGIES

To achieve the goals of the 2016 RTP/SCS, a wide range of land use and transportation strategies are included in the 2016 RTP/SCS. Technical appendances of the 2016 RTP/SCS provide additional supporting information in detail. То view the 2016 RTP/SCS. please visit: http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx. The 2016 RTP/SCS builds upon the progress from the 2012 RTP/SCS and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that the SCAG region strives toward a more sustainable region, while the region meets and exceeds in meeting all of applicable statutory requirements pertinent to the 2016 RTP/SCS. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

### **DEMOGRAPHICS AND GROWTH FORECASTS**

Local input plays an important role in developing a reasonable growth forecast for the 2016 RTP/SCS. SCAG used a bottom-up local review and input process and engaged local jurisdictions in establishing the base geographic and socioeconomic projections including population, household and employment. At the time of this letter, the most recently adopted SCAG jurisdictional-level growth forecasts that were developed in accordance with the bottom-up local review and input process consist of the 2020, 2035, and 2040 population. households and employment forecasts. То view them. please visit http://www.scag.ca.gov/Documents/2016GrowthForecastByJurisdiction.pdf. The growth forecasts for the region and applicable jurisdictions are below.

|            | Adopted SCAG Region Wide Forecasts |            |            | Adopted City of Bradbury Forecasts |           |           |
|------------|------------------------------------|------------|------------|------------------------------------|-----------|-----------|
|            | Year 2020                          | Year 2035  | Year 2040  | Year 2020                          | Year 2035 | Year 2040 |
| Population | 19,663,000                         | 22,091,000 | 22,138,800 | 1,100                              | 1,200     | 1,200     |
| Households | 6,458,000                          | 7,325,000  | 7,412,300  | 400                                | 400       | 400       |
| Employment | 8,414,000                          | 9,441,000  | 9,871,500  | 200                                | 200       | 200       |

### **MITIGATION MEASURES**

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. SCAG's Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016 (please see: <a href="http://scagrtpscs.net/Pages/FINAL2016PEIR.aspx">http://scagrtpscs.net/Pages/FINAL2016PEIR.aspx</a>). The Final PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.
Please note the Draft Connect SoCal PEIR was released for public review from December 9, 2019 to January 24, 2020. The Final Connect SoCal PEIR is anticipated to be certified by SCAG's Regional Council in late April 2020. Please refer to the certified Final Connect SoCal PEIR and adopted Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) for future projects. The Proposed Final Connect SoCal PEIR is now available for review here: <a href="https://www.connectsocal.org/Pages/Final-2020-PEIR.aspx">https://www.connectsocal.org/Pages/Final-2020-PEIR.aspx</a>.

| From:    | Nelson, Trayci  |
|----------|---|
| To:      | Scarlett Santos Leon  |
| Cc:      | Kevin Kearney   |
| Subject: | FW: EXTERNAL: Comments regarding the Chadwick Ranch Estates |
| Date:    | Monday, May 04, 2020 11:12:42 AM                            |

**Trayci Benjamin-Nelson** | Division Manager-Agency Staffing | Michael Baker International 3760 Kilroy Airport Way, Ste. 270 | Long Beach, CA 90806 | [O] 562-200-7180 | [M] 562-202-2492 tnelson@mbakerintl.com | www.mbakerintl.com

From: Serena Burnett <serena.burnett@verizon.net>
Sent: Tuesday, March 17, 2020 12:30 PM
To: tnelson@cityofbradbury.org
Cc: 'Serena Burnett' <serena.burnett@verizon.net>
Subject: EXTERNAL: Comments regarding the Chadwick Ranch Estates

?

Hello Trayci -

As a local resident and a member of Bradbury's safety committee, I have a few concerns about the Chadwick Ranch Estates:

- 1. Are the planned roads easily accessible by first responders? Are they wide enough for firefighting equipment and residents to pass safely?
- 2. Is any type of mitigation being offered to the community by the developers to enhance the community?
- 3. Are there enough fire hydrants planned and can the Bradbury water supply support additional firefighting efforts for that area?
- 4. Is additional brush clearance beyond what is required by the Fire Dept. needed to make the area safe for residential properties?

Also, relating to wildlife, I have the following concerns:

1. How does this development effect wildlife corridors? Are we creating situations where we are blocking off the ability of animals to naturally

migrate? Will existing wildlife pose a problem to the new residents if this project is set farther back into the foothills?

Thank you for taking the time to review these questions.

Serena Burnett, Paralegal (818) 802-9484 3250 Wilshire Blvd Suite #1106, Los Angeles, CA 90010



(213) 387-6528 phone (213) 387-5383 fax www.sierraclub.org

#### San Gabriel Valley Task Force March 24, 2020

To: Ms. Trayci Nelson Project Manager tnelson@cityofbradbury.org (562) 200-7180

From: Joan Licari, Chair, San Gabriel Valley Task Force of Angeles Chapter of Sierra Club

#### RE: Initial Study (IS) Chadwick Ranch Estates, Feb. 2020

Dear Ms. Nelson:

The San Gabriel Task Force of the Angeles Chapter of Sierra Club thanks the City of Bradbury for the opportunity to submit the following scoping comments for the Initial Study (IS) of the Chadwick Ranch Estates, Feb. 2020.

The San Gabriel Valley Task Force was organized by the Angeles Chapter of the Sierra Club in 1999 to work with San Gabriel Valley cities and political leaders to seek ways to create a more livable environment for valley residents while preserving or improving natural habitat. Since that time, we have worked with cities of the San Gabriel Valley and Los Angeles County/Orange County to create projects that promote low impact outdoor recreation along the urban rivers in San Gabriel Valley, and to preserve natural habitats in foothills of the San Gabriel Mountains and the Puente-Chino Hills.

We regret the necessity of cancelling the Scoping meeting originally planned for Mar. 18, 2020 due to the <u>Coronavirus disease (COVID-19</u>). That meeting would have been an opportunity for interested parties and the public an opportunity to discuss the proposal, issues, and/or ask questions with consultants and City representatives that must be addressed in the DEIR. Because of this cancellation, we believe the comment period for the Initial Study should be extended and somehow a presentation (PowerPoint perhaps) be posted on the website if the limitations to avoid meetings are not be rescinded soon (not likely).

The Chadwick Ranch Estates includes 14 numbered estate residential lots and 14 lettered nonresidential lots. The proposed project includes a site access roadway extending from the intersection of Bliss Canyon Road/Long Canyon Road, an on-site backbone circulation system, as well as requisite infrastructure, including a water tank, a booster station, a debris and water quality basin, among others. Easements for a portion of the site access roadway will be required from the Los Angeles County Flood Control District (LACFCD). The 111.8-acre project has been designated in such a manner that more than half of the land area of the site will remain undisturbed. The applicant indicates an intent to ultimately dedicate this area to a conservancy to be named.

**Comments:** We provide the following comments and concerns that must be addressed in the DEIR:

A complete study of the environment surrounding this project and relationships to the project area, the San Gabriel Mountains National Monument, other nearby conservancies already in the foothills of the San Gabriel Mountains, as well as relationships/impact to the proposed of Rim of the Valley Corridor. The latter was passed by the House of Representatives on Feb. 19, 2020. Are there connections between the project area through surrounding cities into the San Gabriel Mountains National Monument that could be important links for wildlife along any wildlife corridor and/or other existing conservancies?

- The project must conform to the General Plan and include grading, construction activities and any waivers necessary for the development must be included. Timelines must be included.
- A thorough discussion must be made of the need for this project and other alternatives that exist, including a no-project alternative. The need for this level of housing and 14 estates is questionable. Keeping this area as open space may be a more important contribution to the region as open space for biological and recreational needs.
- A comprehensive field study of the biological components of this project area must be made to determine the makeup of the flora and fauna and to determine if any protected or nominated species may be on the property since protected species are present in the foothill areas nearby.

The study should also include observations to see if the San Gabriel Chestnut Snail (*Glyptostoma gabrielense*) is present. This species has been recently documented in foothill areas. This observance was substantiated by an independent expert of fauna in the San Gabriel Mountains. This snail is a narrow endemic native only to Los Angeles County. The Project should consider avoiding all appropriate habitat on-site and maintaining a minimum 1000-foot buffer to avoid impacts to this extremely rare species. Pursuant to Section 4(b) of the Endangered Species Act ("ESA"), 16 U.S.C. §1533(b), Section 553(3) of the Administrative Procedures Act, 5 U.S.C. § 553(e), and 50 C.F.R. §424.14(a), the Center for Biological Diversity and Tierra Curry have formally petitioned the Secretary of the Interior, through the United States Fish and Wildlife Service ("FWS", "the Service") to list the San Gabriel chestnut snail (*Glyptostoma gabrielense*) as a threatened or endangered species under the Endangered Species Act and to designate critical habitat concurrently with listing. If found, detailed studies must be done.

Biological studies must be done during seasons most likely for breeding or nesting activities of species or presence of flora with short periods of visibility (i.e. *Brodiaea filifolia*). Existing wildlife corridors must be evaluated and analyzed how they may be affected by construction activities, permanent structures/infrastructure and residential activities. Avoidance or mitigation plans must be included in the DEIR.

Vegetation communities and habitats must be mapped and thoroughly discussed. How many trees will be destroyed and of which species? Particular emphasis needs to be placed on coast live oak woodland areas and the impacts of the project on breeding and movements of species within the project area. Emphasis in mitigation should be on preservation of the woodland areas rather than tree replacement. Mitigation in other areas does not equate with the impacts to established mature trees and habitat loss in the project area.

Areas designated as mitigation should be protected from future development in perpetuity.

- Cumulative project impacts as well as direct and indirect impacts on flora and fauna must be evaluated. What alternatives might exist for public ownership of this area?
- We are aware that the designs for homes that will not be available at the time of the DEIR. Individual owners will not be known, and they will develop their individual homes after purchase of lots. Therefore, restrictions to maintain environmental quality must be developed prior to DEIR studies and included in contracts at time of sale. These constraints should include acceptable landscape pallets. Outdoor lighting should be directed downward to minimize light pollution that could affect wildlife in the area. Impacts from proposed lighting on activity of crepuscular and nocturnal wildlife must be evaluated. Location with respect to dangerous fire areas and vegetation clearance must be fully addressed.
- The project area has close proximity to active fault zones. Impacts from potential movements on these faults must be evaluated **using the most recent research available.** How will anticipated ground motion affect slopes, fill areas on lots, fill behind retaining walls, structures, and the potential for liquefaction and landslides? What impact could a seismic event have on the planned water tank that could be damaged? Would that damage cause a flood event in nearby residential areas?
- We are concerned about changes to hydrology in the region. There will be extensive clearing of vegetation on ridgelines and impermeable hardscapes. How will these affect the project area? Terrain is steep. What effect will this have on erosion and stability of those slopes? Will stream channels be modified. Will cut and fill slopes in this steep terrain, retaining walls or other site modifications needed for infrastructure require waivers from building codes or the General Plan or building codes?
- Will offsets for air quality be required? If so, these should be in the local area, not at a distance.

- Plans must also be put in place to minimize fugitive dust for the construction activities that may be spread long term estimated to over the 5 years (or possibly more). To limit air quality impacts of this expensive development, solar installation should be mandated in the HOA requirements to minimize climate impacts and energy use.
- Will this be a gated community? If so, will there be public access to any trails in the area or in the National Monument?
- This area is in a High Fire Hazard area as well as flood hazard. These must be fully evaluated, along with planned response to meet the needs should these events occur, including pathways for evacuation. A possible response would be a large helicopter pad/pads plus very large water storage tanks above all of the project to provide gravity fed water to estate house sprinklers and water support for water dropping helicopter's should there be another out of control hillside fire-storm.
- Are any park facilities planned for this project? Are there trails that will link the project to the adjacent open space? The project is bordered by predominantly vacant land to the immediate east in the City of Duarte, vacant land to the north, both within the City of Bradbury and beyond the city's northern corporate limits in the City of Monrovia, and a combination of flood control facilities and vacant land within the City of Bradbury to the west. What impact on any local parks nearby are anticipated from the new residents?
- Since no public transport companies operate within the City of Bradbury, will there be options such as bike trails within the project and Bradbury to allow residents easy access to transit lines in nearby Duarte or the Gold Line? How will an estimated 80 (or what could be possibly more) auto trips per day impact surrounding areas in Bradbury and adjacent cities?
- These large homes will be situated along ridgelines; visual impacts affecting areas beyond the project boundaries must be addressed.

Thank you again for the opportunity to offer comments on this project.

Sincerely, Joan Licari, D.Env.

Joan Zicari

Chair, San Gabriel Valley Task Force Angeles Chapter of Sierra Club 626-330-4229 16017 Villa Flores Hacienda Heights CA 91745 jlicari2013@gmail.com

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#### San Gabriel Valley Task Force March 24, 2020

To: Ms. Trayci Nelson Project Manager tnelson@cityofbradbury.org (562) 200-7180

From: Joan Licari, Chair, San Gabriel Valley Task Force of Angeles Chapter of Sierra Club

#### RE: Initial Study (IS) Chadwick Ranch Estates, Feb. 2020

Apr. 30, 2020

Dear Ms. Nelson:

The San Gabriel Task Force of the Angeles Chapter of Sierra Club thanks the City of Bradbury for the opportunity to submit the following scoping comments for the Initial Study (IS) of the Chadwick Ranch Estates, Feb. 2020. We applaud the City of Bradbury for the extension of the comment period and the presentation of the scoping meeting via internet for the Chadwick Ranch Estates. Our organization had submitted comments earlier but are now providing some slightly amended comments.

The San Gabriel Valley Task Force was organized by the Angeles Chapter of the Sierra Club in 1999 to work with San Gabriel Valley cities and political leaders to seek ways to create a more livable environment for valley residents while preserving or improving natural habitat. Since that time, we have worked with cities of the San Gabriel Valley and Los Angeles County/Orange County to create projects that promote low impact outdoor recreation along the urban rivers in San Gabriel Valley, and to preserve natural habitats in foothills of the San Gabriel Mountains and the Puente-Chino Hills.

The Chadwick Ranch Estates includes 14 numbered estate residential lots and 14 lettered nonresidential lots. The proposed project includes a site access roadway extending from the intersection of Bliss Canyon Road/Long Canyon Road, an on-site backbone circulation system, as well as requisite infrastructure, including a water tank, a booster station, a debris and water quality basin, among others. Easements for a portion of the site access roadway will be required from the Los Angeles County Flood Control District (LACFCD). The 111.8-acre project has been designated in such a manner that more than half of the land area of the site will remain undisturbed. The applicant indicates an intent to ultimately dedicate this area to a conservancy to be named.

**Comments:** We provide the following comments and concerns that must be addressed in the DEIR:

- A complete study of the environment surrounding this project and relationships to the project area, the San Gabriel Mountains National Monument, other nearby conservancies already in the foothills of the San Gabriel Mountains, as well as relationships/impact to the proposed of Rim of the Valley Corridor. The latter was passed by the House of Representatives on Feb. 19, 2020. Are there connections between the project area through surrounding cities into the San Gabriel Mountains National Monument that could be important links for wildlife along any wildlife corridor and/or other existing conservancies?
- The project must conform to the General Plan and include grading, construction activities and any waivers necessary for the development must be included. Timelines must be included.
- A thorough discussion must be made of the need for this project and other alternatives that exist, including a no-project alternative. The need for this level of housing and 14 estates is questionable. Keeping this area as open space may be a more important contribution to the region as open space for biological and recreational needs.
- A comprehensive field study of the biological components of this project area must be made to determine the makeup of the flora and fauna and to determine if any protected or nominated species may be on the property since protected species are present in the foothill areas nearby.

The study should also include observations to see if the San Gabriel Chestnut Snail (*Glyptostoma gabrielense*) is present. This species has been recently documented in foothill areas. This observance was substantiated by an independent expert of fauna in the San Gabriel Mountains. This snail is a narrow endemic native only to Los Angeles County. The Project should consider avoiding all appropriate habitat on-site and maintaining a minimum 1000-foot buffer to avoid impacts to this extremely rare species. Pursuant to Section 4(b) of the Endangered Species Act ("ESA"), 16 U.S.C. §1533(b), Section 553(3) of the Administrative Procedures Act, 5 U.S.C. § 553(e), and 50 C.F.R. §424.14(a), the Center for Biological Diversity and Tierra Curry have formally petitioned the Secretary of the Interior, through the United States Fish and Wildlife Service ("FWS", "the Service") to list the San Gabriel chestnut snail (*Glyptostoma gabrielense*) as a threatened or endangered species under the Endangered Species Act and to designate critical habitat concurrently with listing. If found, detailed studies must be done.

Biological studies must be done during seasons most likely for breeding or nesting activities of species or presence of flora with short periods of visibility (i.e. *Brodiaea filifolia*). Existing wildlife corridors must be evaluated and analyzed how they may be affected by

construction activities, permanent structures/infrastructure and residential activities. Avoidance or mitigation plans must be included in the DEIR.

Vegetation communities and habitats must be mapped and thoroughly discussed. How many trees will be destroyed and of which species? Particular emphasis needs to be placed on coast live oak woodland areas and the impacts of the project on breeding and movements of species within the project area. Emphasis in mitigation should be on preservation of the woodland areas rather than tree replacement. Mitigation in other areas does not equate with the impacts to established mature trees and habitat loss in the project area.

Areas designated as mitigation should be protected from future development in perpetuity.

- Cumulative project impacts as well as direct and indirect impacts on flora and fauna must be evaluated. What alternatives might exist for public ownership of this area?
- We are aware that the designs for homes that will not be available at the time of the DEIR. Individual owners will not be known, and they will develop their individual homes after purchase of lots. Therefore, restrictions to maintain environmental quality must be developed prior to DEIR studies and included in contracts at time of sale. These constraints should include acceptable landscape pallets. Outdoor lighting should be directed downward to minimize light pollution that could affect wildlife in the area. Impacts from proposed lighting on activity of crepuscular and nocturnal wildlife must be evaluated. Location with respect to dangerous fire areas and vegetation clearance must be fully addressed.
- The project area has close proximity to active fault zones including the Sierra Madre, San Andreas and Duarte fault zones. Impacts from potential movements on these faults must be evaluated **using the most recent research available on potential ground response.** How will anticipated ground motion affect slopes, fill areas on lots, fill behind retaining walls, structures, and the potential for liquefaction and landslides? What impact could a seismic event have on the planned water tank that could be damaged? Would that damage cause a flood event in nearby residential areas?
- We are concerned about changes to hydrology in the region. There will be extensive clearing of vegetation on ridgelines and impermeable hardscapes. How will these affect the project area? Terrain is steep. What effect will this have on erosion and stability of those slopes? Will stream channels be modified? Will cut and fill slopes in this steep terrain, retaining walls or other site modifications needed for infrastructure require waivers from building codes or the General Plan or building codes? ARKStorm analysis as modeled by the USGS should be included.
- Will offsets for air quality be required? If so, these should be in the local area, not at a distance.
- Plans must also be put in place to minimize fugitive dust for the construction activities that may be spread long term estimated to over the 5 years (or possibly more). To limit air quality impacts of this expensive development, solar installation should be mandated in the HOA requirements to minimize climate impacts and energy use.

- Will this be a gated community? If so, will there be public access to any trails in the area or in the National Monument?
- This area is in a High Fire Hazard area as well as flood hazard. These must be fully evaluated, along with planned response to meet the needs should these events occur, including pathways for evacuation. A possible response would be a large helicopter pad/pads plus very large water storage tanks above all of the project to provide gravity fed water to estate house sprinklers and water support for water dropping helicopter's should there be another out of control hillside fire-storm.
- Are any park facilities planned for this project? Are there trails that will link the project to the adjacent open space? The project is bordered by predominantly vacant land to the immediate east in the City of Duarte, vacant land to the north, both within the City of Bradbury and beyond the city's northern corporate limits in the City of Monrovia, and a combination of flood control facilities and vacant land within the City of Bradbury to the west. What impact on any local parks nearby are anticipated from the new residents?
- Since no public transport companies operate within the City of Bradbury, will there be options such as bike trails within the project and Bradbury to allow residents easy access to transit lines in nearby Duarte or the Gold Line? How will an estimated 80 (or what could be possibly more) auto trips per day impact surrounding areas in Bradbury and adjacent cities?
- These large homes will be situated along ridgelines; visual impacts affecting areas beyond the project boundaries must be addressed.

Thank you again for the opportunity to offer comments on this project.

Sincerely, Joan Licari, D.Env.

Joan Zicarie

Chair, San Gabriel Valley Task Force Angeles Chapter of Sierra Club 626-330-4229 16017 Villa Flores Hacienda Heights CA 91745 jlicari2013@gmail.com

-----Original Message-----From: Paul Novak <pnovak@lalafco.org> Sent: Tuesday, March 17, 2020 2:49 PM To: tnelson@cityofbradbury.org Cc: Adriana Romo <aromo@lalafco.org> Subject: EXTERNAL: Chadwick Ranch Estates

Ms. Nelson:

This is Paul Novak of LAFCO.

Thank you for sending me the NOP for this project.

I would request that the EIR address any potential sphere of influence amendments and/or potential annexations to the Bradbury Estates CSD and/or a water district or county sanitation district. If any arrr requires, LAFCO should be designated as a responsible agency.

Thank you.

- Paul

Sent from my iPhone

My name is Andrew Raubitschek. I come here tonight with my neighbors from the MESA side of Spinks Canyon. We are here to express our concerns about the Chadwick development. Many of our concerns are presented in the Initial Study for the Chadwick Ranch Estates. We would like to emphasize three areas of importance for the residences on the Duarte side of Spinks Canyon.

First, this area has been designated as a high-risk fire zone by the county of Los Angeles. In 2016 we were forced to evacuate because of neighboring fires in the area. We have been told that this area has not burned in recent history making it at extremely high risk in the upcoming fire season. The land between the Chadwick property and the MESA residences in occupied by the Duarte Wilderness Preserve. There are many dead trees and debris in the area posing a significant fire risk. A forest fire in this area would not only propose a risk from the fire but also subsequent flooding and mudslides in the aftermath. The Initial Study sites 4 potentially significant areas of concern.

Second, the Chadwick Ranch is part of the water shed for two rivers, the Los Angeles River and the San Gabriel River. The proposed development with major land excavation would contribute negatively to this vital role. The proposed new septic system, at a time when California is considering outlawing such systems, would also have a major impact. The Initial Study sites 7 significant problems with hydrology and water quality.

Third, this area has been used as sediment disposal site. The planned development would move tons of earth to flatten the terrain and contribute to the instability of the area. This would be especially critical in the aftermath of fire and subsequent flooding. Damage to the hillside would have a significant impact of the wildlife, requiring decades to recover. The old sediment site remains a scar on the hillside which after more than 30 years is just now supporting plant growth. The initial study sites 9 potential significant issues.

I marveled at the suggestion that this would be good horse property, given the slope it would be more appropriate to utilize pack mules.

Tract 9 and 10 in the proposed development boarder on the Duarte Wilderness Preserve. In addition, Lot E, Lot F and Lot G are designated as desilting basins also bordering on the Duarte Wilderness Preserve.

The City of Duarte enacted an ordinance to prevent development of their hillsides in the late 1990s. This ordinance was converted into a more permanent solution when Duarte was able to obtain state funds to buy the property and convert it into the Duarte Wilderness Preserve in 2005.

I would hope that Bradbury would be able to mount a similar proposal, given the support of Portantino and Chu for such projects. I am sure that the Duarte officials who were responsible for the establishment of the Duarte Wilderness Preserve would be of assistance.

On a final note I wonder if either Bradbury or Chadwick understood the importance of this land and protected it from future development into multiple home sites?

April 30, 2020

#### Sent via email and FedEx

Trayci Nelson Project Planner Bradbury City Hall 600 Winston Avenue Bradbury, CA 91008 Email to: <u>tnelson@cityofbradbury.org</u>

## **RE:** Comments on Notice of Preparation of an Environmental Impact Report for Chadwick Ranch Estates Specific Plan, SCH# 2020020548

Ms. Nelson,

These comments are submitted on behalf of the Center for Biological Diversity ("the Center") regarding the Notice of Preparation of an Environmental Impact Report ("EIR") for the Chadwick Estates Specific Plan ("the Project"). The Center urges the City to undertake a thorough and comprehensive environmental review of the Project as required under the California Environmental Quality Act ("CEQA"), prior to considering approval. Despite the Project's relatively small scale, the Project poses significant environmental impacts to the sensitive ecological setting of the proposed site. The EIR should fully address and analyze at a minimum the Project's impacts to sensitive species and habitat, fire hazards, water quality, aesthetics and all reasonable alternatives.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has 1.7 million members and supporters throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, wildlife connectivity, open space, air and water quality, and overall quality of life for people in Los Angeles County.

Under CEQA, an EIR must provide decision-making bodies and the public with detailed information about the effect a proposed project is likely to have on the environment, to list ways in which the significant effects of a project might be minimized, and to indicate alternatives to the project. (Pub. Res. Code § 21061.) The proposed Project will directly and indirectly impact over 100 acres of open space and natural habitat to construct mansions for a few ultra-rich

buyers. The EIR must fully disclose these impacts, so that the public can fully understand the publicly born costs associated with the Project that likely delivers few public benefits.

#### The DEIR Must Assess the Fire Risks Posed by the Project

California has experienced increasingly destructive wildfires over the course of the past decade, a trend which, fueled by drought and climate change, is likely to continue. The 2018 wildfire season in California was the "deadliest and most destructive" ever recorded, both in terms of acres burned and damage caused.<sup>12</sup> The increasing frequency and intensity of wildfires in California highlight the need to reassess where new development will be located. Housing along the urban-wildland interface exposes residents to greater fire risks, while simultaneously increasing the probability of fire ignition.<sup>3</sup> The Project proposes residential development in the hills and canyons of the San Gabriel Mountains that delineate the boundary between Angeles National Forest and the City of Bradbury. (Initial Study ("IS") at 3-1.) The DEIR must analyze the wildfire risks and impacts associated with the Project; and establish comprehensive mitigation measures to address those effects.

The Initial Study acknowledges the potential wildfire impacts, as the Project is located in a "Very High Fire Hazard Severity Zone." (IS at 3-8.) Such a designation requires certain measures to be taken by homeowners, as noted in the Initial Study. (*Id.*) But these measures have proven to be insufficient in the face of recent fires in Southern California; therefore, the EIR should assess preventative mitigation measures that go beyond the statutorily required minimum.<sup>4</sup> CEQA requires the EIR to assess the full range of wildfire impacts and potential mitigation so that the public and decision-makers can properly weigh the potentially catastrophic costs of a wildfire against the Project's purported benefits.

In its wildfire impact assessment, the EIR should also clarify the management of the Project's open space/conservation areas. The Initial Study states that open space will make up approximately 51 percent of the Project site, on which development will be prohibited. (IS at 3-2.) The long-term ownership and management of these spaces will be the responsibility of a yet-to-be-named conservancy. (*Id.*) The EIR should clearly outline the duties of each landowner in terms of wildfire prevention as well as provide the mechanisms for enforcing such duties. Adherence to statutorily imposed fuel modification zones and defensible areas will not protect the open space beyond the residential development pads. The EIR must identify the fire risk impacts to undeveloped areas of the Project; and provide mitigation where feasible.

#### The Project's Impacts on Water Resources

The Project's cut and fill activities have the potential to significantly alter the area's drainage patterns. (IS at 4.10-1, 4.10-3.) The Project area serves as both a buffer to, and

<sup>&</sup>lt;sup>1</sup> Calfire Incident Information, https://www.fire.ca.gov/incidents/2018/.

<sup>&</sup>lt;sup>2</sup> The Guardian, Last year's wildfires were the most expensive in California history,

https://www.theguardian.com/us-news/2019/may/08/california-2018-wildfires-most-expensive

<sup>&</sup>lt;sup>3</sup> Radeloff et al. Rapid growth of the US wildland-urban interface raises wildfire risk. Proceedings of the National Academy of Sciences, 2018, www.pnas.org/cgi/doi/10.1073/pnas.1718850115.

<sup>&</sup>lt;sup>4</sup> Southern California Public Radio, 'Defensible space' couldn't keep Thomas fire from burning Ventura County.

<sup>12/19/17,</sup> https://www.scpr.org/news/2017/12/19/79035/defensible-space-couldn-t-keep-thomas-fire-from-bu/

extension of, the vital ecological systems of the Angeles National Forest and San Gabriel Mountains. Changes to the rate, timing and direction of drainage would impact the quality of area riparian and in-stream habitat, constrain the range of water-reliant plant and animal species, and alter groundwater recharge. Specifically, the Project will likely impact federally protected waters. (IS at 4.4-2.) The EIR must fully assess these impacts and provide mitigation through adequate setbacks and erosion control protocols. As the effects of climate change become more apparent, it is more important than ever for projects in Southern California to provide comprehensive analysis of impacts to water resources.

The Initial Statement acknowledges the Project may significantly deplete groundwater supplies, and that the Project will be required to drill a well to replenish the underlying aquifer to compensate for the Project's use of groundward. (IS at 4.10-2.) The EIR must first establish the baseline drainage and recharge regimes, then provide detailed analysis of how these conditions will be impacted by the Project.<sup>5</sup> The amount and location of runoff, as well as stream bed recharge, will be affected by the Project's topographic alterations. The residential water use, while certainly a factor to consider, is not the only facet of the Project that will impact groundwater recharge. The EIR should provide analysis of all potential Project impacts on groundwater.

#### **Biological Surveys and Mapping**

The Center requests that thorough, seasonal surveys be performed for sensitive plant species and vegetation communities, and animal species under the direction and supervision of the BLM and resource agencies such as the US Fish and Wildlife Service and the California Department of Fish and Game. Full disclosure of survey methods and results to the public and other agencies without limitations imposed by the applicant must be implemented to assure full CEQA/ESA compliance.

Confidentiality agreements or non-disclosure agreements regarding environmental resources must not be required of any biologists participating in the surveys in support of the proposed project. Surveys for the plants and plant communities should follow California Native Plant Society ("CNPS") and California Department of Fish and Wildlife ("CDFW") floristic survey guidelines<sup>6</sup> and should be documented as recommended by CNPS policy guidelines<sup>7</sup>. A full updated floral inventory of all species encountered needs to be documented and included in the EIR. Surveys for animals should include an evaluation of the California Wildlife Habitat Relationship System's ("CWHR") Habitat Classification. All rare species (plants or animals) need to be documented with a California Natural Diversity Data Base ("CNDDB") form and submitted to CDFW using the CNDDB Form<sup>8</sup> as per the State's instructions<sup>9</sup>.

<sup>6</sup> California Native Plant Society, Botanical Survey Guidelines, https://cnps.org/wp-content/uploads/2018/03/cnps\_survey\_guidelines.pdf and

https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline

<sup>&</sup>lt;sup>5</sup> Woodward Park Homeowners Assn, Inc. v. City of Fresno (2007) 150 Cal.App.4th 683, 707 The court, in discussing § 15125 of the Guidelines, stated the EIR must "compare what will happen if the project is built with what will happen if the site is left alone."

<sup>7</sup> CNPS, https://www.cnps.org/wp-content/uploads/2018/04/collecting-guidelines-documentation.pdf

<sup>&</sup>lt;sup>8</sup> CDFW, California Natural Diversity Data Base, Online Field Survey Form,

The Center requests that the vegetation maps be at a large enough scale to be useful for evaluating the impacts. Vegetation/wash habitat mapping should be at such a scale to provide an accurate accounting of wash areas and adjacent habitat types that will be directly or indirectly affected by the proposed activities. A half-acre minimum mapping unit size is recommended, such as has been used for other development projects. Habitat classification should follow CNPS' Manual of California Vegetation. (Sawyer et. al. 2009).

#### **Project Impacts on Biological Resources**

The Project site encompasses an area of immense ecological value in the foothills of the San Gabriel Mountains. This value arises not only from the wildlife and habitat present within Project boundaries but from the site's proximity to the Angeles National Forest, Duarte Wilderness Preserve and the San Gabriel Valley Sensitive Ecological Area 19 ("SEA"). The Project will directly alter the landscape of the proposed site and will indirectly impact the surrounding areas by increasing human-borne disturbances, reducing ecological buffer zones, and constraining wildlife movement. The EIR must fully analyze the direct and indirect impacts of the Project on the area's biological resources.

A fully CEQA-compliant EIR must contain a complete and up-to-date plant and wildlife survey of the potentially impacted habitats.<sup>10</sup> The adequacy of the Project's EIR will depend on properly describing the physical environmental conditions in and around the Project site; this must include a full accounting of the biological resources that may be affected by the Project.<sup>11</sup> A number of plant and animal species utilize habitat in and around the Project site, a complete survey will allow the public and decision-makers to fully comprehend the scope of Project impacts.

One such species is the San Gabriel chestnut snail ("SGCS"), a terrestrial snail found only in the San Gabriel Mountains and foothills.<sup>12</sup> The SGCS is ranked as imperiled on the "Special Animals List" compiled by CDFW.<sup>13</sup> SGCS is known to occur in the vicinity of the project.<sup>14</sup> Similar to many terrestrial snail populations, SGCS is particularly vulnerable to development-related habitat destruction because of their limited dispersal ability.<sup>15</sup> As noted in the Petition, via reference to a CDFW comment letter, the previously proposed Oakview Estates project posed "immitigable" impacts to SGCS individuals present on that project site.<sup>16</sup> The Chadwick Estates Project would have the same impacts, as it is located adjacent to the proposed Oakview Estates site.

<sup>&</sup>lt;sup>9</sup> Id. see "User Guide."

<sup>&</sup>lt;sup>10</sup> CEQA Guidelines, 14 CCR § 15125.

<sup>&</sup>lt;sup>11</sup> Id.

<sup>&</sup>lt;sup>12</sup> San Gabriel chestnut snail ESA listing Petition, p. 4

<sup>&</sup>lt;sup>13</sup> California Department of Fish and Wildlife, California Natural Diversity Database, Special Animals List (August 2019), available at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406

<sup>&</sup>lt;sup>14</sup> Natural History Museum of Los Angeles County, Snails and slugs Living in Metropolitan Environments Data, https://www.inaturalist.org/observations?place\_id=any&taxon\_id=210624.

<sup>&</sup>lt;sup>15</sup> San Gabriel chestnut snail ESA listing Petition, p. 12.

<sup>&</sup>lt;sup>16</sup> Id. at p. 13.

Specifically, the SGCS population in the area would be significantly impacted by the cut and fill operations, alterations to hydrologic patterns, and ongoing fuel modification measures. The SGCS is dependent on moist microhabitats, such that the alteration of drainage patterns from Project activities could eliminate vital habitat. The development will also introduce barriers to dispersal, such as roads and other topographic features, further hindering SGCS survival in an altered habitat. The EIR should include surveys of the Project area and the surrounding area to ascertain the resident SGCS population and its habitat needs. Numerous other species and rare vegetation communities have been documented in the general area of the Project,<sup>17</sup> the DEIR must also include surveys and analysis that clearly demonstrates present wildlife to the public and decision-makers.

It is critically important that the DEIR disclose and analyze the Project's potential impacts to mountain lions, including habitat fragmentation, increased lighting and noise associated with development and human activities, increased traffic on roads, use of pesticides and rodenticides, or increased risk of wildfires. There is ample scientific literature that shows that mountain lions in and near the Project area are struggling and that such human activities and land use planning can have adverse impacts on mountain lions. Continued habitat loss and fragmentation has led to 10 genetically isolated populations within California. Several populations in Southern California and along the Central Coast are facing an extinction vortex due to high levels of inbreeding, low genetic diversity, and high human-caused mortality rates from car strikes on roads, depredation kills, rodenticide poisoning, poaching, disease, and increased human-caused wildfires.<sup>18</sup> This is detailed in the Center's petition to the California Fish and Game Commission to protect Southern California and Central Coast mountain lions under the California Endangered Species Act (Yap, Rose, & Cummings, 2019). On April 16, 2020, the California Fish and Game Commission voted unanimously to advance the Southern California and Central Coast mountain lions to candidacy under the California Endangered Species Act.<sup>19</sup>

Furthermore, Studies have shown that mountain lions alter their behavior to avoid humans and human disturbances (*e.g.*, development and associated noise and lighting). For example, mountain lions have been found to avoid human voices and move more cautiously when hearing human voices.<sup>20</sup> The presence or perceived presence of humans has been found to reduce overall feeding time.<sup>21</sup> Nocturnal patterns of movement and stasis suggest that mountain lions generally avoid areas with human disturbance<sup>22</sup>, and although they are generally most active at dusk and dawn, their peak activities have been observed to shift to more nocturnal patterns when they are closer to human disturbance (Van Dyke et al., 1986). And although mountain lions will use moderately disturbed areas as they travel and hunt<sup>23</sup>, occupancy is lower in developed areas and they are more likely to use developed areas if they border open spaces

<sup>&</sup>lt;sup>17</sup> California Department of Fish and Wildlife, California Natural Diversity Database QuickView Tool, accessed 4-29-2020. Available at: <u>https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick</u>.

<sup>&</sup>lt;sup>18</sup> Benson, Mahoney, et al., 2016; Benson et al., 2019; Ernest et al., 2003; Ernest, Vickers, Morrison, Buchalski, & Boyce, 2014; Gustafson et al., 2018; Riley et al., 2014; T. W. Vickers et al., 2015.

<sup>&</sup>lt;sup>19</sup> California Fish & Game Commission, Notice of Findings, April 21, 2020.

<sup>&</sup>lt;sup>20</sup> Suraci, Clinchy, Zanette, & Wilmers, 2019.

<sup>&</sup>lt;sup>21</sup> Smith et al., 2017; Smith, Wang, & Wilmers, 2015.

<sup>&</sup>lt;sup>22</sup> Dickson & Beier, 2002; Dickson, Jennes, & Beier, 2005.

<sup>&</sup>lt;sup>23</sup> Gray, Wilmers, Reed, & Merenlender, 2016; Wilmers et al., 2013; Zeller, Vickers, Ernest, & Boyce, 2017.

(Wang, Allen, & Wilmers, 2015). Thus, mountain lions require sufficient room to roam away from human-disturbed areas and expansive, intact, heterogeneous habitats.<sup>24</sup>

The DEIR must also adequately assess and mitigate the impacts to mountain lions and connectivity from increased wildfire risk due to the Project. Although fire is a natural disturbance in California ecosystems, sprawl development with low/intermediate densities extending into habitats that are prone to fire, like the proposed Project, have led to more frequent wildfires that burn larger areas.<sup>25</sup> Placing more sprawl development, infrastructure, and people in fire-prone areas could lead to more human-caused wildfires. Increased frequency of wildfires poses a threat to the survival of mountain lions in and near the Project area. Although mountain lions are highly mobile and generally able to move away from wildfires, in severe weather conditions wind-driven fires can spread quickly – they can cover 10,000 hectares in one to two days, as embers are blown ahead of the fires and towards adjacent fuels (e.g., flammable vegetation, structures) (Syphard, Keeley, & Brennan, 2011). If their movement is constrained by roads and development and they are unable to access escape routes, then their chances of surviving wildfires are greatly reduced. (Vickers et al., 2015) documented one death of a collared mountain lion in the Santa Ana Mountains and one in the Eastern Peninsular Range due to human-caused wildfires, and the deaths of two collared mountain lions in the Santa Monica Mountains in 2018 have been attributed to the Woolsey Fire. Environmentally stochastic events (e.g., wildfires, flooding) could destabilize small mountain lion populations and make them vulnerable to extinction.<sup>26</sup> In addition, increased frequency of fire ignitions can cause shifts in natural fire regimes, which can lead to large-scale landscape changes, such as vegetation-type conversion or habitat fragmentation, which can impact wide-ranging species like the mountain lion (Jennings, 2018).

As the urban-wildland boundary continues to encroach on natural habitat at the edge of Angeles National Forest, the importance of habitat connectivity increases. The Project represents the northward march of residential development toward Angeles and related areas. The Initial Study touts the percentage of the Project footprint comprised of open space/no built areas. (IS at 3-2.) If these areas are to be viewed as an ecological asset in the Project approval process, the EIR must explain the nature and management of the "open space." Once the biological resource survey is conducted for the Project site, the EIR should provide an impact assessment, and management guidance for the open space. This inquiry should note the extent of municipal control over activities on privately held land, and the associated impacts on sensitive biological resources and the efficacy of proposed mitigation measures.

Similarly, the management practices deployed on the open space should be assessed in light of the site's value as a habitat corridor for wildlife movement. The construction of fencing and roads, as well as ridge and slope alterations, can hinder the foraging and dispersal movements of area wildlife populations.

#### **Reasonable and Prudent Alternatives**

<sup>&</sup>lt;sup>24</sup> Beier, Choate, & Barrett, 1995; Dickson & Beier, 2002; Kertson, Spencer, Marzluff, Hepinstall-Cymerman, & Grue, 2011; W. Vickers, Zeller, Ernest, Gustafson, & Boyce, 2017.

<sup>&</sup>lt;sup>25</sup> Syphard, Radeloff, Hawbaker, & Stewart, 2009; Syphard et al., 2007.

<sup>&</sup>lt;sup>26</sup> Benson, Mahoney, et al., 2016; Benson et al., 2019

The EIR must present and consider "a reasonable range of potentially feasible alternatives" in order to facilitate "informed decision-making and public participation."<sup>27</sup> The EIR's alternative analysis should assess the proposed size and location of the Project. While large residential estates are nothing new in Bradbury, the enormous size of the proposed residences begs reconsideration. The individual lots will contain varied sizes of developable areas, ranging from 20,000 square feet up to 49,000 square feet. (IS at 3-2.) Existing inventory of luxury estates currently on the market in Bradbury should be considered when discussing the need for the Project. There are currently two residences in the 16,000-18,000 square feet range that are listed for approximately 15 million dollars each, both estates have been on the market for nearly 6 months.<sup>28</sup> The EIR should include an economic feasibility analysis of the Project to determine the need for the Project in light of potential demand for such extravagant residential estates. A range of alternatives, including a no-build option, will inform the public and decision-makers about whether constructing 14 mega-mansions is worth the environmental impacts of this Project.

#### Other Impacts the Must be Analyzed in the EIR

In addition to those issues raised above, the EIR must also address thoroughly a variety of other related issues. For example, the EIR must fully disclose and analyze the impacts on aesthetics and noise, and discuss alternatives and effective mitigation measures to avoid, reduce, and mitigate these impacts. The EIR must also address the Project impacts on air quality in light of the poor air quality in the Southern California region.

#### Conclusion

The environmental effects of the proposed Chadwick Estates Specific Plan will potentially impact biological and water resources, air quality and aesthetics, while increasing the impacts associated with wildfire risks. Evaluation of each of these impacts, as well as analysis of reasonable and prudent alternatives must be included in the EIR. Thank you for the opportunity to submit comments on this proposed Project. Please do not hesitate to contact the Center with any questions at the number listed above. We look forward to reviewing any further environmental documentation on this project.

Please add the Center to your notice list for all future updates to the Project and do not hesitate to contact the Center with any questions at the number or email listed below.

Sincerely,

Rs Mithin

**Ross Middlemiss** 

<sup>28</sup> Bradbury Real Estate, viewed 4/29/2020, https://www.redfin.com/city/2048/CA/Bradbury

<sup>&</sup>lt;sup>27</sup> CEQA Guidelines, 14 CCR § 15126.6(a).

Staff Attorney Center for Biological Diversity 1212 Broadway Ave. # 800 Oakland, CA 94612 Phone: (510) 844-7115 Email: rmiddlemiss@biologicaldiversity.org

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#### Regarding the upcoming Scope Review Meeting for Chadwick Ranch Estates...

The Council has not had any involvement in this project yet – other than to approved funding the EIR (Environmental Impact Report). As such, I don't have any suggestions – based on specific knowledge of the project – for questions.

That said – and those of you that attended the same meeting for Bradbury Oak View Estates (previously proposed project to the west of this one) will be familiar with these concepts – general areas of concern.

- Scope and Impact of Infrastructure Construction
  - Access Points
    - Where?
    - Are there at least two?
    - Will there be in temporary access points or roads? If so, where?
  - Plan for Roads
    - Routing?
    - Bridges?
  - $\circ$   $\;$  Excavation / Fill for infrastructure like roads and building pads
    - How much?
    - Where?
  - Is there any planning that directly impacts the Bradbury Oaks Estates area or infrastructure?
- Building Pads
  - Locations, Number, Impact to View, Any ridgeline impact? Don't' think just top of the ridge, there are many ridgelines in the area below the crest.
  - Will individual home site building pads be created in advance of home construction?
  - If so, what will be done to prevent run-off and erosion of those pads in the interval between creation and beginning of construction – likely an extended period, i.e. years?
- Environmental
  - Impact to water sources, blue lined streams?
  - Impact to any identified endangered species plants or animals: Near Threatened, Vulnerable, Endangered, Critically Endangered?
  - Run off, erosion, catch basin plans?
- General Logistics
  - Anticipated Start / Finish?
  - Scope of Project # of home sites?
  - Contingency plans / stages if construction stops mid-project with critical feature incomplete?

Dear Ms. Nelson, Bradbury City Council, and fellow Bradbury residents,

I am writing to voice my strong objection to the planned Chadwick Ranch Estates development. Bradbury and the San Gabriel Valley does not need this development, which, as the Initial Study notes, is expected to provide new housing for a negligible 40-50 people on fourteen lots within its 112 acres. Chadwick Estates is being pitched unabashedly to the billionaire elite; the Offering Memorandum from WD Land promises not livable homes but "a once in a lifetime opportunity to build a unique trophy residential compound" among "large ultra-luxury multi-million-dollar homes" owned by "the world's rich and famous with billionaire residents". In exchange for these fourteen "trophy compounds", the existing Bradbury community is being asked to sacrifice much of our precious open space, irreversibly degrading our local wilderness and straining our limited resources.

Besides the lack of any justification for this development (beyond the profit motive), practical concerns include the loss of prime native habitat, coupled with the extreme fire vulnerabilities of encroaching deeper into the urban-wildland interface. As the Initial Study notes, the entire area is "a very high fire severity zone." In addition, the per capita resource footprint for these compounds would far exceed Bradbury's average, let alone that of adjacent communities. Water is of particular concern - the demand for the inevitable large pools and landscape irrigation, plus the unknown number of bathrooms per unit, is bound to strain alreadytight resources. I note from the Initial Study that California American Water is committed to dig a well to support the needs of this development, yet the site of this well, let alone any guarantee of its initial and long-term productivity, has not been determined. The Initial Study also states that this well will be drilled in Duarte, and that the City of Duarte must give its approval. What is the likelihood, in this age of chronic drought and depleted water tables, that Duarte will approve a well to support a new billionaire's enclave in Bradbury? The Initial Study also notes that "pad areas" for the houses are proposed from 20,000 to 49,000 square feet - the footprint of such gargantuan mansions will destroy Bradbury's rural essence while also degrading the adjacent wilderness areas of Monrovia and Duarte. Given that these mansions will be likely be multistory, the impact of fourteen such compounds on foothill views boggles the mind. Such environmental

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and resource issues, along with many more significant impacts as noted in the Initial Study, point to years of negotiations and potential litigation involving the City of Bradbury, for a development that is clearly not in the best interests of Bradbury's current residents.

Also, no one could argue that the development is required from a housing demand perspective, even for its targeted ultrawealthy customers. If there are indeed fourteen billionaires desiring to own a trophy in "exclusive" Bradbury, they already have numerous options. Many large multi-million dollar homes have stagnated on the market for extended periods, with prices dropping over time. As of this evening (3/17/20), Zillow lists 11 mansions (or vacant lots) in Bradbury priced above \$3 million, up to \$15 million. As but one example of the slow market, I purchased my home at 6 Bradbury Hills Rd early in 2019. This is a desirable home on a large lot with spectacular views, yet it was on the market for more than a year before I bought it at far below the initial asking price (to live in, not tear down). Clearly, if market demand were high, my property would have been snapped up for a teardown and new mansion. In addition, the large empty lot adjacent to me at 8 Bradbury Hills Rd was also on the market for an extended period before being sold for \$1.55 million in July. And as you are aware, the large lot at Winston and Royal Oaks Drive remains to be developed into several new mansions. The new large home on Winston just north of City Hall as well as the new construction north of the bike path are examples of megamansions that were built without destroying precious hillside open space. Surely the desire of fourteen investors to claim a Bradbury address can be accommodated by the existing pool of homes and vacant lots without loss of our remaining open space.

In summary, in contrast to the prospectus from WD Land, Bradbury is not (only) for "the world's rich and famous", "the youngest female billionaire", the "third richest man in China", etc. Their prospectus pitches Chadwick Ranch Estates as a US investment for uberwealthy foreign investors, and highlights elite private schools miles away on the westside, while the local "Amenities Map" is also concentrated in LA and on the westside (the Getty is noted but the Huntington is not). Clearly, these "trophy residential compounds" will be occupied by people who will not become part of the fabric of the local Bradbury/Duarte/Monrovia community.

2

Also, the approval of one such billionaire's development does nothing to address the real issues of housing access for working families. Given Bradbury's goal of "Preserving Rural Tranquility", this will always be a challenge, yet these trophy estates are a giant step in the wrong direction. Approval of these estates will certainly pave the way for more development of our pristine hillsides – not only in Bradbury, but in other foothill communities. Such development is not inevitable; Monrovia's Hillside Wilderness Preserve sets a fine example for the importance of curbing development in the foothills. If Monrovia had and has the vision and resources to achieve this level of open space protection, certainly Bradbury can do the same.

I find it ironic that the WD Land prospectus notes that "The property is the last remaining vacant land parcel in Bradbury Estates" (which is untrue), and also, without a trace of irony, states that the Chadwick family "remain excellent stewards of the land." Although I do not know the financial rationale behind their desiring such a large development, I urge the Chadwick family to consider a conservancy arrangement to protect ALL their wilderness land in perpetuity.

In summary, if this project is allowed to proceed, it will irreversibly damage the rural/wilderness character of Bradbury, as well as significantly burden already stretched water and emergency response resources. Therefore, I strongly recommend against approval of the Chadwick development. The recent dramatic economic downturn should highlight the folly of destroying precious open space to provide trophy estates for a handful of billionaires. I hope that the desires of the Bradbury community at large, those of us who live in and love Bradbury not as a trophy address, but for its "rural tranquility", will prevail.

Thank you.

& Bzynkowski

David Szymkowski 6 Bradbury Hills Road Bradbury Phone 626 512 9731 Email david.szymkowski@gmail.com

3

# The remaining pages are the full response from Jim Floutrnoy, Secretary

Ms. Trayci Nelson. Jim Kasama, City Planner Bradbury City Hall, 600 Winston Avenue, Bradbury, CA 91008. <u>tnelson@cityofbradbury.org</u> org

(562) 202-2492

Initial Study https://www.cityofbradbury.org/images/7023%20CRE\_IS\_2020-02-26\_Final.pdf UltraSystems Environmental Inc. 16431 Scientific Way Irvine, CA 92618-4355 949.788.4900 FAX: 949.788.4901 www.ultrasystems.com

Nevis Capital, LLC, C/O TRG Land Inc. Mark S. Rogers, Principal 898 Production Place Newport Beach, CA 92663

APNs 8527-005-001, 8527-005-004, 8517-001-010

site access roadway extending from the intersection of Bliss Canyon Road/Long Canyon Road,

water tank, booster station, debris and wate-r quality basin,

northern urban fringe of the City of Bradbury National Forest ? vacant land to the north, both within the City of Bradbury and beyond the city's northern corporate limits in the City of Monrovia,

predominantly vacant land to the immediate east in the City of Duarte,

Kizh archaeologist **Dr. Stickel's phone number 323 937 6997** H 213 841 6974 cell cell consultation <u>dregarystickel@att.net</u>

https://www.sciencebase.gov/catalog/item/5825fad3e4b01fad86e639de Azusa

https://gmw.conservation.ca.gov/SHP/EZRIM/Maps/AZUSA\_EZRIM.pdf

https://ngmdb.usgs.gov/Prodesc/proddesc\_62949.htm

https://ngmdb.usgs.gov/Prodesc/proddesc\_71696.htm Diblee https://earthworks.stanford.edu/catalog/mit-000944085 This data is hosted by MIT, https://catalog.data.gov/dataset/usgs-1-24000-scale-quadrangle-for-azusa-ca-192813059 URL: https://prdtnm.s3.amazonaws.com/StagedProducts/Maps/HistoricalTopo/PDF/CA/24000/CA\_Azusa\_465321\_1928\_24000\_geo. pdf

https://www.usgs.gov/core-science-systems/ngp/topo-maps/historical-topographic-map-collection?qtscience\_support\_page\_related\_con=0%23qt-science\_support\_page\_related\_con

https://www.apu.edu/library/specialcollections/findingaid/mapoversized/

### sw Morton and Miller 2006

## Geology of parts of the Azusa and Mount Wilson quadrangles, San Gabriel Mountains, Los Angeles County, California, by Douglas M. Morton.

https://archive.org/stream/geologyofpartsof105mort/geologyofpartsof105mort\_djvu.txt

https://www.apu.edu/library/specialcollections/findingaid/mapoversized/ https://babel.hathitrust.org/cgi/pt?id=uc2.ark:/13960/t25b16p7j&view=1up&seq=3 https://babel.hathitrust.org/cgi/pt?id=uc1.31210010426565&view=1up&seq=4 https://babel.hathitrust.org/cgi/pt?id=uc2.ark:/13960/t25b16p7j&view=1up&seq=22 see page 20 Bradbury Mesa see maps 1925

http://upperdistrict.org/wp-content/uploads/2018/01/Appendix-D\_Cultural-Report-1-10-18.pdf

San Gabriel river master Plan https://dpw.lacounty.gov/wmd/watershed/sg/mp/docs/PEIR-Appendices.pdf

https://www.nrcs.usda.gov/Internet/FSE\_MANUSCRIPTS/california/losangelesCA2017\_SE\_supp/Supplement\_LA\_County\_CA\_SE\_Part.pdf

https://www.cpp.edu/sci/geological-sciences/docs/ms-thesis-archive/MarshakThesisPlates.pdf

LOS ANGELES COUNTY HISTORICAL TOPOGRAPHIC MAPS 6-MINUTE (6') USGS MAP SERIES CALIFORNIA STATE UNIVERSITY (CSUN) GEOGRAPHY MAP LIBRARY 1925, 28, 39 https://catalog.data.gov/dataset/usgs-1-24000-scale-quadrangle-for-azusa-ca-192813059 1928

http://geohaz.com/images/document-map-downloads/journal-papers/Geo-Haz\_2003-San-Gabe-sackung-partA-NO-PLATES-LowRes.pdf

#### Save Our Community SGV co/ 8655 Landis View Ln Rosemead CA 91770

Anne McIntosh, City Planner City of Bradbury Planning Department 600 Winston Avenue Bradbury, CA 91008 Phone Number: 626.358.3218 AMcIntosh@cityofbradbury.org

re: Scoping for Tentative Tract Map No. 73567 Oak View Estates Specific Plan

Thank you for allowing Scoping comments at the CEQA Checklist level

First we notice that the Bradbury General Plan is dated. Perhaps data generated could be used in an update or the Safety Element and Disaster Hazard Mitigation Plan Could be updated if co-originated with the EIR process.

Gray water is now included in the building code and we suggest a gray water recycle-reuse system

Storm water runoff is currently a major looming cost for Cities. We suggest that Stormwater runoff be recycled-reused. Cisterns, holding tanks/ ponds connected to the Purple recycled water system. Recycle-reuse.

Solar- absolutely off the grid capability and use for backup on the fire-water pumps.

Fire water pump backup- typically not enough fuel is specified.

Fire water system must be capable of supplying more than one structure concurrently. The duration of a loss of electrical power will determine the amount of on site water storage required-The USGS Shakeout report has some guidelines.

Fire system distribution system must be fully ductile from wells to tank and throughout site. Special consideration where crossing faults Tanks and connections must be designed to accommodate expected ground motions and permanent ground displacements. Breakaway valves must be installed at critical points to prevent loss of fire water and domestic water.

Grading- See the LACODPW Grading Guidelines however these must be updated to the latest Building Code

Loss of Topsoil frequently addressed as to storm runoff only, sometimes wind blown, however topsoil from grading must be addressed. Site specific topsoil must be banked and reused and not mixed with lower levels soils during grading.

Landslides must be investigated by dynamic methods not just static analysis- Newmark or later. Analysis must utilize not only strong short duration high frequency events as from the nearby Sierra Madre Fault ( and for the water system and tanks from a multi segment break) but long duration long period events from the Mojave and Southern San Andreas and for water tanks from a concurrent break of both. As the water system must be investigated as "essential services" aka "critical infrastructure". See <a href="http://dpw.lacounty.gov/gmed/manual.pdf">http://dpw.lacounty.gov/gmed/manual.pdf</a> but update to the latest building code, ASCE7 and FEMA NEHRP first

Liquefaction not likely but may be present near blue line streams and the debris basin area- if shallow groundwater is suspected then nalysis must utilize not only strong short duration high frequency events as from the nearby Sierra Madre Fault (and for the water system and tanks from a multi segment break) but long duration long period events from the Mojave and Southern San Andreas and for water tanks from a concurrent break of both.

Landslides and Liquefaction are impacted by the number of ground motion cycles. Long period up to 10 second but long duration up to several minuets must be considered – also for Water Tank design and soil-structure interactions

We suggest that a qualified seismologist be consulted prior to any put the most cursory static studies.

Danger of fault rupture

Even with the latest AP map it is unclear if Bradbury was thoroughly investigated.

The Sierra Madre fault is found braided on both sides of Bradbury so there may be multiple strands in the City <u>http://dpw.lacounty.gov/gmed/manual.pdf</u> references required investigations for single family residences above and beyond the A-P act

We would suggest digging the trench for the water line to the proposed tank and have a qualified professional investigate for faulting and geotechnical anomalies

Debris basin must be designed to capture debris from after a fire above and to control a USGS Arkstorm event. There must be a mitigation measure requiring cleaning of the debris basin.

Oak trees WE suggest that if Bradbury does not have an Oak Tree Ordnance that the LA County Ordnance be considered a standard of professional practice.

There is a recent hillside plant pallet available

We require that the Los Angeles Regional Uniform Code Update Provisions (LARUCP) be utilized and the LA County version of the California Building Code be adopted.

The flooding from tank failure must be included.

We suggest that the city have a map showing all non ductile- cast iron- asbestos- concrete (transite) piping and reference it in their document.

We suggest that the city have a map showing all water piping that does not meet the current hydrant and residential fire flow requirements and reference it in their document.

Perhaps these could be found in the City's DHMP

We suggest a Policy and Goal to rectify any shortcomings in the "City's water/ firefighting system.

Danger of earthshaking is covered separately.



December 15, 2016

James A. Bergman, Director San Luis Obispo County Planning and Building Department 976 Osos Street, #200 San Luis Obispo, CA 93401

RE: Draft Chapter 22.58 Oak Woodland Protection Ordinance

Dear Mr. Bergman:

California Oaks works to conserve oak ecosystems because of their critical role in sequestering carbon, maintaining healthy watersheds, and providing sustainable wildlife habitat. We noticed the draft permanent Oak Woodland Protection Ordinance does very little to advance the county's stated conservation and open space goals articulated in the General Plan or the county's Climate Action plan. We are concerned, having read both the draft permanent ordinance and also the July 12, 2006 memo from Department of Planning and Building responding to findings that the Grand Jury provided about oak tree preservation in San Luis County, that Department of Planning is not interested in protecting the county's primary old growth resource.

A study conducted in 2004 found over three quarters of county residents were supportive of protections for the county's native oaks. We suggest that the level of support has likely grown and we invite the county to collaborate in a poll.

Section one of this letter addresses the General Plan. Section two discusses linkages between oak protections and the county's efforts to meet the statemandated climate goals. Lastly, section three of this letter contains comments specific to the draft Oak Woodland Protection Ordinance.

#### I. Comments on the Conservation and Open Space Element of San Luis Obispo County's General Plan Regarding the Proposed Oak Ordinance

Below are a number of excerpts from the Conservation and Open Space Element of the San Luis Obispo County General Plan, followed by discussion. Comments on the role of oaks in carbon sequestration, pertaining to chapter 2 of the Conservation and Open Space Element and the Climate Action Plan are in section II, which starts on page 6.

#### **Chapter 3: Biological Resources**

# Policy BR 1.5 Establish and Maintain a Network of Major Ecosystems

The County will work collaboratively with affected agencies, groups and individuals to establish, protect, and manage a network of major ecosystems.

## Implementation Strategy BR 1.5.1 Identify regional system of ecosystems

Identify and conserve an integrated, regional system of the most important native ecosystems and landscapes representative of the region's most important natural ecosystems, as follows... 3) conserve critical elements of native ecosystems and landscapes, 4) facilitate the ability of ecosystems and landscapes to function as dynamic systems, and 5) reconcile conservation of native ecosystems with human uses.

**Discussion:** California Oaks applauds the county for articulating Goal 3 for Biological Resources, to: "Maintain the acreage of native forests, woodlands and trees." California's oak woodlands provide food and critical habitat for native species, including 2,000 plants, 5,000 insects, 80 amphibians and reptiles, 160 birds, and 80 mammals—many of which are listed as threatened, endangered, or species of special concern by the state or the federal government. Page 7 of the county's Oak Woodland Management Plan from 2003 states: "Oaks provide habitat to more different animals than any other ecosystem in the state."

Overlaying the critical habitat map (Figure BR-5 in the Open Space Element) on the map for Hardwood Resources (BR-3 in the Open Space Element) highlights the extent of the county's oak woodlands that form critical habitat for **California Condors** and **California Red-Legged Frogs**.

Additional analysis of the habitat needs of the sensitive, threatened, and endangered plant and animal communities in the county should inform the level of oak woodlands protections in the county.

An example of an approach in analyzing data on sensitive species and associated habitats can be found in Kristie Haydu's California Polytechnic State University thesis, titled *Mapping Plant Biodiversity Hotspots at the County Scale: A New Tool for Establishing Resource Conservation Strategies* (June 2012). The Haydu study developed a methodology that assigns a weighted value for plant data for San Luis Obispo County, assigning a particular score to each taxon according to the various levels of special status that it has been assigned. If a taxon is listed by multiple agencies the total score given to it in the weighted value scheme is the sum of all the point values. According to the study's protocol, state and/or federally listed taxa are given five points. If a taxon is endemic to San Luis Obispo County (meaning that its distribution is confined to a reduced geographical area and it only occurs within the county), that taxon was given
three additional points. Hotspots are areas with a cumulative weighted value of 40 to 108 points.

The study's summary table, reproduced below, shows the community types where the hotspots occur. Those that include oak communities are shaded.

**Table 2. Results Summary** – Plant Biodiversity Hotspots Identified in San Luis Obispo County. The names, number of taxa, and community types present at each of the resultant hotspots are listed in the order from most diverse to least diverse.

| Name of Hotspot        | Number of Taxa | Community Type  |
|------------------------|----------------|---|
| San Luis Obispo Region | 32             | Serpentine chaparral, oak<br>woodland, riparian, and<br>serpentine perennial<br>grassland |
| Arroyo de la Cruz      | 28             | Maritime chaparral,<br>coastal bluff grassland,<br>and riparian                           |
| Morro Bay Area         | 23             | Sand dunes, salt marsh,<br>coastal scrub, and coastal<br>dune scrub                       |
| Big Coreopsis Hill     | 20             | Sand dunes and coastal dune scrub   |
| Red Hill Mesa          | 13             | Annual grassland, vernal pools, and oak woodland  |
| Indian Knob            | 9              | Annual grassland, oak<br>woodland, chaparral,<br>coastal scrub, and riparian              |
| Carpenter Canyon       | 6              | Oak woodland, chaparral, and coastal scrub  |

#### Goal 3 MAINTAIN THE ACREAGE OF NATIVE WOODLANDS, FORESTS, AND TREES AT 2008 LEVELS.

Policy BR 3.3 Oak Woodland Preservation

Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat.

**DISCUSSION:** County policies to keep oak woodlands intact will best advance policy BR 3.3 and goal 3, articulated above. Oak restoration, while important, is a small step towards restoring the many ecosystem services of mature oak woodlands. Oak seedlings require many years to reach maturity. Thus, assuming planted oaks are cared for sufficiently to reach maturity, the net result is many years of lost habitat, watershed function, and carbon sequestration following the degradation or conversion of an oak woodland.

Implementation Strategy BR 3.3.1 Implement Oak Woodlands Preservation Act Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) through the review of proposed discretionary development by maintaining the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation.

**DISCUSSION:** It is important that a sufficient number of oaks are planted to mitigate for the removal of trees. A ratio of a minimum of 3 oaks planted for each tree removed is appropriate for San Luis Obispo County. Also, please note that Section 21083.4 of Public Resources Code, which specifies mitigation measures for significant impacts to oak woodlands, requires the establishment period for planted oaks to be seven years. We suggest that a monitoring program be established to ensure that the planting and maintenance are effective. Note that Public Resources Code specifies that replacement planting can fulfill no more than one-half of the mitigation requirements for the project.

Net present value of greenhouse gas emissions forms the foundation of the state's carbon dioxide (CO<sub>2</sub>) reduction objectives (AB 32), as well as the California Forest Protocol preservation standards. Every ton of CO<sub>2</sub> released into the atmosphere by oak woodland conversion—alongside the loss of the woodland's role in carbon sequestration—represents a measurable potential adverse environmental effect, which is covered by the California Environmental Quality Act (CEQA).

#### *Implementation mapping Strategy BR 3.3.2 Oak woodlands Develop a base map of oak woodlands in the county by the end of 2012.*

**DISCUSSION:** In searching the county's website we did not find a map that provides greater detail than the map included in the plan (BR-3), which is labeled "Map for Reference Purposes Only." Further, it is impossible to determine if goal 3, *Maintain the acreage of native woodlands, forests, and trees at 2008 levels*, is met without baseline data to measure against.

## Implementation Strategy BR 3.3.3 Oak Woodlands Management Plan

Prepare an Oak Woodlands Management Plan that includes significance standards and mitigation requirements for discretionary projects that affect oak woodlands. The plan should also identify a conceptual reserve system that, if preserved, would ensure that oak woodlands achieve long-term sustainability in the county. Mitigation for impacts to oak woodlands could be directed to the reserve system. If an in- lieu fee is required for small projects, the fees should be used to purchase easements within the reserve system from willing landowners. Prepare and release the public review draft management plan by the end of 2013.

**DISCUSSION:** A great deal of research has documented the importance of maintaining habitat connectivity to ensure sustainable wildlife habitat and healthy

watersheds.<sup>1</sup> If conservation easements on oak woodlands are used as a mitigation measure for the proposed conceptual reserve system, it is important that the conserved oak woodlands are proximate to the disturbed site to achieve minimal impact on the local ecosystem and to advance BR 1.5.1: "...facilitate the ability of ecosystems and landscapes to function as dynamic systems, and reconcile conservation of native ecosystems with human uses." It is also important that the implementation management plan include a monitoring element as called for in: Implementation Strategy BR 1.5.2 ("Ecosystem research and monitoring: Support research and require proper monitoring protocols to effectively plan and manage native ecosystems and landscapes.") Our suggestion is not that the monitoring be limited to oak re-establishment but instead that such monitoring be part of the overall research and monitoring program.

#### **Chapter 10: Water Resources**

#### Goals, Policies, and Implementation Strategies

The intent of the following goals, policies, and implementation strategies is to: recognize water as a valuable and scarce resource; take early actions to avoid critical situations; achieve a sustainable water supply; protect water quality and natural communities, and; control flooding.

Water is essential for the county's environmental, social, and economic well being, and for the public health.

#### Goal WR 1

*The County will have a reliable and secure regional water supply (IRWM).* 

#### Goal WR 2

The County will collaboratively manage groundwater resources to ensure sustainable supplies for all beneficial uses.

#### Goal WR 3

*Excellent water quality will be maintained for the health of people and natural communities.* 

**DISCUSSION:** Oak woodlands protect the quality of greater than two-thirds of California's drinking water supply.<sup>2</sup> Water purification and replenishment—essential to environmental and economic health—is tied directly to watershed health. The importance of maintaining healthy watersheds is further underscored by the county's rapid depletion of groundwater. The county's oak woodlands are a vital part of the hydrologic system, providing shade to cool waterways, groundwater infiltration, and soil stability. Absent adequate protections the

<sup>&</sup>lt;sup>1</sup> Pavlik, B.M., Muick, P., Johnson, S., and Popper, M., *Oaks of California*, Chacuma Press and California Oak Foundation, 1991, rev. 2006.

<sup>&</sup>lt;sup>2</sup>O'Geen, A.T., Dahlgren, R.A., Swarowsky, A., Tate, K.W., Lewis, D.J., Singer, M.J., Research <sup>2</sup>O'Geen, A.T., Dahlgren, R.A., Swarowsky, A., Tate, K.W., Lewis, D.J., Singer, M.J., Research connects soil hydrology and stream water chemistry in California oak woodlands, *California Agriculture*, Volume 62, Number 2, April-June 2010.

invaluable ecosystem services oak provide for our watersheds will be irreparably degraded.

#### **II. County Climate Action Plan**

Included in the goals that Governor Brown articulated in his 2015 inaugural address is the management of farm and rangelands, forests, and wetlands so they store carbon. We suggest the county's climate action plan include a section about the carbon sequestered in oak woodlands and oak-forested lands.

Chapter 5, *Community-Wide GHC Reduction Measure*, of San Luis Obispo's Climate Action Plan contains a short section, *39. Sequestration*, that states:

Identify opportunities for terrestrial and aquatic sequestration in the county, including but not limited to County lands, reclaimed mining lands, agricultural lands, and other areas as appropriate.

And, under the Supporting Actions: section, the plan states:

Support preparation of a countywide sequestration assessment of agricultural and open space lands, forests, and aquatic resources.

Additionally, Chapter 2, Air Quality Resources, of the Conservation and Opens Space Element, the plan states:

**Policy AQ 4.5 Carbon Sequestration:** Reduce net carbon emissions through the preservation, protection, and enhancement, as appropriate, of the county's terrestrial and aquatic carbon sequestration resources, including the county's lakes, soils, and native forests, trees, and plants.

*Implementation Strategy AQ 4.5.1 Identify carbon sequestration resources: Identify existing and potential opportunities for terrestrial and aquatic sequestration in the county, including but not limited to County lands, reclaimed mining lands, agricultural lands, and other areas or activities as appropriate.* 

**DISCUSSION:** We attach an electronic copy of *Oaks 2040—Carbon Resources in California Oak Woodlands* as a resource about the above and below-ground carbon storage in the county's oak woodlands and oak-forested lands. In addition to sequestering carbon, native oak woodlands also provide a reservoir of genetic diversity that provides resilience in the face of the changing climate. The trees are also drought-resistant, another resilient characteristic.

As stated above, it is also important that the county understands that the California Environmental Quality Act requires the analysis and mitigation of potential effects of greenhouse gas emissions related to conversion of oak woodlands.

Questions to consider are: How much CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O will be released if the live trees, standing dead trees, downed-woody debris and other vegetation are burned or are otherwise dispersed? For example, if the biomass is burned, CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O are emitted. How much of each gas depends on biomass moisture

content and the method of combustion. If not burned, the quantity of GHG emissions is dependent on how the biomass is reduced. How much CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O will be released due to soil emissions associated with forestland earth-moving activities?

In "Relevant COSE Policies: AQ 4.5 Implementation:" "Acres of land used to sequester carbon" are presented as a performance indicator. Should adequate protections not be enacted, the climate stability that oak woodlands and forested lands provide will be lost.

#### **III. Specific Comments on the Draft Ordinance**

Goal 3 of the Biological Resources section, Conservation and Open Space Element of the General Plan, to: "maintain the acreage of native woodlands, forests, and trees at 2008 levels," cannot be achieved with the minimal protections that are offered in the draft ordinance. We recommend that the following provisions of the Urgency Ordinance be incorporated into the permanent ordinance (language added to bullets below confine the discussion to oaks):

- A minor use permit is required for the removal of up to 10% of the native oak tree canopy.
- A conditional use permit is required for removal of more than 10% of native oak trees.
- An Environmental Impact Report is required for removal of more than 25% of native oak trees.

**Definition of Oak Woodland:** Please note California law, through California Department of Fish and Wildlife Code 1361(h), defines an Oak Woodland as "...an oak stand with greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover." We raise this point because the discussion on page 1 of the draft ordinance and the figure (58-1) on page 2 use a different calculus for defining an oak woodland.

**Exemption for Those with an Oak Woodland Management Plan:** The provisions of the proposed section 22.58.060 are deficient. Site location, objectives, and timeframe alone do not advance the county's goal to: "maintain the acreage of native woodlands, forests, and trees at 2008 levels." The absence of a monitoring requirement means the efforts of agriculturalists to keep their oak woodlands intact will not be properly understood regarding the impacts in advancing climate stability and watershed health. Further, such information could build understanding by urban and environmental constituents of the vital role the agricultural community plays in upholding the county's natural resource values.

We suggest the Urgency Ordinance's provision—that sites under conservation or open space easement that "provides for the management of Native Trees or Oak Woodland pursuant to a management plan" are exempt from the ordinance—be included in the permanent ordinance.

Lastly, the Ranching Sustainability Self-Assessment ( see:

http://cesanluisobispo.ucanr.edu/files/189997.pdf) could be adapted to include a section on oak management. Such an addition would help to advance the Open Space and Conservation Element of the General Plan and the County's Carbon Action Plan.

**Oaks Add Economic Value to Land:** We understand that a number of landowners have voiced concerns about the proposed regulations. We offer that forage quality is enhanced by the presence of oaks and degrades in the years that follow the removal of oaks.<sup>3</sup> Conservation easements on oak woodlands can add economic value to working landscapes, providing an important incentive to protect natural resource values. Voluntary conservation easements provide tax benefits for landowners if legally defined conservation values are protected in the easement, and if a land trust with a conservation mission or a government agency holds and monitors the easement in perpetuity.<sup>4</sup>

Thank you for your attention to maintaining San Luis Obispo's important oak ecosystems.

Sincerely,

Jamt Cohh

Janet Cobb Executive Officer California Oaks

ingle Morio

Angela Moskow Manager California Oaks Information Network

Encls: Oaks 2040-Carbon Resources in California Oak Woodlands

cc: The Honorable Governor Brown California Native Plant Society, San Luis Obispo Chapter Board of Supervisors, San Luis Obispo County

<sup>&</sup>lt;sup>3</sup>Pavlik, B.M., Muick, P., Johnson, S., and Popper, M., *Oaks of California*, Chacuma Press and California Oak Foundation, 1991, rev. 2006. Page 113,

<sup>&</sup>lt;sup>4</sup>Sulak, A., Huntsinger, L., Standiford, R., Merenlender; A., and Fairfax, S.A., Strategy for Oak Woodland Conservation: The conservation easement in California, *Advances in GeoEcology*, 2004.



December 9, 2016

Ms. Anne McIntosh, AICP City of Bradbury Planning Department 600 Winston Avenue Bradbury, CA 91008

### SUBJECT: SCOPING COMMENTS, OAK VIEW ESTATES PROJECT CITY OF BRADBURY, LOS ANGELES COUNTY, CA

Dear Ms. McIntosh,

I regret that I was not able to attend the City of Bradbury's scoping meeting on Wednesday, December 7, but I have reviewed the project information posted on the City's web page. The proposed 49 acres of grading and fuel modification, including impacts to approximately 25 native oak trees, represents a substantial area of impact in an area of high ecological sensitivity, close to the San Gabriel Mountains National Monument. Various threatened, endangered, and otherwise special-status plant and wildlife species are known from the project vicinity. In my opinion, any project of this magnitude in such an ecologically sensitive area requires preparation of an Environmental Impact Report rather than a Mitigated Negative Declaration. Only an EIR will allow for consideration of an appropriate range of project alternatives and methods of avoiding and minimizing potentially significant impacts to biological resources, as required under the California Environmental Quality Act.

Thank you for your consideration of my views. Please call me at 562-477-2181 if you wish to discuss any matters; you may send e-mail to robb@hamiltonbiological.com.

Sincerely,

Jobert Alamitton

Robert A. Hamilton, Wildlife Biologist President, Hamilton Biological, Inc. http://hamiltonbiological.com



## **STATE MINING AND GEOLOGY BOARD** EXECUTIVE OFFICER'S REPORT

#### For Meeting Date: August 14, 2014

#### <u>Agenda Item No. 6</u>: Consideration of Comments and Recommendations on the Preliminary Review Map of Proposed Earthquake Fault Zones of January 8, 2014, Azusa Quadrangle, Los Angeles County.

**INTRODUCTION:** The Department of Conservation California Geological Survey (CGS) announced release of the Preliminary Map of Proposed Earthquake Fault Zones on January 8, 2014, for the Azusa Quadrangle. The release of the map commenced the 90-day public comment period. The State Mining and Geology Board (SMGB) conducted a public hearing on March 12, 2014, to receive comments and hear oral technical discussion will receive technical comments from those wishing to make presentations regarding the map under discussion. The public comment period ended on April 8, 2014. The SMGB has reviewed and considered the comments received, and will further consider any comments and recommendations to be forwarded to the State Geologist for consideration prior to the publication of the final map.

**REGULATORY AUTHORITY:** Pursuant to PRC Section 2621.5, the purpose of the Alquist-Priolo Earthquake Fault Zoning Act (Act), in part, is "to provide policies and criteria to assist cities, counties, and state agencies in the exercise of their responsibility to prohibit the location of developments and structures for human occupancy across the trace of active faults."

CCR Sections 3601(a) and (b) define an active fault and fault trace, respectively, as follows:

- (a) An "active fault" is a fault that has had surface displacement within Holocene time (about the last 11,000 years), hence constituting a potential hazard to structures that might be located across it.
- (b) A "fault trace" is that line formed by the intersection of a fault and the earth's surface, and is the representation of a fault as depicted on a map, including maps of earthquake fault zones.

CCR Section 3603(a) discussed setbacks and presumption relating to considering whether a fault is an active fault and states:

(a) No structure for human occupancy, identified as a project under Section 2621.6 of the Act, shall be permitted to be placed across the trace of an active fault. Furthermore, as the area within fifty (50) feet of such active faults shall be presumed to be underlain by active branches of that fault unless proven otherwise by an appropriate geologic investigation and report prepared as specified in Section 3603(d) of this subchapter, no such structures shall be permitted in this area. CGS Special Publication 42, titled *Fault-Rupture Hazard Zones in California* defines the terms "sufficiently active" and "well-defined", which serves as the criteria used by the State Geologist in determining if a given fault should be zoned under the Act. These terms are defined as follows:

<u>Sufficiently active</u>: A fault is deemed sufficiently active if there is evidence of Holocene surface displacement along one or more of its segments or branches. Holocene surface displacement may be directly observable or inferred; it need not be present everywhere along a fault to qualify that fault for zoning.

<u>Well-defined</u>: A fault is considered well-defined if its trace is clearly detectable by a trained geologist as a physical feature at or just below the ground surface. The fault may be identified by direct observation or by indirect methods (e.g., geomorphic evidence). The critical consideration is that the fault, or some part of it, can be located in the field with sufficient precision and confidence to indicate that the required site-specific investigations would meet with some success.

The policy and criteria of the SMGB, with reference to the Act, provides an administrative procedure for the receipt of public comments regarding new or revised preliminary earthquake fault zone maps.

Pursuant to the California Code of Regulations (CCR), Article 10, Section 3602(a):

"Within 45 days from the issuance of proposed new or revised preliminary earthquake fault zone map(s), cities and counties shall give notice of the Board's announcement of a ninety (90) day public comment period to property owners within the area of the proposed zone."

Pursuant to CCR, Article 10, Section 3206(c):

"The Board shall receive public comments during the 90-day public comment period. The Board shall conduct at least one-public hearing on the proposed zone map(s) during the 90-day public comment period."

Pursuant to CCR, Article 10, Section 3206(d):

"Following the end of the 90-day public comment period, the Board shall forward its comments and recommendations with supporting data received to the State Geologist for consideration prior to the official earthquake fault zone map(s)."

PRC Section 3722(b) further states "Following the end of the review period, the Board shall forward its comments and recommendations, with supporting data received, to the State Geologist for consideration prior to revision and official issuance of the maps."

**BACKGROUND:** The purpose of the Alquist-Priolo Earthquake Fault Zoning Act (Act) is to regulate development near active faults so as to mitigate the hazard of surface fault rupture. Official maps of new and revised Earthquake Fault Zones are issued pursuant to the Act. Revised maps, when issued supersede earlier official maps.

Where earthquake fault zones are indicated, no structures for human occupancy, identified as a project under Public Resources Code Section 2621.6 of the Act, shall be permitted to be placed

across the trace of an active fault. Furthermore, no such structures shall be permitted within fifty (50) feet of such active faults and shall be presumed to be underlain by active branches of that fault unless proven otherwise by an appropriate geologic investigation and report prepared as specified in CCR Section 3603(d).

The California Geological Survey (CGS) on January 8, 2014, released its preliminary map showing earthquake zones of required investigations and accompanying Fault Evaluation Report (FER) titled *"The Sierra Madre Fault Zone in the Azusa Quadrangle, Los Angeles County, California"* (Treiman, 2013). The map and accompanying report was prepared pursuant to the Alquist-Priolo Earthquake Fault Zoning Act as promulgated in Public Resources Code Sections 2621 et seq., and Policies and Guidelines of the SMGB set forth in California Code of Regulations (CCR) Section 3600 et seq.

The Sierra Madre Fault Zone is characterized as a 125-km long complex zone of related thrust and reverse faults that grossly demarcate the base of the San Gabriel Mountains from San Fernando Pass on the west to Cajon Pass on the east (Ehlig, 1975; Crook *et al.*, 1987; Morton and Matti, 1987; Yeats, 1987). The principal faults of this zone include (from west to east) the Santa Susanna, San Fernando, Sierra Madre and Cucamonga faults. Associated faults include the South Branch San Gabriel (or Vasquez Creek), Clamshell Canyon, Sawpit Canyon and Duarte faults, along with several other unnamed fault strands (Figure 1; Treiman, 2013).



Figure 1. Location of Azusa quadrangle and names of principal faults. Faults within existing Alquist-Priolo Earthquake Fault Zones shown within yellow-shaded boundaries; other faults highlighted with pink.

The purpose of the studies conducted by CGS is to evaluate the evidence for Holocene displacement along surface traces of the Sierra Madre and associated faults within the Azusa Quadrangle (Figure 2). Fault traces within this quadrangle are evaluated relative to the Alquist-Priolo zoning criteria which require that a fault considered for zoning be "sufficiently active" and "well defined" (Public Resources Code Section 2622). Recommendations are made for certain fault strands to be included within new APEFZs, per those criteria. The accompanying FER includes discussion of geologic setting and previous published work, seismicity, recent studies, geomorphology, aerial photo interpretation and field reconnaissance, discussion of fault activity, faults recommended for zoning, and references (Treiman, 2013).



Figure 2. Index to faults discussed in this report.

**FAULTS RECOMEMDED FOR ZONING:** The principal traces of the **Sierra Madre Fault** (including strands associated with the Raymond Fault) as shown on Figure 3 are recommended for zoning as they are well-defined and believed to be active. This includes:

• Two faults, informally designated here as the "**Bradbury faults**" are well-defined by topographic character and recommended for zoning based on the likelihood that these hanging-wall normal faults would respond to future displacement of the underlying Duarte Fault.

The strand north of Bradbury is likely to experience displacement in response to faulting along the Duarte Fault. The fault zone is projected across the San Gabriel River fan based on faults mapped by California Department of Water Resources (1966).

• The traces of the **Duarte Fault**, where well-defined by topographic expression or subsurface investigation are recommended for zoning. Holocene activity is inferred from

effects on shallow groundwater, effects on young fans and the activity of related upperplate faults.

• The **Upper Duarte Fault**, although evident from ground water data within the San Gabriel River outwash fan complex, is well-defined as a surface or near-surface trace in only a limited area of that fan where it appears to affect Holocene fan deposits and an APEFZ is recommended there. The possibly related **unnamed fault D** is recommended for zoning where well-defined by topographic expression and subsurface investigations. An inferred *en echelon* eastern extension of the fault is also recommend for zoning based on elevation differences across a Holocene fan surface.

Some limited segments of faults related to the Duarte and Upper Duarte faults are not well enough defined to be zoned, but are nevertheless shown on Plate 3 for reference and possible future evaluation.

- Unnamed fault C, where well-defined by topographic expression or trenches, is recommended for inclusion in an APEFZ. Activity is indicated by faulted alluvium in trench 29A, as well as by distinct topographic expression and association as an upper-plate structure paired with the active unnamed fault D. The EFZ is extended to the southeast based on a prominent tonal lineament as well as the continuation of the modified north-facing scarp. An extension of this fault to the northwest is included based on topographic expression.
- The **Clamshell Canyon Fault Zone** is considered active based on historic seismicity, and its trace is well marked by a broad shear zone. The portion of the fault that lies updip of the historic earthquakes should be zones as indicated.

No zones are recommended for the Monrovia Fault, the Pine Mountain faults, the Sawpit Canyon Fault or the combined Clamshell-Sawpit Fault Zone to the northeast of the cross-cutting faults.



Figure 3. From Plate 3 of the Fault Evaluation Report which accompanies the preliminary map.

**PUBLIC COMMENT PERIOD**: Upon issuance of the preliminary map on January 8, 2014, the 90-day public comment period commenced and ended on April 8. Of the eleven comments received, one was received on May 7, after the comment period ended. All comments however were considered. Technical comments received are provided in Exhibit A, summarized in Table 1, and further discussed below.

# Table 1Chronological Summary of Comments ReceivedAzusa Quadrangle Preliminary Earthquake Fault Zones Map

| Comment<br>No. | Date             | Commenter                          | Document  |
|----------------|------------------|------------------------------------|---|
| 1              | February 7, 2014 | David Gaddie                       | Email correspondence titled "Review of Proposed A-P map for Azusa Quad. and FER-249"  |
| 2              | March 3, 2014    | Earth Consultants<br>International | Report titled "Letter and Analysis in Support of<br>Requesting the Removal or Width Reduction of the<br>Proposed Alquist-Priolo Zones for Three Sections of the<br>Sierra Madre fault Through and Near the Rosedale<br>Project In and Near the City of Azusa, California"                                       |
| 3              | March 7, 2014    | Roy J. Shlemon & Associates, Inc.  | Letter report titled "Summary of Soil-Stratigraphic and<br>Fault Activity Observations, Rosedale Project, City of<br>Azusa, California"   |
| 4              | March 15, 2014   | Tom Benson                         | Letter Report titled "Comment and Proposed Minor<br>Adjustment, Sierra Madre Fault Zone East of Barranca<br>Avenue, January 8, 2014, Proposed Earthquake fault<br>Zones, Alquist-Priolo Special Studies Zones, Azusa<br>Quadrangle, Los Angeles County, California". Signed<br>version provided on May 7, 2014. |
| 5              | April 3, 2014    | Leighton and<br>Associates, Inc.   | Letter report titled "Letter and Analysis in Support of<br>Requesting Deletion of the Proposed Alquist-Priolo<br>Zones for the Sierra Madre Fault Unnamed fault D,<br>Tract 66609, Glendora, California"  |
| 6              | April 4, 2014    | LGC<br>Geotechnical, Inc.          | Report titled "Fault Trench Logs for Rosedale K-8<br>School Site, Pad 628, Tract 54057, City of Azusa,<br>California"   |
| 7              | April 7, 2014    | Leighton and<br>Associates, Inc.   | Email from Joe Roe titled "Azusa Quadrangle Fault<br>Report". Report titled "Assessment of Fault Presence<br>and Relative Activity of the Unnamed Fault D Splay of<br>the Sierra Madre Fault, Residential Development Tract<br>66609, Glendora, California"   |
| 8              | April 7, 2014    | LGC<br>Geotechnical, Inc.          | Letter correspondence titled "Alquist-Priolo Zone<br>Associated with "Unnamed" Fault D in the Area of the<br>Rosedale Master Development, Tract 54057, City of<br>Azusa, California"  |
| 9              | April 7, 2014    | Converse<br>Consultants            | Email correspondence titled "Review Comments for<br>Azusa Quadrangle Preliminary Review Map, Released<br>January 8, 2014"   |
| 10             | April 7, 2014    | Frank Jordan                       | Email correspondence titled "Comments on FER-249,<br>Draft Azusa Quadrangle, Alquist-Priolo Earthquake<br>Fault Zones and Seismic Hazards Zones Map, released<br>January 8, 2014"   |

<u>Comment No. 1 – David Gaddie (February 7, 2014)</u>: Based on review of Figure 5 in the FER, and review of studies performed by others, concurs with the interpretation provided by CGS in regards to Unnamed Fault D. The Commenter notes that he has performed little work in the areas beyond the Rosedale development, and therefore, can only concur with the interpretation provide by CGS in the FER. No comments or recommendations deem necessary.

<u>Comment No. 2 – Earth Consultants International (March 3, 2014)</u>: The Rosedale Project is a large, primarily residential development that commenced in the 1990s and rough-graded in the mid-2000s. As part of the feasibility study requirements by the City f Azusa, dozens of trenches, amounting to miles of exposures, were excavated and geologically logged by a number of geotechnical consulting companies for the purpose of fault hazard evaluation. Most of the trenches were emplaced within the areas proposed to be zoned by CGS.

Two of the faults, Unnamed Fault C and Unnamed Fault D, as noted by CGS, extend through the Rosedale project; whereas, the southern splay of the Sierra Madre fault properly generally forms the northern boundary of the project.

Based on the data obtained by numerous trenching studies, 1) proposed earthquake fault zones around Unnamed Faults C and Unnamed Fault D should be removed since these features do not meet the criteria of sufficiently active and well-defined, and should not be zoned as active faults, and 2) the southern boundary of the zone for the main Sierra Madre fault should reflect a reduction in width, locally, within the Rosedale project area, since this fault zone has been investigated extensively and its exact location is well known throughout the study area, or reduce the zone to reflect a 50-foot setback.

<u>Comment No. 3 – Roy J. Shlemon & Associates, Inc. (March 7, 2014)</u>: Dr. Shlemon's report concludes that Unnamed Fault D is not deemed active based on field observations of soil stratigraphy, fault and the geomorphic setting observed in LGC Trench T-2, and notes uncertainties inherent in the radiocarbon dates used to assess relative fault activity in this area and corrects the age of certain faults.

<u>Comment No. 4 – Tom Benson, Homeowner (March 15, 2014)</u>: Recommends a minor adjustment in the proposed southern boundary of the Sierra Madre Fault Zone near the eastern edge of the Azusa Quadrangle, east of Barranca Avenue in Glendora and unincorporated Los Angeles County.

<u>Comment No. 5 – Leighton and Associates, Inc. (April 3, 2014)</u>: It is being requested that Unnamed Fault D be deleted from the map since there is no clear offset of Holocene deposits based on work performed by other geologic consultants in the area.

<u>Comment No. 6 – LGC Geotechnical, Inc. (April 4, 2014)</u>: The fault trench logs for the Rosedale K-8 School Site, Pad 628, Tract 54057, City of Azusa, are presented in support of the findings presented by Earth Consultants International regarding Unnamed Fault D. Such logs, LGC FT-T and LGC FT-2, support the conclusions previously noted by Earth Consultants International (refer to Comment No. 2).

<u>Comment No. 7 – Leighton and Associates, Inc. (April 7, 2014)</u>: It is being requested that Unnamed Fault D be deleted from the map since there is no clear offset of Holocene deposits based on work performed by Leighton at Tract 66609 located in Glendora. Such work included review of geologic maps and reports, and excavating and logging of three north-south trending bench cut exposures (BC-1, BC-2 and BC-3). It is concluded that Unnamed Fault D is not active, therefore, no surface-fault setbacks are required for proposed residential structures in this area.

<u>Comment Nos. 8 – LGC Geotechnical, Inc. (April 7, 2014)</u>: LGC states that as a result of their field investigation and evaluation regarding Unnamed Fault D in the area of the proposed K-8 Rosedale School Site, this fault does not meet the criteria of well-defined and sufficiently active, and supports the conclusions noted by Earth Consultants International (refer to Comment No. 2).

<u>Comment Nos. 9 – Mark Schluter, Converse Consultants (April 7, 2014)</u>: The Duarte Fault does not exhibit characteristics for active fault movement, since there is no "Direct Evidence for Quaternary Faulting." This fault "is shown with dashes, dots and quire indicating a high degree of uncertainty." The fault as shown reflecting interpretations of photo lineaments, geophysical data and inferred water table differences. In addition, the fault was trenched at location 26, and not observed.

<u>Comment Nos. 10 – Frank Jordan (April 7, 2014)</u>: Based on review of stereoscopic aerial photographs dated from 1928-2004, and oblique, three-dimensional, computer aided photography, while employed as a Supervising Engineering Geologist for John R. Byerly, Inc., concurs with the interpretation provided by CGS.

**DISCUSSION:** In review of the ten comments received, two comments based on review of certain information concurred with CGS's interpretations (Comment Nos. 1 and 10). No comment or recommendations are deem necessary.

Several comments were provided that would cause consideration for making changes to the preliminary map (Attachment A). Notably, such changes involve the following specific zones:

 <u>Unnamed Fault C</u>: One comment was provided in regards to removal of Unnamed Fault C (Comment No. 2) based on more than 44 trenches, and review of 36 available trench logs with a combined total length of nearly 6,000 feet. In review of data provided in documents referenced in FER-249, Earth Consultants International states that evidence noted in trench T-29A was presumed to be a fault, but similar relationships observed in trench T-1A to the east demonstrated the presence of overlying unfaulted sediments, and that the feature assumed to be an active fault in T-29A, are actually Pleistocene in age and not Holocene.

It is recommended that CGS review and re-evaluate the data and documentation relied on in considering a zone in this area prior to finalization of the preliminary map.

• <u>Unnamed Fault D</u>: Several comments were provided in regard to removal of Unnamed Fault D (Comment Nos. 2, 3, 5, 6, 7 and 8) based on at least 24 trenches with a combined total length of more than 5,000 feet. This fault is inferred by CGS based on

topographic expression and interpretation of subsurface investigations as referenced in FER-249.

Notably, additional data was provided by Leighton and Associates (Comment No. 7) based on work performed on Tract 66609 in the city of Glendora, and situated east of Unnamed Fault C and Unnamed Fault D. Work included review of geologic maps and reports, and excavating and logging of three north-south trending bench cut exposures (BC-1, BC-2 and BC-3). It was noted in preliminary findings that no clear offset of Holocene deposits.

It is recommended that CGS review and re-evaluate the data and documentation relied on in considering a zone in this area prior to finalization of the preliminary map.

Southern Boundary of the Sierra Madre Fault Zone: Two comments were received which request that a minor adjustment in the proposed southern boundary of the Sierra Madre Fault Zone near the eastern edge of the Azusa Quadrangle, east of Barranca Avenue in Glendora and unincorporated Los Angeles County (Comment Nos. 2 and 4). Such request reflects 1) this fault zone being investigated extensively and its exact location is well known through the study area (Comment No. 2), 2) absence of a mapped or conjectured fault trace, immediately south of Sierra Madre Avenue east of Barranca Avenue (Comment No. 4), 3) absence of recent geologic fault data east of GT-5 as depicted on FER-249 Plate 1A and thus inferred by geomorphology implications (Comment No. 4), and 4) property values for existing homes will be adversely impacted and no new development is currently proposed nor likely on the residential tract east of Barranca Avenue (Comment No. 4). No conclusive information is provided.

Commented No. 2 notes that "Appropriate building setbacks from the known, well-defined fault trace(s) have been established and incorporated into the design of the Rosedale development." It is remarked that the subject area has already been investigated and geological consultants under the supervising of the City of Azusa geological reviewers, have identified and mapped the southern traces of the Sierra Madre fault bordering the project area, and subsequent grading and development activity has already removed all of the alluvial sediments and replaced such with compacted fill. Furthermore, it would be a disservice to the developers and City of Azusa who have already complied with the requirements of the Act, and given the absence of recent deposits, any future study would be erroneously inconclusive. In response to Comment No. 4, recently active faults can be identified by direct observation of young, fault-related geomorphic or topographic features in the field, on aerial photographs, or on remotely obtained images, among other interpretive methods.

It is recommended that CGS review and re-evaluate the data and documentation relied on in considering the zone width in this area prior to finalization of the preliminary map.

• <u>Duarte Fault Zone:</u> No supporting documentation was offered, including trench log information apparently generated for location 26.

It is recommended that CGS review and consider all available trench log information associated with location 26 prior to finalization of the preliminary map.

**CONSIDERATION OF THE SMGB**: Comments received are to be transmitted, with comments and recommendations from the SMGB to the State Geologist, for consideration prior to the publication of the final Map of Proposed Earthquake Fault Zones of January 8, 2014, Azusa Quadrangle, County of Los Angeles. The SMGB will consider and recommend to the State Geologist that:

- 1. Based on the comments received, and subsequently reviewed and considered by the SMGB, no changes be made in the A-P Earthquake Fault Zone boundaries; or
- 2. Based on the comments received, and subsequently reviewed and considered by the SMGB, consideration for changes be made in the A-P Earthquake Fault Zone boundaries.

**EXECUTIVE OFFICER'S RECOMMENDATION:** Several considerations were raised in specific regards to Unnamed Fault C, Unnamed Fault D, the southern portion of the Sierra Madre Fault Zone, and the Duarte Fault Zone. Based on review of the comments received, and data provided, it is recommended that CGS review and consider pertinent data and comments provided herein in regards to these four areas, prior to finalization of the A-P Earthquake Fault Zone map for the Azusa Quadrangle.

#### **RECOMMENDED MOTION:**

To forward comments and recommendations to the State Geologist for consideration:

Mr. Chairman, in light of the information before the State Mining and Geology Board today, I move that the Board forward comments and recommendations to the State Geologist for consideration prior to finalization of the Alquist-Priolo Earthquake Fault Zoning Map for the Azusa Quadrangle.

Respectfully submitted:

Stephen M. Testa Executive Officer Sierra Madre Fault Zone 12/14/16 may require updating Fault Name: SIERRA MADRE FAULT ZONE Type Of Faulting: Reverse Length: The zone is about 34 miles long; total length of main fault segments is about 46.5 mile, with each segment measuring roughly 9.3 miles long Affected Communities: Monrovia, Sunland, Altadena, Sierra Madre, Duarte, and Glendora Most Recent Surface Rupture: Holocene Slip Rate: between 0.36 and 4 mm/yr. Interval Between Surface Ruptures: Several thousand years Probable Magnitudes: Mw6.0 - 7.0 (?)

Other Notes : This fault zone dips to the north

Monrovia General Plan 2002

The Sierra Madre fault zone is often divided into five main segments to more easily characterize this fairly complex system. Figure 1 shows the five segments (A to E) of the zone.

These five divisions, while simpler than the entire fault zone,

should not be thought of as individual faults, however –

some of these segments are themselves complex systems of parallel and branching faults.

It has been suggested that differing fault geometry in this zone keep each lettered segment separate during rupture events -- thus, neighboring segments should not rupture simultaneously.

Others, however, suggest that the fault zone may rupture both in single-segment and multiple-segment breaks.

The most recent surface ruptures are seen on the B and D segments.

The least active segment, at least in surficial appearance, is the A segment,

also known as the Vasquez Creek fault, which runs between the

San Gabriel fault and the intersection of the B and C segments of the Sierra Madre fault zone.

Note that it was the least active segments that ruptured in the Sylmar and San Fernando Earthqukes

At the junction of the C and D segments, the

Clamshell - Sawpit Canyon fault splays off from the fault zone, toward the northeast. One of the strands that makes up segment D is known as the Dua rte fault, because of its location near that community. Segment E represents the easternmost pa rt of this fault zone, and at its eastern end, it meets up with several other faults in a complex zon e northwest of the town of Upland, near the epicenter of the 1990 Upland earthquake. Figure 1: Sierra Madre Fault Zone Source:<u>http://www.scecdc.scec.org/madre.html5/25/2000</u>

Safety Element City of Monrovia September 2002

4 segments.

The least active segment, at least in surficial appearance, is the A segment, also known as the Vasquez Creek fault, which runs between the San Gabriel fault and the intersection of the B and C segments of the Sierra Madre fault zone.

At the junction of the C and D segments, the Clamshell - Sawpit Canyon fault splays off from the fault zone, toward the northeast.

One of the strands that makes up segment D is known as the Duarte fault, because of its location near that community. Segment E represents the easternmost part of this fault zone, and at its eastern end, it meets up with several other faults in a complex zone northwest of the town of Upland, near the epicenter of the 1990 Upland earthquake.

Figure 1: Sierra Madre Fault Zone

Source:http://www.scecdc.scec.org/madre.html5/25/2000

While rupture on the Sierra Madre fault zone (theoretically) could be limited to one segment at a time, it has recently been suggested that a large event on the San Andreas fault to the north (like that of 1857) could cause simultaneous rupture on reverse faults south of the San Gabriel Mountains –

the Sierra Madre fault zone being a prime example of such.

Whether this could rupture multiple Sierra Madre fault zone segments simultaneously is unknown.

Raymond Hill fault

Note how in Figure 2 of the Monrovia Safety element how Raymond Hill aligns with Bradbury

Raymond may merge or cross Sierra Madre in Bradbury

Directivity effects must be considered

See Goals and Policies of local guidance

http://gmw.consrv.ca.gov/SHMP/download/quad/AZUSA/maps/Azusa\_EZRIM/Azusa\_ EZRIM.pdf AP map for Azusa showing crossing Bliss Canyon in Bradbury

ftp://ftp.consrv.ca.gov/pub/dmg/pubs/fer/249/FER-249\_final.pdf

see: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/fer/249/

In the vicinity of Bradbury, Crook et al.

(1987) inferred a minimum of 60 feet of vertical displacement along the Duarte Fault and inferred possible Holocene displacement based on young fan deposition south of the fault . Most workers to this point depict the fault as near vertical with the northside up. Dibblee (1998) inferred a moderate northerly dip near Bradbury.

Nearby San Gabriel Fault ftp://ftp.consrv.ca.gov/pub/dmg/pubs/fer/58/020878.pdf

ftp://ftp.consrv.ca.gov/pub/dmg/pubs/fer/69/011978.pdf



#### ARS TOP 3 FAULTS



Top 5 Faults



#### CalTrans ARS 10 Faults in Hazard not distance order CAL TRANS CHART IS IN HAZARD ORDER NOT DISTENCE ORDER

#### Apply Near Fault Adjustment To:

NOTE: Caltrans SDC requires application of a Near Fault Adjustment factor for sites less than 25 km (Rrup) from the causative fault. Deterministic Spectrum Using

eterministic Spectrum Using

- 0.17 Km Sierra Madre fault zone (Sierra Madre D)
- 2.12 Km Raymond
- 2.72 Km Sierra Madre fault zone (Clamshell-Sawpit section)
- 6.01 Km Sierra Madre fault zone (Sierra Madre C)
- 11.32 Km Sierra Madre fault zone (Sierra Madre E)
- 16.55 Km Puente Hills (LA)
- 13.77 Km Verdugo-Eagle Rock
- 16.50 Km Sierra Madre fault zone (Sierra Madre B)
- 33.41 Km San Andreas (Mojave) (1857 rupture Tejon Pass to Wrightwood)
- 17.74 Km Puente Hills (Santa Fe Springs)

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Probabilistic Spectrum Using

Km (Recommend Performing Deaggregation To Verify)

Show Spectrum with Adjustment Only

Note 1 that there are FOUR segments of the Sierra Madre shown for Critical infrastructure and Landslide analysis a MULTIPLE SEGMENT EVENT must be considered

Note 2 that there are TWO segments of the Puente Hills Thrust shown (Actually 3Cyote Hills not shown)

for Critical infracture and Landslide analysis MULTIPLE SEGMENT EVENTS must be considered. Note 3 Cal Trans calculates to the closet point (tangent) of the fault plane. CGS considers distance to thrust faults as the surface distance from a line over the 10km vertical depth of the fault plane- here a line through the SCE HQ in Rosemead.

Note 4: Note that the Southern San Andreas – East at San Bernadio- the most probable event- and most hazardous- is not shown. Path effects through the chain of basins (slower speeds- more duration) along the San Gabriels which amplify the ground waves are NOT CONSIDERED in this preliminary report-they must be.

When considered spectral acceleration would be greater from about 2.5 seconds to 10+ seconds Tanks and Landslides would be impacted by these periods

ARS uses average of two directions not maximum rotated hazard as required by current code ARS does not consider PATH effects from the Source to the Site

ARS does not utilize Path Velocities however they may be found in the SCEC "Community Velocity Model"

ARS does not consider "Hillside Amplification" see Northridge record and elsewhere

ARS does not show Horizontal Velocities

ARS does not show Vertical Accelerations or Velocities

ARS does not show ground waves "ground Motion" or Permanent Ground Displacements- which must be calculated for Piping, Tanks and Debris Basin Structures

ARS does not consider Duration of Shaking (time for 95% of energy)

Duration of shaking must be considered especially for San Andreas events.

Critical Periods for structures, tanks must be shown and compared to Ground Motions

For Water tanks consider failures in Topanga Canyon Northridge and elsewhere

For Piping – distribution failures consider Northridge and elsewhere

Instead of simple "distance to source and source- magnitude" as used by USGS; Source

Characterization and rock/ soil/ basin (PATH) effects must be considered.

ARS does not consider "Multiple Segment Breaks" which must be studied for Critical Infrastructure as seen from above the San Andreas, Puente Hills Thrust, Raymond/Hollywood-Santa Monica Calshell-Sawpit and/or Sierra Madre and Sierra Madre show multiple segments. Sierra Madre segments are arbitrary so various combinations must be considered Note that the Puente Hill Thrust cuts through the Whittier-Elsinore, Raymond, Sierra Madre and San Gabriel Faults ( and others) reaching the San Andreas

Note that the 2016 Building Code will be in force and *ASCE 7-16*. The 2016 edition of ASCE Minimum Design Loads and Associated Criteria for Buildings and Other Structures will be available in early 2017 (maybe 2018). and must be considered for this project

The Building Code is a Minimum Code for Life Safety. Return to use- Resilience must be considered

see also

#### NEHRP Recommended Seismic Provisions for New Buildings and Other Structures. 2015 Edition

July 1, 2016 https://www.fema.gov/media-library/assets/documents/107646

https://www.fema.gov/media-library-data/1440422982611-3b5aa529affd883a41fbdc89c5ddb7d3/fema\_p-1050-1.pdf

https://www.fema.gov/media-library-data/1474320077368-125c7a1d1a3b864648554198526d671f/FEMA\_P-1051.pdf

https://www.fema.gov/media-library-data/1436903055388-0eaf09be942e02c790440ec0322c7476/fema\_p-1050-2.pdf

THE AWWA (American water works association) has not revised their water tank requirements to include findings from Christchurch NZ and recent Taiwan, Japan, Turkey and other earthquakes Tanks must have a site specific design based on geotechnical and engineering geology and latest seismology.

For example see:

FEMA P-1051, NEHRP Recommended Provisions: Design Examples xviii

17.6 TANKS AND VESSELS, SEISMIC DESIGN CATEGORY D

Consultants must be thoroughly familiar with FEMA NEHRP 2015 as findings will be incorporated into CBC 2019 during the life of this project. We suggest that consultants be familiar with the errata and updates to NEHRP and ASCE-7.

The Greatest probable hazard to Bradbury- the Southern San Andreas has ground waves from the East which impinge upon the city where most energy turns south down the San Gabriel River Channel. Mountain ridges can "ring like a bell" as energy travels up and gets concentrated- so ridgetop amplification study is required.

As for tank design and other earthquake engineering issues we recommend the City consult with Dr Tom Heaton at CalTEch

Sincerely yours Save Our Community SGV James Flournoy, Secretary



State of California – Natural Resources Agency DEPARTMENT OF FISH AND WILDLIFE South Coast Region 3883 Ruffin Road San Diego, CA 92123 (858) 467-4201 www.wildlife.ca.gov



December 14, 2016

Ms. Anne McIntosh, City Planner City of Bradbury 600 Winston Ave. Bradbury, CA 91008 Fax 626.303.5154 <u>AMcIntosh@cityofbradbury.org</u>

#### Subject: Comments on the Notice of Community Meeting/Scoping for Tentative Tract Map No. 73567 Oak View Estates Specific Plan, City of Bradbury, Los Angeles County (SCH # Not Issued)

Dear Ms. McIntosh:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Community Meeting/Scoping (NOS) for the Oak View Estates Specific Plan environmental review process. The Project is located is located in the City of Bradbury (Los Angeles County), approximately 1.5 miles north of the Foothill Freeway (I-210) adjacent to the Bradbury Debris Basin, and borders the San Gabriel National Monument to the North.

The 197-acre Project proposes to impact 49-acres to construct 5 estate homes, a private park, a water tank, fuel modification, and associated facilities and improvements such as roads, street landscaping, drainage, a debris basin, slopes and slope benches, and other infrastructure improvements associated with residential development. Residential estate lots would be created by lowering the existing mountain located at the southwest corner of the site, and filling the stream within Bliss Canyon with fill material.

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

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

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#### **Specific Comments**

- Project Alternatives. The Project site contains vegetation and habitat that supports Rare, Threatened, and Endangered species. The Department encourages the Lead Agency to undertake an Environmental Impact Report (EIR) to ensure a range of feasible alternatives to project component location and design features to ensure that alternatives to the proposed project are fully considered and evaluated. The alternatives should avoid or otherwise minimize direct and indirect impacts to sensitive biological resources, drainages (including Bliss Canyon), perennial seeps, and wildlife movement areas. CEQA Guidelines Section 15063(b)(1) states that if there is substantial evidence that any aspect of the Project, either individually or cumulatively, may cause a significant effect on the environment, the Lead Agency shall prepare an EIR.
- 2) San Gabriel Chestnut Snail (*Glyptostoma gabrielense*). During a March 2016 site visit, Department Senior Environmental Scientist Kelly Schmoker documented the presence of *Glyptostoma gabrielense in* the Project impact area. This observance was substantiated by an independent expert of fauna in the San Gabriel Mountains. This snail is a narrow endemic native only to Los Angeles County. This Bradley observation is only the 3rd known occurrence of the species and likely one of only two that are known to be extant (the other being in Monrovia). The Dominguez Hills collection from 1938 is assumed extirpated. The Project should consider avoiding all appropriate habitat on-site and maintaining a minimum 1000-foot buffer to avoid impacts to this extremely rare species. The Department recommends the environmental document prepared for this project fully analyze the proposed impacts to this species of limited distribution and recommend conservation of this land as impacts to this snail appear to be unmitigable.
- 3) Perennial Seep and Pond. During a March 2016 site visit, Department scientists observed a perennial seep and associated pond located on the Project site. Department scientists observed clear signs of recent, active bear use of the pond and signs of a bear den. This habitat provides a valuable regional water source to local wildlife, as exhibited by bear, deer and other animal signs around the seep. The function this seep provides, as a stable water source, is vital to the regional wildlife in the area. The Department recommends the environmental document analyze the full impact to local wildlife and game species from the loss of this local water source. The Department additionally requests the City evaluate alternatives to the Project design to avoid impacts to this area and recommend a suitable buffer of at least 1000-feet from the seep to the nearest lot line. The environmental document should include measures to prevent humans, horses, recreation, and other urban intrusion into this sensitive area that have historically been isolated from these urban disturbances to reduce dangerous urban wildlife conflicts. The Department recommends the seep and pond be thoroughly surveyed as previously undescribed species have recently been found in isolated seeps/ponds in the region.
- 4) <u>Area of Impact</u>. The Department recommends reducing the size of the proposed lots, fuel modification, and associated houses from the 50-acres of proposed impacts to very sensitive biological communities to accommodate 5 estates houses. The Department recommends consolidating activities away from areas of the Project site that support or could support sensitive resources such as streams, riparian areas, Rare, Threatened, or Endangered animals and/or plants, and sensitive natural communities. Streams should be avoided and crossings that span streams should be utilized. The Department supports conservation of land with high biological value, such as that occurring in the area of this proposed Project.

- 5) <u>Bear Proof Trash Cans</u>. The City of Bradbury should require this development, and all individual houses, use bear-proof trash cans. This needs to be contracted directly with the waste agency servicing the Project and special trash cans will need to be utilized.
- 6) <u>Sensitive On-site Resources</u>. The Department recommends consolidating activities away from areas of the Project site that support or could support sensitive resources such as streams, riparian areas, and Rare, Threatened, or Endangered animals and/or plants.
- 7) <u>Oak Trees</u>. The NOS states 25 like (sic) oak trees will be impacted. Based on Department observations in the field, this number is likely much higher. The Department considers oak woodlands a sensitive vegetation community. The Department considers all age classes and sizes of oak trees part of a community that will need to be mitigated, not just trees over an arbitrary diameter at breast height. Seedlings and sapling oaks indicate a healthy oak woodland with a stratified age class structure. Oak woodlands are a community that includes the trees, as well as any understory plants, duff, dead logs, etc. The Department also considers any fuel modification thinning as a direct impact needing mitigation. The Department does not consider transplanting oak trees within a development as appropriate mitigation for this sensitive community.

If on-site avoidance of the oak woodland is not feasible, the Department recommends preserving off-site oak woodland habitat in perpetuity, at a ratio of 6-acres preservation for every 1-acre of impact, containing a similar density of trees with different age classes as well as associated understory diversity, as appropriate mitigation.

#### **General Comments**

- 8) <u>Project Description and Alternatives</u>. To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the environmental review:
  - a) A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas; and,
  - b) A range of feasible alternatives to project component location and design features to ensure that alternatives to the proposed project are fully considered and evaluated. The alternatives should avoid or otherwise minimize direct and indirect impacts to sensitive biological resources and wildlife movement areas.
- 9) <u>Biological Baseline Assessment</u>. To provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, regionally and locally unique species, and sensitive habitats, the environmental document should include the following information:
  - a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]);
  - b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see http://www.dfg.ca.gov/habcon/plant/);

Anne McIntosh City of Bradbury December 14, 2016 Page 4 of 9

- c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the neighboring vicinity. The Manual of California Vegetation, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
- d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by the project. The Department's California Natural Diversity Data Base (CNDDB) in Sacramento should be contacted to obtain current information on any previously reported sensitive species and habitat. The Department recommends that CNDDB Field Survey Forms be completed and submitted to CNDDB to document survey results. Online forms can be obtained and submitted at http://www.dfg.ca.gov/biogeodata/cnddb/submitting\_data\_to\_cnddb.asp;
- e) A complete, recent assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines § 15380). Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service; and,
- f) A recent, wildlife and rare plant survey. The Department generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame, or in phases.
- 10) <u>Biological Direct, Indirect, and Cumulative Impacts</u>. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the environmental review:
  - a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address project-related changes on drainage patterns and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussion should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included;
  - b) A discussion regarding the increased wildlife/human interaction that can be expected due to the perennial seep and observed evidence of active bear use of the Project site;
  - c) A discussion regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any

designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR;

- d) The impacts of zoning of areas for development projects or other uses nearby or adjacent to natural areas, which may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document; and,
- e) A cumulative effects analysis, as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
- 11) <u>Avoidance, Minimization, and Mitigation for Sensitive Plants</u>. The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts. The Department considers these communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3 and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in The Manual of California Vegetation<sup>1</sup> (Sawyer et al. 2008).
- 12) Lake and Streambed Alteration Agreements (LSA). As a Responsible Agency under CEQA Guidelines section 15381, the Department has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream, or use material from a streambed. For any such activities, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. As a Responsible Agency, the Department may consider the Negative Declaration or Environmental Impact Report of the local jurisdiction (Lead Agency) for the project. To minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA<sup>2</sup>.
  - a) The project area supports aquatic, riparian, and wetland habitats; therefore, a preliminary jurisdictional delineation of the streams and their associated riparian habitats should be included in the DEIR. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by the Department.<sup>3</sup> Some wetland and riparian

<sup>&</sup>lt;sup>1</sup> Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California vegetation, 2nd edition. California Native Plant Society, Sacramento, CA.

<sup>&</sup>lt;sup>2</sup> A notification package for a LSA may be obtained by accessing the Department's web site at www.wildlife.ca.gov/habcon/1600.

<sup>&</sup>lt;sup>3</sup> Cowardin, Lewis M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of Wetlands and Deepwater Habitats of the United States. Report FWS/OBS-79-31, U.S. Department of the Interior, Fish and Wildlife Service.

habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification.

- b) In project areas which may support ephemeral streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of ephemeral channels and help maintain natural sedimentation processes; therefore, the Department recommends effective setbacks be established to maintain appropriately-sized vegetated buffer areas adjoining ephemeral drainages.
- c) Project-related changes in drainage patterns, runoff, and sedimentation should be included and evaluated in the environmental document.
- 13) Wetlands Resources. The Department, as described in Fish & Game Code Section 703(a), is guided by the Fish and Game Commission's policies. The Wetlands Resources policy (http://www.fgc.ca.gov/policy/) of the Fish and Game Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement and expansion of wetland habitat in California. Further, it is the policy of the Fish and Game Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion which would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values".
  - d) The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. The Department encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. The Department encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, the Project must include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions for the benefit to on-site and off-site wildlife populations. The Department recommends mitigation measures to compensate for unavoidable impacts be included in the DEIR and these measures should compensate for the loss of function and value.
  - e) The Fish and Game Commission's Water policy guides the Department to ensure the quantity and quality of the waters of this state should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this state, and prevent the degradation thereof caused by pollution and contamination; and endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. The Department recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible.

Anne McIntosh City of Bradbury December 14, 2016 Page 7 of 9

- 14) California Endangered Species Act (CESA). The Department considers adverse impacts to a species protected by CESA, for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, candidate species, or state-listed rare plant species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from the Department may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subds. (b),(c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
- 15) <u>Compensatory Mitigation</u>. The DEIR should include mitigation measures for adverse Projectrelated impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
- 16) Long-Term Management of Mitigation Lands. For proposed preservation and/or restoration, the DEIR should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include, but are not limited to, restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.
- 17) <u>Nesting Birds</u>. In order to avoid impacts to nesting birds, the DEIR should require that clearing of vegetation and construction occur outside of the peak avian breeding season, which generally runs from February 1<sup>st</sup> through September 1<sup>st</sup> (as early as January 1 for some raptors). If Project construction is necessary during the bird breeding season, a qualified biologist with experience in conducting bird breeding surveys should conduct weekly bird surveys for nesting birds within three days prior to the work in the area, and ensure that no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer should be a minimum width of 300 feet (500 feet for raptors), be delineated by temporary fencing, and remain in effect as long as construction is occurring or until the nest is no longer active. No Project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project. Reductions in the nest buffer distance

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may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

- 18) <u>Translocation/Salvage of Plants and Animal Species</u>. Translocation and transplantation is the process of moving an individual from the project site and permanently moving it to a new location. The Department generally does not support the use of, translocation or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant or animal species. Studies have shown that these efforts are experimental and the outcome unreliable. The Department has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving sensitive plants and animals, and their habitats.
- 19) Moving out of Harm's Way. The proposed Project is anticipated to result in clearing of natural habitats that support many species of indigenous wildlife. To avoid direct mortality, the Department recommends a qualified biological monitor approved by the Department be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss.
- 20) <u>Wildlife Movement and Connectivity</u>. The Project area supports biological resources and is connected to adjoining open space. The Project area may contain habitat connections and support movement across the broader landscape, sustaining both transitory and permanent wildlife populations. Onsite features, which contribute to habitat connectivity, should be evaluated and maintained. Aspects of the Project could create physical barriers to wildlife movement from direct or indirect Project-related activities. Indirect impacts from lighting, noise, dust, and increased human activity may displace wildlife in the general area.
- 21) <u>Revegetation/Restoration Plan</u>. Plans for restoration and re-vegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.
  - f) The Department recommends that local onsite propagules from the project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

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> g) Restoration objectives should include providing special habitat elements where feasible to benefit key wildlife species. These physical and biological features can include, for example, retention of woody material, logs, snags, rocks and brush piles (see Mayer and Laudenslayer, 1988<sup>4</sup>, for a more detailed discussion of special habitat elements).

We appreciate the opportunity to comment on the referenced NOS. Questions regarding this letter and further coordination on these issues should be directed to Kelly Schmoker, Senior Environmental Scientist (Specialist), at (949-581-1015) or <u>Kelly.Schmoker@wildlife.ca.gov</u>.

Sincerely,

Betty J. Courtney Environmental Program Manager

ec: Scott Harris CDFW Ventura Victoria Chau CDFW Los Alamitos Chris Dellith, USFWS Carlsbad Daniel Swenson, USACE Los Angeles Scott Morgan (State Clearinghouse)

<sup>&</sup>lt;sup>4</sup>Mayer, K. E. and W. F. Laudenslayer, Jr. 1988. Editors: A guide to wildlife habitats of California. State of California, The Resources Agency, Department of Forestry and Fire Protection, Sacramento, CA.
SaveOurCommunity c/o 548 N darlingtons St South San Gabriel Ca 91770

To: Ms. Trayci Nelson
Project Manager tnelson@cityofbradbury.org
(562) 200-7180
RE: Initial Study (IS) Chadwick Ranch Estates, Feb. 2020
addenda and updates to previously submitted comments

Dear Ms. Nelson:

The Project propoes what is popularly know as Critical Infrastructure- Essential Services Structures.

Water Systems including tanks above populations or used for fire-fighting must be so considered.

First the Critical periods of the structures must be determined by the structual Engineer.

Seismic investigation is a rapidly changing field.

Currently the following are required

The Seismic Hazards Mapping Act(SHMA) and the Regulations found in California Geological Survey Special Publication SP 117A

The 2020 California Building Code, with LA County ammendments, or the LARCRP ammendments. Including sec 110 and 111

The Grading Code and LA County Grading Guidelines and documents referenced therin.

American Society of Civil Engineers (ASCE 7-16)

The Los Angels County Department of Public Works Manual for the Preparation of Geotechnical Reports and referenced documents. (must be updated to CBC 2020)

The CGS publications on Review of Geotechnical Reports, Ridgetop Amplification, Hillside Amplifcation, Start with SP 117

The USGS/ CGS Shakeout Sceanerio

## FEMA NEHRP it would be best to get ahead of the code- or do it over

https://www.fema.gov/media-library/assets/documents/107646 2015 which is the basis of and provides commentary relevant to ASCE7-16 and the 2020 CBC

howerver there are many areas that have received more work

## The 2020 NEHRP Provisionswill be published by FEMA later in 2020.

https://cdn.ymaws.com/www.nibs.org/resource/resmgr/bssc3/BSSC\_Resilience\_Based\_Design.pdf

https://www.nehrp.gov/pdf/Project17PlanningReport.pdf

Multi period spectrum analysis will be requied.

The investigation must match the critical period(s) of the structures with the expected ground motions.

The San Andreas fault must be considered for long period and long duration ground motions both from the North and From the East. From the East requires consideration of the long chain of sedimentary basins from San Bernadion to the Site as initiated in the 2008 Shakout Sceanerio and later research.

The Sierra Madre fault may also channel or provide a wave guide for direction and amplification.

Geology must be vary different on each side of the Sierra Madre Fault and near fault effects must be considered. These are not covered in the general USGS/CGS maps.

See especially 9 and 12 and 15 in

https://cdn.ymaws.com/www.nibs.org/resource/resmgr/bssc3/2020-04-14\_BSSC\_PUC\_Future\_I.pdf

13 Multi Specteral period Seismic ground motion will have to be on a site specific basis

## "(ii) incorporation of physics-based simulations of ground motions where available, "SCEC Cybershake and the San Diego State University research on Southern San Andreas fault

Start with CGS SP117A and update to the current 2020 CBC and ASCE 7-16

Then consider the 2020 FEMA-NEHRP and proposed ASCE/SEI 7-22

Essentially Essential Services Structures such as Water tanks and large retaining walls are required to be investigated as Hospitals, Schools, Fire Stations and maybe even Cell Towers. Debris Basins and Spillways also.. LA County has design manuals for basins and spillways.

Once the site specific multispectral ground motions are computed, (including hillside and hilltop amplification) then the findings can be applied to the required non linear landslide and settelment analysis. Simple distence/ magnitude numbers are totally inadequate, Simple static or pseudo static analysis is inadequate.

We trongly suggest that the analysis be done using the multi period spectrum as it will be required during the life of the porject.. also for Utilities, pipelines etc

Note that the County requires "Stand Alone Reports" for Critical structures in addition to the general geotechnical/ Gelogical/ seismic report

WE suggest that the county and or the City of Los Angeles Hillside ordances be consided.

Consider no visable light from the project, off the grid energy, no runoff all stormwater reclaimed/ recycled

basic LID is inadequate

The single entry/ exit must be reconsidered.

Rare plants like 3 leaved brodilla must have site specific surveyes

WE are looking foeward to reviewing the DEIR

Thank you very much

Save Our Community

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SaveOurCommunity c/o 548 N darlingtons St South San Gabriel Ca 91770

To: Ms. Trayci Nelson Project Manager tnelson@cityofbradbury.org (562) 200-7180 RE: Initial Study (IS) Chadwick Ranch Estates, Feb. 2020 addenda and updates to previously submitted comments 4/29/20

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