

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to implement the goals and policies of the East San Gabriel Valley Area Plan by reorganizing existing standards into the new areawide East San Gabriel Valley Planning Area Standards District, adding new regulations, updating existing standards and permitting requirements, and making technical corrections to Title 22 for clarification and ease of implementation.

**Section 1** Chapter 22.06 hereby amended to read as follows:

...

**22.06.040 – Supplemental Districts**

Supplemental districts are established according to Table 22.06.040-A, below. The regulations of each such supplemental district shall supersede the specific regulations of the basic zone to which the district is added in the manner indicated for each type of district.

TABLE 22.06.040-A: SUPPLEMENTAL DISTRICTS	
Abbreviation	Full Name
EQD	Equestrian District
Setback District	Setback District
Flood Protection District	Flood Protection District
Noise Insulation	Noise Insulation Program
<del>CSD</del>	<del>Community Standards District</del>
ROLD	Rural Outdoor Lighting District

...

**Section 2** Chapter 22.70 hereby amended to read as follows:

...

#### **22.70.040 – Established Equestrian Districts**

Established EQDs are listed in Table 22.70.040-A, below. These EQDs are shown on the Zoning Map and are incorporated with all provisions specified in each respective ordinance of adoption.

TABLE 22.70.040-A: ESTABLISHED EQUESTRIAN DISTRICTS				
Equestrian Number	Zone	District Name	Ordinance Adoption	of Date of Adoption
EQD-1		Rancho Potrero De Felipe Lugo	11297	1-27-1976
EQD-2		West Altadena	11301	2-17-1976
EQD-3		Pellissier Village	11384	7-27-1976
EQD-4		Kinneloa Mesa	11515	4-26-1977
EQD-5		Trailside Ranch	11690	4-4-1978
EQD-6		Beverly Acres	11841	12-28-1978
EQD-7		Avocado Heights	91-0054Z	4-9-1991

#### **22.70.050-Development Standards**

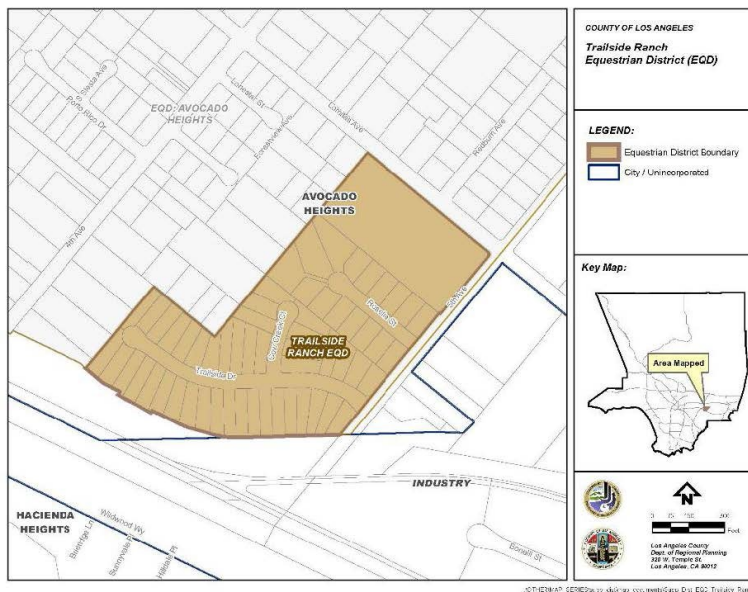
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C. Equestrian District Specific Development Standards.

...

5. ~~Trailside Ranch. The maximum number of animals in EQD-5: Trailside Ranch shall comply with Table 22.70.050-E and Figure 22.70.050-E: Trailside Ranch, below.~~

<del>TABLE 22.70.050-E: EQD-5: TRAILSIDE RANCH</del>	
<del>Net Size of Lot</del>	<del>Maximum Number of Animals Permitted Per Lot</del>
<del>10,000 square feet</del>	<del>2</del>
<del>10,001 square feet and over</del>	<del>1 additional animal per each additional 5,000 square feet</del>



~~FIGURE 22.70.050-E: TRAILSIDE RANCH~~

...

7. Avocado Heights. EQD-7: Avocado Heights shall comply with this Subsection C.7.
- a. Number of Animals. The maximum number of animals shall comply with Table 22.70.050-G and Figure 22.70.050-G: Avocado Heights, below.

TABLE 22.70.050 G: EQD-7: AVOCADO HEIGHTS	
Net Size of Lot	Maximum Number of Animals Permitted Per Lot
10,000—14,999 square feet	2
Over 15,000 square feet	1 additional animal per each additional 5,000 square feet

TABLE 22.70.050-G: EQD-7: Avocado Heights	
<u>Net Size of Lot</u>	<u>Maximum Number of Animals Permitted Per Lot</u>
<u>10,000 square feet</u>	<u>2</u>
<u>10,001 square feet and over</u>	<u>1 additional animal per each additional 5,000 square feet</u>

b. Additional Regulations. In Zone B-1:

- i. Animals shall not be maintained; and
- ii. Trails shall not be established.



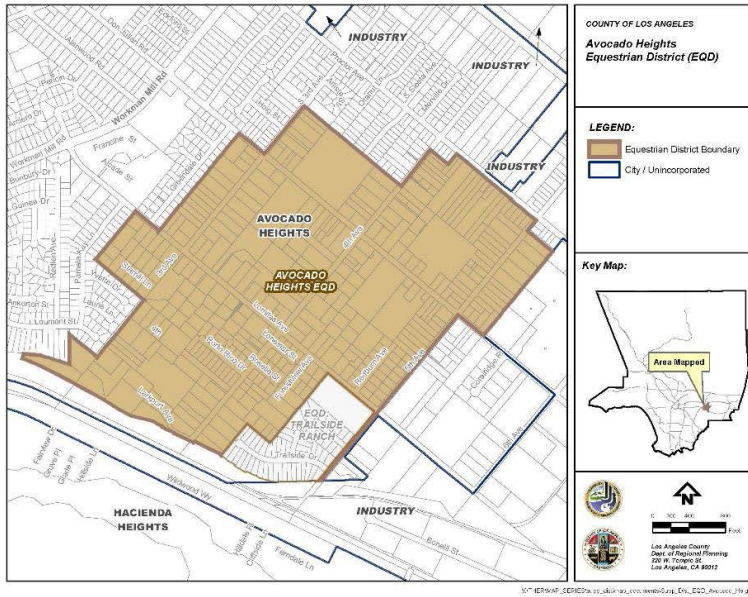


FIGURE 22.70.050-G: AVOCADO HEIGHTS

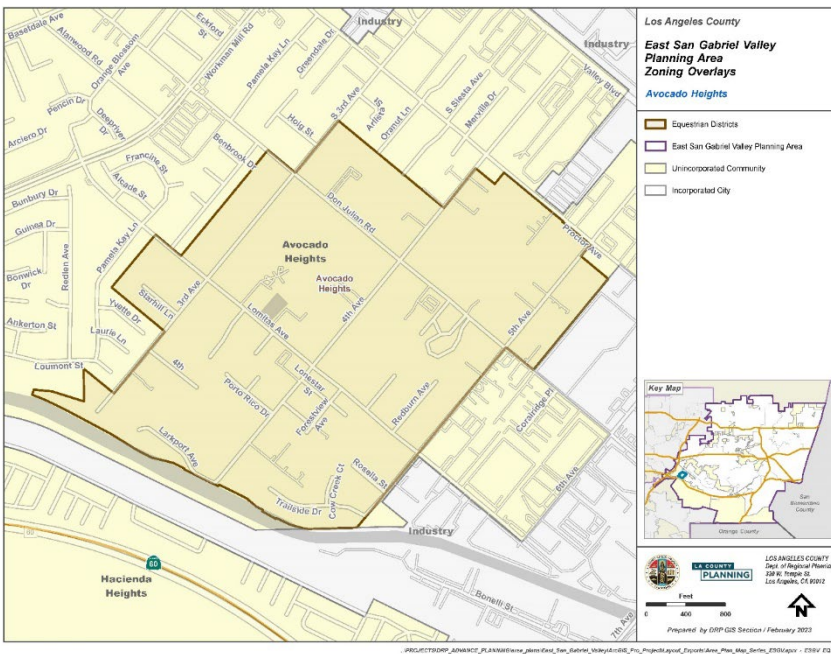


FIGURE 22.70.050-G: AVOCADO HEIGHTS

**SECTION 3** Chapter 22.72 is hereby amended to read as follows:

...

## 22.72.020 - Front Yard Setback Districts.

Established Front Yard Setback Districts are listed in Table 22.72.020-A, below. Front Yard Setback Districts are shown on the Zoning Map and are incorporated with all provisions specified in each respective ordinance of adoption.

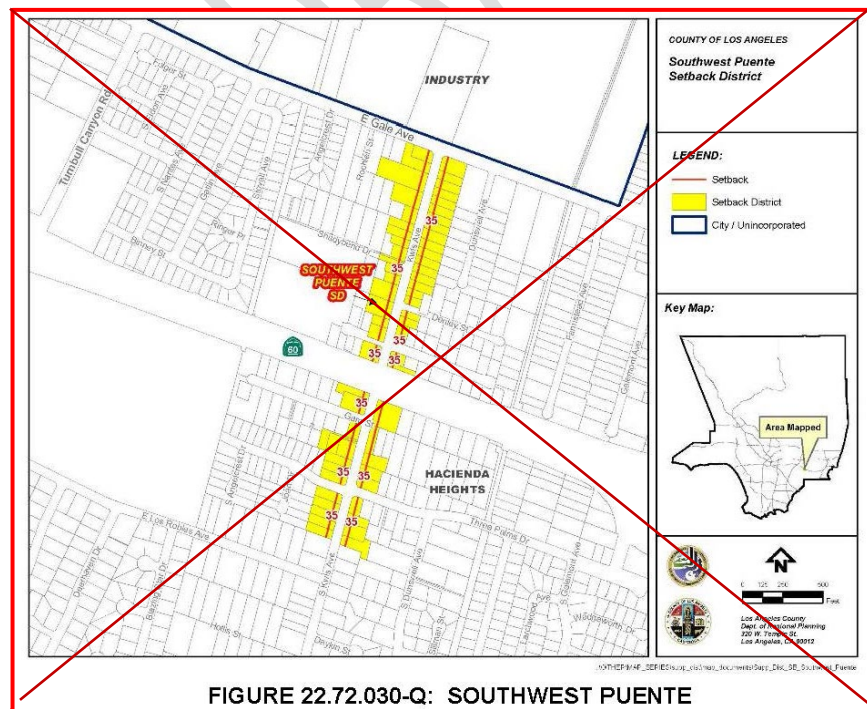
TABLE 22.72.020-A: FRONT YARD SETBACK DISTRICTS			
District Number	District Name	Ordinance Adoption	of Date Adoption of
1	City Terrace	2179	11-25-1932
3	Walnut Park	2189	12-12-1932
4	Southwest	2190	12-12-1932
5	Second Unit Eastside	2191	12-12-1932
6	First Unit Eastside	2426	3-5-1934
7	Altadena Unit No. 1	3757	1-14-1941
8	Altadena Unit No. 2	3854	5-20-1941
9	E. Pasadena Unit No. 1	3900	7-15-1941
12	Altadena Unit No. 3	5541	5-9-1950

TABLE 22.72.020-A: FRONT YARD SETBACK DISTRICTS			
District Number	District Name	Ordinance Adoption	of Date of Adoption
13	Whittier Downs, Dist. No. 43, Tr. No. 10411	5600	9-19-1950
14	Southwest Puente	6526	8-24-1954

### 22.72.030 - District Maps.

The boundaries of the Setback Districts are shown on Figures 22.72.030-A through P, at the end of this Chapter.

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...

**Section 4** Chapter 22.121 is hereby amended to read as follows:

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**22.121.030 Applicability.**

Notwithstanding any contrary provisions in this Title 22, the provisions of this Chapter, in conjunction with Chapter 22.166 (Housing Permits), apply as follows. ~~all housing developments, excluding mobilehome parks, and including projects to substantially rehabilitate and convert an existing commercial building to residential uses, or the substantial rehabilitation of an existing multifamily dwelling, as defined in section 65863.4 (d) of the California Government Code, where the result of the rehabilitation would be a net increase in available dwelling units, that meet all of the following:~~

A. Unless as specified otherwise in Subsection B, below, all housing developments, excluding mobilehome parks, and including projects to substantially rehabilitate and convert an existing commercial building to residential uses, or the substantial rehabilitation of an existing multifamily dwelling, as defined in section 65863.4 (d) of the California Government Code, where the result of the rehabilitation would be a net increase in available dwelling units, that meet all of the following:

A-1. Has at least five or more baseline dwelling units;

B-2. Is located in a submarket area, with the following exceptions:

1-a. Rental projects or condominium projects located in the South

Los Angeles or Antelope Valley submarket areas; or

2-b. Rental projects located in the East Los Angeles/Gateway

submarket area; and

C-3. Is not located within an area subject to an affordable housing requirement pursuant to a development agreement, specific plan, or local policy.

B. All housing developments located on parcels that are:

1. Included in the 2021-2029 Housing Element as one of the following:

a. Nonvacant, identified to accommodate very low- or lower-income units in the Sites Inventory, and have been included in the 2014-2021 Housing Element;

b. Vacant, identified to accommodate very low- or lower-income units in the Sites Inventory, and have been included in both the 2008-2014 and the 2014-2021 Housing Elements; or

c. Sites that are rezoned to accommodate very low- or lower-income units; and

2. In one of the following unincorporated communities:

a. Avocado Heights;

b. Charter Oak;

c. East Irwindale;

d. Hacienda Heights;

e. North Whittier;

f. Rowland Heights;

g. South San Jose Hills;

ah. South Whittier-Sunshine Acres; or

i. Valinda;

j. West Puente Valley; or

**Section 5** Chapter 22.222 is hereby amended to read as follows:

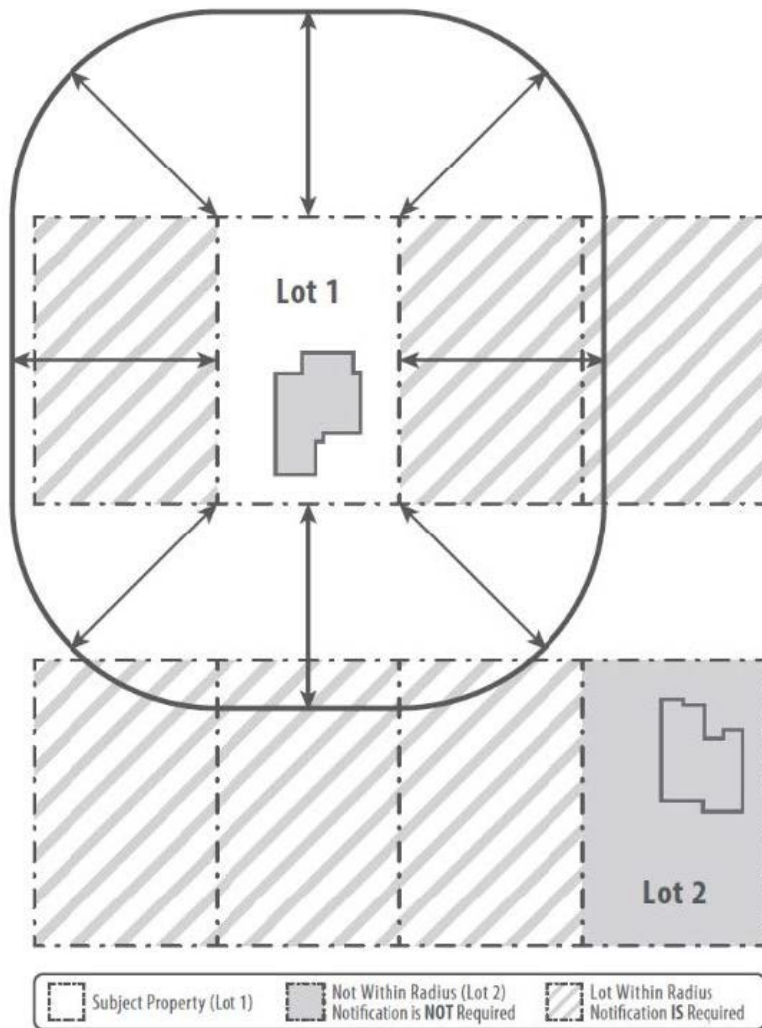
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**22.222.160 – Notification Radius**

A. Standard Radius. Notice shall be mailed to all owners of property located within a 500-foot radius of the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll. For example, see Figure 22.222.160-A, below.

FIGURE 22.222.160-A: NOTIFICATION RADIUS

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B. Additional Radius. Notwithstanding Subsection A, above, notice shall be mailed to all owners of property located within a 1,000-foot radius of the exterior boundaries of the subject property noted on the application, as shown on the County's last equalized assessment roll, unless a more specific radius is required by this [Title 22](#), for properties in the following areas:

1. Fifth Supervisorial District.
- ~~2. The Community of Avocado Heights within the Puente Zoned District.~~
2. The East San Gabriel Valley Planning Area
3. Workman Mill Zoned District.

4. South San Gabriel Zoned District.

**SECTION 6** Division 10 is hereby amended to read as follows:

**Division 10. PLANNING AREA AND COMMUNITY STANDARDS DISTRICTS**

**Chapter 22.300 INTRODUCTORY PROVISIONS**

**22.300.010 Purpose**

Planning Area Standards Districts (PASDs) and Community Standards Districts (CSDs) are established as ~~supplemental districts~~ to provide, where useful and appropriate, special development standards to:

A. ~~To a~~Assist in implementing special development requirements and/or land use limitations previously adopted by the County in neighborhood, community, area, specific, and local coastal plans for particular unincorporated areas of Los Angeles County, to address special problems that are unique to those geographic areas; and

B. ~~To f~~Facilitate development and new land uses that are more responsive to community objectives for the preservation, guided evolution and enhancement, and/or transformation of existing physical character and/or economic conditions than would otherwise be possible through the application of countywide standards alone.

**22.300.020 - Application of Planning Area Standards Districts and Community Standards Districts to Property.**

~~A. Types and Priority of Regulations Provided by a CSD. The adoption and application to property of a CSD in compliance with this Division shall also comply with the procedures defined by Chapter 22.68 (Supplemental Districts), and may include the CSD defining and providing one or more of the following three categories of regulations:~~

- ~~1. Community-Wide Development Standards. These are standards that apply to all proposed development and new land uses on any lot within the area covered by the CSD. If a community-wide development standard appears to conflict with a basic zone~~



~~development standard, the community-wide development standard shall supersede the basic zone standard;~~

- ~~2. Zone Specific Development Standards. These are standards that apply only to proposed development or a new land use on a lot covered by a specific zone within the community. If a zone-specific development standard appears to conflict with a community-wide development standard, the zone-specific standard shall supersede the community-wide standard; and~~
- ~~3. Area Specific Development Standards. These are standards that apply only to lots within one or more specific geographic areas of a CSD. Where an area-specific development standard differs from either a community-wide or zone-specific development standard, the area-specific standard shall supersede all others.~~

#### ~~B. Additional Regulations~~

- ~~1. Density Bonus or Inclusionary Housing. Notwithstanding any contrary provisions in this Volume II, any CSD regulations specified in Subsection A, above, may be waived or modified through a Housing Permit (Chapter 22.166), pursuant to Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing).~~
- ~~2. Accessory Dwelling Units and Junior Accessory Dwelling Units. Where the regulations in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units) are contrary to the provisions in a CSD regulating the same matter, the provisions in the CSD shall prevail, unless specified otherwise in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units).~~
- ~~3. Compact Lot Subdivisions. Any CSD provisions pertaining to a required yard shall apply to the equivalent perimeter yard of a~~

~~3. 3.~~

~~compact lot subdivision pursuant to Section 22.140.585.F.18 (Yard Provisions in Specific Plans and Community Standards Districts).~~

~~C. Exceptions.~~

- ~~1. Green Zone Districts. Where the regulations in Chapter 22.84 (Green Zone Districts) are contrary to the provisions in this Division 10, the more restrictive provisions shall prevail, except for Section 22.84.C.1.i (Perimeter Identification Sign).~~

A. Hierarchy of Regulations. Standards within Division 10 are organized hierarchically within a category according to their applicable area or zone. Except as specified otherwise in this Title 22, where there is a conflict between two standards regulating the same matter:

1. The standard in a category listed in Subsection A.2, below, supersedes the contrary standard that would apply to the base zone; and
2. The standard within a category that is lower on the following list supersedes the contrary standard that is contained in any category above it.

a. PASD Area-Wide Development Standards.

b. PASD Zone-Specific Development Standards.

c. CSD Area-Wide Development Standards.

d. CSD Zone-Specific Development Standards.

e. Sub-Area-Wide Specific Development Standards.

f. Sub-Area Zone-Specific Development Standards.

B. Relationships to Other Title 22 Provisions

1. Specific Plans. Except as specified otherwise, regulations in a Specific Plan shall supersede any contrary provisions in this Division 10.
  2. Supplemental Districts. Except as specified otherwise, regulations in a Supplemental District listed in Table 22.06.040-A shall supersede any contrary provisions in this Division 10.
  3. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units. Where the regulations in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units) are contrary to the provisions in a CSD regulating the same matter, the provisions in the CSD shall prevail, unless specified otherwise in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
  4. Compact Lot Subdivisions. Any Division 10 provisions pertaining to a required yard shall apply to the equivalent perimeter yard of a compact lot subdivision pursuant to Section 22.140.585.F.18 (Yard Provisions in Specific Plans and Community Standards Districts).
  5. Green Zone. Where the regulations in Chapter 22.84 (Green Zone) are contrary to the provisions in this Division 10, the more restrictive provisions shall prevail, except that any required perimeter identification signs or informational signs shall contain information required by both Section 22.84.040.C.1.j (Perimeter Identification Sign) and this Division 10.
- C. Modifications Authorized. Development Standards specified in this Division 10 may be modified subject to Chapter 22.160 (Conditional Use Permits, Minor) except where the project is subject to:
1. Chapter 22.158 (Conditional Use Permits);
  2. Chapter 22.166 (Housing Permits);
  3. Chapter 22.176 (Minor Parking Deviation);
  4. Chapter 22.178 (Parking Permit); or

5. Other modification procedures specified in this Division 10.

**22.300.030            Planning Area and Community Standards Districts Established.**

Planning Area Standards Districts (PASDs) and Community Standards Districts (CSDs) are hereby established for the following unincorporated areas of Los Angeles County, the boundaries of which shall be identified on the Official County Zoning Map:

<b>TABLE 22.300.030-A: PLANNING AREA STANDARDS DISTRICTS</b>		
<b><u>Planning Area Standards District</u></b>	<b><u>Chapter</u></b>	<b><u>PASD Adoption Date</u></b>
<u>Metro Planning Area</u>	<u>22.364</u>	=
<u>East San Gabriel Valley Area</u>	<u>22.366</u>	=

<b>TABLE 22.300.030-AB: COMMUNITY STANDARDS DISTRICTS</b>		
<b><u>Community Standards District</u></b>	<b><u>Chapter</u></b>	<b><u>CSD Adoption Date</u></b>
Acton	22.302	11/21/1995
Agua Dulce	22.304	7/30/1985
Altadena	22.306	8/11/1998
<del>Avocado Heights</del>	<del>22.308</del>	<del>10/28/2003</del>
Baldwin Hills	22.310	10/28/2008

**TABLE 22.300.030-AB: COMMUNITY STANDARDS DISTRICTS**

Castaic Area	22.312	11/30/2004
Cerritos Island	22.314	7/31/2010
<u>Chapman Woods</u>	<u>22.362</u>	<u>Pending</u>
<del>East Los Angeles</del>	<del>22.316</del>	<del>4/28/1988</del>
East Pasadena – East San Gabriel	22.318	7/23/2002
<del>East Rancho Dominguez</del>	<del>22.320</del>	<del>5/21/1985</del>
Elizabeth Lake and Lake Hughes	22.322	6/30/2009
Green Valley	22.354	8/10/2021
<del>Florence-Firestone</del>	<del>22.324</del>	<del>6/22/2004</del>
Juniper Hills	22.326	6/26/2007
La Crescenta-Montrose	22.328	1/30/2007
<u>Lake Los Angeles</u>	<u>22.360</u>	=
Leona Valley	22.330	2/16/1993
<u>Pearblossom</u>	<u>22.356</u>	=
<del>Rowland Heights</del>	<del>22.332</del>	<del>11/27/2001</del>
San Francisquito Canyon	22.334	11/10/2009
Santa Monica Mountains North Area	22.336	8/20/2002

**TABLE 22.300.030-AB: COMMUNITY STANDARDS DISTRICTS**

South San Gabriel	22.338	2/27/2001
Southeast Antelope Valley	22.340	6/26/2007
Stonyvale	22.342	8/23/2011
Three Points – Liebre Mountain	22.358	1/11/2022
Twin Lakes	22.344	5/9/1991
<del>Walnut Park</del>	<del>22.346</del>	<del>9/24/1987</del>
<del>West Athens-Westmont</del>	<del>22.348</del>	<del>7/31/1990</del>
<del>West Rancho Dominguez-Victoria</del>	<del>22.350</del>	<del>11/14/2000</del>
<del>Willowbrook</del>	<del>22.352</del>	<del>3/15/1994</del>

**Section 7**

Chapter 22.308 is hereby deleted in its entirety:

Chapter 22.308     **(Reserved) ~~AVOCADO HEIGHTS COMMUNITY STANDARDS DISTRICT~~**

**Section 8**

Chapter 22.332 is hereby deleted in its entirety:

Chapter 22.332     **(Reserved) ~~ROWLAND HEIGHTS COMMUNITY STANDARDS DISTRICT~~**

**Section 9**

Chapter 22.366 is hereby added to read as follows:

**Chapter 22.366 EAST SAN GABRIEL VALLEY PLANNING AREA STANDARDS DISTRICT**

**22.366.010 – Purpose.**

The East San Gabriel Valley Planning Area Standards District (PASD) is established to enhance the character of the 24 unincorporated communities within the East San Gabriel Valley Planning Area. The PASD implements the goals and policies of the East San Gabriel Valley Area Plan (Area Plan) to achieve growth and development consistent with the communities' vision for sustainable natural environment, attractive built environment and community character, thriving commercial areas, and walkable, pleasant neighborhoods.

**22.366.020 – Definitions. (Reserved.)**

**22.366.030 – Planning Area Standards District Map.**

The boundaries of this PASD are shown on Figure 22.366.030-A: East San Gabriel Valley PASD Boundary.

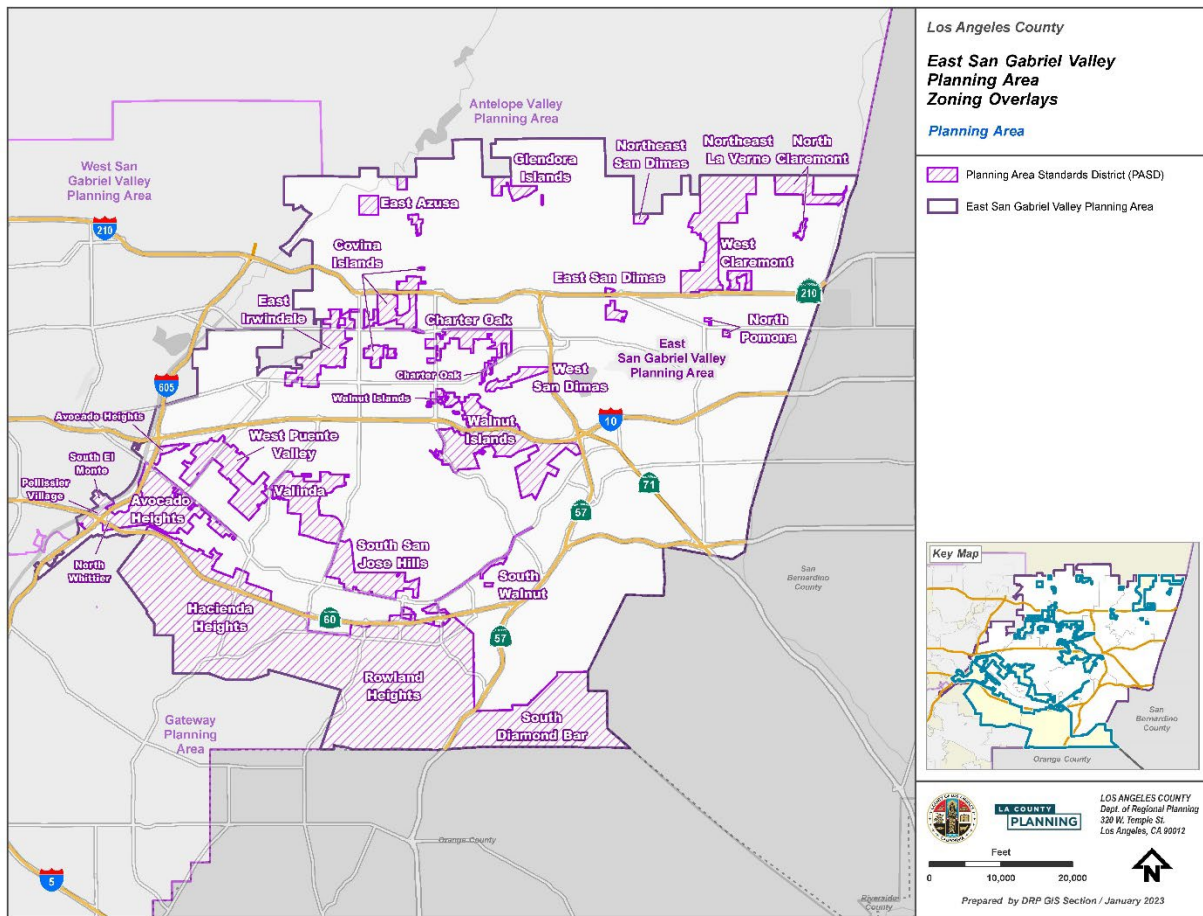


Figure 22.366.030-A: East San Gabriel Valley PASD Boundary.

## 22.366.040 – Applicability.

- A. Applicability. Except as otherwise specifically provided herein, the provisions of this Title 22 shall apply.
- B. General Applicability. The regulations for the PASD contained in this Chapter shall apply to all new development projects for which a complete application has been filed on or after the effective date of the ordinance containing these new regulations.
- C. Additions, Repairs, or Modifications to Existing Development.
  1. The PASD regulations shall apply to any new addition, repair, or renovation of an existing structure, except:



- a. Maintenance or repair of an existing building or structure necessary to ensure the safe and habitable condition for ordinary and intended use.
  - b. The remodeling of interior space of a structure that does not cause any of the structure's windows to be eliminated and does not increase the gross square footage of the structure's nonresidential floor area, the number of rooms available for lodging uses, or the number of dwelling units in the structure.
2. In any case where the addition cumulatively increases the existing floor area of any building or structure by more than 50 percent, then the entire development shall be subject to this PASD.

**22.366.050 – Application and Review Procedures. (Reserved.)**

**22.366.060 – PASD Area-Wide Development Standards.**

**A. Significant Ridgelines**

1. Significant Ridgelines in East San Gabriel Valley are designated by the Director as those which, in general, are highly visible and dominate the landscape. (See the figure maps for the East San Gabriel Valley Area Plan Significant Ridgelines.)
2. The highest point of a structure shall be located at least 50 vertical feet and 50 horizontal feet from a Significant Ridgeline.
3. No part of a proposed structure shall block the view of a Significant Ridgeline from a designated Scenic Route.
4. Where structures on a lot cannot meet the standards prescribed by Subsection A.2 and A.3 above, a Variance (Chapter 22.194) shall be required. In addition to the requirements of Section 22.194.050 (Findings and Decision), these additional findings shall be made:

- a. Alternative sites within the project area have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage and destruction;
- b. The proposed development is limited to 18 feet in height above existing or finished grade (whichever is lower) and maintains the maximum view of the related Significant Ridgeline through the use of design features that include, but are not limited to reduced building footprint area, clustered structures, shape, materials, and color which allow the structure to blend in with the natural setting, minimized grading, and locally-indigenous vegetation to soften the view of development from the identified public viewing areas;
- c. The proposed development shall utilize native species present on site for landscaping as identified in the project's biological documentation. The Director shall maintain a list of appropriate landscaping materials required to satisfy this provision, to be used if the site does not have appreciable native vegetation as outlined in the project's biological documentation; and
- d. Avoidance of impacts to scenic resources through site selection and design alternatives is the preferred method over landscape or building material screening. Landscape or building material screening shall not substitute for project alternatives including re-siting or reducing the height or bulk of structures.

B. Biological Resources. Projects subject to a Conditional Use Permit (Chapter 22.158) on a property containing native vegetation shall prepare a biological inventory containing the following information:

1. Biological survey and map (drawn to scale) of biological resources and physical site features on the project site.
2. The plants, animals, and habitats found on the project site.

3. The plants, animals, and habitats likely to occur on the project site based on a California Natural Diversity Database (CNDDDB) query as well as local knowledge.
4. On sites that have been subject to wildfire or unpermitted development, including but not limited to, vegetation removal or grading, the plants, animals, and habitats likely to have occurred on the site based on historical records and habitat found in surrounding undisturbed areas.
5. Assessment of need for additional surveys due to timing/season of initial survey (potential for missing sensitive species) and assessment for need of protocol level species surveys (based on CNDDDB query results and local knowledge).
6. Proximity of the project site to locations of known sensitive resources within 200 feet.
7. Photo documentation of the site that includes photos of all the respective habitats on site
8. Native tree survey and map (drawn to scale) if oak, sycamore, walnut, bay, or toyon trees are present on the project site. Sites containing native oak trees shall provide the information required in [Chapter 22.174](#) (Oak Tree Permits).

C. Parking. In addition to the requirements of Chapter 22.112 (Parking), the following requirements shall apply:

1. Parking Location.
  - a. Except for fully subterranean structures or roof parking, and parking structures as a primary use, all parking shall be provided in the rear of the commercial structure, and fully screened from view from the street and any adjacent residentially-zoned property. Screening materials shall include decorative walls, decorative wrought-iron fencing, and/or landscaping. Unadorned concrete masonry walls and chain-link fencing shall be prohibited.
  - b. Where a parking structure is designated as the primary use of a site, the parking structure shall be fully screened from view from the street and any adjacent residentially-zoned property. Screening materials shall include decorative walls, decorative wrought-iron fencing, and/or landscaping.

Unadorned concrete masonry walls and chain-link fencing shall be prohibited.

2. Vehicle Access. For every 100 feet of lot frontage, no more than 20 feet of a property frontage shall be devoted to parking access, such as driveways, unless otherwise required by the County.
3. Oversize Vehicles. Parking for vehicles that exceed 20 feet in length or nine feet in width shall be located away from any abutting residentially-zoned lots.
4. Loading Spaces. In addition to the standards of Section 22.112.120 (Loading Spaces), the following standards shall apply:
  - a. Loading spaces shall be located in the rear of the structure, away from adjoining residentially-zoned lots, and shall be screened with decorative walls, decorative fencing, and/or landscaping. Unadorned concrete masonry walls and chain-link fencing shall be prohibited.
  - b. Loading and unloading operations shall not be conducted between the hours of 10:00 p.m. and 6:00 a.m. in such a manner as to exceed exterior sound levels specified by the County's Noise Control Ordinance (Chapter 12.08 of Title 12) for adjacent residentially-zoned properties.

#### **22.366.070 – PASD Zone-Specific Development Standards.**

- A. Commercial and Mixed-Use Zones.
  1. Applicability. All new buildings and structures in commercial (C-H, C-1, C-2, C-3, C-M, C-MJ, C-R, and CPD) and mixed-use (MXD) zones shall conform to the design standards in this Section.
  2. Lot Coverage and Landscaping. Buildings and structures shall not cumulatively occupy more than 85 percent of the net area of a lot. A minimum of 15 percent of the net area shall be landscaped.
  3. Groundfloor Design. Any exterior building modification except for signage shall include at least one of the following design elements on at least one façade fronting an adjacent roadway:

- a. Trellis or Pergola- Consisting of posts and beams with cross members and open to the sky or complemented with the use of canvas shades or vines, as shown on Figure 22.366.070-A, below.





Figure 22.366.070-A: Examples of Trellis and Pergola Structures

- b. Exterior Furniture. At least one of the following exterior furniture, which shall be constructed of steel with powder coat or other comparable material of equal durability and shall be well maintained at all times.
  - i. Benches – with a seating length of at least 48 inches (see Figure 22.366.070-B, below).



Figure 22.366.070-B: Examples of Bench Seating

- ii. Bicycle racks - at least one rack to accommodate three or more bicycles. If a bicycle rack has already been provided per Section 22.112.100 (Bicycle Parking and Bicycle Facilities), it may be used to satisfy this requirement, and no additional bicycle rack is required (see Figure 22.366.070 - C, below).





Figure 22.366.070-C: Example of Bicycle Rack

- iii. Tables with chairs - may include at least three tables with at least two chairs each (see Figure 22.366.070 - D, below).



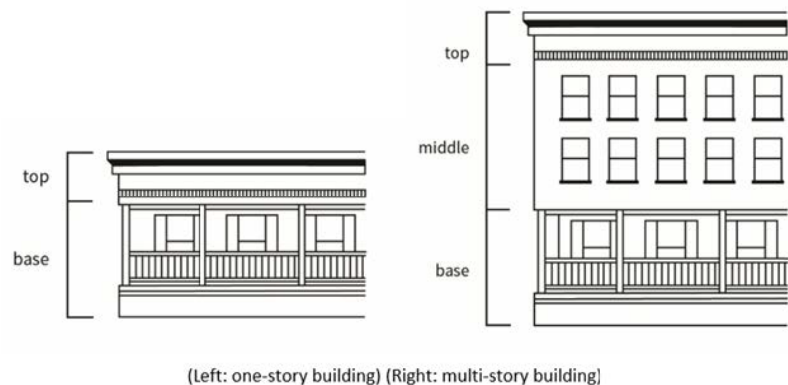


Figure 22.366.070-D: Examples of Tables With Chairs for Outdoor Seating

4. Façade Composition. Building façades shall be differentiated as follows: one-story buildings shall consist of a building top and building base; multi-story buildings shall consist of a building top, building middle, and building base (see Figure 22.366.070 - E: Example of Façade Height Composition, below).
  - a. Variation of form and massing shall be used in building designs to provide visual interest. Long, unbroken facades are prohibited.

- b. Building Top. The building top, which includes the upper most portion of the building including a roof, shall be differentiated from the rest of the building through variations in color, materials, ornamentation or shape. The roof is subject to the requirements of Subsection A.5 (Roof), below, and shall consist of a molding that crowns the building, such as an eave, cornice, parapet, or other such projection.
- c. Building Middle. The building middle may be one or more stories. The building middle shall be articulated through elements, such as windows, lintels, columns, horizontal differentiation, recesses, stepbacks, materials, and color. These treatments shall be consistent.
- d. Building Base. A building base consists of the floor at ground-level where most of the pedestrian interactions and commerce take place.

FIGURE 22.366.070-E: EXAMPLE OF FAÇADE HEIGHT COMPOSITION



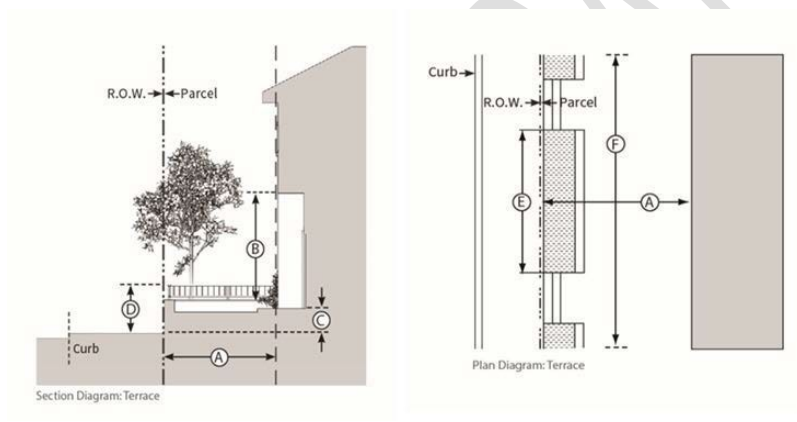
## 5. Roof.

- a. A roof shall have a gable, arc raised center, or if a flat roof, consist of molding that crowns the building, such as an eave, cornice, parapet or other such projection.
- b. Roof-mounted equipment shall be screened from view on all sides by roof forms, roof projections, or architectural screening.

6. Architectural Elements. New primary structures shall include at least one of the following elements listed below on at least one façade fronting a major or secondary highway. Where a building frontage exceeds 40 feet in length, an additional architectural element shall be used for each segment, or portion, of 40 feet of frontage and distributed throughout the width of the building facade. The architectural elements may be provided within any required front and side yard setbacks and may contribute to the minimum landscaping requirement when landscaping has been incorporated into terrace, forecourt, or backcourt, as described below.

a. Terrace. A terrace separates the building façade from the sidewalk and street. A terrace may provide a space for public uses, such as public seating or dining. It creates a buffer from public rights-of-way (see Figure 22.366.060-G, below, for examples of terraces).

FIGURE 22.366.070-F: TERRACE DESIGN



i. Design Standards (see Figure 22.366.070-F):

<u>A</u>	<u>Depth, clear</u>	<u>10 ft. min.</u>
<u>B</u>	<u>Height, clear</u>	<u>10 ft. min.</u>
<u>C</u>	<u>Finish level above sidewalk</u>	<u>3 ft. max.</u>
<u>D</u>	<u>Height, perimeter wall</u>	<u>4 ft. max.</u>
<u>E</u>	<u>Distance between access points</u>	<u>50 ft. max.</u>
<u>F</u>	<u>Length of terrace</u>	<u>At least 50 % of building frontage.</u>

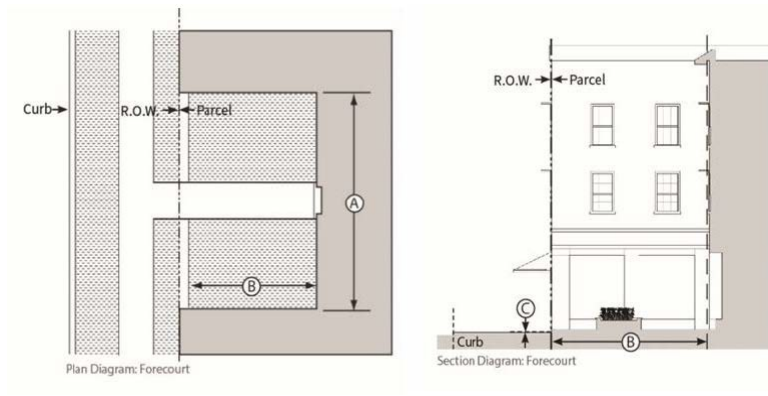
- ii. Any required guardrails shall be at least 75 percent open above the perimeter wall.
- iii. Terraces shall dedicate at least 50 percent of their area to landscape and design elements, such as shaded seating areas with the inclusion of durable and movable outdoor furniture, fountains with adjacent seating, or other similar fixtures, or combination thereof.

FIGURE 22.366.070-G: EXAMPLES OF COVERED TERRACE AND TERRACE AREAS



- b. Forecourt. A forecourt is a semi-public space formed by a recess in the façade of a building and is generally appropriate for commercial or public use and may provide a space for public seating or dining. (see Figure 22.366.070-I, below, for examples of forecourt area).

FIGURE 22.366.070-H: FORECOURT DESIGN



i. Design Standards (see Figure 22.366.070-H):

<u>A</u>	<u>Width, clear</u>	<u>15 ft. min.</u>
<u>B</u>	<u>Depth, clear</u>	<u>20 ft. min.</u>
<u>C</u>	<u>Finish level above sidewalk</u>	<u>3 ft. max.</u>
<u>Ground floor transparency</u>		<u>60 percent min.</u>

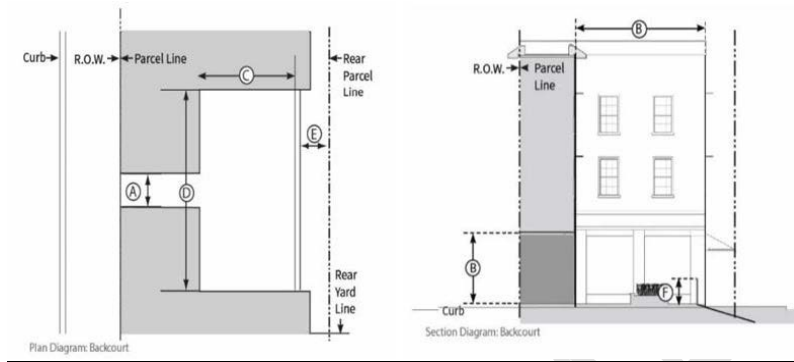
- ii. Encroachments, such as balconies, awnings, and signage, are allowed within the forecourt and shall be located at least eight feet above finish level.
- iii. Forecourts shall dedicate at least 50 percent of their area to landscape and design elements, such as shaded seating areas with the inclusion of durable and movable outdoor furniture, fountains with adjacent seating, or other similar fixtures, or combination thereof.

FIGURE 22.366.070-I: EXAMPLES OF FORECOURT AREA



- c. Backcourt (Rear Court). A backcourt is a semi-public courtyard oriented to the rear of a building that can be accessed by pedestrians from the sidewalk. A backcourt may be partially enclosed on one, two, or three sides by buildings or structures and is generally appropriate for commercial or public uses and may provide a space for public seating or dining. (see Figure 22.366.070-K, below, for examples of backcourt area).

**FIGURE 22.366.070-J: BACKCOURT (REAR COURT) DESIGN**



- i. Design Standards (see Figure 22.366.070-J):

<u>A</u>	<u>Access width, clear</u>	<u>10 ft. min.</u>
<u>B</u>	<u>Access height, clear</u>	<u>12 ft. min.</u>
<u>C</u>	<u>Width, clear</u>	<u>20 ft. min.</u>
<u>D</u>	<u>Depth, clear</u>	<u>20 ft. min.</u>
<u>E</u>	<u>Setback from rear parcel line</u>	<u>15 ft. min.</u>
<u>E</u>	<u>Privacy wall height, solid</u>	<u>4 ft.</u>
<u>Ground Floor Transparency</u>		<u>60% min.</u>

- ii. When provided, a backcourt shall satisfy the requirements of Subsection A.8 (Articulation) below, only if there is direct access for pedestrians to the backcourt from the major or secondary highway fronting the development.



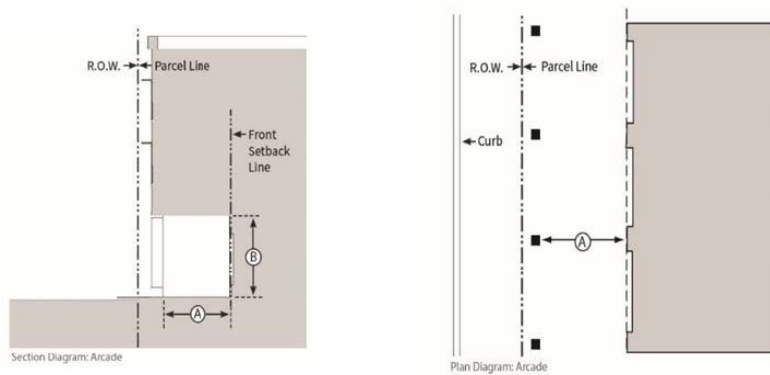
- iii. Encroachments, such as balconies, awnings, and signage are allowed within the backcourt and shall be located at least eight feet above finish floor level.
- iv. Backcourts shall dedicate at least 50 percent of their area to landscape and design elements, such as shaded seating areas with the inclusion of durable and movable outdoor furniture, fountains with adjacent seating, or other similar fixtures, or combination thereof.

FIGURE 22.366.070-K: EXAMPLES OF BACKCOURT AREA



- d. Arcade. An arcade is a façade with an attached colonnade that is covered by upper stories. Colonnades shall not screen from public view more than 25 percent of the ground floor façade (see Figure 22.366.070-M, below, for examples of arcade frontage).

FIGURE 22.366.070-L: ARCADE DESIGN



Design Standards (see Figure 22.366.070-L):

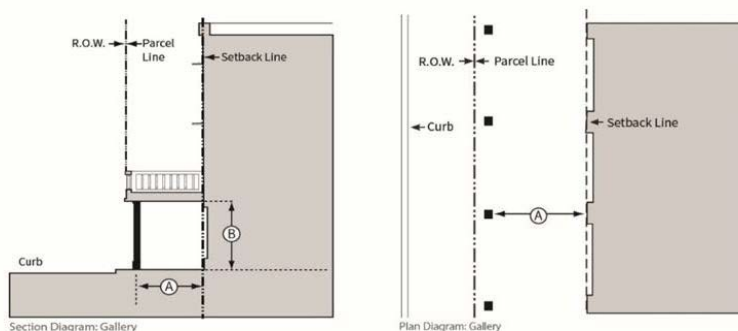
<u>A</u>	<u>Depth, Clear</u>	<u>10 ft. min.</u>
<u>B</u>	<u>Ground Floor Height, Clear</u>	<u>10 ft. min.</u>

FIGURE 22.366.070-M: EXAMPLES OF ARCADE FRONTAGE



- e. Gallery. A gallery is a roof or deck projecting from the façade of a building with vertical supports. For multi-story buildings, galleries may provide covered or uncovered porches at the second and third floors. Galleries may encroach within the required front yard setbacks. Colonnades shall not screen from public view more than 25 percent of the ground floor façade (see Figure 22.366.070-O, below, for an example of gallery frontage).

FIGURE 22.366.070-N: GALLERY DESIGN



Design Standards (see Figure 22.366.070-N):

<u>A</u>	<u>Depth, Clear</u>	<u>20 ft. min.</u>
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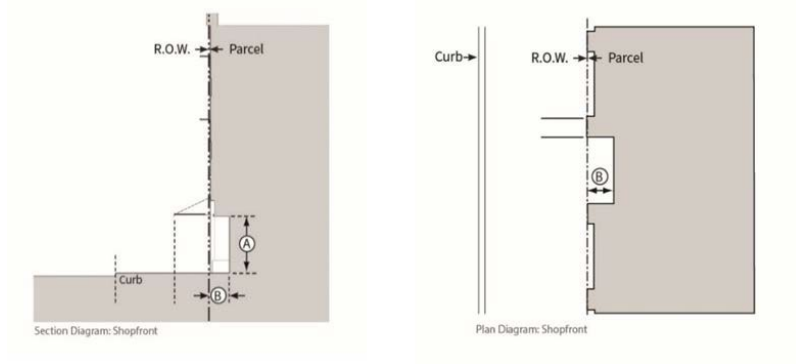
<u>B</u>	<u>Ground floor height, Clear</u>	<u>10 ft. min.</u>
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FIGURE 22.366.070-O: EXAMPLE OF GALLERY FRONTAGE



7. Entrances. A pedestrian-accessible entrance shall be required facing and directly accessible to pedestrians from at least one public sidewalk abutting the property.
  - a. Shop Front Entrances. The following standards apply to public entrances to shop fronts located on the ground floor. Shop front entrances shall be recessed façades consisting of a door, transom lights and sidelights (see Figure 22.366.070-Q , below).

FIGURE 22.366.0700-P: SHOP FRONT ENTRANCE DESIGN



Design Standards (see Figure 22.366.070-P):

<u>A</u>	<u>Recessed Area Height, Clear</u>	<u>10 ft. min.</u>
<u>B</u>	<u>Recessed Entry Depth</u>	<u>3 ft. min.</u>

FIGURE 22.366.070-Q: EXAMPLES OF SHOP FRONT ENTRANCE (LEFT) AND CORNER ENTRANCE (RIGHT)



- b. Main Entrances. A multi-tenant building with a lobby at the ground floor shall provide a main entrance at the street level for pedestrian use. A main entrance is the widest entrance that opens into a lobby or primary circulation space of a building. In addition to the standards provided in Subsection A.7.a (Shop Front Entrances), a main entrance shall be easily identifiable and distinguishable from other ground floor entrances through the use of one of the following:
- i. Marked by a taller mass above, such as a tower, or within a volume that projects from the rest of the building surface.
  - ii. Accented by columns or ornamental light fixtures.
  - iii. Marked or accented by a change in the roofline or change in the roof type.
- c. Corner Entrances. Buildings located on a corner lot shall provide a corner entrance that complies with Subsection A.7.a (Shop Front Entrances) or 7.b (Main Entrances), above, as applicable.

8. Articulation. In addition to complying with the following requirements, a building façade shall be differentiated, as provided in Subsection A.4 (Façade Composition).
- a. Types of Articulation. Horizontal and vertical articulations shall be produced by variations in rooflines, window groupings, applied façade elements, such as piers or pilasters, bay windows, rough textured wood beams, headers, siding, pre-cast headers, casements, cornices, balconies, entrance stoops, porches, and/or changes in materials and horizontal and vertical planes that create shadow lines and textural differences. The articulation shall be such that there is consistency and uniformity in the overall design.
  - b. Roof Drainage. The location, spacing, materials, and colors of exposed downspouts, gutters, scuppers, and other visible roof drainage components should be incorporated into the architectural composition of the façade and roof.
9. Wall Surface. The following standards shall apply to the building walls.
- a. A wall of a building located 30 feet or more from the side or rear lot line shall have the same trim and finish as the front building façade.
  - b. A wall facing an internal courtyard or a side façade without windows and doors is only allowed if the wall is located less than 30 feet from the side or rear lot line and enhancements, such as surface reliefs, wall articulations, architectural murals or vines, are incorporated.
  - c. Building finishes shall be of durable materials, such as brick, decorative concrete, glass, wood, stucco, or other similar materials except cinder block (concrete masonry unit).
  - d. On at least two feet of the wall surface, durable materials shall be used, as provided in Subsection A.9.c above, except that stucco or other similar troweled finishes may not be used.

- e. Building walls shall have contrasting colors to give emphasis to design features, such as door/window trim, pilasters, cornices, capitals, wainscot, and/or similar treatments.

#### 10 Wall Openings.

- a. For frontages, upper stories shall have a window to wall area proportion that is less than that of the ground floor frontage. Glass curtain walls or portions of glass curtain walls are exempt from this standard.
- b. Storage areas within a structure, other than product displays, shall not be visible through windows.
- c. Railings and grilles may be installed on the exterior or interior of a window on the ground floor of a structure, provided that such railings and grilles do not interfere with the required 60 percent transparency under Subsection A.11 (Windows) below.
- d. Roll-up security gates that are solid shall not be installed on the exterior of any window.

#### 11 Windows.

- a. At least 60 percent of the total width and 40 percent of the total area of the building facade at ground level shall be devoted to windows, interior views, or interior displays visible to pedestrians. The bottom of any such window shall be no more than three feet above the sidewalk or grade.
- b. Flashing lights or similar flashing devices shall not be visible from the outside.
- c. Entrances, mirrored or highly reflective materials, false windows, densely tinted glass, or displays of materials offering no views of the interior shall not be deemed to be in compliance with the requirements of this Section.

- d. Transparent or lightly tinted material, such as glass, shall be used at or near the street level to allow maximum visual interaction between pedestrian areas and the interior of the building.
- e. Not more than 10 percent of the building facade at ground level shall consist of mirrored or densely tinted glass.

12 Mechanical Equipment. All mechanical equipment shall be located in a manner that avoids obstructing the architectural design of a building.

- a. Air Conditioning Units.
  - i. Ground-mounted air conditioning units shall be screened or enclosed with landscaping or screening so as to not be visible from public areas at ground level, and shall be screened with appropriate sound and vibration isolating mounts and barriers.
  - ii. Roof-mounted air conditioning units shall be screened by architectural features so that the equipment will not be visible from public areas at ground level.
  - iii. Window-mounted or wall-mounted air conditioning units shall be placed to minimize overhang and impacts to the design of the building. Casements shall match the design of the facade.
- b. Other mechanical equipment shall be screened from view using architectural features or screening materials so as to not be visible from public areas at ground level.

13. Exterior Lighting.

- a. Light trespass. Fully shielded fixtures shall be used for exterior and directional lighting to prevent light trespass to adjacent uses. Perimeter luminaries shall be located at least five feet from any adjacent residential lot line.

- b. Lighting shall be provided at building access points or along pedestrian accessible walkways to enhance pedestrian safety.
  - c. Lighting shall be designed to minimize or prevent shadows or glare, such that visibility is not impaired. Examples include illumination of recessed entryways, and lighting evenly distributed along the store frontage or walkways such that near uniform foot-candles are registered along any pedestrian accessible area.
  - d. Prohibited outdoor lighting. The following types of outdoor lighting shall be prohibited unless otherwise required by a government agency for safety:
    - i. Drop-down lenses, defined as a lens or diffuser that extends below a horizontal plane passing through the lowest point of the opaque portion of a light fixture.
    - ii. Mercury vapor lights.
    - iii. Ultraviolet lights.
    - iv. Searchlights, laser lights, or other outdoor lighting that flashes, blinks, alternates, or moves. This applies to lighting behind display windows visible from the public right-of-way.
14. Landscaping. These landscaping provisions shall apply to installation or replacement of landscaping.
- a. Native trees with a trunk diameter of at least eight inches, as measured four-and-one-half feet above grade, shall be preserved and integrated into required landscaping, either in their current location or another location on the same lot, provided that such trees are good candidates for preservation or relocation, as established by a certified arborist. Such trees shall be moved in accordance with currently accepted arboricultural standards and practices and shall be supervised by a certified arborist. This provision shall not apply to oak trees, which are subject to the requirements of Chapter 22.174 (Oak Tree Permits).

- b. Landscaped areas shall be maintained with regular pruning, weeding, fertilizing, litter removal, and replacement of plants, as necessary. Landscaped areas shall be maintained with a permanent automatic irrigation system.
- 15. Height Limit. Notwithstanding the base zone standards in Title 22, a building or structure in Zone C-3 or MXD shall not exceed a height of 50 feet above grade, excluding chimneys, rooftop antennas, rooftop mechanical equipment, structure-mounted renewable energy systems, and rooftop recreational spaces, except that the portion of any building sharing a common side or rear lot line with property located within a residential zone shall have a setback from the common side or rear lot line so that the height of the building in Zone MXD is no greater than 25 feet at the edge of the building wall facing that common lot line, and shall be recessed back one foot for every one foot increase in building height, up to a maximum height of 50 feet.

#### **22.366.080 – Avocado Heights Community Standards District**

- A. Purpose. The Avocado Heights CSD is established to preserve the open character of the Avocado Heights community and to improve its appearance with property maintenance standards. This CSD also establishes standards to improve the compatibility between residential uses and neighboring industrial and assembly uses.
- B. Definitions. The following terms are defined solely for this CSD:
  - 1. Assembly building. A non-residential building used for public assembly that accommodates an occupant load of 50 or more persons.
  - 2. Reserved
- C. District Map. The boundaries of this CSD are shown on Figure 22.366.080-A: Avocado Heights CSD Boundary, at the end of this Chapter.
- D. Applicability
  - 1. General Applicability. The regulations of this CSD shall apply to any new use or structure for which a complete application has been filed on or after the effective date of this CSD, except as otherwise required in this Section.

2. Where the application is for a lot that is subject to the requirements in Chapter 22.84 (Green Zone) and the provisions in Chapter 22.84 are contrary to the provisions in this Chapter, the more restrictive provisions shall prevail.

E. Application and Review Procedure

1. Notification. Except as otherwise provided in this chapter, for any application that requires a public hearing, the application shall comply with all noticing requirements as required by Section 22.222.160.B (Additional Radius).

F. Community Wide Development Standards

1. Graffiti. All structures, walls, and fences that are publicly visible shall remain free of graffiti. Any property owner, lessee, or other person responsible for the maintenance of a property shall remove graffiti within 72 hours of receiving written notice from the County that graffiti exists on the property. Paint used to cover graffiti shall match, as near as possible, the color of the surrounding surfaces.
2. Maintenance. Any areas of property that are publicly visible, including front yards, front sidewalks, and rear alleys, shall remain free of trash and other debris. Storage of household appliances, such as refrigerators, stoves, freezers, and similar products, is prohibited in all yard areas.

G. Zone Specific Development Standards

1. Zones R-1, R-A, and A-1

- a. Front Yard Landscaping. For lots less than 40 feet in width, front yards shall have a minimum of 25 percent landscaping. For all other lots, front yards shall have a minimum of 50 percent landscaping.
- b. Front Yard Fences. Notwithstanding Section 22.110.070.B.1 (Front Yards), a front yard fence may exceed three and one-half feet in height provided:
  - i. The portions of the fence above three and one-half feet are built so as not to completely obstruct the public's view.
  - ii. If the fence is chain link or wrought-iron, the fence may not exceed six feet in height.
- c. Lot Coverage. The maximum lot coverage for structures of any type, including structures for housing animals, shall be  $(0.25 \times \text{net lot area}) + 1,000$  square feet.



d. Yard Depth.

- i. For developed street blocks, the minimum front yard depth shall be equal to the average depth of all front yards on the same block and same side of the street. A vacant lot shall not be included in this calculation. For undeveloped street blocks, the minimum front yard depth shall be 20 feet; and
- ii. The minimum rear yard depth shall be as depicted on Table 22.366.080-A, below:

<u>TABLE 22.366.080-A: MINIMUM REAR YARD DEPTH</u>					
<u>Lot</u> <u>Size</u> <u>(Square Feet)</u>	<u>Less than</u> <u>13,000</u>	<u>13,000—</u> <u>19,999</u>	<u>20,000—</u> <u>39,999</u>	<u>40,000+</u>	
<u>Minimum Rear</u> <u>Yard Depth</u>	<u>25 feet</u>	<u>30 feet</u>	<u>35 feet</u>	<u>40 feet</u>	

- e. Assembly Buildings. All new assembly buildings shall be subject to the following:
  - i. The lot on which the assembly building is located shall be a minimum of one acre in size and shall have frontage on at least two intersecting public streets.
  - ii. The assembly building shall be located at least 50 feet from the property line of any residential property.
  - iii. Vehicle parking for an assembly building shall consist of one parking space for each three occupants, based on the occupant load for the assembly building. All parking spaces shall be provided within 500 feet of the assembly building.
  - iv. The common property line between an assembly building and an adjoining residential use shall have a six-foot high concrete block wall unless the wall

height standards in Section 22.110.070.B (Maximum Height of Fences and Walls) otherwise provide.

- v. In addition to the events listed in Section 22.188.020 (Applicability), all festivals not included therein, and all fundraising events at an assembly building shall require an approved Special Event Permit, unless the event is otherwise allowed in the zone without a permit, or allowed under another approval.
2. Zones C-H and C-1
- a. Parking Lot Landscaping. Except for rooftop or interior parking, parking lots with 20 or more vehicle parking spaces shall have a minimum of five percent landscaping. The landscaping shall be maintained and irrigated by a permanent watering system and shall include one 15-gallon tree for every 100 square feet of landscaped area. The landscaping shall provide separation between the parking lot and adjoining uses to the maximum extent possible.
  - b. Business Signs. Except as herein modified, all business signs shall conform to Chapter 22.114 (Signs).
    - i. Roof business signs shall be prohibited.
    - ii. Damaged business signs shall be repaired or removed within 30 days of receipt of written notice from a Zoning Enforcement Officer.
    - iii. Wall Business Signs. All businesses shall be permitted one wall business sign, unless the business has more than 40 feet of building frontage or multiple street frontages. For businesses with more than 40 feet of building frontage, the business shall be permitted one additional business sign for each additional 30 feet or increment thereof of street frontage; for businesses with multiple street frontages, the business shall be permitted one business sign for each street frontage. Wall business signs shall have the following maximum attributes:
      - (1) face area of two square feet for every linear foot of the applicable building frontage.
      - (2) Letter sizes of 24 inches in height.
      - (3) A vertical dimension of 36 inches for the frame box.

- iv. Freestanding Business Signs. Freestanding business signs shall be allowed only if the business is located on a lot with a minimum of 100 feet of street frontage and shall not be located on, or extend above, any public right-of-way or public sidewalk. Freestanding business signs shall have the following attributes:
- (1) A solid base resting directly on the ground.
  - (2) A maximum face area of 60 square feet.
  - (3) A maximum height of 15 feet measured vertically from the ground level at the base of the sign.
- v. Nonconforming Business Signs. All existing lawful nonconforming business signs shall be brought into compliance with this Subsection G.2.b, or be removed from the site, within the period set forth in Table 22.366.080-B, below:

<u>TABLE 22.366.080-B: NONCONFORMING BUSINESS SIGNS</u>	
<u>Sign Type</u>	<u>Period for Compliance or Removal (From Effective Date of CSD)</u>
<u>Painted Wall Business Signs</u>	<u>1 year</u>
<u>Non-Painted Wall Business Signs and Projecting Business Signs</u>	<u>3 years</u>
<u>Freestanding Business Signs</u>	<u>5 years</u>
<u>Roof Business Signs</u>	<u>5 years</u>

c. Awnings.

- i. Awning signs shall have the same face area restriction as that for wall business signs in Subsection G.2.b.iii.(1), above;
  - ii. Every awning for the same business shall be the same color and style; and
  - iii. Every awning in a building with multiple storefronts shall be complimentary in color and style.
- 3. Zone C-2. The standards prescribed for Zones C-H and C-1 shall apply to Zone C-2. In addition, all new buildings in Zone C-2 shall have a minimum setback of 20 feet from the front property line. This setback shall be completely landscaped, except where there is required parking and driveways. The landscaping shall be maintained with regular pruning, weeding, fertilizing, litter removal, and replacement of plants when necessary.
- 4. Zones C-3 and MXD. The standards prescribed for Zones C-H, C-1, and C-2 shall apply to Zones C-3 and MXD. In addition, a building or structure in Zones C-3 or MXD shall not exceed a height of 45 feet above grade, excluding chimneys and rooftop antennas.
- 5. Zones M-1 and M-1.5.
  - a. Buffers. Properties that adjoin a residential zone, school, or park shall have a minimum 10-foot landscaped buffer along the common property line. One 15-gallon tree for every 100 square feet of landscaped area shall be planted equally spaced in the buffer strip. The landscaping shall be irrigated by a permanent watering system and shall be maintained in the manner provided in Subsection G.3, above.
  - b. Minimum Lot Size. Except for lots legally created prior to the effective date of the ordinance establishing this CSD, the minimum lot size shall be 20,000 square feet.
  - c. Setbacks. All new buildings that adjoin or face a Residential Zone, school, or park shall have a minimum setback of 20 feet from the front or side property line. The front setback shall be completely landscaped, except where there is required parking and driveways. The landscaping shall be maintained in the manner provided in Subsection G.3, above.

- d. Fences or Walls. Properties that adjoin a Residential Zone, school, or park shall have a minimum eight-foot high solid wall or solid fence along the common property line in compliance with Section 22.140.430.C.2 (Fences and Walls).
- e. Lot Coverage. All new structures shall have a maximum 70 percent lot coverage. At least 10 percent of the net lot area shall be landscaped with lawns, shrubbery, flowers, or trees. The landscaping shall be maintained in the manner provided in Subsection G.3, above.
- f. Height. Excluding chimneys and rooftop antennas, all new structures shall have a maximum height of 45 feet above grade if located within 250 feet of a Residential Zone, and 90 feet above grade otherwise.
- g. Loading Docks. No loading dock shall be permitted along a property line that adjoins a Residential Zone.
- h. Outdoor Storage. Notwithstanding Section 22.140.430 (Outdoor Storage), outside storage shall not be publicly visible to anyone in an adjoining Residential Zone.
- i. Outdoor Businesses. All principal business uses conducted outside an enclosed structure within 500 feet of a Residential Zone, school, or park shall require an approved Conditional Use Permit (Chapter 22.158).

#### H. Area Specific Development Standards

##### 1. Area 1- Equestrian Area.

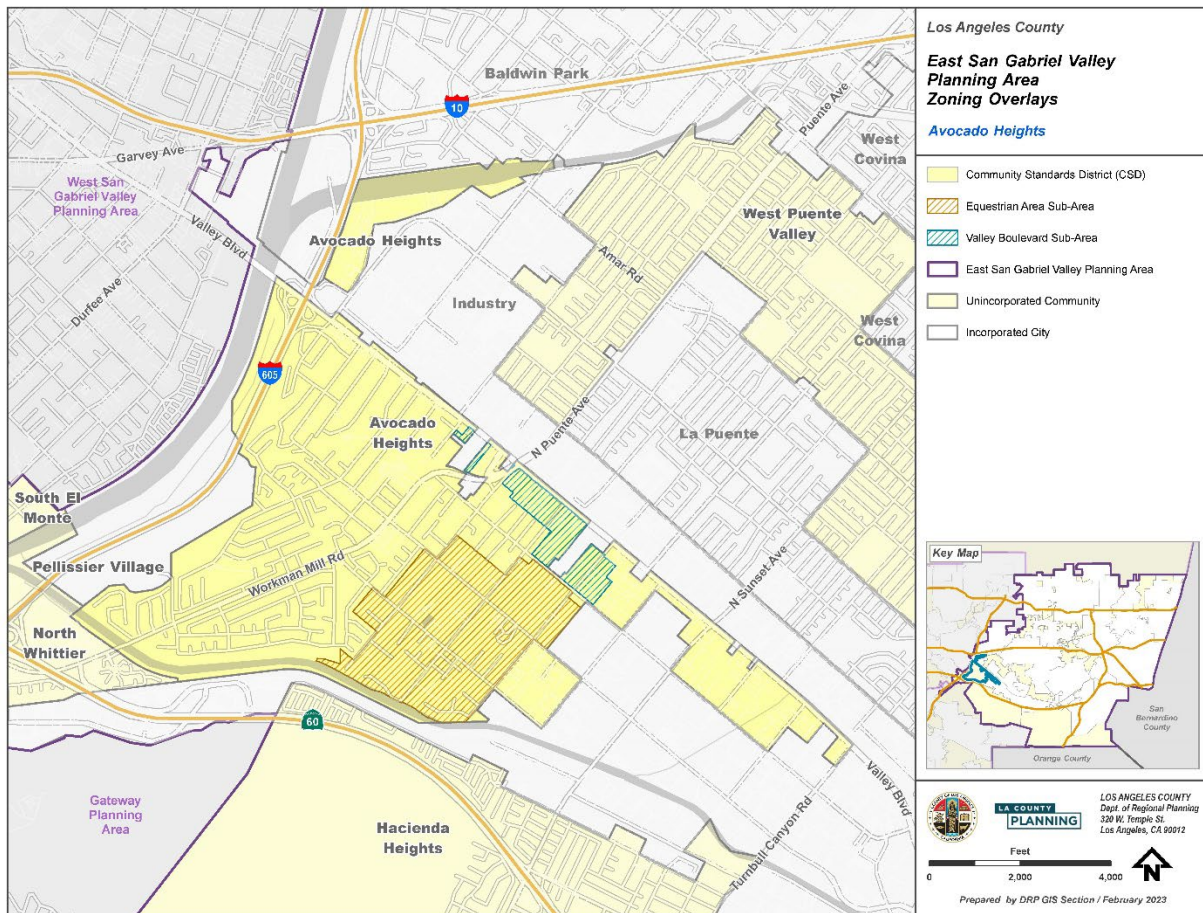
- a. Purpose. This area is established to preserve equestrian uses in the urban areas of the Avocado Heights community while alleviating certain environmental impacts associated with keeping horses and livestock. The development standards herein are intended to supplement the requirements of Chapter 22.70 (Equestrian Districts) and are adopted pursuant to Section 22.70.030 (Establishment, Expansion, or Repeal of Equestrian Districts).
- b. Area Description. This area is coextensive with the Avocado Heights Equestrian District established pursuant to Chapter 22.70 (Equestrian Districts). The boundaries of the area are shown on Figure 22.366-B: Equestrian Area at the end of this Chapter.
- c. Development Standards.

- i. Distances. Structures such as stables, barns, sheds, pens, and corrals, and any areas of property where horses or livestock are pastured, shall be located a minimum of 35 feet from any residence, and 10 feet from any street or highway.
  - ii. Setbacks. Structures used to temporarily keep horses or livestock shall be located a minimum of five feet from any rear or side property line, unless the property owner obtains the notarized written consent from the current adjacent property owners from the respective side and near property lines allowing a lesser setback.
  - iii. Dust Control. Measures to limit dust, such as installing a sprinkler system or regular ground watering, shall be implemented.
  - iv. Manure Disposal and Storage. Unless manure is used for spreading, manure shall be disposed of weekly. Until its disposal, manure shall be stored a minimum of 50 feet from any water source or natural drainage channel. Manure storage areas shall be covered.
- 2. Area 2 – Valley Boulevard Area
  - a. Purpose. This area is established to improve the compatibility between residential and industrial uses in the Valley Boulevard area.
  - b. Area Description. The boundaries of the area are shown on Figure 22.366-C: Valley Boulevard Area at the end of this Chapter.
  - c. Area Specific Conditional Uses. Commercial and industrial uses otherwise permitted shall require a Conditional Use Permit (Chapter 22.158) application for properties without street frontage on, or direct vehicular driveway access to, Valley Boulevard.
  - d. Zone Specific Use Standards.
    - i. Zone M-1. In addition to the uses specified in Section 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5), the following uses shall also require a Conditional Use Permit (Chapter 22.158) application in Zone M-1:

- Acetylene; the storage of oxygen and acetylene in tanks if oxygen is stored in a room separate from acetylene, and such rooms are separated by a not less than a one-hour fire-resistant wall.
- Animal experimentation research institute.
- Automobile body and fender repair shops.
- Automobile painting and upholstering.
- Batteries; the manufacture and rebuilding of batteries.
- Breweries.
- Cannery, except meat or fish.
- Casein; the manufacture of casein products, except glue.
- Cellophane; the manufacture of cellophane products.
- Cesspool pumping, cleaning, and draining.
- Cold storage plants.
- Concrete batching, provided that the mixer is limited to one cubic yard.
- Dextrine, manufacture of.
- Distributing plants.
- Electrical transformer substations.
- Fabricating, other than snap riveting or any process used in bending or shaping which produces any annoying or disagreeable noise.
- Fox farms.
- Fuel yards.
- Generators; the manufacture of electrical generators.
- Incinerators, the manufacture of.
- Ink, the manufacture of.
- Lubricating oil; the canning and packaging of lubricating oil if not more than 100 barrels are stored above ground at any one time.
- Paint mixing, except the mixing of lacquers and synthetic enamels.
- Poultry and rabbits; the wholesale and retail sale of poultry and rabbits, including slaughtering and dressing within a building.
- Sand; the washing of sand to be used in sandblasting.
- Sodium glutamate, the manufacture of.

- Stove polish, the manufacture of.
  - Tire retreading.
- ii. Zone M-1.5.
- (1) All uses requiring a Conditional Use Permit (Chapter 22.158) application pursuant to Subsection H.2.d.i, above, in Zone M-1 shall require a Conditional Use Permit application in Zone M-1.5.
  - (2) Any use otherwise permitted in Zone M-1.5 but not Zone M-1 shall require a Conditional Use Permit (Chapter 22.158) application in Zone M-1.5.
  - (3) Materials Recovery Facilities. A materials recovery facility shall require a Conditional Use Permit (Chapter 22.158) application in Zone M-1.5.

**FIGURE 22.366.080-A: AVOCADO HEIGHTS CSD BOUNDARY**





## **22.366.090 – Rowland Heights Community Standards District**

- A. Purpose. The Rowland Heights CSD is established to: (1) ensure that new development retains the residential character of the area; (2) impose development standards and review processes to ensure that commercial development, signs in commercial areas, landscaping, and setbacks are appropriate for the community and are implemented to protect the community's health, safety, and welfare; (3) improve walkability, accessibility, and vibrancy in commercial areas; and (4) allow for the keeping and parking of recreational vehicles on residentially and agriculturally zoned lots in a manner that protects the health, safety, and general welfare of the entire community.
- B. Definitions.
1. Recreational Vehicle. A camper, camp trailer, travel trailer, house car, motor home, trailer bus, trailer coach, or similar vehicle, with or without motive power, designed for human habitation for recreational or emergency occupancy. A recreational vehicle includes a boat, other watercraft, snowmobile, off-road vehicle that cannot legally be driven on public streets, and other similar types of vehicles. A trailer, whether open or enclosed, used to carry or tow property such as animals, boats or other watercraft, snowmobiles, off-road vehicles, racecars, or other similar vehicles is also a recreational vehicle. Where a recreational vehicle is on or attached to such a trailer, they shall together be considered one recreational vehicle. A recreational vehicle shall not include a pickup truck used for transportation to which a camper shell has been attached.
  2. (Reserved)
- C. District Map. The boundaries of this CSD are shown on Figure 22.366.090-A: Rowland Heights CSD Boundary, at the end of this Chapter.
- D. Application and Review Procedures.
1. Reports. A monthly report or reports shall be made available to the public by the Department by request, listing all permit and site plan applications received by the

Department for this CSD. The report shall include the type of application received, a brief description of the project, and the address of the proposed project.

2. Notification. Any application that requires a public hearing shall comply with all noticing requirements as required by Section 22.222.160.B (Additional Radius).

E. Community Wide Development Standards.

1. Properties shall be neatly maintained, and yard areas shall be free of debris, trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.
2. Screening. Trash containers and dumpsters stored in the front or side yard areas shall be screened from view from streets, walkways, and adjacent residences.

F. Zone Specific Development Standards.

1. Zones A-1, A-2, R-1, and R-A.
  - a. Front Yard Landscaping. A minimum of 50 percent of the required front yard area shall contain landscaping consisting of drought-tolerant vegetation, grass, shrubs, trees, and other similar plant materials. Paved or all-gravel surfaces may not be included as part of the required landscaped area.
  - b. Grading. A Conditional Use Permit (Chapter 22.158) shall be required for any grading on a lot that cumulatively exceeds 50,000 total cubic yards of cut plus fill material, excluding any grading approved prior to the effective date of the ordinance establishing this Subsection F.1.b (Grading).
2. All Agricultural and Residential Zones.
  - a. Recreational Vehicle Parking. Except as specified otherwise in this Title 22, a recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted on a lot in Zones A-1, A-2, R-1, R-2, R-3, R-4, R-A, and RPD subject to the following restrictions:
    - i. A recreational vehicle shall not be kept, stored, parked, maintained, or otherwise permitted within five feet of the front lot line or corner side lot line.

- ii. No portion of a recreational vehicle exceeding 36 inches in height shall be kept, stored, parked, maintained, or otherwise permitted within 10 feet of the front lot line or corner side lot line.
  - iii. No more than one recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted in the front yard, corner side yard, or any additional area situated between the corner side yard and the rear lot line.
  - iv. No recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted in a manner that prevents access to any required covered parking on the same lot.
  - v. A recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted only on premises owned or occupied by the owner of the vehicle.
  - vi. No disabled or otherwise nonfunctional recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted in the front yard or corner side yard.
  - vii. A recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted so as to maintain unobstructed line-of-sight for pedestrians and motorists using the public right-of-way.
  - viii. A recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted so as not to constitute a health or safety hazard.
3. Zone C-1, C-2, C-3, and MXD
- a. Yard Setbacks. Outdoor dining, exterior furniture, or pedestrian circulation areas may be provided in the front and side yard setbacks, if such setbacks are provided to meet the landscaping requirement, for up to 25 percent of the required 15 percent net area landscaping.
  - b. Awnings
    - i. Use of awnings. As part of the building articulation, awnings with or without a sign may be used at entrances, windows, bays or along building frontages

or façades, subject to the requirements of Subsection F.3.d.vi.(G).(ii) (Awning Sign).

- ii. Multiple awnings belonging to a single commercial business shall be the same color and style.
  - iii. Awnings shall not utilize glossy material or be internally illuminated.
  - iv. Awnings shall be maintained in good repair. For the purposes of this Subsection, good repair shall be defined as not torn or ripped.
- c. Walls and Fences.
- i. Materials. Walls shall be constructed of brick, stucco, or split-faced concrete block with a cap. Fences shall be constructed of wood, simulated wood, brick, stone, and/or wrought iron.
  - ii. Prohibited Fences. Chain-link, barbed and concertina wire fences, electric fences, fences or walls with protruding sharp edges, or other fences and walls designed for or likely to cause harm to persons, are prohibited, except as otherwise provided below.
  - iii. Special Purpose Fences. Chain link fences are permitted only when used to secure undeveloped lots, construction sites, or for special events authorized by a special event permit pursuant to Chapter 22.188 (Special Events Permit).
- d. Setbacks. The minimum setbacks from highways or streets for new structures and additions to structures shall be as follows: for lots located along Fullerton Road, Colima Road, Nogales Street, Fairway Drive, and Brea Canyon Cut-Off Road, 20 feet from the property line adjoining that respective highway or street; for lots located along any other highway or street, 15 feet from the property line adjoining that respective highway or street. The first 10 feet of the setback area measured from the highway or street shall be landscaped in the manner described in Subsection F.3.f, below.

- e. Lot Coverage and Landscaping. Buildings and structures shall not cumulatively occupy more than 80 percent of the net area of a lot. A minimum of 20 percent of the net area shall be landscaped as described in Subsection F.3.f below.
- f. General Landscaping. New development shall provide landscaping consisting of 24-inch and 36-inch box trees, five and fifteen gallon-size shrubs, and ground cover. All landscaping shall be maintained with regular pruning, weeding, fertilizing, litter removal, and replacement of plants when necessary. Incidental walkways, if needed, may be developed in the landscaped area. Where applicable, landscaping shall be:
  - i. Placed around the base of a structure in the area between the structure and the parking area;
  - ii. Used to screen trash enclosures, parking areas, storage areas, loading areas, and public utilities from public view, to the extent that the landscaping does not prevent access thereto; and
  - iii. Used to create a buffer with a minimum width and height of three feet between parking areas and public rights-of-way.
- g. Parking Lot Landscaping. Except for rooftop or interior parking, an existing or proposed parking lot with 20 or more parking spaces shall have a minimum of five percent of the gross area of the parking lot landscaped. This landscaping shall be counted toward the general landscaping requirement set forth in Subsection F.3.f, above. The landscaping shall be spread throughout the parking lot to maximize its aesthetic effect and the parking lot's compatibility with adjoining uses. Where appropriate, all areas of the parking lot not used for vehicle parking, vehicle maneuvering, or pedestrian movement or activity, shall be landscaped.
- h. Buffers. New structures and additions to structures less than or equal to a total of 15 feet in height, on lots adjoining a Residential Zone, shall have a minimum setback of three feet from the property line adjoining the Residential Zone. Any such structures or additions to structures over 15 feet in height shall add a

minimum setback of one foot for each additional foot of the structure's height over 15 feet, applicable to those portions of the structure exceeding 15 feet.

i. Corner Properties.

i. Corner Cut-off. For purposes of maintaining safe visibility, the front corner area of any corner or reverse corner lot shall be kept free of any tree, fence, shrub, or other physical obstruction higher than 42 inches above grade. The restricted front corner area shall be triangular in shape and shall be measured as follows: two sides of the triangle shall each be 30 feet in length, measured from the point formed by the intersection of the front and exterior side property lines; the third side shall be formed by a straight line connecting the two above-mentioned points.

ii. Zero Lot Line. All new structures and additions to structures shall, whenever practical, have a zero setback from the rear and interior side property lines when such property lines adjoin a commercially zoned property.

j. Minor Conditional Use Permit for New Restaurants. New restaurants or additions to an existing restaurant, where the new floor area of the restaurant use is greater than 2,500 square feet, shall be subject to a Minor Conditional Use Permit (Chapter 22.160) application. For purposes of the preceding sentence, a change of use from a non-restaurant to a restaurant shall be considered a new restaurant. In addition to the provisions described in Chapter 22.160, the following shall also apply to these uses:

i. Filing Fee. A filing fee equal to that required for a Minor Conditional Use Permit.

ii. Notification. The application shall comply with all noticing requirements as required by a Minor Conditional Use Permit (Chapter 22.160), except that the notification radius shall comply with all noticing requirements as required by Section 22.222.160.B (Additional Radius). A copy of the notice shall also be sent to all other persons or organizations requesting notification.

- iii. Notification of Decision. Notwithstanding Section 22.222.220 (Notice of Action), notice of the decision shall be sent not only to the applicant, but also to those persons who submitted written comments concerning the application, and to all other persons or organizations requesting notification.
- k. Compact Parking. Notwithstanding 22.112.070.E (Compact Spaces), The provision of compact parking to meet minimum parking requirements shall comply with 22.112.070.E (Compact Spaces), except that a maximum of 20 percent of the number of required parking spaces may be compact automobile parking spaces.
- 4. Zones M-1 and M-1.5. In Zones M-1 and M-1.5, any use that is otherwise authorized in Zone C-3, as described in Chapter 22.20 (Commercial Zones), shall be subject to the standards and review provisions prescribed for all Commercial and Mixed-Use Zones, as contained in Subsection F.3, above.
- G. Signs. Except as herein modified, all new signs in all zones shall conform to Chapter 22.114 (Signs). Signs regulated by this Section shall not be erected or displayed unless a building permit is first obtained, unless the sign is exempt, as set forth in Subsection G.1 (Exempt Signs), below. Signage that extends into the public right-of-way requires a road encroachment permit from Public Works.
  - 1. Exempt Signs. In addition to the exception for signs described in Subsection G.6.b (Incidental Business Signs), the following types of signs are exempt from these standards, provided the signs conform to the following:
    - a. Future Tenant Signs. Temporary signs that identify the name of future businesses. Only one such sign is allowed per street frontage of the building with a maximum of 32 square feet of sign area. Such a sign may only be displayed after tenant improvements for the site have begun and may not be displayed after the first occupancy of the tenant space.
    - b. Grand Opening Sign. A temporary promotional sign used by newly established businesses to inform the public of their location and services. Such signs are permitted only until 90 days after the initial occupancy of the new business and shall be removed no later than the 91st day after such initial occupancy. One

- such sign is allowed per street frontage with a maximum of 32 square feet of sign area. A "Grand Opening" sign shall not include annual or occasional promotion by a business.
- c. Window Sign. Two window signs per tenant are allowed consisting of permanently fixed individual lettering and/or logos not exceeding six inches in height and a total maximum sign area of three square feet. If illuminated, a window sign shall only be externally illuminated.
  - d. Temporary Window Sign. In addition to the signage allowed in Subsection G.1.c, above, a tenant may display one additional temporary window sign, provided the sign does not exceed 25 percent of the area of any single window or adjoining windows on the same street frontage. Display of such temporary window sign shall not exceed 30 days, and there shall be a minimum of 30 days between each use of temporary window signs. Temporary window signs are permitted a maximum of four times per calendar year, and, if illuminated, shall only be externally illuminated.
  - e. Directory Sign. A directory sign for a building providing a list of the names of business establishments within a building is allowed, provided the sign area for the directory sign is no larger than six square feet. Such directory sign may be wall mounted, provided it is no higher than eight feet from the finished grade. The directory sign may also be freestanding, provided it is no higher than eight feet and no lower than three feet from the finished grade.
  - f. Affiliation Sign. Affiliation signs that provide notice of services within an establishment (for example, credit cards accepted, trade affiliations, etc.) are allowed, provided such signs shall not exceed one square foot in area for each sign, and no more than three such signs shall be allowed for each business. If illuminated, affiliation signs shall only be externally illuminated.
2. Nonconforming Signs. An existing sign that was legally established and does not conform to the provisions of these Area Specific standards shall not be enlarged or altered, and must be amortized in compliance with Subsection G.5 (Removal and Amortization Schedule).



3. Exposed Neon Signs. A sign that is internally illuminated or employs exposed neon shall be placed at least seven feet above finished grade. The use of exposed neon shall be limited to script and pictorial graphics, and animation, provided that such animation is limited to intervals of five or more seconds.
4. Prohibited Signs. The following signs shall be prohibited in addition to those listed in Section 22.114.040 (Prohibited Signs Designated):
  - a. Signs employing any continuous or sequential flashing operation, including electronic reader boards and LED signage that employs crawling displays or flashing illuminations.
  - b. Signs employing video components.
  - c. Signs emitting odors.
  - d. Roof business signs, including signs painted on the surface of roofs.
  - e. Digital and Electronic Signs. Existing signs shall not be converted to a digital or electronic billboard sign. Digital and electronic signs include any internally or externally illuminated sign that utilizes digital message technology capable of instantaneously changing the static message or copy on the sign electronically.
5. Removal and Amortization Schedule. A sign which is nonconforming, due to the requirements of this CSD, shall be removed or made to comply with this CSD within 20 years from the effective date of this CSD in compliance with Section 22.172.050.B.1.f (Termination By Operation of Law).
6. Permitted Signs. Signs shall comply with Chapter 22.114, except as modified herein as follows:
  - a. To facilitate the identification or location of the premises in cases of emergency and for other public health, safety, and welfare purposes, business signs readable from a public right-of-way or parking area open to the general public shall include the following information on the sign: Street address and name of the business in digits which are readable from the right-of-way or parking area.
  - b. Incidental Business Signs. An incidental business sign shall not be attached to a freestanding sign and shall not be internally illuminated.

- c. Building Identification Signs. A building identification sign shall not exceed four square feet in area, shall not be placed more than four feet above finished grade, and shall not be internally illuminated.
- d. Temporary Construction Signs. A temporary construction sign shall not exceed 40 square feet in area and shall not exceed six feet in height, if free-standing. The top of such sign shall not be placed more than six feet above finished grade, if wall-mounted, shall not be internally illuminated, and shall be removed from the premises within five days after completion of the construction.
- e. Directional or Informational Signs. A directional or informational sign shall not exceed four square feet in area, shall not exceed three feet in height, if free-standing, and the top of the sign shall not be placed more than three feet above finished grade, if wall-mounted.
- f. Special Purpose Signs.
  - i. A bulletin or special-event sign shall not exceed 12 square feet in area.
  - ii. Fuel pricing signs shall comply with the standards of Subsection G.6.g.iv (Monument Sign) or G.6.h (Master Sign Program).
- g. Permitted Sign Types.
  - i. Projecting Sign. The projecting sign type is mounted perpendicular to a building's façade from decorative metal brackets or mounted on the building wall. Projecting signs are easily read from both sides. This Subsection specifies standards for Projecting Sign per Figure 22.366.090 F.

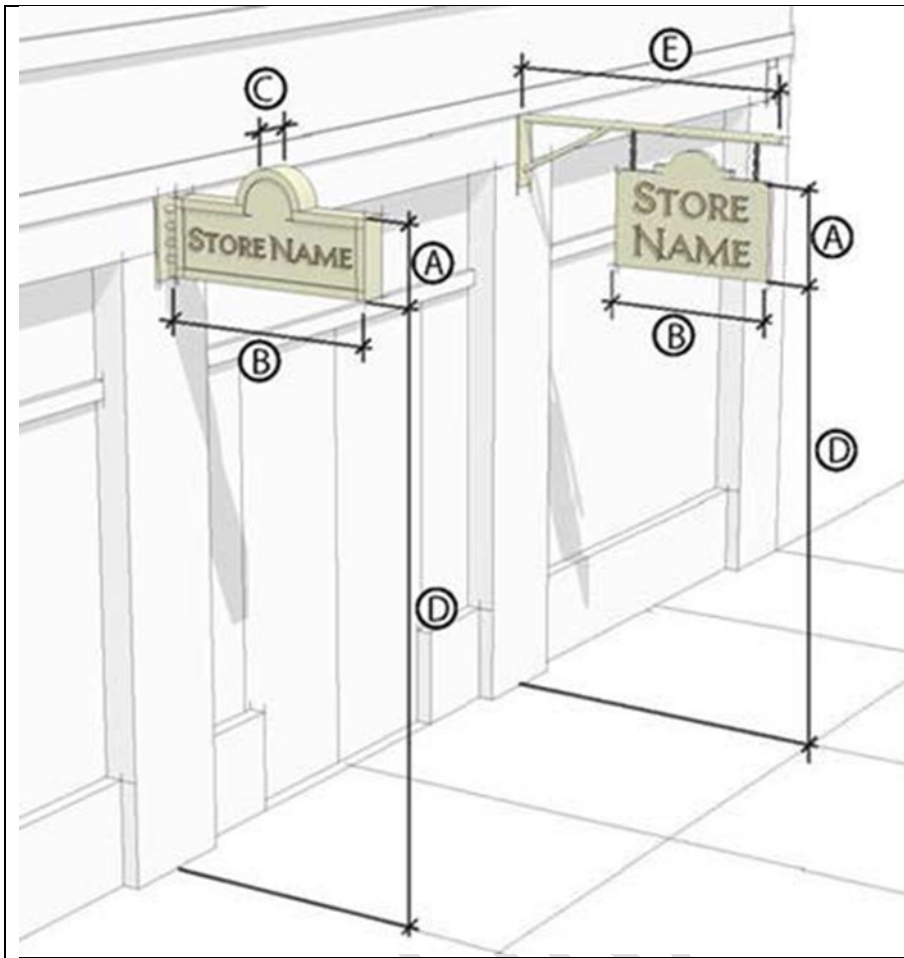


Figure 22.366.090-F: Projecting Sign Design

<u>A – Sign Area</u>	<u>6 sq. ft. max per side; 12 sq. ft. max. total</u>
<u>B – Sign Width</u>	<u>4 ft. max.</u>
<u>C – Sign Thickness</u>	<u>4 in. max.</u>
<u>D - Height</u>	<u>8 ft. min. clearance, 10 ft max.</u>
<u>E - Projection</u>	<u>5 ft. max.</u>
<u>Signs Per Building</u>	<u>One per ground-floor business establishment with reduction in any permitted wall sign.</u>

- ii. Awning Sign. The awning sign may be used in the shop front to protect merchandise and keep interiors and sidewalk passages shaded and cool in hot weather. Tenant signs may be painted, screen printed, or appliquéed on the awnings. Projecting signage shall not be attached to awning signage.

This Subsection specifies standards for Awning Sign per Figure 22.366.090 G.

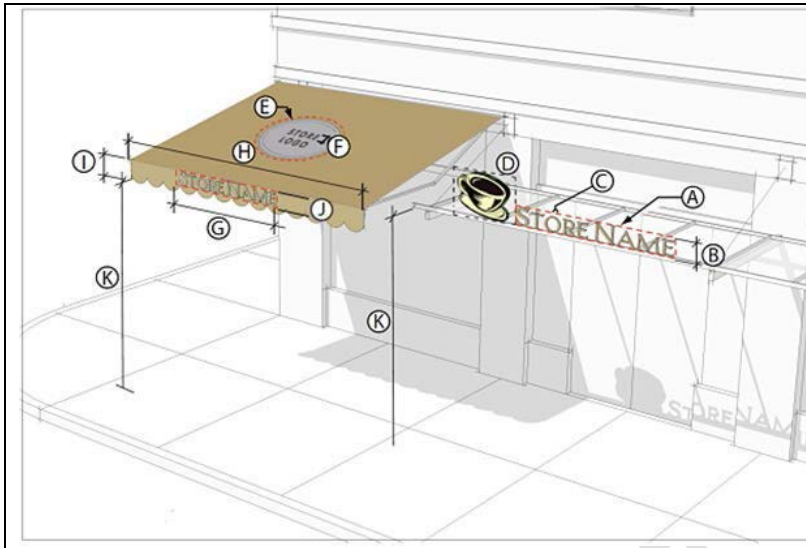


Figure 22.366.090-G: Awning Sign Design

#### Projecting Awning

<u>A - Signable Area</u>	<u>One sq. ft. per linear ft. of shop front max.</u>
<u>B - Lettering Height</u>	<u>12 in. max.</u>
<u>C - Lettering Thickness</u>	<u>6 in. max.</u>
<u>D - Feature/Logo</u>	<u>2-1/4 sq. ft. max.</u>

#### Sloping Awning

<u>E - Signable Area</u>	<u>25 % coverage max.</u>
<u>F - Lettering Height</u>	<u>18 in. max.</u>
<u>G – Valance Signable Area</u>	<u>75 % coverage max.</u>
<u>H – Valance Width</u>	<u>Shop Front width max.</u>
<u>I – Valance Height</u>	<u>8 in. min; 12 in. max.</u>
<u>J - Lettering Height</u>	<u>8 in. max.</u>

<u>K – Awning Height</u>	<u>8 ft. min. clearance</u>
<u>Signs Per Awning</u>	<u>One projecting; or one valance and one sloping max.</u>
<u>Miscellaneous</u>	<u>Only the store name, logo, and/or address shall be applied to the awning. Additional information is prohibited.</u>
	<u>Internally illuminated awnings are prohibited.</u>
	<u>Open-ended awnings are encouraged.</u>
	<u>Vinyl or plastic awnings are discouraged.</u>

- iii. Wall Business Sign. The wall business sign type is flat against the façade consisting of individual cut letters applied directly to the building, raised letters on a panel, or painted directly on the surface of the building. Wall signs are placed above shop fronts and often run horizontally along the entablature of traditional buildings, or decorative cornice or sign band at the top of the building. This Subsection specifies standards for Wall Business Sign per Figure 22.366.090 H.



Figure 22.366.090-H: Projecting Sign Design

<u>A – Signable Area Per Shopfront</u>	<u>1 sq. ft. per linear foot of shop front width up to 30 sq. ft. max.</u>
<u>B – Sign Width</u>	<u>Shop front width, max.</u>
<u>C – Sign Height</u>	<u>1 ft. min., 3 ft. max.</u>
<u>D – Lettering Width</u>	<u>75 % of signable width max.</u>
<u>E - Lettering Height</u>	<u>75 % of signable height, max.; 18 in. max., or whichever is less</u>
<u>Sign Projection</u>	<u>8 in. max.</u>
<u>Signs Per Building</u>	<u>One per each ground-floor business establishment.</u>
<u>Ground Floor Establishments</u>	<u>Business adjoining two frontages, one 15 sq. ft. area wall sign allowed.</u>
	<u>Business adjoining an alley or parking lot at side or rear, one 10 sq. ft. area wall sign allowed.</u>

<u>Miscellaneous</u>	<u>Changeable copy signs are only allowed for directory signs listing more than one tenant, signs advertising restaurant food specials, or films and live entertainment which change on a regular basis.</u>
	<u>Wall signs shall not extend beyond the roof line or cornice of a building, or the building wall.</u>
	<u>Cabinet Signs are prohibited.</u>
	<u>Direct internally illuminated signs are discouraged</u>

- iv. Monument Sign. The monument sign type is not attached to a building and has an integral support structure. A monument sign stands directly on the ground or ground level foundation and is often used to mark a place of significance or the entrance to a location. This Subsection specifies standards for Monument Sign per Figure 22.366.090 H.
- (1) Changeable copy signs are only allowed for fuel pricing signs, directory signs listing more than one tenant, signs advertising restaurant food specials, or films and live entertainment which change on a regular basis.
  - (2) Shall be surrounded by landscaping that is at least twice as large as the area of one of its signs faces.
  - (3) Shall not rotate, move, or simulate motion.
  - (4) Shall not identify more than eight establishments.

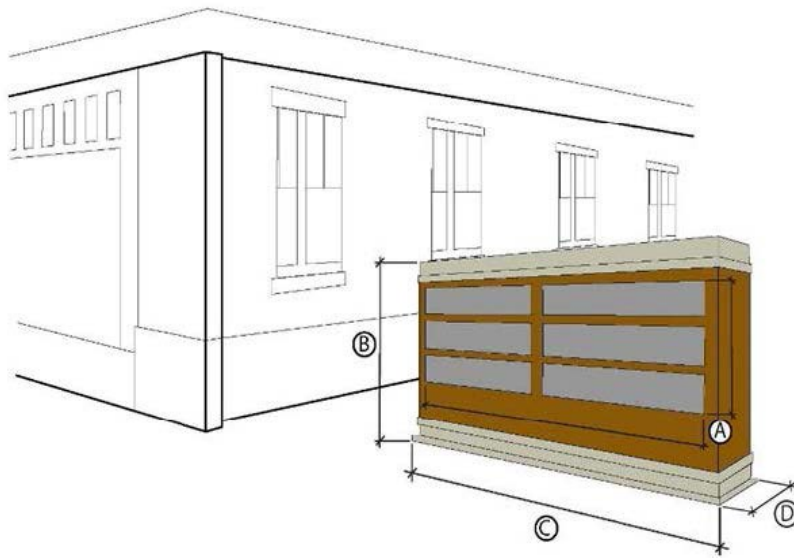


Figure 22.366.090-I: Monument Sign Design

<u>A - Signable Area</u>	<u>30 sq. ft. max.</u>
<u>B - Sign Height</u>	<u>6 ft. max.</u>
<u>C - Sign Width</u>	<u>8 ft. max.</u>
<u>D - Sign Depth</u>	<u>1 ft. max.</u>
<u>Street frontage of 99 ft. or less</u>	<u>Not permitted.</u>
<u>Street frontage having a continuous distance of between 100 ft. and 199 ft.</u>	<u>One sign max.</u>
<u>Street frontage having a continuous distance of more than 200 ft.</u>	<u>Two signs max., provided a 50 ft. separation between signs.</u>

h. Master Sign Program.

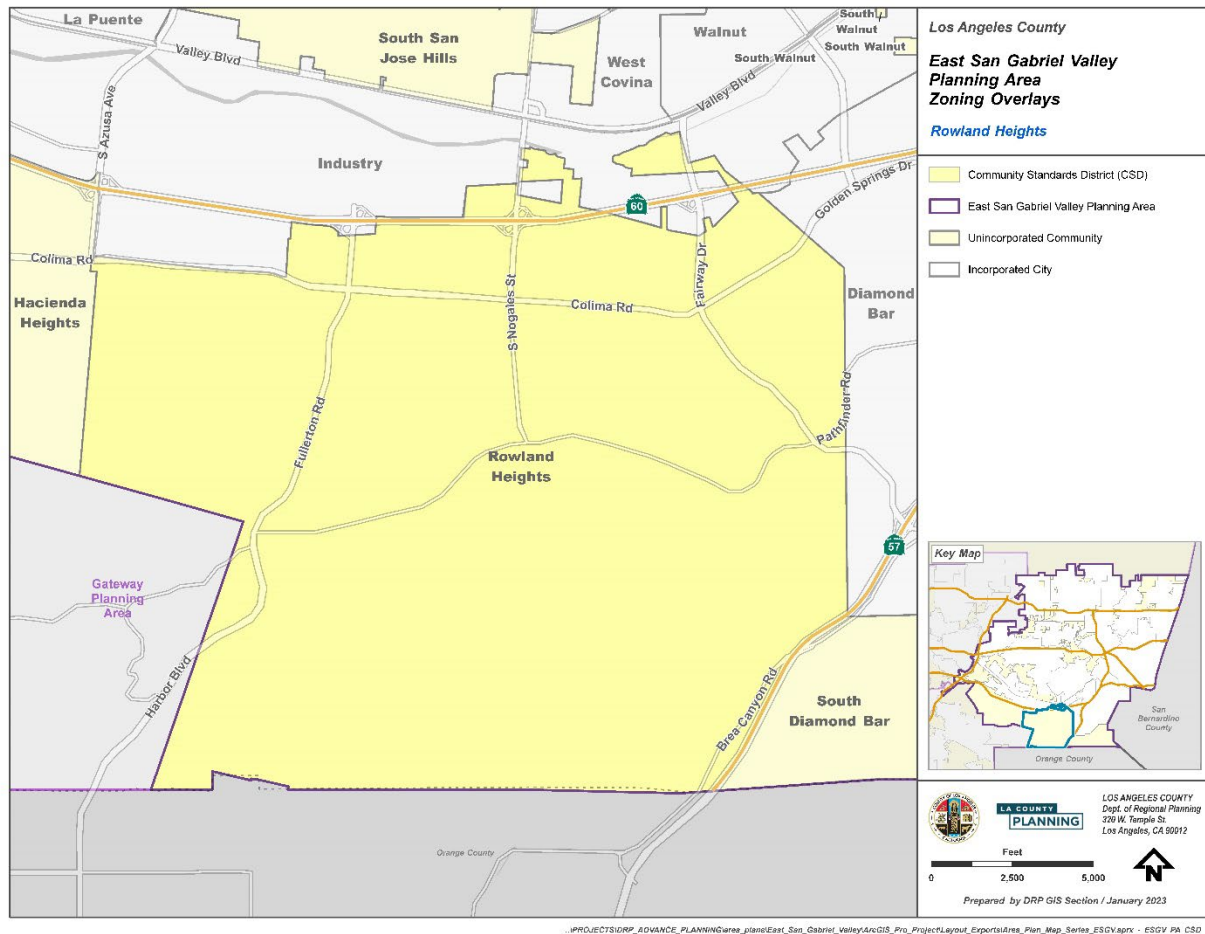
i. Purpose. A master sign program is intended to:



- (1) Integrate the design of single or multiple signs proposed for a development project with the design of the project's structures to promote design consistency; and/or
  - (2) Provide a means for applying common sign regulations for multi-tenant projects, and to allow harmony in the design and display of single or multiple signs for development projects. A master sign program is intended to achieve, not circumvent, the purpose of this CSD.
- ii. Applicability. A master sign program permit shall be required whenever any of the following circumstances exist:
  - (1) The property owner or applicant requests a master sign program.
  - (2) A project is proposed to include four or more business signs on the same lot or building.
  - (3) A business sign is proposed at a location where a legally non-conforming sign exists on the property, and the property has four or more tenants or tenant spaces.
- iii. Application Requirements. A master sign program application shall be the same as that for a Ministerial Site Plan Review and shall require new business signs to comply, where applicable, with Subsection G (Signs), and shall establish standards for sign location, style, size, color, font, materials, and any other applicable sign features, so that all new business signs in a commercial center meet this threshold until the required sign program has been approved by the Department.
  - (1) The master sign program shall enhance the overall development and relate visually to other signs included in the master sign program, to the structures or developments they identify, and to surrounding development; and
  - (2) The master sign program must be able to accommodate future revisions to signage that may be required because of changes in use or tenants in the development, but without requiring other changes to the master sign program.

H. Area Specific Development Standards. (Reserved).

Figure 22.366.090-A: Rowland Heights CSD Boundary



**22.366.100 – Southwest Puente Setback District**

A. Applicability. In addition to the standards provided in 22.72 (Setback Districts), the following standards shall apply:

B. Southwest Puente Setback District - Established Front Yard Setback Districts are listed in Table 22.366.100-A, below. Front Yard Setback Districts are shown on the Zoning Map and are incorporated with all provisions specified in each respective ordinance of adoption.

<u>TABLE 22.366.100-A: FRONT YARD SETBACK DISTRICTS</u>			
<u>District Number</u>	<u>District Name</u>	<u>Ordinance of Adoption</u>	<u>Date of Adoption</u>
<u>14</u>	<u>Southwest Puente</u>	<u>6526</u>	<u>8-24- 1954</u>

-

C. Front Yard Setback. The front yard setback for properties in this District shall be 35 feet from the property line.

D. 22.366.100 - District Maps. The boundaries of the Setback Districts is shown on Figure 22.366.100-A at the end of this Chapter.



1. Modification of standards specified in Sections 22.366.080.G.1.b through G.1.d (Zones R-1, R-A, and A-1), Sections 22.366.080.G.2.b.iii and G.2.b.iv (Zones C-H and C-1), Section 22.366.080.G.4 (regarding setbacks in Zone C-2), and Sections 22.366.080.G.5.a, G.5.b, G.5.c, G.5.e, G.5.f, and G.5.h (Zones M-1 and M-1.5) shall be subject a Minor Conditional Use Permit per Subsection 22.300.020.C (Modifications Authorized).
2. Modification of Green Zone (Chapter 22.84) requirements shall be subject to the provisions of Subsection 22.84.040.D (Modification).
3. Modification of all other standards in the Avocado Heights CSD shall be subject to a Variance (Chapter 22.194).

C. Modification of Rowland Heights Development Standards:

1. Modification of the development standards for the parking or storing of a recreational vehicle within 10 feet of the front lot line or corner side lot line shall be subject to the provisions of Subsection C.4 (Yard Modification).
2. Minor deviation of up to 25 percent from the following development standards are subject to a Minor Conditional Use Permit per Subsection 22.300.020.C (Modifications Authorized).
  - a. Signs (Section 22.366.090.G)
  - b. The parking lot landscaping requirements set forth in Section 22.336.090.F.3.g as they apply to existing parking lots as of the effective date of Section 22.336.090.F.3.g
3. Modification of all other standards in the Rowland Heights CSD shall be subject to a Variance (Chapter 22.194).
4. Yard Modifications. A Yard Modification (Chapter 22.196) application may be filed to authorize the parking or storing of a recreational vehicle within 10 feet of the front lot line or corner side lot line; provided, however, that under no circumstances shall a recreational vehicle be parked closer than five feet from the front or corner side lot lines. An application under this Subsection C.4 shall be supported by evidence substantiating that the requested modification is necessary due to topographic features or other conditions in

that compliance with the 10-foot setback line would create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line. The Review Authority may approve the application if the Review Authority finds that parking or storing a recreational vehicle at the proposed location will not compromise pedestrian or motorist line-of-sight or other applicable safety standards as determined by the Review Authority, and that the applicant has substantiated to the satisfaction of the Review Authority that, due to topographic features or other conditions, compliance with the 10-foot setback line would create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line.

D. Modifications, Notification Radius and Additional Findings.

1. Notification Radius. Notwithstanding Subsection 22.300.020.C (Modifications Authorized), the notification radius for modifications in Subsection C above shall be 1,000 feet of the exterior boundaries of the subject property, as shown on the County's last equalized assessment roll.
2. Additional Findings. In addition to the Findings and Decisions for a Minor Conditional Use Permit (Section 22.160.050), modifications pursuant to Subsection B.1 and C.2, above, are subject to these additional findings:
  - a. The use, development of land, and application of development standards comply with all applicable provisions of this Title 22.
  - b. The use, development of land, and application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, are arranged as to avoid traffic congestion, to provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to protect public health, safety and general welfare, to prevent adverse effects on neighboring property and conform with good zoning practice.

- c. The use, development of land, and application of development standards are suitable from the standpoint of functional developmental design.
- d. The application of these standards will result in practical difficulties or unnecessary hardships inconsistent with the community-specific goals and policies of the East San Gabriel Valley Area Plan and the purpose of the CSD.
- e. There are exceptional circumstances or conditions applicable to the subject property or to the intended development of the property that do not generally apply to other properties within this CSD.
- f. Granting the requested modification will not be materially detrimental to properties or improvements in the area or contrary to the community-specific goals and policies of the East San Gabriel Valley Area Plan and the purpose of the CSD.



## Attachment 7: Engagement Plan and Outreach Summary

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The ESGVAP project team undertook a robust series of engagement strategies and activities throughout the life of the Project. The summary outlines several outreach strategies and methods which are described below. The Engagement Methods table, made available to members of the public, is also included.

### 1. Community Events and Information Sessions:

From the onset of the Project, staff reached out to various local organizations to enrich their understanding of the Planning Area including, community-based organizations (CBOs), faith-based organizations, advocacy and interest groups, and non-profit groups. The objective was to establish relationships and an ongoing dialogue about the present concerns and future of the Planning Area. We made informational presentations to increase awareness and participation in the Project, held workshops to engage residents and gain feedback, and attended regular standing meetings of community groups.

Staff attended meetings of several community groups beginning in January, 2018 and continued to do so through the planning process, including the Rowland Heights Community Coordinating Council (RHCCC), Hacienda Heights Improvement Association (HHIA), Workman Mill Association, Clean Air Coalition, South San Jose Hills Neighborhood Watch, Equestrian Stakeholder Meetings, in addition to programs convened by the Supervisorial Districts in several communities. Staff continued to meet with community groups throughout the plan development and review process to provide information and respond to questions and concerns about the ESGVAP. Staff scheduled office hours for the public as the Project neared the public hearing process to allow direct engagement with community members and address questions or concerns.

Staff partnered with Department of Parks and Recreation to engage with seniors and their specific concerns at a workshop at Steinmetz Senior Center in Hacienda Heights in May 2019. Staff also convened a joint Open Space and Sustainability workshop with the Homestead Museum and Theodore Payne Foundation where community members shared specific input on open space and mobility concerns, in March 2019. Overall, staff attended 26 community-based events and information sessions to engage with different community and interest groups, with attendance ranging from 10-85 people and 94 responses to surveys that were passed out at the events.

As part of the engagement strategy to meet people where they are and facilitate broad participation in the planning process, staff attended various community events,



held Pop-Up events at libraries and parks, tabled at Parks After Dark, in addition to other forums. These events fostered more one-on-one dialogue and allowed for longer conversations with community members who often were not able to attend other events. Staff was available to answer questions and gain insight from people's lived experience of their communities. Staff attended 37 tabling and Pop-Up events throughout Project development. At these events, surveys were passed out and 125 written comments were received.

In October-December 2019 staff held four Visioning Workshops at different park facilities throughout the Planning Area to engage community members in generative workshops on their community needs and aspirations. We employed the Place-It method to foster creative discussions about what community members value in their communities, how those valued features can best be preserved and enhanced, and how to develop policies from that perspective. The workshops were attended by over 200 participants and with surveys submitted communicating priority planning goals and issues.

2. Quarterly Stakeholder Meetings:

Staff convened quarterly Stakeholder Agency and CBO meetings to engage other County departments, public agencies, neighboring jurisdictions, local non-profits, CBOs, and interest and advocacy groups with specific expertise. The meetings commenced in February 2018 and have continued throughout Project development. Staff used these meetings as a forum to coordinate planning efforts across agencies and cities, seek technical expertise and input from other practitioners, gain insight on local concerns from surrounding cities and local groups, and gain feedback on early drafts of the Project. Participants have included staff from Foothill Transit, Caltrans, Metro, Metrolink, County agencies, California Highway Patrol, Puente Hills Habitat Preservation Authority, Watershed Conservation District, Advancement Project, Bike SGV, California Walks, The River Project, RHCCC, HHIA, and many others. Meetings were usually attended by a range of 13-35 attendees.

3. Youth Engagement:

One of the goals of the engagement effort was to provide a forum for youth participation, which presents a unique perspective on and experience of the built environment. We partnered with Y-Plan, a program of the Center for Cities + Schools at UC Berkeley, that empowers young people to tackle real-world problems in their communities through project-based civic learning. We worked with their staff, educators, and 65 students at Rowland High School to engage them in the planning process, identify areas of need in their community, and ideas for improvement. Feedback from students has helped inform the goals, policies, and implementation actions of the Project. The students presented their projects and vision for their communities at the Regional Planning Commission on May 27, 2020.

In addition, staff partnered with Don Julian Elementary School in Avocado Heights to share lessons on urban planning with 5<sup>th</sup> graders and learn what the students value in their community, what needs improvement, and what they would like to see happen.

4. Arts-Based Engagement - A People's Map: Stories from the East San Gabriel Valley  
Staff collaborated with the Los Angeles County Department of Arts and Culture and the arts group, Fonografia Collective (Fonografia). Fonografia developed "A People's Map" which employed arts-based public engagement and community storytelling in a multi-lingual, multi-media format to celebrate the people and places of East San Gabriel Valley and inform community planning decisions. The objective was to provide an accessible and inclusive platform to welcome diverse participation, reflect a wide range of experiences, and allow planners to have meaningful dialogue with community members to ground the plan development process in the lived experience of these communities. The stories help to identify key themes and shared experiences among residents, which attuned planners to key concerns and values to guide the planning process. The project reached across geographic and jurisdictional fragmentation and language barriers to connect with residents who may not traditionally participate in government processes.

From Aug. 2018-Sept. 2019, Fonografia attended events and spoke with community members using storytelling to create an intimate portrait of the residents and their communities. Fonografia features 22 stories from residents in "The People's Map". In total, over 70 individuals were interviewed. The events facilitated engagement with over 700 individuals in multiple languages through the various events. Fonografia produced 25 photo panels, an [interactive website](#), 10,000 newspaper prints, and 175 books, presented in three languages – English, Spanish, and Chinese. The project's video and photo panels were displayed at various community events. The newsprints were distributed at events and placed at local facilities and businesses.

5. Digital Engagement:  
Staff used various digital platforms and tools to engage and inform a wider audience who may not have been able to attend the in-person or live online events. The Project is well-documented on the website, featuring a history of events, engagement and outreach materials, meeting recordings, and project materials that were posted and updated on a regular basis. (<https://planning.lacounty.gov/long-range-planning/east-san-gabriel-valley-area-plan/>)

A blog was used to provide regular updates on the planning process and events, as well as a project courtesy list, which has been regularly updated to keep interested parties informed. The Project used Social Media platforms to keep community members informed and up to date. The mapping survey platform Map.Social was used to gain insight into community members' concerns. The platform facilitated posting of comments to a location to let us know about an issue, a desire for an improvement, or other feedback.

6. Advisory Group:

Staff sought participation from local groups and residents to form the Rowland Height Planning Advisory Group (RHPAG) which met monthly from April 2021- April 2023 to gain community feedback on updates and revisions to the Rowland Heights CSD and the Rowland Heights Community Chapter to better reflect community member's objectives and the Project's objectives. Attendance ranged from 7-19 people who were actively engaged in providing feedback and updating and revising the Project.

7. Zone Change Notice:

Staff mailed 25,183 courtesy letters to property owners and tenants of parcels proposed for zone and/or land use changes to implement the ESGVAP and Housing Element. Staff received phone calls, emails, and offered information and guidance to over 325 property owners who received the notices. In cases where property owners were opposed or voiced concerns regarding the proposed changes and potential limitations to their existing use, we engaged in conversations and reviewed the proposed changes considering the concerns raised. We incorporated revisions to the proposed changes when feasible and when aligned with the goals and policies of the Project and the General Plan.

8. Project Review and Feedback:

A preliminary Draft Plan was released for public input and feedback on April 1, 2022. Staff held 4 online and 1 in person meeting to gain feedback. Notification emails were sent to the Project's interested parties list and to local organizations to forward to their members. After the release of a preliminary Draft Plan, staff reviewed feedback and made significant revisions to the Draft Plan, policies, and programs based on feedback to better clarify and communicate the Project's vision and goals.

A Draft Plan, Draft Ordinance, and Draft PEIR were publicly released on February 27, 2023, with the comment period lasting through April 12, 2023. The NOA was noticed on February 22, 2023 in the following local and regional newspapers: Pasadena Star News, San Gabriel Valley Tribune, Chinese Daily News, and La Opinion. An email notice of the NOA and availability of the Project materials was sent to the email list for interested parties, local agencies, adjacent jurisdictions, and local organizations, totaling 405 emails. Project materials were physically available at 13 libraries throughout the Planning Area, in addition to their availability on the Department's website.



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



**Amy J. Bodek, AICP**  
Director of Regional Planning

**Dennis Slavin**  
Chief Deputy Director,  
Regional Planning

## EAST SAN GABRIEL VALLEY AREA PLAN

---

### Final Program Environmental Impact Report

June 2023

State Clearinghouse #2022040512

Prepared by:  
County of Los Angeles Department of Regional Planning

With the assistance of:  
Environmental Science Associates







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# CHAPTER 1

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## Introduction

### 1.1 Overview

This Final Program Environmental Impact Report (PEIR) has been prepared by the County of Los Angeles (County) for the East San Gabriel Valley Area Plan (ESGVAP or Project). This Final PEIR has been prepared in accordance with the California Environmental Quality Act (CEQA), as amended (Public Resource Code Section 21000 et seq.), and the State CEQA Guidelines (California Administrative Code Section 15000 et seq.).

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

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

In accordance with these requirements, the East San Gabriel Valley Area Plan includes the following:

- This Final PEIR document, dated June 2023, incorporates the information required by State CEQA Guidelines Section 15132, including responses to comments received on the Draft EIR; and
- The Draft PEIR document, dated February 2023 (SCH #2022040512).

### 1.2 Format of the Final PEIR

This document is organized as follows:

- **Chapter 1: Introduction.** This chapter provides a brief introduction of the contents of this Final EIR, the CEQA requirements, and the public review process.
- **Chapter 2: Responses to Comments.** This chapter provides the written comment letters received by the Lead Agency during the public comment period and individual responses to the comments.

- **Chapter 3: Additions and Corrections to the Draft PEIR.** This chapter contains the corrections and additions made to the Draft PEIR based on the comments received from the responding agencies and the public or as initiated by the Lead Agency. The CalEEMod modeling worksheets are also included.
- **Chapter 4: Mitigation Monitoring and Reporting Program.** This chapter provides the Mitigation Monitoring and Reporting Program (MMRP), which identifies the mitigation measures that will be implemented for future projects as appropriate. The MMRP identifies the mitigation measure, the implementing party, timing of implementation, the entity responsible for enforcement and the responsible monitoring agency.

## 1.3 Public Review Process

The County of Los Angeles circulated a Notice of Preparation (NOP) for the Project to the State Clearinghouse, trustee agencies, responsible agencies, and other interested parties for a 34-day public review starting on April 28, 2022 and ending on June 01, 2022. The County of Los Angeles received twelve comment letters in response to the NOP. A public scoping meeting was held virtually, online via Zoom Webinar, on May 10, 2022 to collect oral and written comments from agencies and the public.

The Draft PEIR was provided to the State Clearinghouse and in compliance with CEQA was circulated for a 46-day public review period from February 27, 2023 to April 12, 2023. The County of Los Angeles held a virtual public meeting, online via Zoom Webinar, on March 9, 2023. Following the public review period and public meeting, written responses were prepared on all comments received, and these comments and responses are incorporated into this Final PEIR.

As the lead agency, before approving the Project, the County's Board of Supervisors must certify the Final PEIR as adequate and completed in accordance with CEQA. The County must also review and consider the information contained in the Final PEIR, including all supporting documents, before considering approval of the Project. The County will certify the Final PEIR using independent judgment and analysis. In consideration of the findings of the Final PEIR, the County will approve the Project or an alternative thereof through a written Finding of Fact and a Statement of Overriding Consideration for each identified significant adverse environmental impact and any significant and unavoidable impact identified in the Final PEIR. Due to some Project impacts found to be significant, the County will adopt mitigation measures that either avoid or reduce those impacts to less than significant levels, where feasible. These mitigation measures are identified in Chapter 4, *Mitigation Monitoring Reporting Program*, of this Final PEIR. Dates of public hearings will be published and officially noticed in accordance with all legal requirements. If the Project is approved, the County will file a notice of determination (NOD) with the Governor's Office of Planning and Research, State Clearinghouse within 5 working days of project approval.

## CHAPTER 2

# Response to Comments

California Code of Regulations Title 14 (State CEQA Guidelines) Section 15088(a) states, “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the noticed comment period.” In accordance with these requirements, this chapter contains the comment letters received on the Draft PEIR and provides responses to each of the written comments received during the public review period for the Draft PEIR, which began on February 27, 2023, and ended April 12, 2023. A virtual public meeting to discuss the findings of the Draft PEIR was held on March 9, 2023.

**Table 2-1, *Comment Letters Received on the Draft PEIR***, provides a list of public agencies and the organization that submitted comments on the Draft PEIR during the public review period. No comments on the Draft PEIR were received during the virtual public meeting held on March 9, 2023.

Each comment letter has been assigned an alphabetical designation (A through M). Each comment within each letter has been assigned a numerical designation so that each comment could be cross-referenced with an individual response. As shown in **Table 2-1, *Comment Letters Received on the Draft PEIR***, thirteen written comment letters were received by the County.

**TABLE 2-1**  
**COMMENT LETTERS RECEIVED ON THE DRAFT PEIR**

Letter #	Commenter	Date Received
A	South Coast Air Quality Management District, Danica Nguyen, Air Quality Specialist, CEQA-IGR, Planning, Rule Development & Implementation	03/08/2023
B	Puente Hills Habitat Preservation Authority, Ivan Sulic, Chair	03/24/2023
C	California Department of Transportation (Caltrans), District 7, Miya Edmonson, LDR/CEQA Branch Chief	03/30/2023
D	Office of the Sheriff – Los Angeles County, Tracey Jue, Director of Facilities Planning Bureau	04/03/2023
E	Los Angeles County Library, Skye Patrick, Library Director	04/04/2023
F	Aera Energy LLC, Michael S. James, Senior Counsel	04/11/2023
G	Aera Energy LLC, George Basye, Vice President, Fee Lands	04/11/2023
H	California Department of Fish and Wildlife, Erinn Wilson-Olgin, Environmental Program Manager I, South Coast Region	04/11/2023
I	Los Angeles Conservancy, Adrian Scott Fine, Senior Director of Advocacy	04/12/2023
J	City of San Dimas, Luis Torrico, Planning Manager	04/12/2023
K	Mr. Lauro Santana	04/13/2023
L	Mr. Samuel Brown	04/20/2023
M	Petition submitted on behalf of 139 petitioners	06/14/2023

## **2.1 Responses to Individual Comment Letters**

---

**From:** Danica Nguyen <dnguyen1@aqmd.gov>  
**Sent:** Wednesday, March 8, 2023 7:15 AM  
**To:** DRP Community Studies East Area Section <commplan@planning.lacounty.gov>  
**Cc:** Sam Wang <swang1@aqmd.gov>  
**Subject:** Technical Data Request: Los Angeles County East San Gabriel Valley Area Plan

**CAUTION:** External Email. Proceed Responsibly.

Dear Ms. Kim,

South Coast AQMD staff received the Draft Environmental Impact Report (Draft EIR) for the Proposed Los Angeles County East San Gabriel Valley Area Plan (SCH Number: 2022040512) ([South Coast AQMD Control Number: LAC230221-06](#)). Staff is currently in the process of reviewing the Draft EIR. The public commenting period is from 02/27/2023 – 04/12/2023.

Upon reviewing the files provided as part of the public review period, I was able to access the Draft EIR and Appendices through the City's website.

Please provide all technical documents related to air quality, health risk, and GHG analyses, electronic versions of all emission calculation files, and air quality modeling and health risk assessment files (complete files, not summaries) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following:

- CalEEMod Input Files (.csv or .json files);
- EMFAC output files (not PDF files);
- All emission calculation spreadsheet file(s) (not PDF files) used to calculate the Project's emission sources (i.e., truck operations);
- AERMOD Input and Output files, including AERMOD View file(s) (.isc);
- Any HARP Input and Output files and/or cancer risk calculation files (excel file(s); not PDF) used to calculate cancer risk and chronic and acute hazards from the Project;

A-1

A-2

- Any files related to post-processing done outside AERMOD to calculate pollutant-specific concentrations (if applicable).

A-2  
(cont)

You may send the files mentioned above via a Dropbox link which may be accessed and downloaded by South Coast AQMD staff **by COB on Wednesday, 03/15/2023**. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.

If you have any questions regarding this request, please don't hesitate to contact me.

Regards,

Danica Nguyen  
Air Quality Specialist, CEQA-IGR  
Planning, Rule Development & Implementation  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Phone: (909) 396-3531  
E-mail: [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)  
Please note South Coast AQMD is closed on Mondays.

A-3

### **Response to Comment A-1**

This comment is introductory in nature, indicating that South Coast AQMD received notification of the Draft PEIR, were able to access the Draft PEIR and appendices, and were in the process of reviewing the document. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment A-2**

This comment requests electronic copies of all technical documents related to air quality, health risk, and GHG analyses, inclusive of all emission calculation files, and air quality modeling and health risk assessment files. These documents were provided to the South Coast AQMD on March 8, 2023 via email. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment A-3**

This comment requests the files be sent to the South Coast AQMD by close of business on Wednesday, March 15, 2023, and that without all files and supporting documentation, South Coast AQMD staff will be unable to complete a timely review. The comment also notes that any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period. Finally, the comment concludes by providing South Coast AQMD contact details.

The requested data was sent to the South Coast AQMD via email on March 8, 2023. No further response is required. The County acknowledges the contact information for South Coast AQMD for future reference during the environmental review process that is provided in this comment.





March 22, 2023

Mi Kim, Supervising Regional Planner  
County of Los Angeles  
Department of Regional Planning  
320 W Temple St, Room 1362  
Los Angeles CA 90012  
[commplan@planning.lacounty.gov](mailto:commplan@planning.lacounty.gov)

**RE: Project No PRJ2020-000612 / East San Gabriel Valley Area Plan Draft  
Environmental Impact Report and Draft Plan Documents**

Dear Ms. Kim:

The Puente Hills Habitat Preservation Authority (Habitat Authority) appreciates the opportunity to comment on the East San Gabriel Valley Area Plan (ESGVAP) Draft Environmental Impact Report and Draft Plan Documents dated February 27, 2023. We previously provided comments on the ESGVAP NOP, Initial Study, and April 2022 Draft Plan Documents and appreciate that those comments were taken into consideration for this current draft.

The Habitat Authority is a public joint powers authority established pursuant to California Government Code Section 6500 *et seq.* with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County, and the community of Hacienda Heights. According to its mission, the Habitat Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency endeavors to provide opportunities for outdoor education and low-impact recreation.

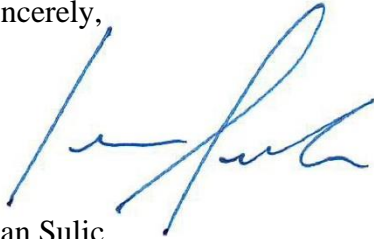
In the Puente Hills, the Habitat Authority manages the open space in its ownership as well as the open space of Board Member agencies, totaling over 3,880 acres, within the Cities of Whittier, La Habra Heights and the County unincorporated area known as Hacienda Heights. These lands are collectively referred to as the Puente Hills Preserve (Preserve) and are situated along, and within, the southern boundary of the ESGVAP.

Overall, we appreciate the tremendous effort that has gone into producing the ESGVAP document, and support the conservation-minded policies, including the plans to develop a

wildlife connectivity ordinance and habitat connectivity plan. The Habitat Authority's full comments are included in Exhibit A.

Thank you for your consideration, and feel free to contact myself or Ecologist Michelle Mariscal ([mmariscal@habitatauthority.org](mailto:mmariscal@habitatauthority.org)) at (562) 945-9003 for further discussion. Also, please maintain our agency on the contact list for this planning process.

Sincerely,



Ivan Sulic  
Chair

cc: Habitat Authority Board of Directors  
Habitat Authority Citizens Technical Advisory Committee

B-1  
(cont)

## Exhibit A

### ***Comments on the Draft Environmental Impact Report and Draft Planning Documents for the East San Gabriel Valley Area Plan***

#### **Brief Project Description**

The proposed ESGVAP is a community-based plan that focuses on land use and policy issues that are specific to the unique characteristics and needs of the East San Gabriel Valley Planning Area. The ESGVAP is intended to respond to local planning challenges, guide long-term development, enhance community spaces, promote a stable and livable environment that balances growth with preservation, and improve the quality of life in the East San Gabriel Valley. The ESGVAP includes area-wide goals, policies, and implementation programs within nine different elements. The ESGVAP includes changes to land use designations and zoning in order increase residential density and commercial and mixed uses in areas near transit amenities. The Project would update and consolidate the two existing community plans (Rowland Heights and Hacienda Heights) into the Area Plan. The Rowland Heights community standards district is being updated to better implement the objectives of the Area Plan. Boundaries of the Avocado Heights equestrian district (ED) and Trailside ED are being combined and updated to streamline and standardize horse keeping provisions within the two existing ED areas.

B-2

#### **Draft Environmental Impact Report (EIR)**

##### **Section 4.4 Biological Resources**

- Pg. 4.4-8: The EIR states that, based on review of the CNDDDB, mountain lions (*Puma concolor*) have not been reported in the Planning Area; however, please note that two mountain lions were documented within the Planning Area in 2022, highlighting the importance of the proposed ESGVAP policies and goals pertaining to wildlife movement. Most recently, a collared male mountain lion, M317, made a round-trip journey through the Puente-Chino Hills Wildlife Corridor during fall 2022, travelling from the Santa Ana Mountains into the Puente Hills as far northwest as the 605 freeway (W. Vickers, UC Davis Wildlife Health Center CA mountain lion project). A second uncollared mountain lion was killed on the 60 freeway in Diamond Bar in spring of 2022 (<https://www.dailybulletin.com/2022/04/16/mountain-lion-killed-on-60-freeway-in-diamond-bar-is-part-of-a-rise-in-roadside-deaths/>).

B-3

We understand that the ESGVAP is a component of the Los Angeles County General Plan. Our following comments regarding Section 4.4 Biological Resources of the Draft EIR were formulated based on consistency with the General Plan document and intended to firm up the mitigation measures required for future projects.

- Impact 4.4-1<sup>1</sup>: Although the DEIR states that future individual projects “would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts” (pg. 4.4-20), please solidify this by including Mitigation Measures that would require an assessment of biological resources on a project-specific basis, similar to what

B-4

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<sup>1</sup> Impact 4.4-1 per the Draft PEIR: “Would the Project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?”

was specified in the Draft Environmental Impact Report for the Los Angeles County General Plan 2035 (dated June 2014; pages 1-33 and 34) as follows:

- *“BIO-1: Biological resources shall be analyzed on a project-specific level by a qualified biological consultant. A general survey shall be conducted to characterize the project site, and focused surveys should be conducted as necessary to determine the presence/absence of special-status species (e.g., focused sensitive plant or wildlife surveys). A biological resources assessment report shall be prepared to characterize the biological resources on-site, analyze project-specific impacts to biological resources, and propose appropriate mitigation measures to offset those impacts. The report shall include site location, literature sources, methodology, timing of surveys, vegetation map, site photographs, and descriptions of biological resources on-site (e.g., observed and detected species as well as an analysis of those species with potential to occur onsite).”*
  - *“BIO-2 If there is potential for direct impacts to special-status species with implementation of construction activities, the project-specific biological resources assessment report (as mentioned in Mitigation Measure BIO-1) shall include mitigation measures requiring preconstruction surveys for special-status species and/or construction monitoring to ensure avoidance, relocation, or safe escape of special-status species from the construction activities, as appropriate. If special-status species are found to be nesting, brooding, denning, etc. on-site during the pre-construction survey or monitoring, construction activity shall be halted until offspring are weaned, fledged, etc. and are able to escape the site or be safely relocated to appropriate offsite habitat areas. Relocations into areas of appropriate restored habitat would have the best chance of replacing/incrementing populations that are lost due to habitat converted to development. Relocation to restored habitat areas should be the preferred goal of this measure. A qualified biologist shall be on site to conduct surveys, to perform or oversee implementation of protective measures, and to determine when construction activity may resume.”*
  - Additionally, please include a mitigation measure that would require compensatory mitigation for unavoidable direct or indirect temporary and permanent impacts to candidate, sensitive, or special status species and their habitats prior to disturbance, similar to what is specified in MM BIO--4.4-1 (Impact 4.4-3, pg. ES-13 of the ESGVAP DEIR).
- Impact 4.4-2<sup>2</sup>: See comment regarding Impact 4.4-1 above.
  - Impact 4.4-5<sup>3</sup>: We disagree with the finding that Impact 4.4-5 would be less than significant with incorporation of only Mitigation Measure BIO-4.4-2, which specifically pertains to nesting birds. Because the ESGVAP accommodates increased residential density and commercial and mixed uses in areas near transit amenities, there is the

B-4  
(cont)

B-5

B-6

<sup>2</sup> Impact 4.4-2 per the Draft PEIR: “Would the Project have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS?”

<sup>3</sup> Impact 4.4-5 per the Draft PEIR: “Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?”

potential for direct and indirect impacts to wildlife movement resulting from construction, increased housing density, and increased traffic volumes. Such impacts could include behavioral changes, avoidance of suitable habitat and increased wildlife-vehicle mortality within established wildlife corridors (e.g., on Harbor Boulevard and S. Hacienda Boulevard, both of which cross the Puente Hills Preserve and thus the Puente-Chino Hills Wildlife Corridor). Please include a Mitigation Measure that, at minimum, addresses impacts to wildlife movement, similar to what was specified in the Draft Environmental Impact Report for the Los Angeles County General Plan 2035 (dated June 2014; pg. 1-34) as follows:

- *“BIO-3 No feasible mitigation measures are available that would reduce impacts to wildlife movement completely. However, corridors shall not be entirely closed by any development, and partial mitigation shall be mandatory for impact on wildlife corridors and wildlife nursery sites. This shall include provision of a minimum of half the corridor width. (The width shall be at least what is needed to remain connective for the top predators using the corridor.) Mitigation can include preservation by deed in perpetuity of other parts of the wildlife corridor connecting through the development area; it can include native landscaping to provide cover on the corridor. For nursery site impacts, mitigation shall include preservation by deed in perpetuity for another comparable nursery site of the same species.”*

B-6  
(cont)

#### Appendix C: ESGVAP Plan Area Communities: Land Use and Zoning Change Figures

- Rowland Heights Land Use map figure: Pathfinder Community Regional Park and vicinity are identified as “C-Commercial” on this figure, however we believe this was done in error. This is an important connection for the Skyline-Schabarum Trail, and south of this area is an area of open space that facilitates wildlife movement between habitat on either side of Harbor Boulevard, therefore we do not support Commercial development here.
- There are numerous inconsistencies between the figures provided in Appendix C of the DEIR compared the information provided on the ESGV Proposed Land Use Policy and Zoning website referenced in Appendix E of the draft Plan Document (<https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=48eb4076c4e74f2caa8f2a21a78dcfd6>) making it difficult for us to review and provide comments.

B-7

B-8

#### Draft ESGVAP Documents

##### Land Use Element (and associated maps)

- We encourage the ESGVAP to include zoning or land use designations for open space that are biologically important for the region but not yet legally protected.
- Please consider changing the Land Use Designation for the following areas/parcels, accompanied by a compatible zoning update, to reflect their location within the Puente-Chino Hills Wildlife Corridor and proximity to adjacent Open Space-Conservation lands:
  - Rowland Heights- It is our understanding that the Rowland Heights Community Plan, dated 1982, will be updated and incorporated into the ESGVAP, presumably providing an opportunity to also modify Land Use Designations. As interpreted from the Rowland Heights Land Use Map figure in Appendix C of the Draft EIR, the Land Use Designations used in the Rowland Heights Community

B-9

B-10

Plan will continue to be used after the Community Plan is incorporated into the ESGVAP and the following comments are based on that interpretation. The southern portion of Rowland Heights comprises open space that is crucial for maintaining connectivity between the Puente Hills and Chino Hills for wildlife movement. This area is directly adjacent to LA County's only wildlife undercrossing structure which was specifically built to facilitate safe wildlife movement beneath Harbor Boulevard to ensure connectivity with open space on either side of the busy roadway. This area has a land use designation of Transitional Open Space, per the Rowland Heights Community Plan (and as interpreted from Appendix C of the Draft EIR), which allows for residential development. Even low-density housing introduces edge effects and fragmentation that will cause wildlife avoidance. Further, the majority of this area is mapped as a Very High Fire Hazard Severity Zone therefore residential development would be in conflict with other policies as outlined in the Plan Document.

- Please change the Transitional Open Space Land Use Designation to the Open Space designation, based on the Rowland Heights 1982 Community Plan definition of Open Space.
- If the Land Use Designations used in the Rowland Heights Community Plan will continue to be used after the Community Plan is incorporated into the ESGVAP, as interpreted from Appendix C of the Draft EIR, please provide the definitions of those Land Uses in the ESGVAP document.
- If the Land Use Designations will be updated for consistency with the other ESGVAP communities, please consider changing the Transitional Open Space Land Use Designation to the lowest density designation.
- Hacienda Heights- the International Buddhist Progress Society parcel (APN 8204-036-021). The Puente-Chino Hills Wildlife Corridor is at its narrowest width through the stretch where this undeveloped parcel is located, therefore conserving it is crucial for wildlife connectivity. It also contains intact oak woodland and other native habitats. Please consider changing the Land Use Designation on this parcel to a lower density limit. This will presumably maintain some level of permeability to wildlife, and reduce potential impacts to the intact oak woodland habitat.
- We support **Policy LU-5.1: Hazard Areas.** *“Avoid new development in designated environmental hazard areas, including frequently flooded areas, areas prone to landslides, wildland/urban interface areas, and Fire Hazard Severity Zones”* (Pg. 2-16) and **Policy LU-5.2:** *“Prohibit new development on lands surrounded by Very High Fire Hazard Severity Zones (VHFHSZs) in the Puente Hills and adjacent areas”* (Pg. 2-16).
- Please consider adding a policy that requires fuel modification zones and associated activities be strictly limited to the parcels being developed (i.e., prohibit fuel modification activities from spilling over onto adjacent parcels when those parcels are owned by unrelated parties).

B-10  
(cont)

B-11

B-12



Natural Resources, Conservation & Open Space Element

- We appreciate that this element’s focus has been more appropriately narrowed as compared to the April 2022 draft of the document which had heavily included trails, access and recreation within its scope. B-13
- Pg. 5-9 “Wildlife-Vehicle Collisions”: Please correct the name of our agency to the Puente Hills Habitat *Preservation* Authority. B-14
- Pg. 5-9 “Potential Impacts to Biological Resources of Road Widening Projects”: We appreciate that the ESGVAP document directly addresses road widening projects in this section and commend the Public Works Department for not having plans to widen the Los Angeles County portion of Brea Canyon Cutoff Road as stated. The proposed widening of this road in Orange County at a critical wildlife linkage poses significant impacts to wildlife movement within the Puente-Chino Wildlife Corridor, undermining the considerable investment in, and ecological sustainability of, open space to the west. B-15

Parks and Recreation Element:

- Pg. 6-2 “Existing Conditions”: The statement “There are also other park spaces which are owned and operated by cities, conservancies, and state and federal agencies” unintentionally excludes the Puente Hills Habitat Preservation Authority, which is a public Joint Powers Authority (a local government agency). Please consider revising this statement to be more inclusive. B-16

Additional Comments:

- We support **Policy RH-19: Brea Canyon Road.** *“Prohibit the widening of Brea Canyon Road and maintain the current width as it exists in the county for maximum protection of habitat areas”* (Pg. 8-48). B-17
- Section 8.9 Rowland Heights: Please consider adding a policy concerning Wildfire and Safety Risks for Rowland Heights. A southwestern portion of open space in this community is currently mapped as a Moderate Fire Hazard Severity Zone (FHSZ; Figure 4.18-1) despite being surrounded by land with a Very High FHSZ designation. While we acknowledge that the FHSZ mapping is not within the ESGVAP’s control, we maintain that the Moderate FHSZ designation on these parcels is unjustified and we are concerned that this designation will accommodate future residential growth, thus increasing probability of wildfires (as well as other ecologically detrimental edge effects). As described on page 8-52 for South Diamond Bar, given the severity of the wildfire threats, development in these high-risk areas should be completely avoided. B-18
- We support **Policy PR-4.7: Ranger and Law Enforcement Collaboration.** *Support ranger and law enforcement collaboration, increased nighttime presence, and enforcement to reduce the occurrence of nighttime parties and shutdown party sites in open space recreation areas. Such activity disturbs wildlife, neighborhoods, and presents wildfire threats”* (Pg. 6-10). The County-managed and Habitat Authority-managed trail networks are interconnected, and all efforts to increase ranger and law enforcement collaboration is appreciated. B-19

## Response to Comment B-1

This comment is introductory in nature, identifying that the Puente Hills Habitat Preservation Authority (PHHPA) previously commented on the Initial Study and provides information as to PHHPA's remit and mission. The comment proceeds to state that the project-specific comments are set forth in Exhibit A and concludes with providing contact details for further discussion. The County acknowledges the contact information for PHHPA for future reference during the environmental review process. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment B-2

This comment provides an overview of the Project Description and does not raise an issue with the Draft PEIR. Therefore, no further response is required.

## Response to Comment B-3

This comment asserts that the Draft PEIR incorrectly states that mountain lions (*Puma concolor*) have not been reported in the Planning Area when in fact two were documented within the Planning Area in 2022. While the sentence in the Draft PEIR is correct in stating the California Natural Diversity Database (CNDDB) does not show mountain lions, based on the recommendation, the sentence immediately above Regulatory Setting on Page 4.4-8 has been amended as follows:

“Based on review of the CNDDB, mountain lions (*Puma concolor*) have not been reported in the Planning Area; however, according to local news reports and tracking studies, mountain lions are present, and the SEAs could provide habitat for the species.”

While this revision clarifies the presence of mountain lions, this clarification does not change the Draft PEIR's significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## Response to Comment B-4

This comment correctly summarizes that the Draft PEIR states future individual projects would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts. As such and given that the ESGVAP is a component of the General Plan, future individual projects may require the implementation of mitigation measures similar to those identified in the General Plan EIR, or certain biological mitigation measures may not be necessary based on site-specific biological studies conducted. Therefore, the applicability of mitigation measures from the General Plan EIR cannot be determined at this time and will be determined in subsequent project-level CEQA review.

## Response to Comment B-5

This comment requests the same considerations as identified in Comment B-4, as such please see Response to Comment B-4.



## **Response to Comment B-6**

As discussed in the Significant Ecological Areas and Wildlife Movement Corridors sections of the Draft PEIR (Pages 4.4-4 to 4.4-8), the Puente Hills area and its linkage to Chino Hills State Park is recognized as an important area for wildlife movement. While the ESGVAP accommodates increased residential density and commercial and mixed uses in areas near transit amenities, as discussed in Impact 4.4-5, there are no proposed changes resulting in increases to intensity to the existing zoning or land use intensities within SEAs, which includes the Puente Hills SEA. Therefore, no additional mitigation measure beyond BIO-4.4-2 is required.

## **Response to Comment B-7**

This comment states that within the Rowland Heights Land Use map figure (Appendix C), the Pathfinder Community Regional Park and vicinity are wrongly identified as “C-Commercial”. This comment is correct in its assertion that the Pathfinder Community Regional Park is mislabelled as C-Commercial. However, the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan and associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. The Web App is dynamic and as part of ongoing outreach efforts undertaken by the County, is updated frequently whereas the Draft PEIR captures in essence a point in time. As such, the correction to the Pathfinder Community Regional Park Land Use has already been effectuated with the change to Zoning as O-S and Land Use as OS-PR. The differences between the Web Map and the Draft PEIR do not change the Draft PEIR’s significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## **Response to Comment B-8**

This comment declares there are numerous inconsistencies between the figures provided in Appendix C of the DEIR compared with the information provided on the ESGV Proposed Land Use Policy and Zoning website (<https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=48eb4076c4e74f2caa8f2a21a78dcfd6>) without providing specific information. As mentioned in Comment B-7, the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan and associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. As mentioned, the Web App is dynamic and as part of ongoing outreach efforts undertaken by the County, has been updated frequently since the release of the Draft PEIR. As such some of the inconsistencies identified may have been rectified after the Draft PEIR was released. However, the differences between the Web Map and the Draft PEIR do not change the Draft PEIR’s significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## **Response to Comment B-9**

This comment encourages the ESGVAP Land Use Element to include zoning or land use designations for open space that are biologically important for the region but not yet legally protected. As indicated in the ESGVAP Draft PEIR Goals and Policies outlined on Pages 4.4-17 and 4.4-18, Goals NR-3, NR-4, NR-5, NR-6 and NR-7 all seek to ensure habitat protection,

preserve lands with sensitive biological resources, provide wildlife corridors and linkages and protect natural and scenic resources. With these goals under consideration, biologically important areas will be afforded protection. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-10**

This comment pertains to the Land Use Element and recommends considering changes in zoning or land use designations for various parcels in Rowland Heights and Hacienda Heights.

With regard to Rowland Heights, the comment has been noted and the County agrees that high density land use would be inharmonious with the environs. The County believes biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Proposed Project, rather than continued use of the N-1, TON-1 and TOU-1 designations. In addition to the Very High Fire Hazard Severity Zone correctly identified by PHHPA, these areas are also constrained by Hillside Management Areas which further limit potential development, as well as SEA designations on much of the Puente Hills area. As recommended, the land use designation has been changed to the lowest density designation (RL40). Please refer to Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, for a summary of all the Plan changes.

Regarding Hacienda Heights, assuming the parcel being referred to is 8240-036-021, and not 8204-036-021 as specified in your comment letter. The zoning and land use for this parcel has not been changed per the updated Web App.

Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-11**

This comment identifies support of Policy LU-5.1: Hazard Areas and Policy LU-5.2. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-12**

This comment recommends the addition of a fuel modification zone policy and strictly limiting activities to the parcels being developed within the ESGVAP Land Use Element. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-13**

This comment identifies appreciation for the effort to narrow the focus of the Natural Resources, Conservation & Open Space Element. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-14**

This comment requests the name of the Puente Hills Habitat Preservation Authority to be amended within the Natural Resources, Conservation & Open Space Element. The County notes the comment and has updated the Element with the correct name, as requested. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-15**

This comment identifies appreciation for the ESGVAP directly addressing road widening projects as it relates to wildlife movement. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-16**

This comment requests that the statement on Page 6-2 of the Parks and Recreation Element to be more inclusive. The County notes the comment and has added local government agencies and joint powers authorities to the list, so that the first sentence now reads:

“There are also other park spaces that are owned and operated by cities, conservancies, local government agencies, joint powers authorities, and state and federal agencies.”

Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-17**

This comment identifies support of prohibiting the widening of Brea Canyon Road. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-18**

This comment requests that the County consider adding a policy concerning Wildfire and Safety Risks for Rowland Heights for the Moderate Fire Hazard Severity Zone within Chapter 8: East San Gabriel Valley Unincorporated Communities of the ESGVAP. The comment further notes that the FHSZ mapping is not within the ESGVAP’s control. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment B-19**

This comment identifies support for ranger and law enforcement collaboration. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7

100 S. MAIN STREET, MS 16

LOS ANGELES, CA 90012

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*Making Conservation  
a California Way of Life*

March 30, 2023

Mi Kim

County of Los Angeles

Department of Regional Planning

320 West Temple Street, room 1354

Los Angeles, CA 90012

RE: East San Gabriel Valley Area Plan

SCH # 2022040512

Vic. LA-210, LA-605, LA-10, LA-60, LA-57,  
LA-71 Countywide

GTS # LA-2022-04175-DEIR

Dear Mi Kim:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced environmental document. The proposed East San Gabriel Valley Area Plan (ESGVAP or Project) is a community-based plan to enhance, guide, and support the long-term growth, development, and maintenance of 24 unincorporated communities in the East San Gabriel Valley (ESGV) planning area. The Project is an extension of the Los Angeles County General Plan that focuses on the unique characteristics and needs of local communities. The ESGVAP consists of 6 elements (Land Use Element, Economic Development Element, Community Character and Design Element, Natural Resources and Conservation Element, Mobility Element, Parks and Recreation Element) and 15 community-specific chapters. The ESGVAP has both area-wide goals, policies, and implementation actions and community-specific goals, policies, and implementation actions. The Project includes changes to land use and zoning designations to accommodate growth near major transit stops and corridors, implement the housing element, and bring zoning, land use policy, and existing use into consistency, which in turn requires changes to zoning and land use maps. The Project also includes an ordinance with new area-wide standards as well as update to existing standards.

C-1

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information:

C-2

<http://opr.ca.gov/ceqa/updates/guidelines/>

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

C-2  
(cont)

We encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). This reference is available online at:

C-3

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>

You can also refer to the 2010 *Quantifying Greenhouse Gas Mitigation Measures* report by the California Air Pollution Control Officers Association (CAPCOA), which is available online at:

C-4

<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

As stated on page 4.15-3 of the Draft PEIR, we concur that "Caltrans coordinates and consults with local jurisdictions when proposed local land use planning and development may impact state highway facilities." Caltrans has published the VMT-focused Transportation Impact Study Guide (TISG), dated May 20, 2020 and the Caltrans Interim Land Development and Intergovernmental Review (LD-IGR) Safety Review Practitioners Guidance, prepared in On December 18, 2020. You can review the SB 743 Implementation Resource at the following link:

C-5

<https://dot.ca.gov/programs/sustainability/sb-743/sb743-resources>

Caltrans encourages the Lead Agency to prepare traffic safety impact analysis for all developments in the California Environmental Quality Act (CEQA) review process using Caltrans guidelines above on the State facilities so that, through partnerships and collaboration, California can reach zero fatalities and serious injuries by 2050.

C-6

The total VMT per service population under the 2035 With Project scenario is estimated at 39.3. The significance threshold of 16.8 percent below the County baseline for 2022 is 25.5 total VMT per service population (16.8 percent below 30.7). Thus, with a 39.3 total VMT per service population, the proposed ESGVAP would result in a potentially significant VMT impact. Even with the proposed mitigation measures TR-4.15-1 (to

C-7

improve and/or expand transit service, bicycle and pedestrian facilities, and transportation projects, and VMT fees) and TR-4.15-2 (to implement TDM strategies where feasible and necessary based on project- and site-specific considerations), the impact related to VMT per service population will remain significant and unavoidable.

C-7  
(cont)

In order to reduce further VMT, we highly recommend the Lead Agency to balance future housing and employment locations in the 24 unincorporated communities in East San Gabriel Valley. This approach would reduce significant VMT and has an opportunity to meet the County VMT thresholds.

C-8

We recommend the City consider the following policies/comments for all future projects:

1. For any large project that may impact the State facilities, VMT and traffic safety consultation with Caltrans in advance should be considered by the Lead Agency.
2. For future projects, any transportation of heavy construction equipment and/or materials that requires the use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend that large-size truck trips be limited to off-peak commute periods.
3. A post-development VMT analysis to validate and justify Project VMT and future VMT threshold setting. Additional mitigation measures should be implemented when the post-development VMT analysis discloses any traffic significant impact.

C-9

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 269-1124 and refer to GTS # LA-2022-04175-DEIR.

C-10

Sincerely,



MIYA EDMONSON  
LDR/CEQA Branch Chief

email: State Clearinghouse

### **Response to Comment C-1**

This comment provides an overview of the Project and does not raise an issue with the Draft PEIR. Therefore, no further response is required.

### **Response to Comment C-2**

This comment states that under the Office of Planning and Research (OPR) Guidance, vehicle miles traveled (VMT) is the standard transportation analysis metric under CEQA for all land use projects after July 1, 2020, and should be the primary metric for identifying transportation impacts for all future development projects implemented under the Project. As shown in Section 4.15, *Transportation*, of the Draft PEIR, VMT was used as the standard transportation analysis metric for the Project. Therefore, the Draft PEIR transportation analysis is consistent with the OPR's VMT Guidance.

### **Response to Comment C-3**

This comment encourages the evaluation of Transportation Demand Management (TDM) strategies and Intelligent Transportation System applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-4**

This comment provides a reference to the 2010 Quantifying Greenhouse Gas Mitigation Measures report by the California Air Pollution Control Officers Association. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-5**

This comment concurs with Page 4.15-3 of the Draft PEIR. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-6**

This comment encourages the County to prepare traffic safety impact analysis for all developments undergoing CEQA review. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-7**

This comment reiterates the parameters of the VMT analysis included in Section 4.15, *Transportation*, of the Draft PEIR and notes that even with mitigation the impact related to VMT per service population will remain significant and unavoidable. Since this comment reiterates the analysis contained within the Draft PEIR and does not raise a significant

environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-8**

Via this comment, Caltrans highly recommends the County balance future housing and employment locations in the 24 unincorporated communities in East San Gabriel Valley to reduce significant VMT and potentially meet the County VMT thresholds. As specified in Section 3.2.1, *Project Purpose*, the ESGVAP is intended to respond to local planning challenges, guide long-term development, enhance community spaces, promote a stable and livable environment that balances growth with preservation, and improve the quality of life in the East San Gabriel Valley through the creation of vibrant, thriving, safe, healthy, and pleasant communities. Given the programmatic nature of the Project, VMT impacts would be evaluated on a project-by-project basis and mitigated as necessary. In addition, the County would require future development implemented under the Project to prepare a project-specific traffic analysis during the environmental review process. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-9**

This comment recommends VMT and traffic safety consultation with Caltrans should occur in advance on future projects; that transportation of heavy or oversized equipment would require a Caltrans transportation permit; and that a post-development VMT analysis to validate and justify Project VMT and future VMT threshold setting should occur. The County acknowledges the comments regarding future consultation with Caltrans, the need for a transportation permit if required by specific projects and undertaking a post-development VMT analysis. Since this comment does not raise a significant environmental issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.

### **Response to Comment C-10**

This comment provides Caltrans' contact information. The County acknowledges the contact information for Caltrans for future reference during the environmental review process. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.



**OFFICE OF THE SHERIFF****COUNTY OF LOS ANGELES****HALL OF JUSTICE****ROBERT G. LUNA, SHERIFF**

March 28, 2023

Ms. Mi Kim, Supervising Regional Planner  
Los Angeles County Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, California 90012

Dear Ms. Kim:

**EAST SAN GABRIEL VALLEY AREA PLAN (ESGVAP)  
NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT  
REVIEW COMMENTS**

Thank you for inviting the Los Angeles County Sheriff's Department (Department) to review and comment on the February 2023 Draft Environmental Impact Report (Draft EIR) for the East San Gabriel Valley Area Plan (Project). The proposed Project would be implemented in twenty four unincorporated areas of the Los Angeles County (County) and is consisted of three primary components including General Plan Amendment, Zone Change, and Advanced Planning Case. The implementation of the proposed Project will develop additional 13,825 residential units resulting to an increase of approximately 47,380 permanent residents. These anticipated buildouts will increase resident, daytime and evening population within the Industry Sheriff's Station, San Dimas Sheriff's Station, Walnut Sheriff's Station, and Temple Sheriff's Station service areas which will generate an increased demand for law enforcement services as indicated in pages 4.12-5 to 4.12-12 of the Draft EIR.

D-1

The proposed Project is located within the service areas of the Department's Industry Sheriff's Station for the Avocado Heights, Charter Oak, Hacienda Heights, South San Jose Hills, Valinda, West Puente Valley, Pellissier Village, and Unincorporated North Whittier communities, San Dimas Sheriff's Station

D-2

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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for the Covina Islands, East Azusa, East Irwindale, East San Dimas, Glendora Islands, North Claremont, Northeast La Verne, Northeast San Dimas, West Claremont, North Pomona, Walnut Islands (areas north of Freeway 10), and West San Dimas communities; Walnut Sheriff's Station for Rowland Heights, South Diamond Bar, Walnut Islands (areas south of Freeway 10), South Walnut communities; and Temple Sheriff's Station for Unincorporated South El Monte community.

D-2  
(cont)

As indicated in Section 4.13.1 Sheriff Protection on pages 4.13-13 and 4.13-14 of the Draft EIR, an officer-to-population ratio of one officer to every 1,000 residents provide the desired level of service for its service area per Los Angeles County General Plan EIR. Thus 10,000 officers would sufficiently serve 10,000,000 people. However, as previously indicated in our Department letter dated January 31, 2023, this analysis is overly broad and inaccurate since the service ratio should be based on the ratio of patrol function personnel to population. The Department's 10,000 sworn personnel are assigned to various specialized units and not only a patrol function unit. Therefore, to meet the anticipated population increase, additional law enforcement personnel will be required. Assigning additional law enforcement personnel to the Stations to meet acceptable service ratios will require modification of the law enforcement service contracts, additional support personnel and equipment assets. These additional law enforcement personnel, their support, resources, and revenues from various developments would need to be allocated to the Department and approved by the Board of Supervisors (BOS) based upon recommendations by the Chief Executive Office (CEO).

D-3

Furthermore, Section 4.13.1 Sheriff Protection on page 4.13-14 of Draft EIR indicated that the operational funding for the Department serving the Project comes from various types of tax revenue. However, as the Department previously indicated, this funding is not guaranteed, annually evaluated, and would need to be allocated to the Department and approved by the BOS based upon recommendations by the CEO. When future developments are contemplated within the Project area and directly increasing population growth, the proposed Project will warrant a Countywide assessment where the Department, CEO, and BOS will evaluate each development and identify funding for facilities, personnel and/or associated operational equipment required to mitigate the impacts.

D-4

As noted in the cumulative impacts Section 4.13-1 for Sheriff Protection on pages 4.13-17 of the Draft EIR, the ESGVAP's indirect contribution to

D-5

cumulative demands for public services would not be considerable and mitigation would not be required. However, as previously indicated in our Department letter dated January 31, 2023, when future development is contemplated within the Project area and directly increasing population growth, the proposed Project will warrant a Countywide assessment where the Department, CEO, and BOS will evaluate each development and identify funding for facilities, personnel and/or associated operational equipment required to mitigate the impacts. The Stations expect the future project environmental documents to describe potential impacts to our resources and operations and identify measures including payment of development fees that will mitigate these impacts to a level of insignificance.

D-5  
(cont)

For future reference, the Department provides the following updated address and contact information for all requests for reviews comments, law documents, and other related correspondence:

Tracey Jue, Director  
Facilities Planning Bureau  
Los Angeles County Sheriff's Department  
211 West Temple Street  
Los Angeles, California 90012

D-6

Attention: Planning Section

Should you have any questions regarding this matter, please contact me, at (323) 526-5657, or your staff may contact Mr. Immanuel Chiang, of my staff, at (323) 526-5637.

Sincerely,

ROBERT G. LUNA, SHERIFF



Tracey Jue, Director  
Facilities Planning Bureau

## Response to Comment D-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. This comment also describes the different components included under the Project and notes that the anticipated buildout would lead to an increase in resident, daytime- and evening-populations within the existing Sheriff Station's service area, which would correspond to a greater demand for law enforcement. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment D-2

This comment provides additional context with regard to the Sheriff's service areas. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment D-3

This comment raises concern that the analysis contained within the Draft PEIR is overly broad and inaccurate since the identified service ratio of 10,000 officers to serve 10,000,000 people should be based on the number of patrol function personnel to population as opposed to the personnel assigned to units other than patrol. The comment continues by stating that assigning additional staff to meet acceptable service ratios would require modification of service contracts, additional support and equipment and ultimately would need approval from the Board of Supervisors.

Section 4.13, *Public Services*, of the Draft PEIR identifies that:

“As part of processing future development applications within the ESGVAP area, the Department's Contract Law Enforcement Bureau would be informed during the planning process. Once informed, impacts to law enforcement services, as a result of any future development project(s), will be evaluated and addressed, as necessary (Draft EIR Page 4.13-14).”

Future projects proposed under the Project will be evaluated in accordance with the requirements of CEQA on a project-by-project basis. In addition, if impacts are identified to LASD resources and/or operations with implementation of future projects facilitated under the Project, CEQA mandates that mitigation measures be incorporated on a project-by-project basis to reduce such impacts to the greatest extent feasible. Therefore, as future projects facilitated by the Project are required to undergo environmental review in accordance with CEQA, impacts to LASD resources and operations would be identified and mitigated, as needed.

## Response to Comment D-4

This comment indicates that operational funding from tax revenue is not guaranteed and subject to annual review and allocation from the Board of Supervisors. The comment continues by stating that future developments directly increasing population growth will warrant a Countywide assessment where the Department, CEO, and BOS will evaluate each development and identify funding for facilities, personnel and/or associated operational equipment required to mitigate the impacts.

As mentioned in Section 4.13, *Public Services*, Policy PS/F 1.1 of the Public Services and Facilities Element of the General Plan discourages development in areas without adequate public services and facilities. This, in combination with the fact that future projects proposed under the Project will be evaluated in accordance with the requirements of CEQA on a project-by-project basis, would assist the Department, CEO, and BOS in evaluating each development's impacts at a project level.

### **Response to Comment D-5**

This comment reiterates the point in Comment D-4 regarding population growth requiring Countywide assessment. This comment also states that future projects' environmental documents should describe potential impacts to Sheriff resources and operations and identify measures that will mitigate these impacts to a level of insignificance. As per Section 4.13, *Public Services*, future projects facilitated by the Project are required to undergo environmental review in accordance with CEQA, impacts to LASD resources and operations would be identified and mitigated, as needed.

### **Response to Comment D-6**

This comment provides the appropriate contact information for LASD to review environmental documents, obtain legal documents, and other related correspondence and provides a conclusion to the comment letter. The County acknowledges the appropriate contact person at LASD for future reference during the environmental review process. Since this comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR, no further response is required.



SKYE PATRICK  
Library Director



April 3, 2023

TO: Mi Kim  
Department of Regional Planning

FROM: Skye Patrick  
Library Director

**COMMENTS FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LOS ANGELES COUNTY EAST SAN GABRIEL VALLEY AREA PLAN, PROJECT NO. PRJ2020-000612**

The Draft Environmental Impact Report was reviewed, and the Library Facilities Mitigation Fee for Library Planning Area 4, East San Gabriel Valley, should be updated to reflect the current fee of \$1,094 per dwelling unit, as redlined in the attached file. Library has no additional comments.

E-1

If you have any questions or need additional information, please contact Elsa Muñoz at (562) 940-8450 or [EMunoz@library.lacounty.gov](mailto:EMunoz@library.lacounty.gov).

E-2

SP:YP:GR:EM

Attachment

c: Jesse Walker-Lanz, Assistant Director, Public Services, LA County Library  
Ting Fanti, Departmental Finance Manager, Budget and Fiscal Services, LA County Library

C:\Users\renez\County of Los Angeles\Staff Services - Documents\EIR\East San Gabriel Valley Area Plan\East San Gabriel Valley Area Plan response 03.16.23.docx



7400 E Imperial Hwy, Downey, CA 90242 | 562.940.8400 | LACountyLibrary.org

COUNTY OF LOS ANGELES SUPERVISORS

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While the ESGVAP itself would not create additional housing, rezoning would allow for new housing development with increased local population densities. The ESGVAP would not induce regional population growth beyond SCAG projections. Los Angeles County's library mitigation fee program requires residential development projects to pay a fee which acts to mitigate adverse impacts as a result of development. The fee is intended to supplement facility needs and mitigate the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$~~1,094.00-967.00~~ per dwelling unit (County of Los Angeles FY 2022~~b~~-23). This fee will mitigate the burden of new development on existing library services and will help maintain the guidelines for facility space of 0.5 gross square feet per capita and 2.75 items per capita. Additionally, goals 8 from the Public Services and Facilities element of the General Plan will ensure that there is a comprehensive public library system. Policy PS/F 8.2 acts to support the library mitigation fee which adequately address the impacts of new development. Policy PS/F

8.1 will ensure a desired level of library services through coordinated land use and facilities planning. The goals and policies outlined in the General Plan along with the library mitigation fee will ensure that impacts to the library system resulting from increased densities in targeted areas would be less than significant. No mitigation is required.

## Cumulative Impacts

For the purposes of this analysis of cumulative impacts related to public services, the geographic area of consideration consists of Los Angeles County, inclusive of both incorporated and unincorporated areas. This geographic scope of analysis is appropriate for the analysis of public services because cumulative projects have the potential to cause significant impacts on Los Angeles County if they exceed the capacity of current and projected infrastructure accounted for in the General Plan.

**Impact 4.13-2: Would the Project, when combined with other past, present, or reasonably foreseeable projects, create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services?**

### i) Fire Protection and Emergency Services

**Less-Than-Significant Impact.** Fire protection services within the County of Los Angeles frequently provide services over multiple jurisdictional boundaries. The culmination of past, present and foreseeably future project would result in the need for additional fire protection services. Cumulative residential, industrial and commercial projects would depend on existing and expanded fire protection services within the County. As analyzed in *Impact Analysis*, the Project would require the incorporation of the County's Developers Fee Program. The County's Developers Fee Program would fund the purchase and construction of new fire stations to provide adequate services as a result of new development. Since the ESGVAP would not induce regional population growth beyond SCAG projections, the demand for public services would be consistent





## Los Angeles County Title 22 Planning and Zoning Codes - Mitigation Fees

### Library Facilities Mitigation Fee

New residential development in the unincorporated areas of Los Angeles County is subject to a library mitigation fee. The fee is intended to supplement facilities needs and mitigating the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$~~1,094.00-967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23).

E-1  
(cont)

### Law Enforcement Facilities Fee

According to Chapter 22.14, Definitions, of Los Angeles County's Title 22 Planning and Zoning Code, law enforcement facilities fees help to fund facility improvement that are needed as a result of new residential, office, commercial or industrial development projects. The three-law enforcement facility fee zones are as follows (County of Los Angeles 2022b):

- Zone 1: Santa Clarita Zone
- Zone 2: Newhall Zone
- Zone 3: Gorman Zone

## Existing Environmental Conditions

The San Gabriel Valley is one of the major geographic areas of Southern California. The Valley is bounded by the San Gabriel Mountains to the north, the Chino Hills and San Jose Hills to the east, the Puente Hills to the South, and the San Rafael Hills to the west. The Valley is named after the southward flowing San Gabriel River, which runs through the center of the San Gabriel Valley, and serves as one of the boundaries of the East San Gabriel Valley Planning Area. The East San Gabriel Valley is a subregion of the San Gabriel Valley. This subregion is also one of the planning areas established by the General Plan. This planning area is located south of the Angeles National Forest, west of San Bernardino County, North of Orange County, and generally east of the Interstate-605 and the San Gabriel River. There are 13 cities and 24 unincorporated communities in the East San Gabriel Valley. The ESGVAP addresses future growth in the unincorporated portion of the ESGV.

There are a total of 12 County libraries located within the ESGVAP area. Additionally, there are a total of 11 police and sheriff stations (County of Los Angeles 2015c), 32 fire stations (County of Los Angeles 2020), and 15 school districts within the East San Gabriel Valley planning area (County of Los Angeles 2015a).

## 4.13.2 Environmental Impacts

### Methodology

Evaluation of impacts related to Public Services is based on a review of existing policies, documents, and studies that address these services in the county. Information obtained from these sources was reviewed and summarized to describe existing conditions and to identify environmental effects based on the standards of significance presented in this section. In

## Response to Comment E-1

This comment notes that the Library Facilities Mitigation Fee for Library Planning Area 4, East San Gabriel Valley, should be updated to reflect the current fee of \$1,094.00 per dwelling unit. The County appreciates the LA County Library including a redline version of the amendment to the Draft PEIR noting the changes. The County agrees with these amends, and as such, Pages 4.13-9 and 4.13-16 of the Draft PEIR are amended as follows:

### Library Facilities Mitigation

“Fee New residential development in the unincorporated areas of Los Angeles County is subject to a library mitigation fee. The fee is intended to supplement facilities needs and mitigating the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$1,094.00 ~~967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23).” *(Page 4.13-9 of the Draft EIR)*

### v) Libraries

### Less-Than-Significant Impact

“While the ESGVAP itself would not create additional housing, rezoning would allow for new housing development with increased local population densities. The ESGVAP would not induce regional population growth beyond SCAG projections. Los Angeles County’s library mitigation fee program requires residential development projects to pay a fee which acts to mitigate adverse impacts as a result of development. The fee is intended to supplement facility needs and mitigate the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$1,094.00 ~~967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23).” *(Page 4.13-16 of the Draft EIR)*

While these revisions update the Los Angeles County Library fee, these revisions do not change the Draft PEIR’s significance conclusion or result in a conclusion that significantly more severe environmental impacts will result from the Project.

## Response to Comment E-2

This comment provides Los Angeles County Library’s contact information. The County acknowledges the contact information for future reference during the environmental review process. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.



April 11, 2023

VIA EMAIL ([commplan@planning.lacounty.gov](mailto:commplan@planning.lacounty.gov))

Mi Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES  
Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, California 90012

**Re: East San Gabriel Valley Area Plan – Comments on Draft Environmental Impact Report, Project No. PRJ2020-000612, Advance Planning Case No. RPPL2022003554**

Dear Ms. Kim:

## INTRODUCTION

Aera Energy LLC (“Aera”) appreciates the opportunity to comment on the Draft Environment Impact Report (“DEIR”) for the proposed Los Angeles County (“County”) East San Gabriel Valley Area Plan (“Area Plan”). We ask that the County include this comment letter in the record of proceedings for Advance Planning Case No.: RPPL2022003554 and respond to the environmental concerns raised herein in accordance with its obligations under the California Environmental Act (“CEQA”).

F-1

As County staff is aware, Aera owns 2,614 acres within the proposed Area Plan (“Aera Property”). By and through adoption of the Area Plan, the County proposes to **downzone** the vast majority of the Aera Property, yet the Area Plan and its corresponding Draft Environmental Impact Report (“DEIR”) utterly fail to disclose and analyze the proposed changes to the use designations and/or zoning for the Aera Property. To understand the scope and magnitude of changes the County proposes, Aera was forced to undertake its own investigation utilizing the County’s GIS planning tool.<sup>1</sup> That investigation, not the Area Plan or DEIR, disclosed that the County proposes to downzone significant portions of the Aera Property by assigning those portions of real property “degraded” use designations.

F-2

This purported downzoning is disconcerting, given that the Area Plan and DEIR make it clear that the County intends to incentivize and facilitate higher density housing and commercial activity within a one-mile radius of existing and potential future transit opportunities. However, as discussed below, such “smart growth” strategies are not mutually exclusive nor prohibitory of potential future use of the Aera Property justifying or in any way rendering necessary or correlated the proposed use changes in the Area Plan.

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<sup>1</sup> <https://lacounty.maps.arcgis.com/apps/instant/lookup/index.html?appid=4aa28c9e872a4f4381c3fb9cab5d228d>

M. Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES, Department of Regional Planning  
April 11, 2023  
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As discussed further below, such downzoning violates state housing law. Furthermore, such downzoning is not disclosed or analyzed anywhere in the DEIR or any maps in the DEIR's appendices. The proposed alternative use classification for much of the Aera Property, Rural Land 40 ("RL40"), is never mentioned in the proposed Area Plan text, is never referenced in the DEIR, and is nowhere to be found on any of the legends in the maps of proposed land uses in the public review materials or the appendices to the DEIR. Thus, any such use change would be illegal under the California Government Code and would violate CEQA in many respects, as also discussed further below. Accordingly, we ask that the use designations and zoning for the entirety of the Aera Property remain unchanged.

F-3

Filed concurrently with this legal analysis is a letter from Aera real estate professionals that have carried on a collaborative and productive dialogue with County staff for over a decade regarding potential future uses for the Aera Property. These Aera representatives, or any Aera representatives for that matter, had no advance notice of any proposed change in use designation or downzoning in conjunction with the Area Plan or otherwise. As explained in that companion letter, such changes are both antithetical and inconsistent with both the substance and spirit of that collaborative dialogue to date. Consistent with the request of this letter based on the legal infirmities addressed herein, that letter requests that no change be made to either the use designations or zoning for the Aera Property.

F-4

## The Area Plan

The Area Plan collectively includes a proposed General Plan Amendment, Ordinance, and Zone Change, all of which would take effect upon adoption of the Area Plan by the County Board of Supervisors. All of these components of the Area Plan collectively make up the "Project" that is analyzed in the DEIR under CEQA. (DEIR, Chapter 3.) The Area Plan purports to provide a planning vision for 24 unincorporated communities in East San Gabriel Valley. The text of the Area Plan, the DEIR, and Notice of Availability of the DEIR each present a focused and consistent intent and purpose for the land encompassed within the Area Plan. As stated in the DEIR: "The ESGVAP includes changes in land use designations and zoning in order to **increase** residential density and commercial and mixed uses in areas near transit amenities." (DEIR, pg. ES-1, **emphasis** added.) The DEIR elaborates further on this point in its discussion of the proposed General Plan Amendment as follows:

F-5

"Propose[ ] land use changes to **increase** housing and enhance commercial and residential development within one mile of major transit stops, within a half mile of HQTAs, and near major intersections where there is accessibility to existing or proposed frequent transit and commercial services. The goal of these land use changes would be to target growth near transit and active transportation facilities and everyday commercial services, and coordinate growth with improvements and investments that

M. Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES, Department of Regional Planning  
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support walkable, thriving, and connected communities.” (DEIR, pg. 3-7, *emphasis* added.)

F-5  
(cont)

There is an existing community plan for Rowland Heights, and the Area Plan would supersede that plan and govern the area, including the Aera Property and its existing use designations under the Rowland Heights Community Plan, only according to the proposed provisions of the Area Plan. (*See*, DEIR, pp. 3-1, 3-4.)

F-6

In the entirety of the text of the proposed Area Plan and the DEIR, there is no mention whatsoever of downzoning or changes to a less intense use designation for the Aera Property, or any other properties for that matter. Similarly, the Notice of Availability did not disclose the proposed downzoning or less intense use designation changes. As noted above, the RL40 General Plan use designation is never referenced in the Notice of Availability, the text of the DEIR, the maps in the appendices to the DEIR, explanatory public review materials for the Rowland Heights portion of the Area Plan,<sup>2</sup> or, based on our review, any written materials publicly available related to or analyzing the proposed Area Plan. Perhaps most conspicuous, Appendix C of the DEIR purports to include maps depicting the new allowable use designations and zoning for each community included in the Area Plan. The map purporting to depict the new allowed uses for the Rowland Heights community does not even include an RL40 designation in its legend nor the map itself.<sup>3</sup>

F-7

### The Aera Property

Aera owns 2,292 acres within the Rowland Heights community of the Area Plan and an additional 322 acres in the South Diamond Bar community of the Area Plan. The Aera Property borders the southern boundary of the Area Plan, the Rowland Heights portions lying west of the 57 freeway, and the South Diamond Bar acreage lying to the east.

Existing use designations under the Rowland Heights Community Plan, a component of the County’s General Plan, include Non-Urban 1 (“N1”), Urban 1 (“U1”), and others. These designations allow for residential uses. According to the interactive GIS planning tool posted by the County – though not discussed or mapped on any Area Plan or DEIR materials – the lowest density designation in the entire County General plan, RL40, is now proposed for much of the Aera Property.

F-8

<sup>2</sup> For example, see the Rowland Heights Community Profile document at [https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2019/03/ESGV\\_RowlandHeights\\_ComProfile\\_20190304.pdf](https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2019/03/ESGV_RowlandHeights_ComProfile_20190304.pdf)

<sup>3</sup> Appendix C is available at [https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2023/02/Appx-C\\_LU-Zoning-Change-Figs.pdf](https://planning.lacounty.gov/site/esgvap/wp-content/uploads/2023/02/Appx-C_LU-Zoning-Change-Figs.pdf)

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COUNTY OF LOS ANGELES, Department of Regional Planning  
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## **THE PROPOSED DOWNZONING TO A LESS INTENSE USE DESIGNATION VIOLATES STATE HOUSING LAW**

California is in the midst of an unprecedented housing crisis. The California Legislature has passed a myriad of laws aimed at incentivizing and streamlining housing approvals and production as well as curtailing the legal discretion of cities and counties to deny or restrict housing. One such provision prohibits a city or county from changing use designations to less intense allowance for housing where governing regulations as of 2018 permitted residential uses. Specifically, the Housing Crisis Act of 2019 provides in relevant part:

“Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B). For purposes of this subparagraph, ‘less intensive use’ includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing.” (Ca. Gov. Code § 66300, subd. (b)(1)(A).)

The use designations governing the Area Property under the existing Rowland Heights Community Plan – in place since and well before 2018 – allow for residential uses. As noted above, however, the Area Plan proposes to reduce the residential allowance to “less intense use,” the least intense use allowed under the County General Plan, in fact, RL20. Such degradation of allowed residential use is in direct violation of section 66300 of the Government Code. Accordingly, no change in the use designation or zoning of the Area Property should be undertaken with the Area Plan.

M. Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES, Department of Regional Planning  
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## **THE DEIR'S FAILURE TO INCLUDE OR IN ANY WAY ANALYZE THE PROPOSED CHANGE IN USE OR DOWNZONING OF THE AERA PROPERTY VIOLATES CEQA**

An EIR must be prepared with a sufficient degree of analysis to provide decision-makers with the information needed to make an intelligent decision concerning a project's environmental consequences. (Guidelines § 15151.)<sup>4</sup> Included with that mandate is that an EIR must include a description of the existing environment in the vicinity of the project from both a local and regional perspective. (Guidelines § 15125(a).) This discussion of the "environmental setting" should include an analysis of any inconsistencies between the proposed project and applicable general, specific, or regional plans. (Guidelines § 15125(d).)

F-10

An EIR's project description must include the entire project being proposed for approval and not just certain aspects of it. (Guidelines § 15378; *Habitat & Watershed Caretakers v. City of Santa Cruz* (2013) 213 Cal.App.4<sup>th</sup> 1277, 1297; *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4<sup>th</sup> 1209, 1220.) When an EIR is comparing a proposed project with an existing plan, the EIR must examine existing conditions at the time of notice of preparation as well as future conditions envisioned in the plan. (Guidelines § 15125(e).)

F-11

An EIR must describe a reasonable range of alternatives to the project, or to its location, that could feasibly attain the project's basic objectives while reducing or avoiding any of its significant impacts, including the comparative merits of each alternative. (Pub. Res. Code § 21100(b)(4); Guidelines § 15126.6(a)—(e).)

F-12

The DEIR does not merely do an "inadequate" or "insufficient" review of the impacts arising from a significant downgrading of allowable residential use of the Aera Property, the DEIR ignores it completely. The complete absence of reference to the Aera Property downzoning use change, let alone any recognition or analysis of the environmental consequences therefrom, renders the DEIR a virtual nullity as an information document for decision-makers considering all consequences of adoption of the Area Plan, as mandated by CEQA.

F-13

The primary intent and purpose of the Area Plan is very clear and straightforward in the text of the Area Plan and supporting explanatory materials: the County will, over the life of the Aera Plan, intensify residential densities, commercial and retail uses, and mobility alternatives in areas within a one-mile radius of identified transit resources or future opportunities throughout the Area Plan communities. And the DEIR is clearly focused on identifying that dynamic and studying its potential environmental impacts, if adopted. This narrow and even myopic focus is underscored by the fact that the DEIR proposes only two substantive alternatives, and those alternatives study only shortening the radius of the focus areas from one mile to a half mile and a

F-14

<sup>4</sup> References to "Guidelines" refer to the CEQA Guidelines, Ca. Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 – 15387.



M. Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES, Department of Regional Planning  
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quarter mile, respectively. This does not meet the legal standard identified above. (Pub. Res. Code § 21100(b)(4); Guidelines § 15126.6(a)—(e).)

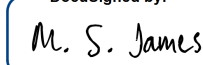
However, the DEIR's project description makes no reference to nor does its analysis in any way evaluate the downzoning use downgrading of the Aera Property. Similarly, the two substantive alternatives have no bearing whatsoever on the proposed treatment of the Aera Property.

As noted, on preliminary review of both the text of the Area Plan as well as the DEIR, Aera had no indication whatsoever that the Area Plan purported to make such drastic changes to the allowable uses of its properties within the Area Plan boundaries. Even more striking, the Notice of Availability purporting to alert stakeholders how adoption of the Area Plan might impact their interests went to great lengths to highlight the one-mile-radius dynamics relative to transit opportunities but gave no indication whatsoever of potentially detrimental enactments to properties outside of such a planning radius. It is only once someone checks a specific parcel via a County GIS planning tool that one discovers that an entirely different uses category – a category not even noted or otherwise included on mapping exhibits or text in the DEIR – would govern the property in the future. Such failure to include information or analysis of its potential environmental impacts fails CEQA's legal mandates as to the sufficiency of the DEIR as an informational document to provide decision-makers with the information needed to make an intelligent decision concerning a project's environmental consequences.

## CONCLUSION

The Area Plan's proposed lessening of the intensity of allowable residential uses on the Aera Property violates state housing law, specifically Government Code Section 66300. Further, the DEIR's failure to recognize, analyze, propose alternatives to, or even in any way mention or map the proposed downzoning use degradation violates CEQA's mandates relating to the project description, existing conditions and baseline, consequences relative to existing plans such as the Rowland Heights Community Plan, and sufficient consideration of alternatives.

For all of these reasons, Aera respectfully requests that any proposed change in use or other alteration of the governing standards under the existing Rowland Heights Community Plan for the Aera Property be removed from the proposed Area Plan. We appreciate your consideration and attention to these concerns.

Sincerely,  
DocuSigned by:  
  
E7B1B7158D4F420...  
Michael S. James  
Senior Counsel  
Aera Energy LLC

F-14  
(cont)

F-15

F-16



## Response to Comment F-1

This comment is introductory in nature, requesting the comment to be included in the record of proceedings. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment F-2

This comment notes that Aera Energy LLC own a considerable portion of land within the ESGVAP area and asserts that the Draft PEIR fails to disclose and analyze the proposed changes to the use designations and/or zoning for the Aera Property. The comment proceeds to declare that the County plans to downzone significant portions of the Aera Property, which would have “degraded” use designations and that the downzoning is disconcerting given that the County intends to incentivize and facilitate higher density housing. Existing zoning does not establish a base requirement for density, but instead establishes a maximum density. As such, all property owners have flexibility in determining their project’s density. Downzoning is a less intensive land use, and thus overall, is likely to have a lesser environmental impact. According to State CEQA Guidelines Section 21002.1(a):

*“The purpose of an environmental impact report is to identify the significant effects on the environment of a project...”*

The less intensive land use designation, therefore, is not required to be analyzed within the Draft PEIR as it would lead to a reduction in land use density, which would not result in a significant impact.

Additionally, the County is looking to prioritize transit-oriented development, and thus, housing in transit areas has been upzoned while downzoned elsewhere to ensure that development accords with the ESGVAP goals such as sustainable growth and diverse, walkable communities and minimizes vehicle miles traveled. Senate Bill 330 (SB 330) prohibits local jurisdictions from downzoning unless they upzone an equivalent amount elsewhere within their boundaries. The downzoning of the Aera property site has been considered in combination with upzoning elsewhere in the ESGVAP. Nonetheless, SB 330 does not apply to the Aera property site because the site is not located in an urbanized area or urban cluster, as designated by the United States Census Bureau. As shown in Table 4.12-5 of the Draft PEIR, the ESGVAP estimated build-out would increase the housing supply by approximately 13,825 units and would increase population by approximately 47,380 individuals by 2035. As specified on page 4.12-10 of the Draft PEIR:

*“The ESGVAP encourages indirect increases in population near community centers through zoning and other policies... Additional zoning changes in other areas of the communities are not expected to result in growth, thus minimizing the potential for unplanned growth to occur elsewhere. Zoning regulations limit the density of development, which will guide future development to be consistent with the ESGVAP goals.”*

The proposed Project is therefore consistent with the overall goals of SB 330.

Furthermore, regarding the Aera property site, according to the California Geologic Energy Management Division (CalGEM) Well Finder website<sup>1</sup>, there are a number of oil wells that are active, plugged/capped, inactive, or idle within the Brea-Olinda oil/gas field, which occupies much of the Aera property site. This, coupled with the moderate and very high Fire Hazard Severity Zones that is also present within the Aera property site, would mean the location of intensive housing within the periphery of sensitive land uses and very high fire hazard zones would not be consistent with the legislative intent of CEQA in Section 21001(d) to:

*“Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian.”*

The Aera property site is also encapsulated by the Puente Hills Significant Ecological Area (SEA). As mentioned in Section 4.4-7 of the Draft PEIR, the Puente Hills SEA represents the only large complex of multiple, relatively undisturbed habitats in the southeastern portion of the County and a crucial wildlife/habitat linkage to Chino Hills State Park. High density land use would be inharmonious with the environs and biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Project area, rather than continued use of the N-1, TON-1 and TOU-1 designations. Also, these areas are constrained by Hillside Management Areas which further limit potential development. Additionally, there is a key wildlife crossing, the Harbor Boulevard wildlife underpass, which supports the longevity of the Puente-Chino Hills Wildlife Corridor. This was the first wildlife underpass built in the County of Los Angeles and necessitates biological protections and buffering around the wildlife crossing for safe usage by wildlife, which is also incompatible with high-density land uses. The proposed land use designations will be able to better regulate developments in these areas so that biological resources are adequately protected, natural space is preserved, and future residential areas are safely situated outside of very high fire hazard severity zones.

### Response to Comment F-3

This comment asserts that downzoning violates state housing law. The comment proceeds to note that the downzoning of the Aera Property was not discussed in the Draft PEIR and that the change to Rural Land 40 (RL40) is not discussed and would be illegal under the California Government Code and would violate CEQA. The comment requests that the use designations and zoning for the entirety of the Aera Property remain unchanged. However, as mentioned in Response to Comment F-2, the downzoning of the property to a less intensive land use designation does not need to be analyzed within the Draft PEIR, as it would result in a reduction in land use density, which would not result in a significant impact. For the reasons set out in Comment F-2, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site and does not violate SB 330 because SB 330 does not apply to the Aera property site. Additionally, the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan, as well as associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. The Web App is dynamic and as part of ongoing outreach

<sup>1</sup> California Geologic Energy Management Division. 2023. Well Finder. Available at: <https://maps.conservation.ca.gov/doggr/wellfinder/#/-117.89477/33.95064/15>

efforts undertaken by the County, is updated frequently. The Web App, however, has shown the land proposed as RL40 since before the publication of the Draft PEIR.

### **Response to Comment F-4**

This comment notes that a companion letter from Aera real estate professionals is being submitted with this Comment Letter (see Comment Letter G for details). This comment also states that no advanced notice of any proposed change in use designation or downzoning was given. This letter also requests that no change be made to either the use designations or zoning for the Aera Property. However, as part of the community outreach for the Project, a number of engagement methods were undertaken, including efforts through community-based organizations, community presentations, tabling sessions, numerous online methods, and social media. Additionally, notifications were sent to property owners in the ESGVAP area for parcels with proposed updates to their zoning and/or land use categories. County records for this Project indicate that an Aera representative (Mr. Noah Adler) signed up to be on the project contact list in May 2022, and has thus been included in every outreach effort for the Project. At the very least, as an affected landowner in the ESGVAP area, Aera were sent Project notifications, as follows:

- Aera Energy LLC (2020 Saturn Street, Suite 101, Brea, CA 92821) was included on the Project's April 2022 Notice of Preparation, January 2023 Notice of Zone Change, and February 2023 Draft PEIR Notice of Completion/Notice of Availability lists to receive email and postal mail notifications about the Project;
- Noah Adler (nadler@manatt.com), representative for Aera Energy, was added to the Project's contact list on May 6, 2022 via a County Department of Regional Planning sign-up form;
- Aera Energy LLC was mailed a Notice of Zone Change in January 2023;
- Noah Adler (nadler@manatt.com), representative for Aera Energy, subscribed (and was subsequently added) to the Project's email notification list on March 30, 2023;
- Noah Adler (nadler@manatt.com), representative for Aera Energy, registered to attend the Project's March 30, 2023 stakeholder meeting; and
- Noah Adler spoke with County Department of Regional Planning staff on May 15, 2023 about the Project;

Please also see Response to Comment F-2 for information on the proposed downzoning of the Aera property site.

### **Response to Comment F-5**

This comment provides a summary of the Area Plan. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment F-6**

This comment reiterates the Area Plan would supersede the existing community plan for Rowland Heights. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment F-7

This comment reiterates the points made within Comment F-3 regarding downzoning and notes that the Notice of Availability also does not include information on the downzoning. The comment further notes that Appendix C of the Draft PEIR for the Rowland Heights community does not include a Rural Land 40 (RL40) designation in its legend nor on the map itself. Please see Response to Comment F-2 for further details on why the downzoning was not required to be analyzed as per CEQA in the Draft PEIR. As mentioned in Response to Comment B-7 (and reiterated in Response to Comment F-3), the Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan, as well as associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App. The Web App is dynamic and as part of ongoing outreach efforts undertaken by the County, is updated frequently whereas the Draft PEIR captures in essence a point in time. The Web App shows the proposed land use policy as RL40.

## Response to Comment F-8

This comment provides information on the location and size of the Aera Property within the Rowland Heights community, summarizes the existing land uses per the Rowland Heights Community Plan, and notes that the interactive GIS planning tool shows much of the Aera Property has been zoned as Rural Land 40 (RL40), which was not discussed or mapped on any Area Plan or Draft PEIR materials. For the reasons set out in Response to Comment F-2, as per CEQA, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment F-9

This comment asserts that downzoning to a less intense use designation violates state housing law and provides an excerpt of the Housing Crisis Act of 2019. The comment further asserts that the existing land use designations for the Aera Property allow for residential use, but through downzoning, the Project would violate section 66300 of the Government Code and thus no change in the use designation or zoning of the Aera Property should be undertaken with the ESGVAP. As explained within the ESGVAP, most of the updates are being made to bring the zoning and land use policy designation into conformance with one another and ensure compatibility of land uses. As also explained in Response to Comment F-2, it is permissible to upzone in some areas and downzone in others without any violation of state law provided the local jurisdictions upzone an equivalent amount to the downzone elsewhere within their boundaries. Finally, SB 330 does not apply to the Aera property site as discussed under Response to Comment F-2.

## Response to Comment F-10

This comment asserts that the Draft PEIR's failure to include or in any way analyze the proposed change in use or downzoning of the Aera property violates CEQA (inclusive of excerpts from the State CEQA Guidelines). For the reasons set out in Response to Comment F-2, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site and no further response is required.

## Response to Comment F-11

This comment provides information from case law and the State CEQA Guidelines, as it relates to an EIR's project description. The comment notes that an EIR's project description must include the entire project being proposed for approval and not just certain aspects of it. The comment further states that when an EIR is comparing a proposed project with an existing plan, the EIR must examine existing conditions at the time of notice of preparation as well as future conditions envisioned in the plan. Chapter 2 of the Draft PEIR provides a comprehensive project description that includes the entire project being proposed for approval, which is the ESGVAP in its entirety. The Draft PEIR is not comparing the ESGVAP to an existing plan, as it is a new plan for the Plan area. Nonetheless, as per CEQA, the entire Draft PEIR (inclusive of 20 technical topics, two of which are covered in the Initial Study) includes analysis of the existing conditions at the time of the notice of preparation (April 2022), as well as future conditions envisioned under the ESGVAP.

## Response to Comment F-12

This comment provides information from the State CEQA Guidelines, as it relates to project alternatives. The comment notes that an EIR must describe a reasonable range of alternatives to the project, or to its location, that could feasibly attain the project's basic objectives while reducing or avoiding any of its significant impacts, including the comparative merits of each alternative. As comprehensively described in Chapter 5, *Project Alternatives*, of the Draft PEIR, a total of five alternatives to the proposed Project were considered and analyzed, as follows:

- Alternative Location/Alternative Sites
- Reduced Development Project
- No Project Alternative
- 0.5-Mile Transit Planning Radius Alternative
- 0.25-Mile Transit Planning Radius Alternative

The comparative merits of each alternative are described on Pages 5-49 and 5-50 of the Draft PEIR. As per CEQA, the environmentally superior alternative was identified, which is the 0.25-Mile Transit Planning Radius Alternative.

## Response to Comment F-13

This comment notes the absence of reference to the Aera property site downzoning use change. For the reasons set out in Response to Comment F-2, the Draft PEIR is not required by CEQA to analyze the effects of downzoning the Aera property site since potential environmental impacts would be reduced or eliminated.

## Response to Comment F-14

This comment states that the Draft PEIR does not contain an appropriate alternatives analysis. However, per State CEQA Guidelines Section 15126.6(a), an EIR need not consider every conceivable alternative to a project (also note *Mount Shasta Bioregional Ecology Center v.*

*County of Siskiyou* (2012) 210 Cal.App.4th 184). Since the State CEQA Guidelines note the alternatives considered may include alternative approaches, sites, or both, and that alternatives do not need to be considered in the same level of detail as the proposed Project (Section 15126.6(d)), the Draft PEIR adheres to State CEQA Guidelines Sections 15126.6(a) through (e), as comprehensively described in Chapter 5, *Project Alternatives*. Noting the alternatives considered and eliminated during the Project planning process in Section 5.4 of the Draft PEIR and the alternatives selected for further analysis (section 5.5. of the Draft PEIR), State CEQA Guidelines Sections 15126.6(a) through (e) have been considered.

### **Response to Comment F-15**

This comment reiterates the points made in Comment F-2 and Comment F-3. Please see Response to Comment F-2 and Response to Comment F-3 for details. No further response is required.

### **Response to Comment F-16**

This comment is conclusory and reiterates the points made in Comment F-2, Comment F-3, Comment F-4, Comment F-8, and Comment F-14. Please see the responses to those comments for details. No further response is required.



April 11, 2023

VIA EMAIL ([commplan@planning.lacounty.gov](mailto:commplan@planning.lacounty.gov))

Mi Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES  
Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, California 90012

**Re: East San Gabriel Valley Area Plan – Comments on Draft Environmental Impact Report, Project No. PRJ2020-000612, Advance Planning Case No. RPPL2022003554**

Dear Ms. Kim:

Aera Energy, LLC (“Aera”) is the owner of 2,292 acres within the unincorporated Rowland Heights Community of Los Angeles County (“County”), and an additional 322 acres in the unincorporated area south of the City of Diamond Bar (collectively, the “Aera Property”) – see the attached Exhibit “A” for reference. Aera received a Notice of Availability (“NOA”) from the County regarding the County’s preparation of a the Draft Environmental Impact Report (“DEIR”) for its proposed East San Gabriel Valley Area Plan (“ESGVAP”). Aera is compelled to point out that the NOA it received did not inform Aera that the Aera Property would be impacted by the ESGVAP. To the Contrary, the NOA led Aera to believe that the Aera Property would be unaffected by ESGVAP implementation. However, when Aera conducted additional investigation, it located a County interactive website, which disclosed that the County is proposing to **downzone** Aera’s 2,292 acres within the unincorporated Rowland Heights Community. Specifically, the County is proposing to downzone this land from N-1 to RL-40, which is the lowest density designation in the County. Aera strenuously objects to this downzoning and urges the County to avoid taking this action for the reasons discussed below.

G-1

Aera submits this comment letter concurrently with a companion letter from Aera’s Senior Legal Counsel, Michael James. Mr. James’ letter outlines specified legal deficiencies of the ESGVAP as to the Aera Property and we concur with Mr. James’ comments, but do not repeat them here. The purpose of this companion letter is to clearly articulate our concern that the downzoning of vast portions of the Aera Property without any advance notice or discussion with Aera is inconsistent with and detrimental to over a decade of constructive and collaborative discussions between Aera and County staff regarding potential future uses of the Aera Property.

G-2

Aera has undertaken extensive research and analysis to document the opportunities and constraints associated with the Aera Property. This research and analysis includes technical studies such as wildlife biology surveys, vegetation mapping, wetlands delineations, and geology and geotechnical investigations, among other matters. These studies demonstrate that the Aera

G-3

M. Kim, Supervising Regional Planner  
COUNTY OF LOS ANGELES, Department of Regional Planning  
April 11, 2023  
Page 2

Property could accommodate a variety of potential future uses that recognize the significant potential and location of this property while respecting and furthering the open space, habitat, viewshed, connectivity and other priorities expressed in the ESGVAP.

Further, Aera's biology studies indicate that full ecological potential of the Aera Property will require intervention from a biology and habitat standpoint. Restoration, not simply preservation, is required to achieve the biological functions envisioned in the ESGVAP and related documents. A cooperative effort between Aera and the County could achieve habitat restoration and management at no cost to the public while ensuring that open space and park dedications become permanent and available for public uses compatible with biologic functions.

Much is made of the fact that portions of the Aera Property are subject to a Significant Ecological Area ("SEA") overlay. As noted above, however, much of the ecological value of the Aera Property is *merely potential*, not existing. Significant restoration resources would need to be brought to bear to realize actual ecological potential. Additionally, we remind all stakeholders that the SEA designation is intended to ensure that alternative future uses of the site are compatible with ecology goals, not to preclude well-planned, thoughtful, and productive use of the land.

The 2,292 acres of the Aera Property located within the Rowland Heights Community are located in close proximity to the jobs-rich areas along the SR-57 and -60 freeway corridors and also the jobs-rich City of Brea to the south. That context cannot be ignored in considering appropriate future uses for the Aera Property. The Aera Property is quite large and it sits in the midst of both ecological and human dynamics, all of which factor into the comprehensive consideration of the evolution of future uses on the site.

In conclusion, the Aera Property is an unusually large contiguous property in private ownership encompassing four square miles. Aera is confident it can accommodate a variety of purposes with sensitive planning and a cooperative effort among stakeholders. A balanced plan for future uses could permanently establish essential habitats, designated wildlife corridors, and create other ecological opportunities while providing public access to regional trails and numerous other recreational pursuits. Downzoning will only invite long term litigation and ensure the property remains off-limits to the public. For all of these reasons, Aera respectfully requests that any proposed change in use or other alteration of the governing standards under the existing Rowland Heights Community Plan for the Aera Property be removed from the proposed ESGVAP. We appreciate your consideration and attention to these concerns.

DocuSigned by:  
Sincerely,  
*George Basye*  
ADB489C1BA51444...

George Basye  
Vice President, Fee Lands  
Aera Energy LLC

G-3  
(cont)

G-4

G-5



## Response to Comment G-1

This comment notes that Aera Energy LLC own a considerable portion of land within the ESGVAP area and asserts that the Draft PEIR failed to disclose the proposed downzoning to the use designations for the Aera Property. The comment notes the objection of Aera to this downzoning. As iterated in Response to Comment F-2, downzoning results in a less intensive land use, and thus, overall is likely to have a lesser environmental impact (or no environmental impact). According to State CEQA Guidelines Section 21002.1(a):

*“The purpose of an environmental impact report is to identify the significant effects on the environment of a project...”*

The less intensive land use designation, therefore, does not need to be analyzed within the Draft PEIR as it is a reduction in land use density and would not result in a significant impact.

Additionally, the County is looking to prioritize transit-oriented development, and thus, housing in transit areas has been upzoned while downzoned elsewhere to ensure that development accords with the ESGVAP goals such as sustainable growth and diverse, walkable communities and minimizes vehicle miles traveled. Senate Bill 330 (SB 330) prohibits local jurisdictions from downzoning unless they upzone an equivalent amount elsewhere within their boundaries. The downzoning of the Aera property site has been considered in combination with upzoning elsewhere and as specified in Response to Comment F-2, SB 330 does not apply to the Aera property. As shown in Table 4.12-5 of the Draft PEIR, the ESGVAP estimated build-out would increase the housing supply by approximately 13,825 units and would increase population by approximately 47,380 individuals by 2035. As specified on page 4.12-10 of the Draft PEIR:

*“The ESGVAP encourages indirect increases in population near community centers through zoning and other policies... Additional zoning changes in other areas of the communities are not expected to result in growth, thus minimizing the potential for unplanned growth to occur elsewhere. Zoning regulations limit the density of development, which will guide future development to be consistent with the ESGVAP goals.”*

Furthermore, regarding the Aera property site, according to the California Geologic Energy Management Division (CalGEM) Well Finder website,<sup>2</sup> there are a number of oil wells that are active, plugged/capped, inactive, or idle within the Brea-Olinda oil/gas field, which occupies much of the Aera property site. This, coupled with the moderate and very high Fire Hazard Severity Zones that are also present within the Aera property site, the location of intensive housing within the periphery of sensitive land uses and very high fire hazard zones would not be consistent with the legislative intent of CEQA in Section 21001(d) to:

*“Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian.”*

---

<sup>2</sup> California Geologic Energy Management Division. 2023. Well Finder. Available at: <https://maps.conservation.ca.gov/doggr/wellfinder/#/-117.89477/33.95064/15>

The Aera property site is also encapsulated by the Puente Hills Significant Ecological Area (SEA). As mentioned in Section 4.4-7 of the Draft PEIR, the Puente Hills SEA represents the only large complex of multiple, relatively undisturbed habitats in the southeastern portion of the County and a crucial wildlife/habitat linkage to Chino Hills State Park. High density land uses would be inharmonious with the environs and biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Proposed Project, rather than continued use of the N-1, TON-1 and TOU-1 designations. Also, these areas are constrained by Hillside Management Areas which further limit potential development. Additionally, as mentioned in Response to Comment F-2, there is a key wildlife crossing, the Harbor Boulevard wildlife underpass, in the vicinity which supports the longevity of the Puente-Chino Hills Wildlife Corridor and necessitates biological protections and buffering around the wildlife crossing for safe usage by wildlife, which is also incompatible with high-density land uses. The proposed land use designations will be able to better regulate developments in these areas so that biological resources are adequately protected, natural space is preserved, and future residential areas are safely situated outside of very high fire hazard severity zones.

For the aforementioned reasons, the Draft PEIR is not required to analyze the effects of downzoning the Aera property site.

## **Response to Comment G-2**

This comment notes the comment letter has been submitted concurrently with Aera's legal counsel comment letter (included herein as Letter F). Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## **Response to Comment G-3**

This comment notes the biological studies undertaken on the Aera property site to date indicate that full ecological potential of the Aera Property will require intervention from a biology and habitat standpoint, and that restoration, not simply preservation, is required to achieve the biological functions envisioned in the ESGVAP and related documents. The comment asserts that a cooperative effort between Aera and the County could achieve habitat restoration and management at no cost to the public while ensuring that open space and park dedications become permanent and available for public uses compatible with biologic functions.

As stated in Response to Comment G-1, the Aera property site is also encapsulated by the Puente Hills Significant Ecological Area (SEA). As mentioned in Section 4.4-7 of the Draft PEIR, the Puente Hills SEA represents the only large complex of multiple, relatively undisturbed habitats in the southeastern portion of the County and a crucial wildlife/habitat linkage to Chino Hills State Park. High density land uses would be inharmonious with the environs and biological resources would be better protected through the Rural Land 40 (RL40) designation included within the Proposed Project, rather than continued use of the N-1, TON-1 and TOU-1 designations. Also, these areas are constrained by Hillside Management Areas which further limit potential development, as well as the aforementioned wildlife underpass. The proposed land use designations will be able to better regulate developments in these areas so that biological

resources are adequately protected, natural space is preserved, and future residential areas are safely situated outside of very high fire hazard severity zones.

### **Response to Comment G-4**

This comment notes that the Aera property site is proximate to jobs-rich [sic] areas along the SR-57 and -60 freeway corridors and the City of Brea. However, since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

### **Response to Comment G-5**

This comment is conclusory and reiterates the request that any proposed change in use or other alteration of the governing standards under the existing Rowland Heights Community Plan for the Aera Property be removed from the proposed ESGVAP. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.



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](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



### SENT BY EMAIL ONLY

April 11, 2023

Mi Kim  
320 West Temple Street, Room 1354  
Los Angeles, CA 90012  
[MKim@planning.lacounty.gov](mailto:MKim@planning.lacounty.gov)

**Subject: East San Gabriel Valley Area Plan, Draft Programmatic Environmental Impact Report, SCH #2022040512, Los Angeles County Department of Regional Planning, Los Angeles County**

Dear Ms. Kim:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Programmatic Environmental Impact Report (DPEIR) from the Los Angeles County Department of Regional Planning (DRP) for the East San Gabriel Valley Area 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.

H-1

### **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.

H-2

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", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to 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.

Mi Kim  
 Los Angeles County Department of Regional Planning  
 April 11, 2023  
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## Project Description and Summary

**Objective:** The proposed Project is the implementation of the East San Gabriel Valley Area Plan (ESGVAP). The ESGVAP is a long-range policy document that aims to support growth, development, and maintenance of 24 unincorporated communities in the East San Gabriel Valley. The Project is an extension of the Los Angeles County General Plan with a focus on the characteristics and needs of 24 unincorporated communities. The Project will entail six elements and 15 community specific chapters with goals, policies, and actions that will be implemented and enforced. In addition, a general plan amendment, land use changes, zoning changes, and advanced planning amendments will be implemented through adoption of the ESGVAP. Zoning changes will be targeted within a one-mile radius of major transit stops and near high-quality transit corridors. To strengthen the unincorporated communities and successfully execute the Project, the following components will need to be implemented:

- Amend the Los Angeles General Plan to update, reorganize, and incorporate the existing Rowland Heights Community Plan and Hacienda Heights Community Plan as community chapters within the Project;
- Adjust the boundary of the ESGV Planning Area to include South El Monte, Pellissier Village, and North Whittier;
- Establish the proposed Project for the unincorporated communities in the ESGV Planning Area;
- Update existing zoning and land use designations to ensure consistency between the proposed Project and the General Plan land use policy map;
- Amend Title 22 to make changes to the existing zoning map;
- Incorporate the proposed rezoning as identified in the Housing Element 2021-2029;
- Rezone agricultural zones that are developed with residential uses from light agriculture to an appropriate residential zone;
- Reassess and revise the Rowland Heights Community Standards District to bring it into conformance with the proposed Project;
- Adjust the boundaries of Avocado Heights and the Trailside Ranch Equestrian Districts to create a consolidated equestrian district; and
- Establish an area-wide overlay to regulate height, ridgelines, and public communal space in new development.

There are three alternatives to the proposed Project. Alternative 1 proposes a No Project Alternative. Under Alternative 1, the existing conditions and planned development within the unincorporated communities will remain the same. No general plan amendment, land use changes, zoning changes, and advanced planning amendment will occur. Alternative 2 proposes a 0.5-Mile Transit Planning Radius Alternative. Under Alternative 2, the proposed changes described in the proposed Project will be implemented with the exception of a decreased transit planning radius. The transit planning radius will be reduced from a one-mile radius to a 0.5-mile radius. Alternative 3 proposes a 0.25-Mile Transit Planning Radius Alternative. Similar to Alternative 2, the proposed amendments for the 24 unincorporated communities will apply with the exception of a decreased transit planning radius. The transit centers and high-quality transit areas will be reduced to a 0.25-mile planning radius for both. As a result, the ESGV Planning Area will be reduced by approximately 75 percent under Alternative 3. The proposed Project and Alternatives do not approve any specific project-level development or construction activities.

Mi Kim  
 Los Angeles County Department of Regional Planning  
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**Location:** The ESGV Planning Area encompasses 51.29 square miles of unincorporated communities within the easternmost portions of Los Angeles County. The Project site is generally located south of the Angeles National Forest, north of the Orange County border, east of Interstate 605, and west of the San Bernardino County line. The Project area is comprised of the following 24 unincorporated communities: Avocado Heights, Charter Oak, Covina Islands, East Azusa, East Irwindale, East San Dimas, Glendora Islands, Hacienda Heights, North Claremont, North Pomona, Northeast La Verne, Northeast San Dimas, Rowland Heights, South Diamond Bar, South San Jose Hills, South Walnut, Valinda, Walnut Islands, West Claremont, West Puente Valley, West San Dimas, Pellissier Village, unincorporated South El Monte, and unincorporated North Whittier.

H-3  
(cont)

## Comments and Recommendations

CDFW offers the comments and recommendations below to assist DRP in adequately avoiding and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

H-4

## Specific Comments

### Comment #1: Impacts to Crotch's Bumble Bee

**Issue:** Individual projects facilitated by the Project may impact suitable habitat for Crotch's bumble bee (*Bombus crotchii*), a candidate CESA-listed species. The DPEIR does not discuss or provide mitigation measures to reduce the impact to Crotch's bumble bee.

**Specific impacts:** Individual projects facilitated under the Project may result in temporal or permanent loss of suitable nesting and foraging habitat of Crotch's bumble bee. Construction and ground-disturbing activities of future projects may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

**Why impacts would occur:** According to the Appendix E California Natural Diversity Database (CNDDDB) Search Results, there are several recorded observations of Crotch's bumble bee within the ESGV Planning Area. In addition, over 100 observations of Crotch's bumble bee have been recorded on [iNaturalist](#) throughout Los Angeles County (iNaturalist 2023). Furthermore, the ESGV Planning Area has a variety of habitats that have potential to provide foraging and overwintering sites for this candidate species. Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Ground disturbance and vegetation removal from individual projects during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas within and adjacent to the Project site. In addition to potential habitat loss, human disturbance, heavy machinery, and construction activities may result in direct mortality of Crotch's bumble bee. The DPEIR does not discuss the species and the Project's impact on Crotch's bumble bee. Additionally, the DPEIR

H-5

Mi Kim  
 Los Angeles County Department of Regional Planning  
 April 11, 2023  
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does not provide species-specific avoidance and minimization measures. Without sufficient avoidance, minimization, or mitigation measures, buildout of the ESGVAP may result in significant impacts to Crotch's bumble bee.

**Evidence impacts would be significant:** The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. The Project may substantially reduce and adversely modify habitat as well as reduce and potentially impair the viability of populations of Crotch's bumble bee. The Project may also reduce the number and range of the species without considering the likelihood that special-status species on adjacent and nearby natural lands may rely upon the habitat that occurs in the ESGV Planning Area. In addition, Crotch's bumble bee has a State ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often 5 or fewer populations). Lastly, Crotch's bumble bee is listed as an invertebrate of conservation priority under the [California Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#) (CDFW 2017). The Project's impact on Crotch bumble bee has yet to be mitigated. Accordingly, the Project continues to have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species by CDFW.

#### **Recommended Potentially Feasible Mitigation Measure(s) Required for Individual Projects Facilitated by the ESGVAP:**

**Recommendation #1:** The DPEIR should provide full disclosure of the presence of Crotch's bumble bee within the ESGV Planning Area. The DPEIR should analyze the Project's impact on floral resources, nesting habitat, and overwintering habitat for Crotch's bumble bee. Conclusions made in regard to habitat quality and suitability should be substantiated by scientific and factual data, which may include maps, diagrams, and similar relevant information sufficient to permit full assessment of significant impacts by reviewing agencies. Potential direct and indirect impacts on Crotch's should be discussed in the DPEIR. If individual projects facilitated by the Project would impact Crotch's bumble bee and its associated habitat, the DPEIR should provide measures to avoid and/or mitigate potential impacts to Crotch's bumble bee and habitat supporting the species.

**Mitigation Measure #1:** For individual projects that have suitable foraging or nesting habitat for Crotch's bumble bee, the project applicant should retain a qualified entomologist with the appropriate take authorization to conduct surveys to determine presence/absence. Surveys should be conducted within one year prior to vegetation removal and/or grading throughout the entire project site by a qualified entomologist familiar with the species' behavior and life history. A minimum of three surveys should also be conducted during peak flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). The qualified entomologist should utilize a non-lethal survey methodology and obtain appropriate photo vouchers for species confirmation (CBBA 2023). During the surveys, the entomologist should flag inactive small mammal burrows and other potential nest sites to reduce the risk of take. Survey results, including negative findings, should be submitted to CDFW prior to obtaining appropriate permits. At minimum, a survey report should provide the following:

- a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee. CDFW recommends the map show surveyor(s) track

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lines to document that the entire site was covered during field surveys.

- b) Field survey conditions that should include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.
- c) Map(s) showing the location of nests/colonies.
- d) A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).

**Mitigation Measure #2:** If Crotch's bumble bee is detected, the qualified entomologist should identify the location of all nests within and adjacent to the project site. A 15-meter no disturbance buffer zone should be established around any identified nest(s) to reduce the risk of disturbance or accidental take. A qualified entomologist should expand the buffer zone as necessary to prevent disturbance or take.

**Mitigation Measure #3:** If Crotch's bumble bee is detected and impacts to Crotch's bumble bee cannot be feasibly avoided, project applicants should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). Appropriate authorization from CDFW under CESA may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to the project and mitigation measures may be required to obtain an ITP. 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 for the Project unless the Project's CEQA document addresses all the Project's impact on CESA endangered, threatened, and/or candidate species. The Project's CEQA document should also specify a mitigation monitoring and reporting program that will meet the requirements of an ITP. It is important that the take proposed to be authorized by CDFW's ITP be described in detail in the Project's CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP. However, it is worth noting that mitigation for the Project's impact on a CESA endangered, threatened, and/or candidate species proposed in the Project's CEQA document may not necessarily satisfy mitigation required to obtain an ITP.

**Mitigation Measure #4:** Any floral resource associated with Crotch's bumble bee that will be removed or damaged by individual projects should be replaced at no less than 1:1. Floral resources should be replaced as close to their original location as is feasible. If active Crotch's bumble bee nests have been identified and floral resources cannot be replaced within 200 meters of their original location, floral resources should be planted in the most centrally available location relative to identified nests. This location should be no more than 1.5 kilometers from any identified nest. Replaced floral resources may be split into multiple patches to meet distance requirements for multiple nests. These floral resources should be maintained in perpetuity and should be replanted and managed as needed to ensure the habitat is preserved.

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## **Comment #2: Impact on Coastal California Gnatcatcher and Southwestern Willow Flycatcher**

**Issue:** Individual projects facilitated by the Project may impact designated critical habitat for coastal California gnatcatcher (*Poliophtila californica californica*), an Endangered Species Act (ESA)-listed threatened species and a California Species of Special Concern (SSC). Individual projects may also impact critical habitat for southwestern willow flycatcher (*Empidonax traillii extimus*), an ESA-listed and CESA-listed species. The DPEIR does not provide mitigation measures to reduce impacts to these special-status species and their critical habitat.

**Specific impacts:** Individual projects that involve grading activities, vegetation removal, or habitat modification will result in permanent loss of critical habitat for coastal California gnatcatcher and southwestern willow flycatcher. Individual projects facilitated by the Project during breeding and nesting season may also result in nest abandonment, reproductive suppression, or incidental loss of fertile eggs or nestlings.

**Why impact would occur:** Figure 4.4-2 Designated Critical Habitats provided in the DPEIR demonstrates that critical habitat for special-status species exists within the ESGV Planning Area. Critical habitat for coastal California gnatcatcher is located within the center and southern portion of the ESGV Planning Area. For southwestern willow flycatcher, designated critical habitat is located in the upper western portion of the ESGV Planning Area. In addition to critical habitat, Appendix E lists several recorded observations of both avian species within the ESGV Planning Area. Moreover, the DPEIR states that, "Future projects could result in modification of designated critical habitat for coastal California gnatcatcher...". Although these critical habitats occur primarily within protected Significant Ecological Areas (SEAs), construction activities from individual projects may result in impacts if they are located adjacent to these designated critical habitats. In addition, habitat supporting these species may occur outside of the designated critical habitat areas and could be adversely impacted depending on the location of individual projects. Despite the DPEIR identifying that buildout of the ESGVAP will result in impacts to critical habitat, the CEQA document does not present any mitigation measures to avoid or minimize these impacts. Furthermore, future construction activities could create elevated levels of noise, human activity, dust, and ground vibrations. These disturbances and stressors occurring near potential nests could cause coastal California gnatcatcher and southwestern willow flycatcher to abandon their nests, resulting in the loss of fertile eggs or nestlings. Removal of trees and shrubs within a project site may also result in direct loss of breeding habitat for both special-status species. Lastly, the DPEIR states that, "Due to the loss of common habitats and diminished resource availability, impacts to special-status species remain significant at the ESGVAP level".

**Evidence impact would be significant:** The Project could result in impacts on coastal California gnatcatcher and southwestern willow flycatcher. As an ESA-listed species, both birds are considered an endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380). The coastal California gnatcatcher is also designated as an SSC species. An SSC is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
- is listed as ESA-, but not CESA-, threatened, or endangered; meets the State definition

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- of threatened or endangered but has not formally been listed;
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and/or,
- has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA threatened or endangered status (CDFW 2023b).

CEQA provides protection not only for ESA and CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take of coastal California gnatcatcher and southwestern willow flycatcher could require a mandatory finding of significance (CEQA Guidelines, § 15065). Take under the ESA is more broadly defined than CESA. Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting.

The Project's impact on coastal California gnatcatcher and southwestern willow flycatcher has yet to be mitigated. Accordingly, the Project continues to have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species by CDFW and USFWS.

#### **Recommended Potentially Feasible Mitigation Measure(s) Required for Individual Projects Facilitated by the ESGVAP:**

**Recommendation #2:** Take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CDFW recommends individual projects facilitated under this Project that may result in potential take, consult with USFWS, in order to comply with ESA, well in advance of any ground disturbing activities and/or vegetation removal that may impact coastal California gnatcatcher and southwestern willow flycatcher.

**Mitigation Measure #5:** Individual projects that are located within or adjacent to suitable or designated critical habitat for coastal California gnatcatcher should conduct surveys to determine presence/absence. The project applicant should retain a qualified biologist with an appropriate USFWS permit to survey the project site. The qualified biologist should conduct surveys according to USFWS [Coastal California Gnatcatcher \(\*Poliophtila californica californica\*\) Presence/Absence Survey Guidelines](#) (USFWS 1997). The survey protocol requires a minimum of six surveys to be conducted at least one week apart from March 15 through June 30 and a minimum of nine surveys at least two weeks apart from July 1 through March 14. The protocol should be followed for all surveys unless otherwise authorized by the USFWS in writing (USFWS 1997). CDFW recommends gnatcatcher surveys be conducted and USFWS notified (per protocol guidance) prior to issuance of a grading permit.

**Mitigation Measure #6:** Individual projects that are located within or adjacent to suitable or designated critical habitat for southwestern willow flycatcher should conduct surveys to determine presence/absence. The project applicant should retain a qualified biologist with an appropriate USFWS permit to survey the project site during an appropriate time. The qualified biologist should conduct surveys according to [A Natural History Summary and Survey Protocol](#)

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[for the Southwestern Willow Flycatcher](#) (USGS 2010). CDFW recommends southwestern willow flycatcher surveys be conducted and CDFW/USFWS notified prior to issuance of a grading permit.

**Mitigation Measure #7:** If southwestern willow flycatcher is detected and impacts cannot be feasibly avoided, project applicants should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). Project applicants should provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

**Mitigation Measure #8:** For individual projects facilitated by the Project that will result in permanent loss of critical habitat for either species, the project applicant should provide replacement habitat at no less than 2:1 for the total acreage of impacted habitat. Replacement habitat should be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed by the project applicant prior to any ground-disturbing activities or vegetation removal.

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**Comment #3: Impacts to Special-Status Plants and Sensitive Natural Communities**

**Issue:** Individual projects facilitated by the Project may continue to have a significant impact on CESA and/or ESA-listed plants and sensitive natural communities.

**Specific Impacts:** Individual projects facilitated by the Project may result in the loss of individuals and populations of rare, threatened, and endangered plants including, but not limited to the following plant species listed in Table 1. In addition, individual projects could result in habitat modification or permanent loss of sensitive natural communities.

Table 1. Rare plants that may be impacted by individual projects.

Species Name	CESA status	ESA status	State Rare Rank	California Rare Plant Rank
White rabbit-tobacco ( <i>Pseudognaphalium leucocephalum</i> )			S2	2B.2
Thread-leaved brodiaea ( <i>Brodiaea filifolia</i> )	endangered	threatened	S2	1B.1
Southern Tarplant ( <i>Centromadia parryi</i> ssp. <i>australis</i> )			S2	1B.1
Slender mariposa-lily ( <i>Calochortus clavatus</i> var. <i>gracilis</i> )			S2/S3	1B.2
Many-stemmed dudleya ( <i>Dudleya multicaulis</i> )			S2	1B.2
Mesa horkelia ( <i>Horkelia cuneata</i> var. <i>puberula</i> )			S1	1B.1

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Intermediate mariposa-lily (*Calochortus weedii* var.  
*intermedius*)

S3

1B.2

**Why impacts would occur:** Although the ESGV Planning Area consists of a populated urban area, native habitats and rare plants may reside within the mountains, hillsides, undeveloped lands, and small pockets around development. Individual projects facilitated under the ESGVAP may result in direct removal of rare plants. In addition to direct removal of rare plants, the DPEIR states individual projects could result in "...removal of habitat for rare plants known to occur in the area such as many-stemmed dudleya...". Alongside direct removal and supporting habitat loss, edge effects may result upon buildout of the ESGVAP. Edge effects may include encroachment, human activity, and introduction of non-native plants and pests (e.g., Argentine ants). The ESGVAP proposes goals and policies to encourage individual projects to protect biological resources and habitats in the ESGV Planning Area. However, based on the goals listed in the ESGVAP, there are no specific actions or mitigation measures for individual projects to adhere to that would completely avoid impacts to rare plants.

In addition to rare plants being impacted, sensitive natural communities may also be impacted through implementation of the Project. According to the DPEIR, there will be no impacts to oak woodlands or other unique native woodlands since there is no proposed increases in zoning or land use within these woodlands. However, sensitive natural communities such as the California walnut (*Juglans californica*) woodland may still be impacted by grading or construction activities if they reside within individual project sites. Furthermore, the DPEIR states, "There is a potential for any of these sensitive natural communities or others that have not been reported or mapped (i.e., non-jurisdictional wetlands) to be affected by the construction of one or more of the projects undertaken to implement the ESGVAP." Impacts to sensitive natural communities through construction activities may also have a cascading adverse effect on wildlife that utilize these vegetation communities as forging and breeding habitat. The DPEIR concludes its impact analysis on sensitive natural communities by stating that "...impacts to sensitive natural communities would be significant and unavoidable". The DPEIR does not provide sufficient avoidance and minimization measures in an effort to reduce impacts from individual projects facilitated by the Project to a level below significance.

Lastly, the DPEIR lists the following vegetation communities as sensitive natural communities, California Walnut Woodland, Riversidian Alluvial Fan Sage Scrub, Canyon Live Oak Ravine Forest, Southern Coast Live Oak Riparian Forest, Southern Sycamore Alder Riparian Woodland, and Walnut Forest. These vegetation communities are identified using the Holland ecosystem classification system instead of using the state-wide accepted Manual of California Vegetation (MCV) description of the alliance or association. Although the names of these sensitive natural communities were derived from a CNDDDB search, the DPEIR should provide the MCV alliance or association to avoid mistaking one vegetation community with another. For example, the DPEIR lists California Walnut Woodland and Walnut Forest as two separate sensitive natural communities, however it is likely that both of these communities are the same alliance, *Juglans californica* which has a state rarity ranking of 3.2. If vegetation communities are misidentified, it may result in inaccurate disclosure of vegetation communities that may or may not be considered sensitive. Additionally, the DPEIR does not provide scientific names or the state rarity ranking for the alliance and/or association of each sensitive natural community. Without disclosing the appropriate alliance or association name, CDFW is unable to accurately determine what exact vegetation communities are sensitive and may be impacted by the Project.

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**Evidence impact would be significant:** Plants with a CRPR of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of CESA and are eligible for State listing (CNPS 2020). Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380). California Native Plant Society's (CNPS) [Rare Plant Ranks](#) page includes additional rank definitions (CNPS 2023a). Impacts to special status plants should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to special status plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW.

The State Legislature required CDFW to develop and maintain a vegetation mapping standard for the State (Fish and G. Code, § 1940). This standard complies with the national vegetation classification system, which utilizes alliance and association-based classification of unique vegetation stands. CDFW utilizes vegetation descriptions found in the MCV, found online at <http://vegetation.cnps.org/> (CNPS 2023). Since the DPEIR uses Holland ecosystem classification to identify vegetation communities, sensitive vegetation communities may be misidentified, resulting in potentially undisclosed Project impacts. CDFW considers natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 to be sensitive natural communities. These ranks can be obtained by visiting the [Vegetation Classification and Mapping Program - Natural Communities](#) webpage (CDFW 2023a). Sensitive natural communities are threatened communities that have both regional and local significance.

Impacts to a sensitive natural community should be considered significant under CEQA unless impacts are clearly mitigated below a level of significance. Without appropriate mitigation, the Project may result in significant impacts on a sensitive natural community if individual projects facilitated by the Project's measures and actions would remove, encroach into, or disturb such resources. Accordingly, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on sensitive natural communities identified by CDFW.

### **Recommended Potentially Feasible Mitigation Measure(s) Required for Individual Projects Facilitated by the ESGVAP:**

**Recommendation #3:** The DPR should revise the DPEIR to identify vegetation communities using MCV alliance or association-based classification to determine the rarity ranking of vegetation communities potentially impacted by the Project. The DPEIR should also include the scientific name and state rarity ranking for each alliance/association. Recognized alliance and association names may be identified using [CDFW's Natural Communities List](#) (CDFW 2022).

**Mitigation Measure #9:** Individual project sites that may provide potential habitat to sensitive plants should conduct focused rare plant surveys. Season-appropriate focused surveys should be conducted by a qualified biologist to sufficiently document the abundance and distribution of rare plants that may be present. CDFW recommends the surveys be conducted based on the [Protocols for Surveys and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities](#) (CDFW 2018). A qualified biologist should "conduct botanical surveys in

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the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting.”

**Mitigation Measure #10:** For individual projects that result in impacts to rare plants, project applicants should mitigate the loss of individual plants and associated habitat acres. The project applicant should offset any loss of individual plants such that there is no net loss or at a ratio acceptable to CDFW. Mitigation should be completed prior to issuance of grading permits.

**Mitigation Measure #11:** If thread-leaved brodiaea is detected within an individual project site and impacts cannot be feasibly avoided, project applicants should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Additionally, Project applicants should provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

**Mitigation Measure #12:** Where an individual project results in the loss of a sensitive natural community, the project should offset the loss by no less than 2:1 of the total acreage lost. The number of replacement trees and acres should be higher if a project impacts large oak trees; impacts a woodland supporting rare, sensitive, or special status plants and wildlife; impacts a woodland adjacent to a watercourse; or impacts a woodland with a State Rarity ranking of S1, S2, or S3, or additional ranking of 0.1 or 0.2.

**Mitigation Measure #13:** Where an individual project results in the loss of loss of native woodlands, the project should remove large trees in phases to the maximum extent feasible. A phased removal plan should be provided as a condition of obtaining a grading permit or permit under the County’s Oak Tree Ordinance and/or Oak Woodlands Conservation Management Plan. Removing trees in phases minimizes impacts on wildlife, primarily nesting birds, resulting from the temporal loss of trees and to provide structurally diverse woodlands while any on or off-site site mitigation for impacts to woodlands occurs.

#### **Comment #4: Impacts on Bats**

**Issue:** The Project could impact several bat species, including but not limited to the pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis californicus*), big free tailed bat (*Nyctinomops macrotis*), western yellow bat (*Lasiurus xanthinus*), pocketed free-tailed bat (*Nyctinomops femorosaccus*), and hoary bat (*Lasiurus cinereus*), which are designated as SSC. The DPEIR does not provide avoidance or mitigation measures to reduce impacts to bat species within the ESGV Planning Area.

**Specific impacts:** Individual projects facilitated by the Project may have direct impacts that involves removal of trees, vegetation, and/or structures. These trees, vegetation, and/or structures may provide roosting habitat and therefore has the potential for the direct loss of bats. Indirect impacts from future developments may result from increased noise disturbances, human activity, dust, ground disturbing activities (e.g., staging, access, grading, excavating, drilling), and vibrations caused by heavy equipment.

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**Why impact would occur:** According to Appendix E of the DPEIR, there are several accounts of various bat observations within the ESGV Planning Area that have been recorded. Additionally, the DPEIR has deduced that individual projects may result in the removal of bat roosting habitat for special-status bats. The DPEIR does not include any avoidance and minimization measures despite the fact that impacts from individual projects may result in roosting habitat loss, disturbance, and potential mortality. Furthermore, without requiring individual projects to conduct focused surveys for bat detection, individual developments may impact unidentified bat species and their associated roosting sites within the Planning Area. In urbanized areas, bats use trees and man-made structures for daytime and nighttime roosts (Avila-Flores and Fenton 2005; Oprea et al. 2009; Remington and Cooper 2014). Trees and crevices in buildings in and adjacent to the Project site could provide roosting habitat for bats. Bats can fit into very small seams, as small as a ¼ inch. Modifications to roost sites can have significant impacts on the bats' usability of the roost and can impact the bats' fitness and survivability (Johnston et al. 2004). Extra noise, vibration, or the reconfiguration of large objects can lead to the disturbance of roosting bats which may have a negative impact on the animals. Human disturbance can also lead to a change in humidity, temperatures, or the approach to a roost that could force the animals to change their mode of egress and/or ingress to a roost. Although temporary, such disturbance can lead to the abandonment of a maternity roost (Johnston et al. 2004).

**Evidence impact would be significant:** Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Additionally, the bat species listed above are considered Species of Special Concern and meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take of SSC could require a mandatory finding of significance by the Lead Agency (CEQA Guidelines, § 15065).

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#### **Recommended Potentially Feasible Mitigation Measure(s) for Individual Projects Facilitated by the ESGVAP:**

**Mitigation Measure #14:** For individual projects that may occur near potential bat roosting habitat, a qualified bat specialist should conduct bat surveys within these areas (plus a 100-foot buffer as access allows). These surveys should identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. CDFW recommends using acoustic recognition technology to maximize detection of bats. A discussion of survey results, including negative findings, should be provided to DRP. Depending on the survey results, a qualified bat specialist should discuss potentially significant effects of the project on bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125). Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist should be completed and submitted to DRP prior to any project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.

**Mitigation Measure #15:** The following tree removal process should occur for individual projects that support potential roosting sites. "If bats are not detected, but the bat specialist determines that roosting bats may be present, trees should be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees should be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should

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then be pushed to the ground slowly and remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts should not be bucked or mulched immediately. A period of at least 24 hours, and preferable 48 hours, should elapse prior to such operations to allow bats to escape.”

**Mitigation Measure #16:** For individual projects that support maternity roosts, work should be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30). If tree removal occurs during maternity season, trees identified as potentially supporting an active maternity roost should be closely inspected by the bat specialist. Inspection of each tree should be no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to be maternity roosts should be left in place until the end of the maternity season. Work should not occur within 100 feet of or directly under or adjacent to an active roost and work should not occur between 30 minutes before sunset and 30 minutes after sunrise.

### Additional Recommendations

**Mitigation Measure BIO-4.4-2.** CDFW recommends DRP revise Mitigation Measure BIO-4.4-2 for nesting birds in order to mitigate the Project’s impact on nesting birds and raptors below a level of significance. CDFW recommends DRP remove the following language in strikethrough and incorporate the underlined language:

“Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the preconstruction nesting bird clearance survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of Typical buffer distances include up to 300-feet for passerines, and up to 500-feet for raptors, and 0.5 mile for special status species, if feasible ~~but can be reduced as deemed appropriate by a monitoring biologist.~~ On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, should be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. ~~Project activities may encroach into the buffer only at the discretion of the monitoring biologist.~~ The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active as determined by the monitoring biologist.”

**Biological Baseline Assessment and Impact Analysis.** CDFW recommends the DPEIR require individual projects facilitated by the ESGVAP to provide 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

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biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. The DPEIR 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 DPEIR should require individual projects to 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 (CDFW 2023a);
- 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](#) (CDFW 2018);
- c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at future project areas and within the neighboring vicinity. [The Manual of California Vegetation](#), second edition, should also be used to inform this mapping and assessment (CNPS 2023b). 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 individual projects facilitated under the Project;
- 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 & Game 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 the use of future project areas 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 individual projects may warrant periodic updated surveys for certain sensitive taxa, particularly if buildout could occur over a protracted time frame, or in phases.

**Evaluation of CDFW's Recommended Mitigation Measures.** The DRP concluded that the Project's impacts on biological resources are "significant and unavoidable" (e.g., sensitive natural communities, special status species, species of special concern). CDFW has provided DRP with recommended mitigation measures that are potentially feasible in order to reduce the Project's impact on biological resources to less than significant. If DRP determines/concludes

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that CDFW's recommendations are not feasible, CDFW would appreciate a written response why specific comments and suggestions were not accepted as part of the Project's environmental document (CEQA Guidelines, § 15088). Per CEQA Guidelines section 15091, "No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding."

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**Data.** CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., CNDDDB] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Information on special status species should be submitted to the CNDDDB by completing and submitting [CNDDDB Field Survey Forms](#) (CDFW 2023c). Information on special status native plant populations and sensitive natural communities, the [Combined Rapid Assessment and Relevé Form](#) should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2023d).

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**Mitigation and Monitoring Reporting Plan.** CDFW recommends updating the DPEIR's proposed Biological Resources Mitigation Measures to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments [(Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15126.4(a)(2))]. As such, CDFW has provided comments and recommendations to assist the DRP in developing mitigation measures that are (1) consistent with CEQA Guidelines section 15126.4; (2) specific; (3) detailed (i.e., responsible party, timing, specific actions, location), and (4) clear for a measure to be fully enforceable and implemented successfully via mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097). The DRP is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the DRP with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A).

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## Filing Fees

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

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## Conclusion

We appreciate the opportunity to comment on the Project to assist the Los Angeles County Department of Regional Planning in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the Los Angeles County Department of Regional Planning has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines,

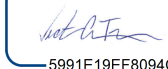
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§ 15073(e)]. If you have any questions or comments regarding this letter, please contact Julisa Portugal, Environmental Scientist, at [Julisa.Portugal@wildlife.ca.gov](mailto:Julisa.Portugal@wildlife.ca.gov) or (562) 330-7563.

Sincerely,

DocuSigned by:



5991E19EF8094C3...

Victoria Tang signing for

Erinn Wilson-Olgin  
Environmental Program Manager I  
South Coast Region

ec: CDFW  
Erinn Wilson-Olgin, Seal Beach – [Erinn.Wilson-Olgin@wildlife.ca.gov](mailto:Erinn.Wilson-Olgin@wildlife.ca.gov)  
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Cindy Hailey, San Diego – [Cindy.Hailey@wildlife.ca.gov](mailto:Cindy.Hailey@wildlife.ca.gov)  
CEQA Program Coordinator, Sacramento – [CEQACommentLetters@wildlife.ca.gov](mailto:CEQACommentLetters@wildlife.ca.gov)

OPR

State Clearinghouse, Sacramento – [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

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**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



## Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
<b>MM-BIO-1 – Crotch's Bumble Bee Survey</b>	<p>For individual projects that have suitable foraging or nesting habitat for Crotch's bumble bee, the project applicant shall retain a qualified entomologist with the appropriate take authorization to conduct surveys to determine presence or absence. Surveys shall be conducted within one year prior to vegetation removal and/or grading throughout the entire project site by a qualified entomologist familiar with the species' behavior and life history. A minimum of three surveys shall also be conducted during peak flying season when the species is most likely to be detected above ground, between March 1 to September 1. The qualified entomologist shall utilize a non-lethal survey methodology and obtain appropriate photo vouchers for species confirmation. During the surveys, the entomologist shall flag inactive small mammal burrows and other potential nest sites to reduce the risk of take. Survey results, including negative findings, shall be submitted to CDFW prior to obtaining appropriate permits. At minimum, a survey report shall provide the following:</p> <p>a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee. The map shall show surveyor(s) track lines to document that the entire site was covered during field</p>	One year prior to construction activities and vegetation removal	Project-level lead agency/Qualified Entomologist

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	<p>surveys.</p> <p>b) Field survey conditions that shall include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.</p> <p>c) Map(s) showing the location of nests/colonies.</p> <p>d) A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, shall include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).</p>		
<b>MM-BIO-2 – Crotch’s Bumble Bee Buffer Zone</b>	If Crotch’s bumble bee is detected, the qualified entomologist shall identify the location of all nests within and adjacent to the project site. A 15-meter no disturbance buffer zone shall be established around any identified nest(s) to reduce the risk of disturbance or accidental take. A qualified entomologist shall expand the buffer zone as necessary to prevent disturbance or take.	Prior to and during construction activities and vegetation removal	Project-level lead agency/ Qualified Entomologist
<b>MM-BIO-3 – CESA ITP for Crotch’s Bumble Bee</b>	If Crotch’s bumble bee is detected and impacts to Crotch’s bumble bee cannot be feasibly avoided, project applicants shall consult with CDFW and obtain appropriate take authorization from CDFW. Appropriate authorization from CDFW under CESA may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options.	Prior to construction activities and vegetation removal	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-4 – Floral Resource and Nesting Habitat Replacement</b>	Any floral resource associated with Crotch’s bumble bee that will be removed or damaged by individual projects shall be replaced at no less than 1:1. Floral resources shall be replaced as close to their original location as is feasible. If active Crotch’s bumble bee nests have been identified and floral resources cannot be replaced within 200 meters of their original location, floral resources shall be planted in the most centrally available	Prior to and during any construction activities.	Individual Project Applicant



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	location relative to identified nests. This location shall be no more than 1.5 kilometers from any identified nest. Replaced floral resources may be split into multiple patches to meet distance requirements for multiple nests. These floral resources shall be maintained in perpetuity and shall be replanted and managed as needed to ensure the habitat is preserved.		
<b>MM-BIO-5 – Coastal California Gnatcatcher Surveys</b>	Individual projects that are located within or adjacent to suitable or designated critical habitat for coastal California gnatcatcher shall conduct surveys to determine presence/absence. The project applicant shall retain a qualified biologist with an appropriate USFWS permit to survey the project site. The qualified biologist shall conduct surveys according to USFWS <a href="#">Coastal California Gnatcatcher (<i>Polioptila californica californica</i>) Presence/Absence Survey Guidelines</a> . The survey protocol requires a minimum of six surveys to be conducted at least one week apart from March 15 through June 30 and a minimum of nine surveys at least two weeks apart from July 1 through March 14. The protocol shall be followed for all surveys unless otherwise authorized by the USFWS in writing. CDFW recommends gnatcatcher surveys be conducted and USFWS notified (per protocol guidance) prior to the issuance of a grading permit.	Prior to issuance of a grading permit	Project-level lead agency/Qualifi ed Biologist
<b>MM-BIO-6 – Southwestern Willow Flycatcher Survey</b>	Individual projects that are located within or adjacent to suitable or designated critical habitat for southwestern willow flycatcher shall conduct surveys to determine presence/absence. The project applicant shall retain a qualified biologist with an appropriate USFWS permit to survey the project site during an appropriate time. The qualified biologist shall conduct surveys according to <a href="#">A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher</a> . Southwestern willow flycatcher surveys shall be conducted and CDFW/USFWS notified prior to issuance of a grading permit.	Prior to issuance of a grading permit	Project-level lead agency/ Qualified Biologist

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<b>MM-BIO-7 – CESA ITP for Southwestern Willow Flycatcher</b>	If southwestern willow flycatcher is detected and impacts cannot be feasibly avoided, project applicants shall consult with CDFW and obtain appropriate take authorization from CDFW. Project applicants shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.	Prior to construction activities and vegetation removal	Individual Project Applicant
<b>MM-BIO-8 – Critical Habitat Replacement</b>	For individual projects facilitated by the Project that will result in permanent loss of critical habitat for either species, the project applicant shall provide replacement habitat at no less than 2:1 for the total acreage of impacted habitat. Replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate endowment shall be provided for the long-term management of mitigation lands. A conservation easement and endowment funds shall be fully acquired, established, transferred, or otherwise executed by the project applicant prior to any ground-disturbing activities or vegetation removal.	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-9 – Rare Plant Surveys</b>	Individual project sites that may provide potential habitat to sensitive plants shall conduct focused rare plant surveys. Season-appropriate focused surveys shall be conducted by a qualified biologist to sufficiently document the abundance and distribution of rare plants that may be present. Surveys shall be conducted based on the <a href="#">Protocols for Surveys and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</a> . A qualified biologist shall “conduct botanical surveys in the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting.”	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-10 – Rare Plant Replacement</b>	For individual projects that result in impacts to rare plants, project applicants shall mitigate the loss of individual plants and associated habitat acres. The project applicant shall offset any loss of individual plants such that there is no net loss or at a	Prior to issuance of grading permits	Project-level lead agency/ Individual Project Applicant



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	ratio acceptable to CDFW. Mitigation shall be completed prior to issuance of grading permits.		
<b>MM-BIO- 11- CESA ITP for Thread-leaved brodiaea</b>	If thread-leaved brodiaea is detected within an individual project site and impacts cannot be feasibly avoided, project applicants shall consult with CDFW and obtain appropriate take authorization from CDFW. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options. Additionally, Project applicants shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.	Prior to finalizing ground disturbing activities and issuance of grading permits	Project-level agency/ Individual Project Applicant
<b>MM-BIO-12 - Sensitive Natural Communities Replacement</b>	Where an individual project results in the loss of a sensitive natural community, the project shall offset the loss by no less than 2:1 of the total acreage lost. The number of replacement trees and acres shall be higher if a project impacts large oak trees; impacts a woodland supporting rare, sensitive, or special status plants and wildlife; impacts a woodland adjacent to a watercourse; or impacts a woodland with a State Rarity ranking of S1, S2, or S3, or additional ranking of 0.1 or 0.2.	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-13- Phased Tree Removal</b>	Where an individual project results in the loss of loss of native woodlands, the project shall remove large trees in phases to the maximum extent feasible. A phased removal plan shall be provided as a condition of obtaining a grading permit or permit under the County's Oak Tree Ordinance and/or Oak Woodlands Conservation Management Plan. Removing trees in phases minimizes impacts on wildlife, primarily nesting birds, resulting from the temporal loss of trees and to provide structurally diverse woodlands while any on or off-site site mitigation for impacts to woodlands occurs.	Prior to issuance of grading permit and ground-disturbing activities	Project-level lead agency/ Individual Project Applicant
<b>MM-BIO-14- Bat Surveys</b>	For individual projects that may occur near potential bat roosting habitat, a qualified bat specialist shall conduct bat surveys within these areas (plus a 100-foot buffer as access allows). These surveys shall identify potential habitat that could provide	Prior to any ground-disturbing activities or	Qualified Bat Specialist

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	<p>daytime and/or nighttime roost sites, and any maternity roosts. CDFW recommends using acoustic recognition technology to maximize detection of bats. A discussion of survey results, including negative findings, shall be provided to DRP.</p> <p>Depending on the survey results, a qualified bat specialist shall discuss potentially significant effects of the project on bats and include species specific mitigation measures to reduce impacts to below a level of significance. Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist shall be completed and submitted to DRP prior to any project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.</p>	vegetation removal	
<b>MM-BIO- 15 - Bat Roosting Sites: Tree Removal Process</b>	<p>The following tree removal process shall occur for individual projects that support potential roosting sites. "If bats are not detected, but the bat specialist determines that roosting bats may be present, trees shall be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts shall not be bucked or mulched immediately. A period of at least 24 hours, and preferable 48 hours, shall elapse prior to such operations to allow bats to escape."</p>	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Qualified Bat Specialist
<b>MM-BIO- 16 – Bat Maternity Roosts</b>	<p>For individual projects that support maternity roosts, work shall be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30). If tree removal occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by the bat specialist. Inspection of each tree shall be no more than 7 days prior to tree disturbance to determine the</p>	Prior to any ground-disturbing activities or vegetation removal	Project-level lead agency/ Qualified Bat Specialist

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	presence or absence of roosting bats more precisely. Trees determined to be maternity roosts shall be left in place until the end of the maternity season. Work shall not occur within 100 feet of or directly under or adjacent to an active roost and work shall not occur between 30 minutes before sunset and 30 minutes after sunrise.		
<b>MM-BIO-17 – Mitigation Measure BIO-4.4-2</b>	Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the preconstruction nesting bird survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of 300-feet for passerines, 500-feet for raptors, and 0.5 mile for special status species, if feasible. On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, shall be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Project activities may encroach into the buffer only at the discretion of the monitoring biologist. The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active.	Prior to finalizing CEQA document and ground-disturbing activities	DPR/Qualified Biologist

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<b>MM-BIO-18 –          Biological          Baseline          Assessment and          Impact Analysis</b>	<p>The DPEIR shall require individual projects facilitated by the ESGVAP to provide 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. The DPEIR shall include the following information:</p> <p>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. The DPEIR shall require individual projects to 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 <a href="#">State-wide ranking</a> of S1, S2, S3 and S4 shall be considered sensitive and declining at the local and regional level;</p> <p>b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's <a href="#">Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</a>;</p> <p>c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at future project areas and within the neighboring vicinity. <a href="#">The Manual of California Vegetation</a>, second edition, shall also be used to inform this mapping and assessment. Adjoining habitat</p>	<p>Prior to issuance of grading permit and ground-disturbing activities</p>	<p>Project-level lead agency/          Individual Project Applicant</p>
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	<p>areas shall 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;</p> <p>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 individual projects facilitated under the Project;</p> <p>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. Species to be addressed shall include all those which meet the CEQA definition of endangered, rare, or threatened species. Seasonal variations in the use of future project areas shall 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 shall be developed in consultation with CDFW and the USFWS; and</p> <p>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 individual projects may warrant periodic updated surveys for certain sensitive taxa, particularly if buildout could occur over a protracted time frame, or in phases.</p>		
<b>REC 1 – Analysis of Project’s Impact</b>	The DPEIR should provide full disclosure of the presence of Crotch’s bumble bee within the ESGV Planning Area. The DPEIR should analyze the Project’s impact on floral resources,	Prior to finalizing CEQA document	DPR

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<b>on Crotch's Bumble Bee</b>	nesting habitat, and overwintering habitat for Crotch's bumble bee. Conclusions made in regard to habitat quality and suitability should be substantiated by scientific and factual data, which may include maps, diagrams, and similar relevant information sufficient to permit full assessment of significant impacts by reviewing agencies. Potential direct and indirect impacts on Crotch's should be discussed in the DPEIR. If individual projects facilitated by the Project would impact Crotch's bumble bee and its associated habitat, the DPEIR should provide measures to avoid and/or mitigate potential impacts to Crotch's bumble bee and habitat supporting the species.		
<b>REC 2 – USFWS Consultation</b>	Take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CDFW recommends individual projects facilitated under this Project that may result in potential take, consult with USFWS, in order to comply with ESA, well in advance of any ground disturbing activities and/or vegetation removal that may impact coastal California gnatcatcher and southwestern willow flycatcher.	Prior to finalizing Project-level CEQA document	Project-level lead agency/ Individual Project Applicant
<b>REC 3 – CESA Consultation</b>	If individual projects will impact thread-leaved brodiaea, early consultation with CDFW is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options.	Prior to finalizing Project-level CEQA document	Project-level lead agency/ Individual Project Applicant
<b>REC 4 - Evaluation of CDFW's Recommended Mitigation Measures</b>	The DRP concluded that the Project's impacts on biological resources are "significant and unavoidable" (e.g., sensitive natural communities, special status species, species of special concern). CDFW has provided DRP with recommended mitigation measures that are potentially feasible in order to reduce the Project's impact on biological resources to less than	Prior to finalizing CEQA document	DPR

Mi Kim  
 Los Angeles County Department of Regional Planning  
 April 11, 2023  
 Page 28 of 28

	significant. If DRP determines/concludes that CDFW's recommendations are not feasible, CDFW would appreciate a written response why specific comments and suggestions were not accepted as part of the Project's environmental document. Per CEQA Guidelines section 15091, "No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding."		
<b>REC 5 – Data</b>	CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., CNDDDB] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Information on special status species should be submitted to the CNDDDB by completing and submitting <a href="#">CNDDDB Field Survey Forms</a> (CDFW 2023c). Information on special status native plant populations and sensitive natural communities, the <a href="#">Combined Rapid Assessment and Relevé Form</a> should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2023d).	Prior to finalizing CEQA document	Project-level lead agency/ Individual Project Applicant
<b>REC 6 - MMRP</b>	The DEIR's proposed Biological Resources Mitigation Measures should be updated and conditioned to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. The City is welcome to coordinate with CDFW to further review and refine the project's mitigation measures.	Prior to finalizing CEQA document	DPR

## Response to Comment H-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment H-2

This comment explains CDFW's wider role as California's Trustee Agency for fish and wildlife and specific to the Project, is also submitting comments as a Responsible Agency under CEQA. The comment recommends the Project proponent obtain appropriate authorization under the Fish and Game Code for lake and streambed alteration or for actions which may result in "take" of California Endangered Species Act (CESA) or CESA-listed rare plant pursuant to the Native Plant Protection Act. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR, therefore no further response is required.

## Response to Comment H-3

This comment provides a summary of the Project Description, lists the three Project Alternatives and indicates the locations associated with the ESGVAP. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment H-4

This comment explains CDFW's rationale to assist in avoiding and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. CDFW recommends measures or revisions to be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's Mitigation Monitoring and Reporting Program (MMRP). The County notes the comment regarding the recommendations. As specified in the Draft PEIR (Page 4.4-20), future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis. This would include describing site-specific biological conditions, analyzing and mitigating potential significant impacts to candidate, sensitive, or special status species and their habitats, sensitive natural communities/habitats, and other sensitive biological resources required to be analyzed under CEQA.

## Response to Comment H-5

This comment states individual projects may impact Crotch's bumble bee individuals, as well as suitable habitat for the species, and that the Draft PEIR does not discuss or provide mitigation measures to reduce impacts to Crotch's bumble bee.

As discussed on page 4.4-2 of the Draft PEIR, at least 89 plant and vertebrate California species of special concern, including 25 State and Federally threatened and endangered species have been identified as occurring or potentially occurring in the Planning Area. Crotch's bumble bee was included in this list, and was identified in Appendix E, CNDDDB Search Results, of the Draft



PEIR. While Crotch's bumble bee was not specifically discussed in the Draft PEIR, impacts to listed species and their habitats were more generally described under Impact 4.4-1. As discussed under Impact 4.4-1, buildout of the ESGVAP could result in impacts to various habitat types, which could result in the loss of special-status species through direct mortality or via indirect effects such as habitat loss and edge effects at the urban-wildland interface. Therefore, buildout of the ESGVAP could have significant adverse impacts on special-status species and/or their habitats, and impacts would be significant and unavoidable.

See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats (including Crotch's bumble bee).

### **Response to Comment H-6**

This comment states individual projects may impact coastal California gnatcatchers and southwestern willow flycatchers, as well as designated critical habitat for these species, and that the Draft PEIR does not discuss or provide mitigation measures to reduce impacts to these species. See Response to Comment H-5 for details.

The Draft PEIR has been revised to clarify that while designated critical habitat for southwestern willow flycatcher and thread-leaved brodiaea occurs within the ESGVAP area, no impacts would occur to these designated critical habitats since there would be no changes to zoning or land use intensities in those areas. The analysis included under Impact 4.4-1 discusses the potential impacts to critical habitat for coastal California gnatcatcher and to special-status species.

See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats (including coastal California gnatcatcher and southwestern willow flycatcher).

### **Response to Comment H-7**

This comment states individual projects may impact special-status plants and sensitive natural communities, and that the Draft PEIR does not provide mitigation measures to reduce impacts to these resources. See Response to Comment H-5 for details.

Page 4.4-4 of the Draft PEIR identifies the sensitive natural communities within the Planning Area, as cited in the CNDDB. The CNDDB does not provide vegetation alliance or association for the sensitive natural communities identified. Impact 4.4-1 of the Draft PEIR evaluates potential impacts to special-status plants, and Impact 4.4-2 evaluates potential impacts to sensitive natural communities. See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to

analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats, as well as sensitive natural communities.

## Response to Comment H-8

This comment states individual projects may impact sensitive bat species and roosting habitat, and that the Draft PEIR does not provide mitigation measures to reduce impacts to these species. See also Response to Comment H-5.

Impact 4.4-1 discusses potential impacts to special-status bats. See Response to Comment H-4 regarding how future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts to candidate, sensitive, or special status species and their habitats (including special-status bats and roosting habitat).

## Response to Comment H-9

CDFW recommends revisions to Mitigation Measure BIO-4.4-2 for nesting birds and raptors. The suggested revisions and strikethrough for this mitigation measure have been incorporated into Page 4.4-25 of the Final PEIR, as follows:

**BIO-4.4-2:** Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird ~~clearance~~ survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the pre-construction nesting bird ~~clearance~~ survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of Typical buffer distances include up to 300-feet for passerines, and up to 500-feet for raptors, and 0.5 mile for special-status species, if feasible but can be reduced as deemed appropriate by a monitoring biologist. On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, should be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Project activities may encroach into the buffer only at the discretion of the monitoring biologist. The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active as determined by the monitoring biologist.

## Response to Comment H-10

CDFW recommends the Draft PEIR require individual projects to provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area. See Response to Comment H-4.

### **Response to Comment H-11**

This comment states that CDFW has provided the County with recommended mitigation measures that are potentially feasible in order to reduce the Project's impact on biological resources to less than significant. If the County determines/concludes that CDFW's recommendations are not feasible, CDFW would appreciate a written response as to why specific comments and suggestions were not accepted as part of the Project's environmental document. This Response to Comments document and applicable revisions to be incorporated within the Final PEIR fulfills that obligation.

### **Response to Comment H-12**

Data sources used to prepare the biological resources chapter of the Draft PEIR are listed in Section 4.4.3, *References*, and also cited throughout Chapter 4.4, *Biological Resources*. Since biological surveys were not conducted in preparation of the Draft PEIR, there is no project-specific information on special-status species or sensitive natural communities for submittal to the CNDDB or CDFW's Vegetation Classification and Mapping Program.

### **Response to Comment H-13**

CDFW recommends updating the Draft PEIR's biological resources mitigation measures to include those provided in Attachment A, Draft Mitigation and Monitoring Reporting Plan, of the comment letter. See Response to Comment H-4.

### **Response to Comment H-14**

This comment states that filing of fees is required and payable upon filing of the Notice of Determination. The County will pay the appropriate filing fee upon filing of the Notice of Determination.

### **Response to Comment H-15**

This is a conclusory statement and list of references cited in the comment letter. CDFW also requests an opportunity to review and comment on any response that the County has to CDFW's comments, and to receive notification of any forthcoming hearing date(s) for the Project. The comment has been noted and the County will notify CDFW of the hearing date(s) for the Project when scheduled. The County acknowledges the contact information for CDFW for future reference during the environmental review process.



**LOS ANGELES  
CONSERVANCY**

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Los Angeles, CA 90014

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April 12, 2023

## Submitted Electronically

Mi Kim

County of Los Angeles, Department of Regional Planning  
320 West Temple Street, Room 1354  
Los Angeles, CA 90012  
Email: [mkim@planning.lacounty.gov](mailto:mkim@planning.lacounty.gov)

**RE: East San Gabriel Valley Area Plan Draft Program Environmental  
Impact Report, Project No. 2022040512**

Dear Ms. Kim:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Program Environmental Impact Report (PEIR) for the Proposed East San Gabriel Valley Area Plan Project (ESGVAP). As described in the Draft PEIR, the ESGVAP will establish a comprehensive policy document for twenty-four unincorporated communities in Los Angeles County. The Project will update, reorganize, and incorporate the existing Rowland Heights Community Plan and Hacienda Heights Community Plan as community chapters into the new ESGVAP. It will also update the Planning Area boundary to include the unincorporated communities of South El Monte, Pellissier Village, and North Whittier.

I-1

The goals of the ESGVAP are to a) retain the residential character of the ESGV Planning Area in harmony with its surroundings; b) promote an active regional hub with diverse options for housing, shopping, entertainment, recreation, and services; c) develop goals, policies, and implementation programs that support smart growth, sustainable development, and thoughtful enhancement/upgrade of existing neighborhoods; d) establish more public spaces and public realm improvements; and e) encourage diversity of housing options and affordability, and economic development.

In our comment letter dated May 26, 2022, we responded to the ESGVAP Notice of Preparation (NOP) by advocating that the Plan include a full historic resources survey to evaluate potential adverse impacts and leverage existing community assets. We also requested that the Draft PEIR fully analyze and incorporate existing historic resources by including a range of preservation-based alternatives that would result in less than significant impacts to historic resources.

I-2



We appreciate the steps taken in the PEIR to identify existing cultural resources within the Plan Area and propose appropriate mitigation measures. It is important to identify potential adverse impacts to historic resources as part of the planning process in order to avoid them wherever possible. As part of the adoption of the PEIR and the ESGVAP, we strongly request that 1) mitigation measures be applied to all cultural resources identified within the PEIR and strengthened for resources with eligibility codes of 1 through 5, and 2) that the Final EIR commit to a specific timeline and identify a funding stream to implement a full historic resources survey and Context Statement for communities within the ESGVAP.

I-2  
(cont)

### Mitigation measures for identified cultural resources

The PEIR lists sixty-nine cultural resources that had previously been recorded within the Plan Area. These resources were identified in the California Office of Historic Preservation (OHP) Built Environment Resources Directory (BERD), OHP's lists of California Historical Resources and Archaeological Determinations of Eligibility (ADOE), and the Los Angeles County Historical Landmarks Registry. They include thirteen prehistoric archeological sites, three prehistoric isolates, nine historic-period archeological sites, five historic-period isolates, thirty-six architectural resources, two California Historical Landmarks, and one historic district. The PEIR also lists fifteen additional historical architectural resources that were identified by the OHP BERD as eligible for listing for national, state, or local listing, or are unevaluated.

I-3

The PEIR proposes the following mitigation measure (CR-4.5-1) if a project proposes to demolish or alter a building with potentially significant impacts on historic architectural resources: project proponent must retain a Qualified Architectural Historian to conduct a Historic Resources Assessment to determine the building's historic significance. If the property is determined an eligible historic resource, the proposed project must conform with the Secretary of the Interior's (SOI) Standards. According to the PEIR, implementing these mitigation measures would result in a "less-than-significant-impact" on historic and cultural resources.

I-4

These mitigation measures should be implemented for all sixty-nine previously recorded architectural resources, and the fifteen additional eligible or unevaluated architectural resources (a total of eighty-four resources). Furthermore, we ask that any of the eighty-four resources that received an eligibility status of 1 through 5 be automatically determined as eligible historic resources. Therefore, any proposed project that includes these resources must retain a Qualified Architectural Historian to assess impacts to the resource, propose potential alternatives to mitigate damage to the resource, and ensure the project conforms with the SOI Standards. Properties within the list of eighty-four resources that received an eligibility status of 6 or 7 should first retain a Qualified Architectural Historian to determine historic significance, and then if eligible be ensured appropriate mitigation measures and adherence to the SOI Standards.

### Conclusion

The Conservancy greatly appreciates the opportunity to participate in this process to guide both future development and stewardship of historic and cultural resources in the East San Gabriel Valley. We strongly request that mitigation measures cover all eighty-four resources listed in the PEIR, and that of these resources, those with eligibility codes of 1 through 5 be automatically determined as eligible historic

I-5



resources that would require proposed projects impacting these resources to qualify with the SOI Standards.

Based on our meeting with the Project team on June 8, 2022, we understand that a full historic resource survey or context statement is not included in the budget or timeline for the ESGVAP. However, we ask for the Final PEIR to commit to a specific timeframe and identify a funding stream for the survey and context statement to ensure a fuller understanding of the Project area's historic resources. A survey is a particularly vital method to capture sites of cultural significance, which may not be architecturally significant and otherwise overlooked through traditional windshield survey approaches.

I-5  
(cont)

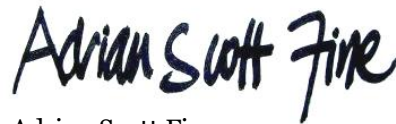
### **About the Los Angeles Conservancy:**

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

I-6

Please do not hesitate to contact me at (213) 430-4203 or [afine@laconservancy.org](mailto:afine@laconservancy.org) should you have any questions or concerns.

Sincerely,



Adrian Scott Fine  
Senior Director of Advocacy

cc: Dean Edwards, County of Los Angeles



## Response to Comment I-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. The comment also provides a summary of the Project and its associated goals. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment I-2

This comment reiterates that the Los Angeles Conservancy responded to the ESGVAP Notice of Preparation and requested that the Draft PEIR fully analyze and incorporate existing historic resources. The comment continues by stating that the Los Angeles Conservancy is appreciative of the efforts undertaken to identify existing cultural resources but request mitigation measures be applied to all cultural resources identified within the Draft PEIR and that the Final PEIR commit to a specific timeline and identify a funding stream to implement a full historic resources survey and Context Statement for communities within the ESGVAP. It should be noted that the Draft PEIR is a programmatic EIR that clearly defines future projects that would be subject to project-level environmental review. Future projects implemented under the ESGVAP PEIR would need to undertake environmental review, and if potentially impacted, would be required to undertake a cultural/historic assessment and adhere to mitigation measures set forth in the Draft PEIR. Future project applicants would also be required to fund any future evaluation for historic resources surveys at the project level. A full historic resources survey and Context Statement for communities within the ESGVAP is, therefore, not part of the proposed Project.

Regarding the request for mitigation measures to be applied to all cultural resources identified within the Draft PEIR and strengthened for resources with eligibility codes of 1 through 5, the County notes the following:

- All resources with 1CL, 2S2, 3S as their eligibility codes would require a full evaluation at the project level. This is per LA Conservancy's request.
- All resources listed as 5S2 would also require a full evaluation at the project level. This is per LA Conservancy's request.
- All resources with 6Y, 7P, 7R or 7W eligibility codes would require further evaluation at the project level, in order to determine if they qualify as historical resources.
- All resources with 6Z as their eligibility codes have been found ineligible for the National Register (NR), California Register (CR), or local designation through survey evaluation. As nothing more can be evaluated with these thirteen resources, these would not be included for any further consideration.

The Draft PEIR Impact 4.5-1, on page 4.5-32 and 4.5-33 would be amended as follows:

**“Less-Than-Significant Impact with Mitigation Incorporated.** An impact would be significant if it would cause a substantial adverse change in the significance of a historical resource. Historical resources include built resources (buildings, structures, objects) and archaeological resources that meet the criteria outlined in CEQA Guidelines Section 15064.5(a).

The results of the cultural resources records search through the SCCIC indicates that a total of 69 cultural resources have been recorded within the unincorporated islands and communities of the Plan Area. It should be noted that seven resources are listed more than once in the table to include locations that span more than one municipality. These resources include prehistoric archaeological sites and isolates, historic-period archaeological sites and isolates, historic architectural resources, two California Historical Landmarks and one historic district.

Of these, five meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a). These five resources include two structures (San Antonio Dam and Azusa conduit), one building (Webb School of California), one trail/road (The Mojave Road - listed four times), and one historic district (San Dimas Experimental Forest - listed twice).

Of the results, ~~26 the remaining resources~~ do not meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a). ~~These resources include 17 buildings, 6 structures, 2 historic-period archaeological sites, and 1 railroad.~~

~~The remaining 38 resources require further evaluation to determine if they qualify as historical resources.~~

A review of the BERD indicated that an additional 15 historical resources have been recorded within the unincorporated islands and communities of the Plan Area. These resources include a single-family residence constructed in 1928 in Hacienda Heights; and 14 single-family residences constructed between the 1910s and 1930s in West Claremont.

A review of early historic aerial photographs dating from the 1930s and 1940s compared with current-day aerial photographs indicates that there are remaining agrarian single-family residential properties in several of the areas, many of which have been surrounded by vernacular mid-20th century residential development over time. A few areas also include mid-20th century industrial, educational, and government-owned properties.

The one stone residence/ranch structure (2S2) and the eleven single-family residences with an eligibility code of 5S2 within Table 4.5-2 (California OHP Built Environment Resources Directory – Eligible and Unevaluated Listings) should also be considered to meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a).

The resources with eligibility codes 6Y, 7P, 7R or 7W would require further evaluation at the project level, in order to determine if they qualify as historical resources.

The ESGVAP is a policy document that does not include proposals for or approvals of any specific projects, and as a result, would not result in impacts to historical resources. However, future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve structural improvements, demolition/alteration of existing structures, and/or ground disturbing activities (for construction of residential, commercial



and mixed-use development) that could, depending on their location, result in direct or indirect adverse changes to the significance of historical resources. Future projects would be required to comply with existing federal, state, and local regulations that protect historical resources and undergo the County's discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Such projects nonetheless could result in significant impacts to previously recorded and as-yet-unidentified archaeological and /or historic architectural resources qualifying as historical resources under CEQA.

Any project that proposes the demolition, destruction, relocation, or alteration of a building or structure more than 45 years in age or that involves ground disturbing activities or impacts any of the resources with an eligibility code of 1CL, 2S2, 3S or 5S2 as set out in Table 4.5-1 and Table 4.5-2 of the Draft EIR could result in a significant impact to historic architectural and/or archaeological resources qualifying as historical resources under CEQA. However, implementation of mitigation measures **CR-4.5-1** through **CR-4.5-6** would reduce potential impacts to less than significant levels."

### **Response to Comment I-3**

This comment reiterates the cultural resources identified in the Draft PEIR. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

### **Response to Comment I-4**

This comment partially repeats text from Mitigation Measure CR-4.5-1 identified in the Draft PEIR relating to Historic Resources Assessment (Page 4.5-38) and recommends the mitigation measure be implemented for all sixty-nine previously recorded architectural resources, and the fifteen additional eligible or unevaluated architectural resources. The comment proceeds to state that any of the eighty-four resources that received an eligibility code of 1 through 5 be automatically determined as eligible historic resources and that those that received an eligibility code of 6 or 7 should first retain a Qualified Architectural Historian to determine historic significance. As confirmed in Response to Comment I-2, twelve of the Built Environment Resources Directory resources listed have been elevated in status to meet the criteria for historical resources as outlined in State CEQA Guidelines Section 15064.5(a) and associated changes to the wording of Impact 4.5-1 within the Draft PEIR have been effectuated per Response to Comment I-2.

### **Response to Comment I-5**

This comment is conclusory and reiterates the points made in Comment I-4. Please see Response to Comment I-2 and Response to Comment I-4.

### **Response to Comment I-6**

This comment provides information about the Los Angeles Conservancy and also relevant contact details. The County acknowledges the contact information for future reference during the environmental review process that is provided in this comment. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

**City Council**

Emmett Badar, Mayor  
John Ebner, Mayor Pro Tem - District 3  
Ryan A. Vienna - District 4  
Eric Weber - District 1  
Eric Nakano - District 2

**City Manager**

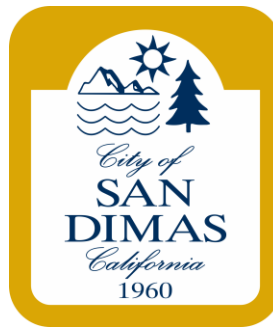
Chris Constantin

**Assistant City Manager**

Brad McKinney

**City Attorney**

Jeff Malawy

**Director of  
Administrative Services**

Michael O'Brien

**Director of  
Community Development**

Henry K. Noh

**Director of Parks and  
Recreation**

Scott Wasserman

**Director of Public Works**

Shari Garwick

April 12, 2023

SENT VIA EMAIL

Mi Kim  
County of Los Angeles  
Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, CA 90012

Subject: Comments on Draft Environmental Impact Report for the East San Gabriel Valley Area Plan

Project/Permit Numbers: Project No. 2020-000612  
Advance Planning Case No. RPPL2021013047  
Environmental Assessment No. RPPL2022003550  
General Plan Amendment No. RPPL2022003554  
Zone Change No. RPPL2022003557

Dear Ms. Kim:

The City of San Dimas appreciates the opportunity to review and provide comments on the above referenced environmental document that proposes land use changes for properties within the unincorporated communities of East, West & Northeast San Dimas, which are adjacent to the City of San Dimas. Previously, the City of San Dimas submitted a comment letter on the Notice of Preparation of a Draft Program Environmental Impact Report (DPEIR) and Notice of Public Scoping Meeting for the East San Gabriel Valley Area Plan (ESGVAP) dated May 31, 2022 (Previous Letter). This letter serves as a follow up to the Previous Letter, as the Draft Environmental Impact Report (DEIR) has not adequately addressed all of our concerns, as detailed below.

1. Comments in the Previous Letter requested that the DPEIR analyze the AM and PM peak periods as well as the average daily conditions for all study area locations, specifically for the proposed changes to the West San Dimas community which propose to increase density and population. As required per LA County guidelines and CEQA requirements, the DEIR used VMT to determine impacts relative to transportation. The DEIR's analysis determined that despite implementation of mitigation measures, impacts related to transportation would remain significant and unavoidable. This is mainly due to the number of housing units the ESGVAP would add, and the relatively little employment in these areas. In order to reduce these impacts to less than significant, the project should be revised to reduce the density. Specifically, in the Charter Oak area that consists of the intersection of E. Arrow Highway and S. Valley Center

- where the density will be 50 units per acre.
2. The City of Glendora recently approved land use changes for properties along Arrow Highway. The City of San Dimas previously requested that the DEIR complete a cumulative analysis, as it relates to density, traffic, noise and other associated impacts that would factor in the changes by the City of Glendora. There is no discussion in the DEIR or mention of these changes in any of the analysis completed. J-2  
(cont)  
  
J-3
  3. The City of San Dimas strongly recommends not changing the Land Use changes (H9 to CG) or Zone changes (R-A to C-1) for properties along San Dimas Canyon Road or Juanita/Damien. These properties are in the middle of established single family residential neighborhoods. The uses allowed in the C-1 zone would not be compatible with the existing single family residential uses. In addition, if the goal is to create access to commercial uses for the surrounding residential neighborhoods, there already is an existing commercial center at the northwest corner of Bonita Ave and San Dimas Canyon Road. This center is less than a ¼ mile from Juanita/San Dimas Canyon Road where one of the changes is proposed. The center includes approximately 18,000 square feet of commercial space which includes a neighborhood market, and two vacant units. Creating commercial zones in the middle of established residential neighborhoods would disrupt the character of the existing residential neighborhood, and is not warranted when there is an existing commercial center within walking distance that would meet this need. These concerns were noted in the DEIR but not action was taken to address the concerns. J-4
  4. Consider changing the property addressed 750 E. Foothill Boulevard, which has an existing H9 – Residential Land Use designation to Commercial to continue the existing land use and zoning designation to the east. However, we only recommend this change if the uses allowed would be compatible with the uses allowed within our CH- Commercial Highway zone, which can be found at following:  
[https://library.qcode.us/lib/san\\_dimas\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_92](https://library.qcode.us/lib/san_dimas_ca/pub/municipal_code/item/title_18-chapter_18_92). This will allow a consistent continuation of uses along Foothill Boulevard. These concerns were noted in the DEIR but the zoning for the subject site is still residential with no further explanation behind this decision. J-5

The City of San Dimas thanks you for the opportunity to comment on the DEIR and request that the above mentioned comments are further analyzed. Please feel free to contact me at (909) 394-6208 or via email at [ltorrico@sandimasca.gov](mailto:ltorrico@sandimasca.gov) if you have any questions or need further explanation on any of the comments in this letter. J-6

Sincerely,



Luis Torrico  
Planning Manager

Attachment:

City of San Dimas NOP Letter, May 31, 2022

**City Council**

Emmett Badar, Mayor  
Eric Weber, Mayor Pro Tem  
Denis Bertone  
John Ebner  
Ryan A. Vienna

**City Manager**

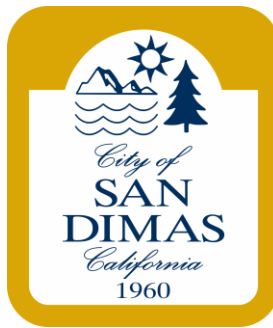
Chris Constantin

**Assistant City Manager**

Brad McKinney

**City Attorney**

Jeff Malawy



**Director of  
Administrative Services**  
Michael O'Brien

**Director of  
Community Development**  
Henry K. Noh

**Director of Parks and  
Recreation**  
Scott Wasserman

**Director of Public Works**  
Shari Garwick

May 31, 2022

SENT VIA EMAIL

Mi Kim  
County of Los Angeles  
Department of Regional Planning  
320 West Temple Street, Room 1362  
Los Angeles, CA 90012

**Subject:** Comments on Notice of Preparation (NOP) of a Draft Program Environmental Impact Report and Notice of Public Scoping Meeting for the East San Gabriel Valley Area Plan.

**Project/Permit Numbers:** Project No. 2020-000612  
Advance Planning Case No. RPPL2021013047  
Environmental Assessment No. RPPL2022003550  
General Plan Amendment No. RPPL2022003554  
Zone Change No. RPPL2022003557

Dear Ms. Kim:

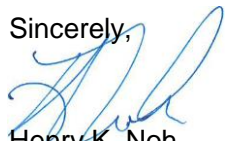
The City of San Dimas appreciates the opportunity to review and provide comments on the above referenced environmental document that proposes land use changes for properties within the unincorporated communities of East, West & Northeast San Dimas, which are adjacent to the City of San Dimas. The following comments are based on the environmental documents released for public review on April 28, 2022.

1. The DPEIR is not clear on the proposed changes for the Northeast San Dimas community. Please update the project description and maps to include changes to the properties within the Northeast San Dimas community.
2. The DPEIR shall analyze the AM and PM peak periods as well as the average daily conditions for all study area locations, specifically for the proposed changes to the West San Dimas community which propose to increase density and population.
3. The DPEIR shall provide a cumulative analysis, as it relates to density, traffic, noise and other associated impacts, that includes recently approved land use changes for Arrow Highway within the City of Glendora.

4. Proposed land use and zone changes for the Southwest corner of Arrow Highway and South Valley Center shall be consistent with properties located in the City of Glendora along the north side of Arrow Highway, which allow up to 25 dwelling units per acre and up to three stories or 35 feet in height. As proposed, the land use changes would double the density and height limit than what is allowed on the north side of Arrow Highway, which may result in significant impacts and inconsistent land use planning.
5. The City of San Dimas strongly recommends not changing the Land Use changes (H9 to CG) or Zone changes (R-A to C-1) for properties along San Dimas Canyon Road or Juanita/Damien. These properties are in the middle of established single family residential neighborhoods. The uses allowed in the C-1 zone would not be compatible with the existing single family residential uses. In addition, if the goal is to create access to commercial uses for the surrounding residential neighborhoods, there already is an existing commercial center at the northwest corner of Bonita Ave and San Dimas Canyon Road. This center is less than a ¼ mile from Juanita/San Dimas Canyon Road where one of the changes is proposed. The center includes approximately 18,000 square feet of commercial space which includes a neighborhood market, and two vacant units. Creating commercial zones in the middle of established residential neighborhoods would disrupt the character of the existing residential neighborhood, and is not warranted when there is an existing commercial center within walking distance that would meet this need.
6. Consider changing the property addressed 750 E. Foothill Boulevard, which has an existing H9 – Residential Land Use designation to Commercial to continue the existing land use and zoning designation to the east. However, we only recommend this change if the uses allowed would be compatible with the uses allowed within our CH- Commercial Highway zone, which can be found at following:  
[https://library.qcode.us/lib/san\\_dimas\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_92](https://library.qcode.us/lib/san_dimas_ca/pub/municipal_code/item/title_18-chapter_18_92). This will allow a consistent continuation of uses along Foothill Boulevard.
7. The City of San Dimas strongly recommends that all property owners within 500 feet of the affected properties be notified of all community meetings, availability of environmental documents, and public hearings to allow appropriate opportunity for community engagement and voice any concerns they may have.
8. Additional comments may be provided upon review of the DPEIR when it's made available for public review.

Thank you again for the opportunity to comment on the NOP. We look forward to reviewing the DPEIR when released for public review, at which point additional comments may be provided. Please feel free to contact Luis Torrico, Planning Manager at (909) 394-6208 or via email at [ltorrico@sandimasca.gov](mailto:ltorrico@sandimasca.gov) if you have any questions or need further explanation on any of the comments in this letter.

Sincerely,



Henry K. Noh

Director of Community Development City Council

## Response to Comment J-1

This comment identifies appreciation for being invited to review and comment on the Draft PEIR for the Project. The comment also reiterates the City of San Dimas submitted a comment letter with regard to the Notice of Preparation and asserts that their initial concerns have not been addressed. This comment does not raise a substantive issue regarding the adequacy of the information presented in the Draft PEIR. Therefore, no further response is required.

## Response to Comment J-2

This comment notes that the City of San Dimas previously requested that the Draft PEIR analyze the AM and PM peak periods, as well as the average daily conditions for all study area locations. The comment also requests that the project should be revised to reduce the density, specifically in the Charter Oak area that consists of the intersection of E. Arrow Highway and S. Valley Center Avenue to where the density will be 50 units per acre.

As demonstrated in Section 4.15, *Transportation*, of the Draft PEIR, a VMT impact analysis which is consistent with State and local guidance was provided to determine the VMT impacts associated with the Project. Given the programmatic nature of the Project, VMT impacts would be evaluated on a project-by-project basis and mitigated as necessary. In addition, the County would require future development implemented under the Project to prepare a project-specific traffic analysis during the environmental review process.

See Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the Charter Oak area. This entails changing the Church site and six residential parcels along the northwest corner of the intersection of E Cienega Avenue and N Valley Center Avenue from the originally proposed zoning of A-1 to MXD and land use H9 to CG to a revised zoning of A-1 to R-2 and land use H9 to H18.

## Response to Comment J-3

This comment states that the City of San Dimas previously requested that the Draft PEIR complete a cumulative analysis, as it relates to density, traffic, noise, and other associated impacts and that the City of Glendora recently approved land use changes for properties along Arrow Highway. While not specifically naming other jurisdictions, each of the Sections of the Draft PEIR (Sections 4.1 through 4.18) contain analysis of the potential environmental impacts, including those that may have a cumulative impact on the environment (as required by CEQA). Additionally, Section 6, *Other CEQA Considerations*, identifies significant and unavoidable environmental impacts, significant and irreversible environmental impacts, and growth-inducing impacts.

Furthermore, future individual projects would be required to implement the goals, policies, strategies, and implementation actions proposed in the ESGVAP and would undergo site-specific review and CEQA analysis to analyze and mitigate potential significant impacts, including those that are cumulative impacts.

### **Response to Comment J-4**

This comment strongly recommends not changing the Land Use changes (H9 to CG) or Zone changes (R-A to C-1) for properties along San Dimas Canyon Road or Juanita/Damien, as the C-1 zone would not be compatible with the existing single-family residential uses and would disrupt the character of the existing residential neighborhood. As part of ongoing outreach, the County has confirmed with the City of San Dimas that the recommendations to amend land uses and zoning for properties along San Dimas Canyon Road or Juanita/Damien has been accepted. See Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the East San Dimas area.

### **Response to Comment J-5**

This comment recommends changing the property addressed 750 E. Foothill Boulevard, which has an existing H9 – Residential Land Use designation to Commercial to continue the existing land use and zoning designation to the east. The County acknowledges the recommendation but is not proposing any changes to the land use policy on the parcel, which will remain as H-9 to reflect existing residential land use on the property and to be consistent with the land use for properties located adjacent on E. Baseline Road. See Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the East San Dimas area, which includes changing the zone from R-A to R-1 and retaining the existing H9 land use.

### **Response to Comment J-6**

This comment provides contact details. The County acknowledges the contact information for future reference during the environmental review process that is provided in this comment. Since this comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

**From:** [omar santana](#)  
**To:** [DRP Community Studies East Area Section](#)  
**Subject:** Re: IN RESPONSE TO: NOA FOR THE EAST SAN GABRIEL VALLEY AREA PLAN  
**Date:** Wednesday, April 12, 2023 4:00:15 PM

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**CAUTION: External Email. Proceed Responsibly.**

Please note; If there are any questions regarding my concerns, please feel free to contact me directly at (909)274-8784.

Thank you.

Regards,

Lauro Santana

On Wednesday, April 12, 2023 at 12:32:42 PM PDT, omar santana <omarsantana1@yahoo.com> wrote:

Dear Mi Kim, Supervising Regional Planner and or Comm Planning department,

My name is Lauro Santana, owner of 16047 Fellowship St. La Puente, CA 91744. Said property has been my family for appx 40 years. My parents purchased the property in the 80's because the property is A1 and the benefits that are afforded to us in owning such a desirable property. Growing up we had chickens, goats' small crops not to mention all the great memories growing up on this type of property as opposed to an R1 where those things that make A1 such a treasure would be taken from our community. I have spoken with several neighbors who share the same concerns. Some older generations some newer generations who are opposed to this and others who have no idea this is even happening. I strongly oppose and hope that this project is reconsidered and overturned so that my family can enjoy our home in this A1 community as I did and continue to do the way this neighborhood was intended to be as an A1 community. My family and I and the neighbors in my community do not want to become an R1 community and or any of the changes that would come with it. We love our community the way it is which is why we have chosen to live here in the first place. Thank you in advance for your consideration.

Respectfully,

Lauro Santana and Family

K-1

K-2



### **Response to Comment K-1**

This comment provides Mr. Santana's contact information and does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.

### **Response to Comment K-2**

This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. However, since the County proposed the zoning change, they have reassessed the zoning changes that affect Mr. Santana's property and have decided to keep the zoning as A-1. They have alerted Mr. Santana of this. Please see Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends to the Valinda area for details. No further response is required.

**From:** [S B](#)  
**To:** [DRP Community Studies East Area Section](#)  
**Cc:** [lanasa@aol.com](mailto:lanasa@aol.com)  
**Subject:** Re: East San Gabriel Valley Area Plan - Avocado Heights and Pellessier Village  
**Date:** Thursday, April 20, 2023 8:03:25 PM

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**CAUTION: External Email. Proceed Responsibly.**

I am also asking to extend the deadline for public comment. Our community was not notified given that many of our community members are monolingual Spanish speakers and 83% of our residents are Latino/a and have traditionally been excluded from participation in project proposals by the Department of Regional Planning. I believe this is a violation of our civil rights. Please advise.

L-1

Best,  
Sam

On Thu, Apr 20, 2023 at 6:50 PM S B <[samwesbrown@gmail.com](mailto:samwesbrown@gmail.com)> wrote:

Dear Planning,

I am writing to you to express concerns that I have with the East San Gabriel Valley Area Plan.

L-2

First, I wanted to know where is this project with regards to the approval?

Second, I wanted to have you confirm the proposed zone changes in both Avocado Heights and Pellessier Village from light agriculture A-1 to R-A (Residential-Agriculture). Second I wanted to confirm if you are changing the allotted number of houses on the R-A properties within the proposal? For instance, in Avocado Heights I found a map that says H-5. Does that mean 5 housing units per acre or per 10,000 sq foot?

L-3

And lastly, I wanted to let you know that I typed my address into the app that is listed on the website and saw that no suggested changes were listed, essentially making me believe that I should be worried about the proposed changes. However, in looking at the documents on page I saw what's really happening here and I am absolutely opposed to any zoning change.

L-4

Please confirm an answer to my questions.

Also, under [Government Code 7920 et seq.](#) I am requesting any and all records, emails, text messages, phone logs, ceqa documents relating to the East San Gabriel Valley Area Plan, including but not limited to Phase 1 and Phase 2, and all records pertaining to any consultants/contractors, independent contractor, outside consultant that participated in any way shape or form in the production of the East San Gabriel Valley Area Plan.

L-5

Best,  
Samuel B. V.

## Response to Comment L-1

This comment requests an extension of the public comment deadline and asserts that the community of Avocado Heights and Pellessier Village, and its predominately monolingual Hispanic populous, was not notified. However, as part of the community outreach for the Project, a number of engagement methods were undertaken through Community-based Organizations, community presentations, tabling sessions, numerous online methods, and social media. Additionally, multi-language notifications were sent to property owners in the ESGVAP area for parcels with proposed updates to their zoning and/or land use categories. Finally, Spanish language versions of key documents such as the Notice of Availability (NOA) of the Draft PEIR, plan summaries and plan element summaries have been provided on the ESGVAP website and at the various community outreach events, along with the presence of Spanish language speakers. The request to officially extend the public comment deadline has, therefore, been declined but the County welcomes the opportunity to continue dialogue on any elements of the ESGVAP or the Draft PEIR and has continued to accept late public comments on the Draft PEIR since the comment period closed on April 12, 2023. As the comment does not raise an environmental issue regarding the adequacy of the Draft PEIR, no further response is required.

## Response to Comment L-2

This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. However, in response to where the project is with regard to its approval, a public hearing is expected in August 2023. No further response is required.

## Response to Comment L-3

This comment requests confirmation of zone changes in the Avocado Heights and Pellessier Village areas. Since the release of the draft East San Gabriel Valley Area Plan and associated Draft PEIR, revisions to proposed zoning and land use updates have been made to the project maps. Please also see Chapter 3 of the Final EIR, *Additions and Corrections to the Draft EIR*, Table 3-1 for details of the amends. These revisions are listed on the project map page, see the following link for details:

<https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=48eb4076c4e74f2caa8f2a21a78dcfd6>. Additionally, the ESGVAP Noticing Web App can be used to view proposed changes, which provides the same information but is focused on individual properties: <https://lacounty.maps.arcgis.com/apps/instant/lookup/index.html?appid=4aa28c9e872a4f4381c3fb9cab5d228d>.

For Land Use Policy H-5, this means 0-5 dwelling units per net acre.

## Response to Comment L-4

This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.

## **Response to Comment L-5**

This comment requests all information subject to the California Public Records Act (PRA), which will be undertaken by the County according to the requirements of the PRA, but does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.

M-1

**Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."**

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.


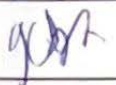


Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
José Acosta	2215 Mardel Ave	[Signature]	going in property whit out permission
Agustin Luna	2233 Kella	[Signature]	going in to property whit out permission
Erik Ramirez	2220 Mardel Ave	[Signature]	going in proparty whit out permission
Pedro Islas Sr	2266 Kella Ave	[Signature]	Entering Premis without Permissions
José Ortega	734 V Laporte	[Signature]	
Laura Zamora	5th street	[Signature]	
Hector Soto	3485 3rd 2a Puente		
Ricardo Diaz	5th st		
Sergio Maldonado	600 S. 3rd Puente	[Signature]	
Renato Montano	600 S 3rd Puente	[Signature]	
Francisco Sanchez	5th Ave. 366-Y-356	[Signature]	
Juan Barragán	Don Julian R	[Signature]	
WILLIAM	Turnbull Canyon	[Signature]	NO warrant no entry
ERICK J CHAVEZ	410 S 4th Ave	[Signature]	NO Warrant NO Entry
Mayra Chavez	410 S 4th Ave	[Signature]	NO entering premis without warrant
Diana Chavez	410 S. 4th Ave	[Signature]	NO warrant NO Entry!



# Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Andreina Ossio	9132 Emeryleaf	Andreina Ossio	Keep horse along
			
Salvador Lopez	12501 Pellissier Rd.	Salvador Lopez	Keep Horses
Alfredo Ponce	9421 Olympic Blvd	Alfredo Ponce	Keep Horses
Clemente Lado	3752 Kydel Rd	Whittier	Caballos no Casas
Enriquez	2219 Kaydel		Keep horses
Enriquez	2021 KAYDEL		Keep Horses
Rafael Padilla	2219 KAYDEL	Rafael Padilla	
Jennifer Garcia	2219 KAYDEL	Jennifer Garcia	
Beto Perez	3713 Hill St	Hill St	Caballos No Casas
Julio Espinoza	12251 Choisey Rd	Garden Grove	Caballos
Victor Mijanguez			
Adrian Campos		Adrian Campos	Caballos
Maria Almaraz		Maria Almaraz	Caballos
Maria Cruz	12249 Pellissier	Maria Cruz	Caballos.
Amancio Dela	2742 Parkway Dr		Horses



# Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Valley as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Dirección	Signature/Firma	Comments/Comentarios
Carlos Vega	12484 Francis St.	Carlos Vega	Ag 1/2 Est. Horse
Enrique River	2234 Marceline	Enrique River	
Patricia Fanch	2243 Marcel	Patricia Fanch	
Omari	72621 Marilla	Omari	
Gerardo L. Port	555 Fairview	Gerardo L. Port	No, Agriculture vs Res
Nina Port	77	Nina Port	no, Agriculture vs Res
Edardo RS.	11225 Fincum	Edardo RS.	VS. RS.
Jose Ivan		Jose Ivan	
Clara Ceballos		Clara Ceballos	
Abel Aula	81325 Street St. El Monte	Abel Aula	
Juan P. Segal		Juan P. Segal	No Agriculture
Ramiro J. Cordero		Ramiro J. Cordero	
Bethelina		Bethelina	
Jose M. Gutierrez		11625 N. N. ST. W. H. H. R.	
Luis A. Duenas	8312 Belmonte	Luis A. Duenas	Stop Keep Horses
Albert Nartuz	4086 Kona Road	Albert Nartuz	stop / keep horses



# Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Artemio Mejia	3725 Le ST	Artemio Mejia	Keep the Horses
Abel	ROCHA	RIZO	
Rodr Romo	inglow ave.	Romo	Rom, R.
Terese	Naves	Terese	
VICTOR L. FERNANDEZ	11700 EL DEL VALLE	VICTOR L. FERNANDEZ	
Luis Calderon	2316 Kayde Rd	Luis Calderon	
Mario P		Mario P	Keep Horses
Alejandro R.	South el Monte	Alejandro R.	Keep Horses
Miguel V. HILL	1615 Bush St	Miguel V. Hill	Keep Horses
Miguel V. Hill		Miguel V. Hill	
Z. Frain A	8414 orange	Z. Frain A	Alto
Cesare D. M. J. M.	8146/196248	Cesare D. M. J. M.	Cesare
Blanchard	Blanchard	Blanchard	Keep Horses
Genaro V. Wabash	Wabash Ave	Genaro V. Wabash	Keep Horses
Brenda Zapata	12501 Pellissier Rd.	Brenda Zapata	Keep Horses
Joel Osorio	9137 Greenleaf	Joel Osorio	Keep Horses



# **Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."**

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Joe Uribe	566 Peckam Pr	Jose Uribe	
Armando Lopez	14005 Lomitas Ave	[Signature]	La Puente ca 91745
<del>Cem. [Signature]</del>	14005 Lomitas Ave	<del>[Signature]</del>	
Mana Ramirez	14005 Lomitas Ave	Mana R	
Alexis Chavez	14005 Lomitas Ave	Alexis C	
Fala Restrepo	5355th Anoloma	Fala R	La Puente
Cherita Ceballos	5355th Anoloma	Cherita C	La Puente
Erika Oyavido	14604 Proctor Ave	Erika O	La Puente
Mauro Bertr	5355th	Mauro Bertr	La Puente
Agustin Valdez	2081 PARKWAY DR El Monte CA 91733	Agustin Valdez	Propiedad de Ceballos El Monte CA
Jennifer Lopez	315 San Angelo Ave La Puente, CA 91744	Jennifer L	
Miguel Covarrubias	349 ST. T.	[Signature]	
Lergia Maldonado	6005 3rd St	Lergia Maldonado	
JUAN ESTRADA	349 3rd AVE	Juan Estrada	
RUBEN ARMIENTADOS	356 4TH AV	Ruben A	
José Alvarez	343 5th AV	José A	

Esly Flores

343 5th AV

Esly Flores

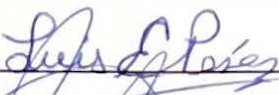








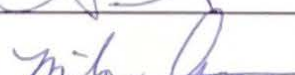
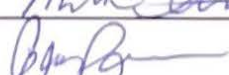
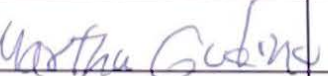
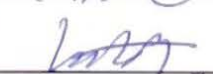

La Puente



# Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
LUIS E PEÑEZ	353th 5 Ave		
Joe Hernandez	3th street		
Miguel Cuarrubia	349th Street		
Juan Estrada	349 s 3rd Ave		
Anthony Orozco	853 Feather Ave		
JESUS PEREZ	4020 Trailside		
Rosalba Gurrola	224 S. 3rd Ave		
Victoria Gurrola	224 S. 3rd Ave		
Angelica Arthur	626-465-2676		
MIKE ARTHUR	626-232-6389		
Eliannarie Cabrera	631 3rd Ave.		
Jose Chavez	410, 4th Ave		
Martha Gudino			
David De León	2259 madal		
Axer Pop	240 S. 2nd Ave.		
Pedro Garcia			



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We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
ROBERT PREST	90601 821 CARAWAY DR.	[Signature]	
BEVERLY OKI	90601 905 CARAWAY DR	[Signature]	
Nancy Kamimura	650 Pencil Dr. Whittier, CA 90601	[Signature]	
Richard Kamimura	650 Pencil Dr. Whittier, CA 90601	[Signature]	
Patrick Menendez	723 CARAWAY DR 90601	[Signature]	
Nancy Miranda	805 Oakman Dr. Whittier, CA 90601	[Signature]	
JANE IBARRA	848 CARAWAY DR WHITTIER, CA 90601	[Signature]	
Sanjay Khatri	860 CARAWAY DR WHITTIER, CA 90601	[Signature]	
Olythurg-Rodriguez	1101 Biscuit Ave Whittier 90601	[Signature]	
PERRY IWA I	912 CARAWAY DR Whittier	[Signature]	
Aracely Leas	705 WORKMAN AVE Whittier CA 90601	[Signature]	
George Ibarra	848 Caraway Dr. Whittier, CA 90601	[Signature]	
Joanna Torres	808 CARAWAY DR. WHITTIER. 90601	[Signature]	
Nora Serrano	811 Caraway Dr Whittier CA 90601	[Signature]	
Alma Zamora	854 Caraway Dr Whittier CA 90601	[Signature]	
Dan Wang	932 Caraway Dr Whittier, CA 90601	[Signature]	



# Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

Printed Name/Nombre	Street Address/Direccion	Signature/Firma	Comments/Comentarios
Marilyn Kamimura	Whittier 90601 843 CARAWAY	Marilyn Kamimura	
Richard Kamimura	SAME "	Richard Kamimura	
PRISCILLA CANO	Whittier 90601 819 CARAWAY	Priscilla Cano	
CONRADO CRAVER	819 CARAWAY DR WHITTIER CA 90601	Conrado Craver	
Crystal Magaña-Tuttle	803 Caraway Dr. Whittier, CA 90601	Crystal Tuttle	
Zack Tuttle	803 CARAWAY Whittier CA 90601	Zack Tuttle	
CARLOS CRUZ	739 90601 CARAWAY DR	Carlos Cruz	
Nicole Rankin	738 S CARAWAY Dr 90601	Nicole Rankin	
Jeffery Rankin	738 CARAWAY Dr 90601	Jeffery Rankin	
Jose Karam	702 Caraway Dr Whittier 90601	Jose Karam	
Fanny Alarcon	703 Caraway Dr. Whittier CA 90601	Fanny Alarcon	
Marylou Delatorre	711 S. Caraway- Whittier CA 90601	Marylou Delatorre	
FREDERICK KENDRICK	718 CARAWAY DR. WHITTIER CA 90601	Frederick Kendrick	
ADELA BRISQOS	718 CARAWAY DR. WHITTIER CA 90601	Adela Brisqos	
Lupe Kendrick	718 CARAWAY DR Whittier CA 90601	Lupe Kendrick	
Anh Ly	820 Caraway Dr Whittier 90601	Anh Ly	

Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

[illegible]



Petition to preserve Light Agricultural zoned neighborhoods in East San Gabriel Vally as part of the "East San Gabriel Valley Area Plan."

We are opposed to any zoning modification of Light Agricultural zoning ("A-1") in the East San Gabriel Valley. We believe that the cumulative environmental impacts and high pollution burden our communities face warrant a more robust effort to preserve and expand light agriculture zoning. Any modification from A-1 to "Residential-Agriculture" (R-A) or other designation needs to be stopped immediately. All equestrian communities should be zoned A-1.

Nos oponemos a cualquier modificación de zonificación en la zona agrícola ligera ("A-1") en el este del Valle de San Gabriel. Creemos que los impactos ambientales acumulativos y la alta carga de contaminación que enfrentan nuestras comunidades justifican un esfuerzo más sólido para preservar y expandir la zonificación de agricultura ligera. Cualquier modificación de la designación de zona actual a "Residencial-Agricultura" (R-A) u otra designación debe detenerse de inmediato. Queremos proteger toda comunidad ecuestre con zona A-1.

[illegible]

## **Response to Comment M-1**

This comment states in English (inclusive of Spanish translation) that the undersigned 139 petitioners are opposed to any zoning modification of Light Agricultural Zoning (A-1) within the East San Gabriel Valley. The comment continues by stating that the communities to which the petitioners belong face cumulative environmental impacts and a high pollution burden which warrants a more robust effort to preserve and expand light agriculture zoning. The comment also requests that modifications from A-1 to R-A should be stopped and that all equestrian communities should be zoned A-1. This comment opposes the Project but does not raise an environmental issue regarding the adequacy of the Draft PEIR. Therefore, no further response is required.

## CHAPTER 3

# Additions and Corrections to the Draft PEIR

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This chapter contains revisions to the Draft PEIR as a result of responses to comments received on the Draft PEIR during the public review period from February 27, 2023 to April 12, 2023. As described in Chapter 1, *Introduction*, to this Final PEIR, additions and corrections have been made to various sections of the Draft PEIR to provide clarity or revisions based on comments received on the Draft PEIR.

The changes described in this chapter do not result in any new or increased significant environmental impacts that would result from implementing the Project. The revised text does not provide new information that identifies new significant environmental impacts and does not identify mitigation measures that, if implemented, would result in significant environmental impacts. Instead, the additions and corrections made to the Draft PEIR below merely “clarifies or amplifies or makes insignificant modifications” in the already adequate Draft PEIR, as is permitted by State CEQA Guidelines Section 15088.5(b). Therefore, the text changes provided below do not change any of the conclusions presented in the Draft PEIR in a manner that would require recirculation of the Draft PEIR.

### 3.1 Revisions to the Draft PEIR

The additions and corrections that follow are made to the text of the Draft PEIR in this chapter of the Final EIR. Amended text is identified by page number. Additions to the Draft PEIR text are shown with underline and text removed from the PEIR is shown with ~~striketrough~~. The additions and corrections to the Draft EIR have been included in this volume with the stated format to easily disclose these minor changes or revisions to the Draft PEIR to the public and decision-makers of the Project.

### Primary Plan Components

The first bullet point under subsection entitled Zone Change No. RPPL2022003557 on Page 3-7 would be amended to:

“Make changes to the zoning map. The zone changes under consideration would generally but with some exceptions, be targeted within a one-mile radius of major transit stops and near high-quality transit corridors as follows:”



The third bullet point under subsection entitled Zone Change No. RPPL2022003557 on Page 3-7 would be amended to:

“Generally, Re-zone agricultural zones that are developed with residential uses from A-1 (Light Agriculture) to an appropriate residential zone, such as R-1 (Single-family residence) or R-A (Residential Agricultural), so that zoning would reflect the existing use and would be consistent with the General Plan land use policy designations.”

Table 3-1 would be amended as follows:

**TABLE 3-1**  
**LAND USE AND ZONING CHANGE SUMMARY FOR PROPOSED GROWTH**

Community	Location of Change	Existing Land Use Designation	Proposed Land Use Designation	Existing Zoning Designation	Proposed Zoning Designation
Avocado Heights	<u>Areas near Properties zoned A-1 within one half mile of the intersection of Don Julian Rd and Workman Mill Rd</u>	H9	<u>Increase in residential density to H18</u> <u>No change</u>	A1 C-1 (Restricted Businesses)	<u>R-2 or R-4</u> <u>No Change</u> MXD (Mixed Use Development)
	<u>Commercial center property at the southeast corner of the intersection of Workman Mill Rd and Don Julian Road</u>	CG	<u>No change</u>	C-1	<u>No change</u>
	<u>Existing A-1 zone parcels with residential uses in Avocado Heights (Outside of mapped Equestrian Districts)</u>	<u>No change</u>	<u>No change</u>	A-1	<u>No change</u>
Charter Oak	<u>Areas within a quarter-mile of a major transit stop (Arrow Hwy and Grand Ave). These areas are also located in proximity to HQTAs, existing commercial centers, and proposed village centers</u>	H9	CG (General Commercial)	A-1	C-3
	Areas within a quarter-mile of an HQTA. Many of these areas are also within one mile of a major transit stop	H9	H18	A-1	<u>R-1 or R-2</u>
	Areas within a quarter-mile of an HQTA and located between E. Cienega Ave and E. Arrow Hwy	H9	H18	A-1	R-2
	<u>A-1 parcels outside of an HQTA located between E. Cienega Ave and E. Arrow Hwy</u>	H9	H9	A-1	<u>R-1</u>
	Some areas along E. Arrow Hwy and S. Valley Center Ave	H9	CG	A-1, C-1, C-2, C-3	MXD
	<u>Church site and 6 residential parcels along the northwest corner of the intersection of E Cienega Ave and N Valley Center Ave</u>	H9	H18	A-1	<u>R-2</u>

Community	Location of Change	Existing Land Use Designation	Proposed Land Use Designation	Existing Zoning Designation	Proposed Zoning Designation
Covina Islands	Areas near the intersection of N. Citrus Ave and E. Covina Blvd, adjacent to Cypress Park, which are within a half-mile of a major transit stop (Metrolink Covina)	H9	H30	R-A	R-3
	Areas within a half-mile of the Arrow Hwy and Azusa Ave Transit Stop	H9	<del>H48</del> H9	A-1	<del>R-1</del> R-2
	Area near E. Gladstone Ave and Barranca Ave. near a proposed commercial center	H9	CG	R-A	C-1
	<u>A-1-6000 properties bounded by E Gladstone Street to the north, N Cerritos Avenue to the east, Big Dalton Wash to the south, and N Donna Beth Ave to the west</u>	<u>H9</u>	<u>No change</u>	<u>A-1</u>	<u>R-1</u>
	Area near Arrow Hwy and Barranca Ave and another near E Gladstone St and Barranca Ave	H9	CG	A-1	C-1
	Area near E. Mauna Loa Ave and Barranca Ave (near Stanton Elementary School)	H9	<del>H48</del> No change	<del>No change</del> R-A	<del>No change</del> R-1
	<del>Area on the southeast corner of Irwindale Ave and E. San Bernardino Ave</del>	<del>No change</del>	<del>No change</del>	<del>C-1</del>	<del>C-3</del>
East Irwindale	An area within one mile of a major transit stop and within a half-mile of an HQT north of <del>East West</del> Arrow Highway and south of West Gladstone Street	H9	H18	A-1	R-1, R-2
	An area within a half-mile of a major transit stop and within a quarter-mile of an HQT north of <del>East West</del> Arrow Highway and south of West Gladstone Street	H9	<del>H30</del> H18	A-1	R2, R4, MXD
	<u>A-1-6000 properties along E Orkney Street, Enid Ave, Renwick Road, Banewell Ave, Leaf Ave.</u> <u>A-1-6000 properties along Enid Avenue, Alcross Street, Bygrove Street, Gragmont Street, Devanah Street, and E Nubia Street</u>	<u>H9</u>	<u>No change</u>	<u>A-1</u>	<u>R-1</u>

Community	Location of Change	Existing Land Use Designation	Proposed Land Use Designation	Existing Zoning Designation	Proposed Zoning Designation
	<u>A-1-6000 properties along Arrow Highway, Enid Avenue, Woodcroft Street, Vogue Avenue, Hyacinth Avenue, N Banewell Avenue, Leaf Avenue, Homerest Avenue, Millburgh Road, Woodcroft Street, E Laxford Road, E Newburgh Street</u>	<u>H9</u>	<u>H18</u>	<u>A-1</u>	<u>R-2</u>
	<u>Existing A-1-6000 properties along the southern boundary of Arrow Highway, bounded between Little Dalton Wash to the west and Lark Ellen Avenue to the East.</u> <u>Existing A-1 properties along the northern boundary of Arrow Highway, bounded between Little Dalton Wash to the east, Millburgh Road to the North, and N Gareloch Avenue to the west.</u>	<u>H9</u>	<u>No change</u>	<u>A-1</u>	<u>R-1</u>
	<u>Area on the southwest and northeast corners of Irwindale Ave and E. San Bernardino Ave</u>	<u>No change</u>	<u>No change</u>	<u>C-1</u>	<u>No Change</u>
East San Dimas	<u>Within a half mile from proposed village centers</u>	<u>H9</u>	<u>H18</u>	<u>R-A</u>	<u>R-2</u>
	<u>Select residential areas along N. San Dimas Canyon Road and near proposed commercial areas</u>	<u>H9</u>	<u>CG</u>	<u>R-A</u>	<u>C-4</u>
	<u>Parcels along the eastern side of San Dimas Canyon Road, between E Allen Ave to the north and Juanita Avenue to the South. Also included are parcels bounded by Sedalia Ave to the East, Damien avenue to the west, and Juanita Ave to the south.</u>	<u>H9</u>	<u>H9</u>	<u>R-A</u>	<u>R-1</u>
	<u>Parcels between and surrounding Gladstone Street to the north, N San Dimas Canyon Road to the west, E Juanita Avenue to the south, Sedalia Ave to the East. Also included are parcels along E Baseline Road.</u>	<u>H9</u>	<u>H9</u>	<u>R-A</u>	<u>R-1</u>

Community	Location of Change	Existing Land Use Designation	Proposed Land Use Designation	Existing Zoning Designation	Proposed Zoning Designation
Hacienda Heights	<del>Three areas that are</del> One area within a half-mile of the proposed Village Center and existing Commercial Center at the corner of S. Hacienda Blvd and Newton St, that <del>is</del> are currently designated <del>H5 and H2</del> , will increase in density to H30	H2 and H5	H30	<del>R-1 and</del> R-A	R-2
	<del>Select areas that are within a half-mile of the proposed Village Center and existing Commercial Center at the intersection of S. Azusa Ave and Colima St</del>	H5	H30	<del>R-A</del>	<del>R-2</del>
	Two areas that are within a quarter-mile of the Village Center and Commercial Center at the intersection of S. Azusa Ave and Colima St	No change	No change	C-2	MXD
	<u>Southwest corner parcels of Hacienda Blvd and Tetley St. (APN 8222001023, 8222001024)</u>	<u>CG</u>	<u>CG</u>	<u>CPD</u>	<u>C-3</u>
	<u>Subdivision north of Colima Rd and west of Azusa Ave and east of Countrywood Ave</u>	<u>H5</u>	<u>H18</u>	<u>R-A</u>	<u>R-2</u>
	<u>Subdivisions north and south of Halliburton Ave, near Stimson Avenue</u>	<u>H5</u>	<u>H18</u>	<u>R-A/R-1</u>	<u>R-2</u>
Rowland Heights	Area on the west end of Colima Rd near the proposed Village Center	No change	No change	C-3	MXD
	Along Colima Rd within a quarter-mile of existing commercial centers	U1	H18	R-1 C-1, C-2, C-3	R-2 MXD
	Select areas within a quarter-mile of existing commercial centers	U1 or U2	H18	A-1	R-2
	<u>Calle Barcelona subdivision, South of Colima Road</u>	<u>U1</u>	<u>H9</u>	<u>R-1</u>	<u>R-2</u>
	<u>A-1-6000 properties, Farjardo St. and Los Padres Dr.</u>	<u>U2</u>	<u>H9</u>	<u>R-1</u>	<u>R-A</u>
	<u>Parcels: APNs 8761026018, 8761026019</u>	<u>U2</u>	<u>H18</u>	<u>A-1</u>	<u>R-2</u>
	<u>Seven parcels at the end of Greyhall Street.</u>	<u>U2</u>	<u>H6</u>	<u>A-1</u>	<u>R-1</u>
	<u>16 parcels along Brea Canyon Cutoff, between Walnut Dr and Searls Dr</u>	<u>U2</u>	<u>H9</u>	<u>A-1</u>	<u>R-A</u>
Unincorporated South El Monte	<u>A-1 properties around Burkett Rd, Rush St and Parkway Dr</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>

Community	Location of Change	Existing Land Use Designation	Proposed Land Use Designation	Existing Zoning Designation	Proposed Zoning Designation
Unincorporated South El Monte	Existing A-1 zone properties in the community outside of the mapped equestrian district	No change	No change	A-1, <u>R-3, C-3</u>	No change
South San Jose Hills	An area near the Commercial Center at the intersection of Temple Ave and S. Azusa Ave	H9	CG	A-1	C-1
	An area near the Commercial Center at the intersection of S. Nogales St and Northam St	<del>No change</del> <u>CG</u>	<del>No change</del> <u>MU</u>	C-2	MXD
	<u>Existing A-1-10000 parcels along Giano Ave, Jeannie Dr. and La Puente Rd</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>
	<u>West area, between Azusa Ave and Sandalwood, from around Renault St. to north of Hemphill St.</u>	<u>No change</u>	<u>No change</u>	<u>A-1</u>	<u>R-A</u>
	<u>18 parcels on the south end of Yorbita Road, south of Sunshine Court and north of existing CM-zone parcels.</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>
Valinda	One area which is located along an HQT and near a Village Center located at Amar Rd and <del>Walnut</del> <u>Echelon Ave</u>	<del>H9</del> <u>CG</u>	<del>CG</del> <u>MU</u>	<del>R-4</del> <u>C-2</u>	MXD
	Another area that is within a half-mile of a major transit center (Azusa Ave and Amar Rd)	<del>CGH48</del> <u>CG</u>	CG	C-1	MXD
	One area located along S. Glendora Ave/ <u>N Hacienda Blvd</u>	No change	No change	C-2 and C-H	MXD
	<u>Existing A-1-8000 and A-1-10000 parcels in northern Valinda. Located along Area is Francisquito Avenue, Alwood Street, Doublegrove Street, Dubesor Street, Fellowship Street, Maplegrove Street, Walnut Avenue, Mullender Avenue, and Griffith Avenue.</u>	<u>H9</u>	<u>No change</u>	<u>A-1</u>	<u>No change</u>
	<u>Parcels along Amar Road, between Echelon Avenue and N Indian Summer Avenue</u>	<u>H9</u>	<u>No change</u>	<u>R-1</u>	<u>No change</u>
<u>West Claremont</u>	<u>Existing A-1-15000 lots along Baseline Road and Glen Way</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>	<u>No change</u>
West Puente Valley	Area on the western corner of Orange Avenue and Francisquito Avenue	CG	MU (Mixed-Use Development)	C-1	MXD"

## Section 4.2 Agriculture & Forestry Resources

Impact 4.2-4, the sentence beginning line 8 on Page 4.2-15 has been amended to:

“The ESGVAP would generally re-zone agricultural zones that are developed with residential uses from A-1 (Light Agriculture) to an appropriate residential zone, such as R-1 (Single-family residence) or R-A (Residential Agricultural), so that zoning would reflect the existing use and would be consistent with the General Plan land use policy designations.”

## Section 4.4, Biological Resources

The sentence immediately above Regulatory Setting on Page 4.4-8 has been amended to:

“Based on review of the CNDDDB, mountain lions (*Puma concolor*) have not been reported in the Planning Area; however, according to local news reports and tracking studies, mountain lions are present, and the SEAs could provide habitat for the species.”

Page 4.4-25, Mitigation Measure MM BIO-4.4-2, is revised as follows:

**BIO-4.4-2:** Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird ~~clearance~~ survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the pre-construction nesting bird ~~clearance~~ survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of Typical buffer distances include up to 300-feet for passerines, and up to 500-feet for raptors, and 0.5 mile for special-status species, if feasible but can be reduced as deemed appropriate by a monitoring biologist. On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, should be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Project activities may encroach into the buffer only at the discretion of the monitoring biologist. The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active ~~as determined by the monitoring biologist.~~

## Section 4.5 Cultural Resources

Impact 4.5-1, on page 4.5-32 and 4.5-33 is amended as follows:

**Less-Than-Significant Impact with Mitigation Incorporated.** An impact would be significant if it would cause a substantial adverse change in the significance of a historical resource. Historical resources include built resources (buildings, structures,

objects) and archaeological resources that meet the criteria outlined in CEQA Guidelines Section 15064.5(a).

The results of the cultural resources records search through the SCCIC indicates that a total of 69 cultural resources have been recorded within the unincorporated islands and communities of the Plan Area. It should be noted that seven resources are listed more than once in the table to include locations that span more than one municipality. These resources include prehistoric archaeological sites and isolates, historic-period archaeological sites and isolates, historic architectural resources, two California Historical Landmarks and one historic district.

Of these, five meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a). These five resources include two structures (San Antonio Dam and Azusa conduit), one building (Webb School of California), one trail/road (The Mojave Road - listed four times), and one historic district (San Dimas Experimental Forest - listed twice).

Of the results, ~~26 the remaining resources~~ do not meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a). ~~These resources include 17 buildings, 6 structures, 2 historic-period archaeological sites, and 1 railroad.~~

~~The remaining 38 resources require further evaluation to determine if they qualify as historical resources.~~

A review of the BERD indicated that an additional 15 historical resources have been recorded within the unincorporated islands and communities of the Plan Area. These resources include a single-family residence constructed in 1928 in Hacienda Heights; and 14 single-family residences constructed between the 1910s and 1930s in West Claremont.

A review of early historic aerial photographs dating from the 1930s and 1940s compared with current-day aerial photographs indicates that there are remaining agrarian single-family residential properties in several of the areas, many of which have been surrounded by vernacular mid-20th century residential development over time. A few areas also include mid-20th century industrial, educational, and government-owned properties.

The one stone residence/ranch structure (2S2) and the eleven single-family residences with an eligibility status of 5S2 within Table 4.5-2 (*California OHP Built Environment Resources Directory – Eligible and Unevaluated Listings*) should also be considered to meet the criteria for historical resources as outlined in CEQA Guidelines Section 15064.5(a).

The ESGVAP is a policy document that does not include proposals for or approvals of any specific projects, and as a result, would not result in impacts to historical resources. However, future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve structural improvements, demolition/alteration of existing structures, and/or ground disturbing activities (for construction of residential, commercial



and mixed-use development) that could, depending on their location, result in direct or indirect adverse changes to the significance of historical resources. Future projects would be required to comply with existing federal, state, and local regulations that protect historical resources and undergo the County's discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Such projects nonetheless could result in significant impacts to previously recorded and as-yet-unidentified archaeological and /or historic architectural resources qualifying as historical resources under CEQA.

Any project that proposes the demolition, destruction, relocation, or alteration of a building or structure more than 45 years in age or that involves ground disturbing activities or impacts any of the resources with an eligibility status of 1CL, 2S2, 3S or 5S2 as set out in Table 4.5-1 and Table 4.5-2 of the Draft EIR could result in a significant impact to historic architectural and/or archaeological resources qualifying as historical resources under CEQA. However, implementation of mitigation measures **CR-4.5-1** through **CR-4.5-6** would reduce potential impacts to less than significant levels.

## Section 4.13 Public Services

The Library Facilities Mitigation Fee section on page 4.13-9 is amended as follows:

New residential development in the unincorporated areas of Los Angeles County is subject to a library mitigation fee. The fee is intended to supplement facilities needs and mitigating the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$1,094.00 ~~967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23).

Impact 4.13-1 v) Libraries on pages 4.13-15 and 4.13-16 is amended to:

**Less-Than-Significant Impact.** As mentioned above, the ESGVAP would result in increases in density and development intensity which could result in population growth, this growth would not be unplanned and would be consistent with existing regional planning document assumptions regarding population growth. While population growth as a result of the ESGVAP would remain consistent with regional planning document projections, demand for library services may increase as a result.

While the ESGVAP itself would not create additional housing, rezoning would allow for new housing development with increased local population densities. The ESGVAP would not induce regional population growth beyond SCAG projections. Los Angeles County's library mitigation fee program requires residential development projects to pay a fee which acts to mitigate adverse impacts as a result of development. The fee is intended to supplement facility needs and mitigate the impact that new residential development will have on the library system. The Library Facility Mitigation Fee differs across the seven library planning areas. East San Gabriel Valley is in planning area 4 and has a fee of \$1,094.00 ~~967.00~~ per dwelling unit (County of Los Angeles FY 2022b-23). This fee will

mitigate the burden of new development on existing library services and will help maintain the guidelines for facility space of 0.5 gross square feet per capita and 2.75 items per capita. Additionally, goals 8 from the Public Services and Facilities element of the General Plan will ensure that there is a comprehensive public library system. Policy PS/F 8.2 acts to support the library mitigation fee which adequately address the impacts of new development. Policy PS/F 8.1 will ensure a desired level of library services through coordinated land use and facilities planning. The goals and policies outlined in the General Plan along with the library mitigation fee will ensure that impacts to the library system resulting from increased densities in targeted areas would be less than significant. No mitigation is required.

## Section 5 Alternatives

The first sentence under the Agriculture and Forestry Resources section on Page 5-7 is amended to:

“As discussed in Section 4.2, Agriculture and Forestry Resources, the Project would generally rezone agricultural zones that are developed with residential uses from A-1 (Light Agriculture) to an appropriate residential zone, such as R-1 (Single-family residence) or R-A (Residential Agricultural), so that zoning would reflect the existing use and would be consistent with the General Plan land use policy designations.”

The first sentence under the Agriculture and Forestry Resources section on Page 5-22 is amended to:

“As discussed in Section 4.2, Agriculture and Forestry Resources, the Project would rezone agricultural zones that are developed with residential uses from A-1 (Light Agriculture) to an appropriate residential zone, such as R-1 (Single-family residence) or R-A (Residential Agricultural), so that zoning would reflect the existing use and would be consistent with the General Plan land use policy designations.

The first sentence of paragraph 3 on Page 5-22 is amended to:

“Alternative 2 would generally rezone agricultural zones that are developed with residential uses from A-1 (Light Agriculture) to an appropriate residential zone, such as R-1 (Single-family residence) or R-A (Residential Agricultural) within the Alternative 2 Planning Area, so that zoning would reflect the existing use and would be consistent with the General Plan land use policy designations.”

The first sentence under the Agriculture and Forestry Resources section on Page 5-35 is amended to:

“As discussed in Section 4.2, Agriculture and Forestry Resources, the Project would generally rezone agricultural zones that are developed with residential uses from A-1 (Light Agriculture) to an appropriate residential zone, such as R-1 (Single-family residence) or R-A (Residential Agricultural), so that zoning would reflect the existing use and would be consistent with the General Plan land use policy designations.”

The first sentence of paragraph 2 on Page 5-36 is amended to:

“Alternative 3 would generally rezone agricultural zones that are developed with residential uses from A-1 (Light Agriculture) to an appropriate residential zone, such as R-1 (Single-family residence) or R-A (Residential Agricultural) within the Alternative 3 Planning Area, so that zoning would reflect the existing use and would be consistent with the General Plan land use policy designations.”

## Appendix C ESGVAP Plan Area Communities: Land Use and Zoning Change Figures

The Draft PEIR was prepared in conjunction with the Draft East San Gabriel Valley Area Plan and associated supporting information such as the ESGVAP Proposed Land Use Policy and Zoning Web App (available online at: <https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=48eb4076c4e74f2caa8f2a21a78dcfd6>). The Web App is dynamic and as part of ongoing outreach efforts undertaken by the County, has been updated frequently since publication of the Draft EIR. As such, all of the Land Use and Zoning Maps included within Appendix C (from Page 3 to Page 20) for Avocado Heights, Charter Oaks, Covina Islands, East Irwindale, East San Dimas, Hacienda Heights, Rowland Heights, South San Jose Hills, and Valinda have been updated online.

At this time, revised figures are not proposed to be included within the Final PEIR, as the County’s outreach is ongoing, and map changes are therefore also ongoing. Including revised figures could lead to these being superseded the moment they are published. The ESGVAP Proposed Land Use Policy and Zoning Web App should be used for up-to-date Land Use and Zoning information. Additionally, the ESGVAP Noticing Web App can be used to view proposed changes, which provides the same information but is focused on individual properties:

<https://lacounty.maps.arcgis.com/apps/instant/lookup/index.html?appid=4aa28c9e872a4f4381c3fb9cab5d228d>.

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CHAPTER 4

Mitigation Monitoring and Reporting Program

TABLE 4-1  
MITIGATION MONITORING AND REPORTING PROGRAM

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.4-1	Biological Resources	<b>MM BIO–4.4-1.</b> Projects subject to the jurisdiction of the USACE, Los Angeles RWQCB, and/or CDFW shall provide an aquatic resources delineation of wetlands and water courses prior to disturbance of any aquatic, wetland, or riparian habitat. Findings shall be included in an aquatic resources delineation report suitable for submittal to these agencies for obtaining a Section 404 Clean Water Act permit (CWA), Section 401 Water Quality Certification (WQC), Waste Discharge Requirements (WDR), and/or streambed alteration agreement (SAA). Based on the findings of the aquatic resources delineation report and agency verification of the extent of state/federally protected wetlands and waters resources, riparian vegetation, wetlands, and waters shall be avoided to the extent feasible, and appropriate 100-foot setbacks shall be marked from the edge of jurisdictional waters or riparian vegetation (whichever is wider) to maintain riparian and aquatic functions and values wherever feasible. In areas where avoidance of stream channels or riparian vegetation is infeasible, impacts shall be minimized and the site slopes and hydrology of remediated areas shall be restored to pre-construction conditions to the extent possible. If impacts to wetlands are unavoidable, compensatory mitigation shall ensure no net loss of wetlands. A compensatory mitigation plan addressing temporary and permanent impacts to jurisdictional wetlands and waters shall be prepared prior to disturbance. The plan shall be developed in consultation with the USACE, Los Angeles RWQCB, and/or CDFW. All restored/established/enhanced habitats shall be protected in perpetuity, subject to regular maintenance activities, if necessary, and appropriate to permitting agencies. Alternately, compensatory mitigation can be achieved through purchasing credits at a USACE- or CDFW-approved mitigation bank.	Conduct pre-construction wetland delineation surveys within the project disturbance footprint, consult with USACE, LARWQCB, and/or CDFW, provide appropriate mitigation if impacts to delineated wetlands are unavoidable.	Prior to ground disturbance activities.	Applicant or subsequent owner(s)	DRP, DPW
4.4-2	Biological Resources	<b>MM BIO–4.4-2.</b> Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15 (as early as January 1 for some raptors). If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the pre-construction nesting bird survey, an adequate buffer shall be established by a qualified biologist around the active nest depending on sensitivity of the species and proximity to project impact areas. The qualified biologist will implement a minimum buffer of 300-feet for passerines, 500-feet for raptors, and 0.5 mile for special-status species, if feasible. On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Personnel working on a project, including all contractors working on site, should be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. The buffer shall remain in place until young have fledged as determined by a qualified biologist, or the nest is no longer active.	Nesting season construction activities shall be avoided. Preconstruction surveys of all potential nesting habitats shall be conducted within the project area for project activities that are initiated during the breeding season (February 15 to September 15).	Surveys shall be conducted no more than 30 days prior to construction activities.	Applicant or subsequent owner(s)	DRP, DPW
4.5-1	Cultural Resources	<b>MM CR-4.5-1. Historic Resources Assessment.</b> Prior to demolition or alteration of buildings and/or structures or the construction of aboveground infrastructure with potentially significant impacts on historic architectural resources, the project proponent shall retain an architectural historian meeting the minimum professional qualifications standards (PQS) set forth by the Secretary of the Interior (codified in 36 Code of Federal Regulations [CFR] Part 61; 48 Federal Register 44738–44739) (Qualified Architectural Historian) to conduct a historic resources assessment of affected properties. The assessment shall include a records search at the South Central Coastal Information Center or review of a prior record search conducted within the previous one year; a review of other pertinent archives and sources; a pedestrian field survey; recordation of all identified historic architectural resources on California Department of Parks and Recreation (DPR) 523 forms; evaluation of resources which may be eligible for listing in the California Register (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a]), and for local listing; and preparation of a technical report documenting the methods and results of the assessment for each future project facilitated by 2045 CAP measures and actions. If a historic architectural resource is found eligible by the Qualified Architectural Historian, then the Qualified Architectural Historian shall coordinate with the project proponent and County to ensure the project is constructed in conformance with the Secretary of the Interior’s Standards. All reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center (including but not limited to historic resources assessments and Secretary of the Interior’s Standards plan reviews).	Monitor the site for historic architectural resources, and, if resources are discovered, cease construction activities and evaluation by a Qualified Architectural Historian shall occur.	Prior to issuance of a demolition or building permit.	Applicant or subsequent owner(s)	DRP, DPW

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.5-2	Cultural Resources	<b>MM CR-4.5-2. Archaeological Resources Assessment.</b> Prior to conducting construction activities that would involve ground disturbance, the project proponent shall retain an archaeologist meeting the minimum PQS set forth by the Secretary of the Interior (codified in 36 CFR Part 61; 48 Federal Register 44738–44739) (Qualified Archaeologist) to conduct an archaeological resources assessment. The assessment shall include a records search at the South Central Coastal Information Center or review of a prior record search conducted within the previous one year; a Sacred Lands File search at the California Native American Heritage Commission (NAHC); geoarchaeological review including a focused assessment of land use history and any available geotechnical data to assess the potential for subsurface archaeological resources; a pedestrian field survey in instances where ground surface is exposed; recordation of all identified archaeological resources on DPR 523 forms; evaluation of resources affected by the project for eligibility for listing in the California Register (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a]), and for local listing; and preparation of a technical report documenting the methods and results of the assessment. Resources that do not qualify as historical resources shall be considered by the Qualified Archaeologist for qualification as unique archaeological resources as defined in Public Resources Code Section 21083.2(g). The technical report also shall provide recommendations as to whether additional studies are warranted to further identify or evaluate archaeological resources (i.e., Extended Phase I boundary delineation, Phase II testing and evaluation) and if archaeological monitoring and Native American monitoring of ground disturbing activities is warranted (e.g., in areas where there is a higher potential to encounter buried resources). Prior to the initiation of field work for any Extended Phase I or Phase II investigation, the Qualified Archaeologist shall prepare a work plan outlining the investigation's objectives, goals, and methodology. When developing a work plan for Native American resources, the County shall consult with local Native American tribes. If archaeological/Native American monitoring is warranted, the Qualified Archaeologist shall determine the locations and duration of monitoring and reporting requirements. All reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center (including but not limited to archaeological resources assessments, Extended Phase I and Phase II reports, and monitoring reports).	Monitor the site for cultural resources and tribal cultural resources.	Prior to any ground disturbing activities.	Applicant or subsequent owner(s)	DRP, DPW
4.5-3	Cultural Resources	<b>MM CR-4.5-3. Construction Worker Cultural Resources Sensitivity Training.</b> For projects with ground disturbing activities that may encounter potentially significant archaeological resources, the Qualified Archaeologist shall implement a cultural resources sensitivity training program. The Qualified Archaeologist, or its designee, shall instruct all construction personnel of the types of archaeological resources that may be encountered, the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, applicable laws protecting archaeological resources, and confidentiality of discoveries. Native American monitor(s) shall be invited to participate in presenting tribal perspectives as part of the training curriculum. In the event that construction crews are phased, additional trainings shall be conducted for new construction personnel. The project proponent or its contractors shall ensure construction personnel are made available for and attend the training. The project proponent shall retain documentation demonstrating attendance and provide it to the County.	Implement a Construction Worker Cultural Resources Sensitivity Training to train all contractors and earth-moving personnel.	Prior to any ground-disturbing activities.	Applicant or subsequent owner(s)	DRP, DPW
4.5-4	Cultural Resources	<b>MM CR-4.5-4. Archaeological Resources Discoveries.</b> In the event archaeological resources are encountered during construction of a project, the project proponent shall cease all activity within 50 feet of the find shall cease. The discovery shall be evaluated for significance by the Qualified Archaeologist.  When assessing significance and developing treatment for resources that are Native American in origin, the County shall consult with local Native American tribes. If the Qualified Archaeologist determines that the resource is significant (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a] or for unique archaeological resource in Public Resources Code Section 21083.2[g]), the Qualified Archaeologist shall provide a method for avoidance and preservation in place, which shall be the preferred manner of mitigating impacts. If avoidance is infeasible, the Qualified Archaeologist shall develop a Phase III Archaeological Resources Data Recovery and Treatment Plan consistent with Mitigation Measure 4.5-5. The Qualified Archaeologist also shall determine, based on the initial assessment of the discovery, whether the 50-foot buffer may be reduced. All reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center (including but not limited to Extended Phase I, Phase II, and Phase III reports).	If archaeological resources are discovered, cease construction activities and evaluation by a Qualified Archaeologist shall occur.	Upon discovery of archaeological resources during the course of project development.	Applicant or subsequent owner(s)	DRP, DPW
4.5-5	Cultural Resources	<b>MM CR-4.5-5. Treatment of Archaeological Resources.</b> If the assessment conducted under Mitigation Measure 4.5-2 or Mitigation Measure 4.5-4 identifies significant archaeological resources (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a] or for unique archaeological resource in Public Resources Code Section 21083.2[g]), then avoidance and preservation in place shall be the preferred manner of mitigating impacts. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. If avoidance and preservation in place of significant archaeological resources is determined by the County to be infeasible, then the Qualified Archaeologist shall prepare a Phase III Archaeological Resources Data Recovery and Treatment Plan. The plan shall include: a detailed research design; justification for data recovery or other treatment methods depending on the nature of the resource's eligibility; excavation methodology; and, reporting and curation requirements. When developing treatment for resources that are Native American in origin, the County shall consult with local Native American tribes. All Phase III reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center.	Avoidance and preservation in place of identified significant archaeological resources	Upon identification of any significant archaeological resources during the course of project development.	Applicant or subsequent owner(s)	DRP, DPW

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.5-6	Cultural Resources	<b>MM CR-4.5-6. Curation and Disposition of Cultural Materials</b> Disposition of Native American archaeological materials shall be determined by the County in coordination with local California Native American tribes. Disposition of materials may include curation at an accredited or nonaccredited repository, onsite or offsite reburial, and/or donation to a local tribe or public, nonprofit institution with a research interest in the materials, or local school or historical society in the area for educational purposes. The County shall consider tribal preferences when making a determination of disposition of Native American archaeological materials. Disposition of Native American human remains and associated funerary objects or grave goods (i.e., artifacts associated with human remains) shall be determined by the landowner in consultation with the County and the MLD. The project proponent shall curate all significant historic period archaeological material, or portions thereof at the discretion of the Qualified Archaeologist, at a repository accredited by the American Association of Museums that meets the standards outlined in 36 CFR Section 79.9. If no accredited repository accepts the collection, then the project proponent may curate it at a nonaccredited repository as long as it meets the minimum standards set forth in 36 CFR Section 79.9. If neither an accredited nor a nonaccredited repository accepts the collection, then the project proponent may offer the collection to a public, nonprofit institution with a research interest in the materials, or to a local school or historical society in the area for educational purposes.	Appropriate curation and disposition of Native American archaeological resources in conjunction with a Qualified Archaeologist shall occur.	Upon discovery of Native American archaeological resources during the course of project development.	Applicant or subsequent owner(s)	DRP, DPW
4.5-7	Cultural Resources	<b>MM CR-4.5-7. Paleontological Resources Assessment and Monitoring.</b> For projects facilitated by the ESGVAP that involve ground disturbance, the project proponent shall retain a paleontologist who meets the Society of Vertebrate Paleontology's (SVP 2010) definition for qualified professional paleontologist (Qualified Paleontologist) to prepare a paleontological resources assessment report prior to the start of construction activities. The report shall include methods and results of the paleontological resources assessment, monitoring requirements (including depths, frequency, and reporting), and maps that outline where monitoring is required. Monitoring shall follow SVP Guidelines: no monitoring of ground-disturbing activities within units of Low Sensitivity or No Potential; monitoring of all ground-disturbing activities (with depths specified) in units of Low to High Significance; and at all depths within units of High Significance unless the Qualified Paleontologist's report identifies previous disturbances or the use of construction methods which do not warrant monitoring; and monitoring at the initiation of excavation in units of Undetermined Significance. The report also shall stipulate whether screen washing is necessary to recover small specimens following SVP Guidelines and determine whether unique geologic features are present onsite. If monitoring is conducted, then the Qualified Paleontologist shall prepare a final report summarizing monitoring results and submit it to the project proponent and the County.	Monitor the site for paleontological resources.	Prior to the start of any construction activities.	Applicant or subsequent owner(s)	DRP, DPW
4.5-8	Cultural Resources	<b>MM CR-4.5-8. Paleontological Resources Sensitivity Training.</b> Prior to the start of ground-disturbing activities for projects facilitated by the ESGVAP with potentially significant impacts on paleontological resources, the Qualified Paleontologist or its designee shall conduct construction worker paleontological resources sensitivity training (or may be provided via digital recording) for all construction workers.  Construction workers shall be informed on how to identify the types of paleontological resources that may be encountered, the proper procedures to be enacted in the event of an inadvertent discovery of paleontological resources, and safety precautions to be taken when working with paleontological monitors. The project proponent shall ensure that construction workers are made available for and attend the training. The project proponent shall retain documentation demonstrating attendance and provide it to the County	Implement a Paleontological Resources Sensitivity Training to train all contractors and earth-moving personnel.	Prior to any ground-disturbing activities.	Applicant or subsequent owner(s)	DRP, DPW
4.5-9	Cultural Resources	<b>MM CR-4.5-9. Paleontological Discoveries.</b> If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area determined by the paleontological monitor shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the monitor's discretion, and to reduce any construction delay, the grading/excavation contractor shall assist, where feasible, in removing rock/sediment samples for initial processing and evaluation. If a fossil is determined to be significant, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location, following the guidelines of the SVP (2010). Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and curated at a public, nonprofit institution with a research interest in the material and with retrievable storage, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils.  Accompanying notes, maps, and photographs shall also be filed at the repository. If no institution accepts the fossil collection, it may be donated to a local school or other interested organization in the area for educational purposes. If construction workers discover any potential fossils during construction while the paleontological monitor is not present, regardless of the depth of work or location, work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and recommended and implemented appropriate treatment as described earlier in this measure. Any salvage reports resulting from implementation of this measure shall be filed with the Natural History Museum of Los Angeles County.	If resources are discovered, construction activities shall be diverted and evaluation by a Qualified Paleontologist shall occur.	Upon discovery of paleontological resources during the course of project development.	Applicant or subsequent owner(s)	DRP, DPW

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.5-10	Cultural Resources	<b>MM CR-4.5-10. Human Remains Discoveries.</b> If human remains are encountered, then the project proponent or its contractor shall immediately halt work within 50 feet of the discovery and contact the Los Angeles County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5, which require that no further disturbance shall occur until the County Coroner has made the necessary findings as to the remains' origin and disposition. If the County Coroner determines that the remains are Native American, then the County Coroner will notify the NAHC within 24 hours in accordance with Health and Safety Code Section 7050.5(c), and Public Resources Code Section 5097.98. The NAHC shall then identify the person(s) thought to be the MLD. The MLD may, with the permission of the land owner, or their authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. The project proponent, County, and landowner shall discuss and confer with the MLD on all reasonable options regarding the MLD's preferences for treatment. Until the project proponent, County, and landowner have conferred with the MLD, the contractor shall ensure that the immediate vicinity where the discovery occurred is not disturbed by further activity and is adequately protected according to generally accepted cultural or archaeological standards or practices (e.g., the NAHC's A Professional Guide for the Preservation and Protection of Native American Human Remains and Associated Grave Goods [NAHC 2022], which reiterates statutory requirements), and that further activities take into account the possibility of multiple burials. If the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Public Resources Code Section 5097.94(k), if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.	In the event that human remains are accidentally discovered, follow California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98. Contact County Coroner.	Upon discovery of human remains during the course of project development.	Applicant or subsequent owner(s)	DRP, DPW
4.11-1	Noise	<b>MM NOI-4.11-1. Commercial/Industrial/Accessory Commercial Unit (ACU) Operational Noise.</b> Prior to issuance of a building permit for any future commercial, industrial, mixed-use, or ACU development project within the East San Gabriel Valley Area Plan that are located within 500 feet of sensitive receptors, the project applicant shall submit a noise mitigation plan to DPH for review and approval. The noise mitigation plan shall be prepared by a sound engineer and be sufficient for DPH to make a determination of whether the project will be in compliance with all applicable County Noise standards and regulations. At a minimum, the noise mitigation plan shall include the following information: a list of all electro-mechanical equipment (HVAC, refrigeration systems, generators, etc.) that will be installed at the project site; sound level that would be produced by each equipment; noise-reduction measures, as necessary; and sufficient predictive analysis of project operational noise impact. All noise-reduction measures approved by DPH shall be incorporated into the project building plans and be implemented during project construction. Potential noise reduction measures may include, but are not limited to, one or more of the following, as applicable to the project: <ul style="list-style-type: none"><li>• Install permanent noise-occluding shrouds or screens on operating equipment.</li><li>• Maintain all equipment and noise control features in accordance with the manufacturer's specifications.</li><li>• Orient equipment vents and other sources of sound emissions away from noise-sensitive receptors and/or behind structures, containers, or natural features.</li><li>• Increase distance between the operating equipment and the noise-sensitive receptor(s) of concern, to the maximum extent feasible.</li><li>• Install portable sound-occluding barriers to attenuate noise between the source(s) and the noise- sensitive receptor(s).</li></ul> This mitigation measure shall not apply and is superseded once a Countywide noise ordinance goes into effect that establishes operational noise standards for commercial, industrial, mixed-use, or ACU development projects within the East San Gabriel Valley Area Plan.	Use equipment as specified in the mitigation to reduce noise levels during operation.	Prior to issuance of a building permit.	Applicant or subsequent owner(s)	DRP, DPH
4.11-2	Noise	<b>MM NOI-4.11-2. Construction Noise.</b> Applicants for future development projects pursuant to implementation of the East San Gabriel Valley Area Plan that are within 500 feet of sensitive receptors (e.g., residences, hospitals, schools) shall submit a noise study to DPH for review and approval prior to issuance of a grading or building permit. The study shall include noise-reduction measures, if necessary, to ensure project construction noise will be in compliance with the County of Los Angeles Noise Ordinance standards (i.e., LACC 12.08.440). All noise-reduction measures approved by DPH shall be incorporated into appropriate construction-related plans (e.g., demolition plans, grading plans and building plans) and implemented during construction activities. Potential noise-reduction measures may include, but are not limited to, one or more of the following, as applicable to the project: <ul style="list-style-type: none"><li>• Install temporary sound barriers for construction activities that occur adjacent to occupied noise-sensitive receptors.</li><li>• Equip construction equipment with effective mufflers, sound-insulating hoods or enclosures, vibration dampers, and other Best Available Control Technology (BACT).</li><li>• Limit non-essential idling of construction equipment to no more than five minutes per hour.</li></ul> This mitigation measure shall not apply and is superseded once a Countywide noise ordinance goes into effect that establishes construction noise standards for noise-reduction measures that ensures project construction noise compliance with the County of Los Angeles Noise Ordinance standards (i.e., LACC 12.08.440) for development projects within the East San Gabriel Valley Area Plan.	Use equipment as specified in the mitigation to reduce noise levels during construction, and comply with County's permissible hours of construction.	Prior to the issuance of a grading or building permit.	Applicant or subsequent owner(s)	DRP, DPH



#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.11-3	Noise	<b>MM NOI-4.11-3. Construction Vibration.</b> For future development projects that utilize vibration-intensive construction equipment (e.g., pile drivers, jack hammers, and vibratory rollers) within 300 feet of sensitive receptors within the East San Gabriel Valley Area Plan, project applicant shall submit a vibration impact evaluation to DPH for review and approval prior to issuance of a grading or building permit. The evaluation shall include a list of project construction equipment and the associated vibration levels and a predictive analysis of potential project vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the County's standard of 0.01 inch per second RMS vibration velocity [within the range of 1 to 100 Hz frequency]), project-specific measures shall be required to ensure project compliance with vibration standards. All project-specific measures approved by DPH shall be incorporated into appropriate construction-related plans (e.g., demolition plans, grading plans and building plans) and implemented during project construction. Examples of equipment vibration source-to- receptor distances at which impact evaluation should occur vary with equipment type (based on FTA reference vibration information) and are as follows: <ul style="list-style-type: none"><li>• Jackhammer: 23 feet.</li><li>• Dozer, hoe-ram, drill rig, front-end loader, tractor, or backhoe: 43 feet.</li><li>• Roller (for site ground compaction or paving): 75 feet.</li><li>• Impact pile-driving: 280 feet.</li></ul> This mitigation measure shall not apply and is superseded once a Countywide groundborne vibration ordinance goes into effect that establishes construction groundborne vibration standards for vibration- reduction measures that ensures project construction groundborne vibration compliance with the County of Los Angeles standard of 0.01 inch per second RMS vibration velocity [within the range of 1 to 100 Hz frequency]) for development projects within the East San Gabriel Valley Area Plan.	Use equipment as specified in the mitigation to reduce vibration levels during construction.	Prior to issuance of a grading or building permit.	Applicant or subsequent owner(s)	DRP, DPH
4.15-.1	Transportation / Traffic	<b>MM TR-4.15-1. VMT Reduction Projects</b> The County will work with State, regional, and local agencies to reduce regional VMT. Land use policies in the ESGVAP to improve and/or expand transit service, bicycle and pedestrian facilities, and transportation projects will help the region to achieve the projected decreases in regional VMT. The County will also collaborate with State and other agencies to explore the feasibility of new programs for reducing VMT, such as VMT fees.	Consult with State, regional, and local agencies.	Prior to final map approval.	Applicant or subsequent owner(s)	DRP, DPW
4.15-2	Transportation / Traffic	<b>MM TR-4.15-2. TDM Strategies.</b> Implementation of TDM strategies, where feasible and necessary based on project and site-specific considerations, may include but are not limited to those identified below: <ol style="list-style-type: none"><li>1. Increased Job Density</li><li>2. Provide Transit-Oriented Development</li><li>3. Commute Trip Reduction Marketing</li><li>4. Ridesharing Programs</li><li>5. Subsidized or Discounted Transit Program</li><li>6. End-of-Trip Bicycle Facilities</li><li>7. Employer-Sponsored Vanpool</li><li>8. Employee Parking Cash-Out</li><li>9. Limit Residential Parking Supply</li><li>10.Unbundle Residential Parking Costs from Property Cost</li><li>11.Provide Pedestrian Network Improvements</li><li>12.Expand Bikeway Network</li><li>13.Extend Transit Network Coverage or Hours</li><li>14.Increase Transit Service Frequency</li><li>15.Implement Transit-Supportive Roadway Treatments</li><li>16. Provide Bus Rapid Transit</li></ol>	Implement TDM strategies.	Prior to final map approval.	Applicant or subsequent owner(s)	DRP, DPW
	Mitigation Compliance	As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	DRP

\* In the "#" column, the number before the decimal should always correspond with the chapter number in the initial study.

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# **FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS**

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## **East San Gabriel Valley Area Plan**

### **1 Introduction**

This Findings of Fact (Findings) and the Statement of Overriding Considerations summarize the findings of environmental impacts of the *East San Gabriel Valley Area Plan Program Environmental Impact Report* (ESGVAP PEIR) – County of Los Angeles Department of Regional Planning (SCH No. 2022040512) and presents the Statement of Overriding Considerations. This section presents an overview of the purpose of this document, summarizes the proposed Project, and presents the organization of this document.

#### **1.1 Purpose of Findings and the Statement of Overriding Considerations**

Section 15091 of the California Environmental Quality Act (CEQA) Guidelines (and Section 21081 of the California Public Resources Code) require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more written findings for each such impact. According to Section 15091, “No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Additionally, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic,

legal, social, technological, or other benefits of a proposed project outweigh the unavoidable significant environmental effects, the significant environmental effects may be considered “acceptable.” When the lead agency approves a project which will result in the occurrence of significant effects, which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. (Public Resources Code (PRC) § 21081(b); CEQA Guidelines § 15093).

## 1.2 Overview of the Proposed Project

The proposed East San Gabriel Valley Area Plan (ESGVAP, Area Plan, or Project), described in Chapter 3.0 of the Draft PEIR, is a community-based plan that focuses on land use and policy issues that are specific to the unique characteristics and needs of the East San Gabriel Valley (ESGV) Planning Area. The ESGVAP is intended to respond to local planning challenges, guide long-term development, enhance community spaces, promote a stable and livable environment that balances growth with preservation, and improve the quality of life in the ESGV through the creation of vibrant, thriving, safe, healthy, and pleasant communities. The ESGVAP would update and consolidate two existing community plans into the Area Plan. The Rowland Heights community standards district is being updated to better implement the objectives of the Area Plan. Boundaries of the Avocado Heights equestrian district (ED) and Trailside ED are being combined and updated to streamline and standardize horse-keeping provisions within the two existing ED areas.

### Project Objectives

The overarching vision of the ESGVAP is to conserve the residential character of the ESGV communities, while at the same time, grow sustainably into a dynamic regional hub that provides diverse options for housing, shopping, entertainment, recreation, and services for its residents, workers, and visitors. The ESGVAP supports the community’s desire to preserve the historical rural and equestrian character of the ESGV.

The primary objectives of the ESGVAP are to:

- Retain the residential character of the ESGV Planning Area in harmony with its surroundings;
- Promote economic development via an active regional hub near transportation centers with diverse options for housing, shopping, entertainment, recreation, and public services;
- Develop goals, policies, and implementation programs that support smart growth, sustainable development, and thoughtful enhancement of residential neighborhoods while preserving the area’s historical rural and equestrian character;
- Establish more public spaces and create walkable communities linked by paths and greenways; and
- Encourage a diversity of housing options and affordability.

## 1.3 Document Organization

This Findings of Fact and the Statement of Overriding Considerations are organized as follows:

- **Section 1. Introduction:** provides background information of the purpose of Findings of Fact and the Statement of Overriding Considerations and presents the organization of this document and provides a brief overview of the proposed Project.
- **Section 2. Statement of Environmental Effects and Required Findings:** identifies the issue areas for which the proposed Project would have no impact or a less than significant impact, and presents a summary of the significant effects of the proposed Project along with the one or more written findings made by the County, as the Lead Agency, explaining how it dealt with each of the significant effects and mitigation measures.
- **Section 3. Evaluation of Alternatives:** describes the alternatives evaluated in the PEIR, and the findings and rationale for selection of the proposed Project and rejection of the alternatives, including the Environmentally Superior Alternative.
- **Section 4. Findings Regarding the Final EIR:** outlines the contents and findings of the Final PEIR
- **Section 5. Statement of Overriding Considerations:** explains in detail why the social, economic, legal, technical, or other beneficial aspects of the proposed Project outweigh the unavoidable, adverse environmental impacts and why the County, as the Lead Agency, is willing to accept such impacts.

## 2 Statement of Environmental Effects and Required Findings

The following sections (Sections A, B, C and D) set forth the County's findings regarding significant environmental impacts and the mitigation measures proposed to address the significant impacts. Although State CEQA Guidelines Section 15091 and PRC Section 21081 only require findings to address significant environmental effects, findings often address impacts that were found to be less than significant; therefore, these findings will account for all effects identified in the Final PEIR.

The Final PEIR addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the proposed Project. The Final PEIR provides the environmental information necessary for the County to make a final decision on the requested discretionary actions for all phases of this Project.

These findings provide the written analysis and conclusions of the County regarding the environmental impacts of the proposed Project, the mitigation measures included as part of the Final PEIR and adopted by the County as part of the Project, and the alternatives that have been rejected as infeasible. These findings refer to the analysis contained within the Final EIR to avoid duplication and redundancy. Because the County agrees with, and hereby adopts, the conclusions in the Final PEIR, which includes the analysis provided in the Draft EIR, these findings will not

repeat the analysis and conclusions in the Final PEIR, but instead incorporates them by reference in these findings and relies upon them as substantial evidence supporting these findings.

## A. Findings of No Impact

The environmental effects listed below were identified as not potentially significant (refer to Section 6.5, *Effects Found Not to Be Significant*, in the Draft PEIR). The County finds that the Draft PEIR, the Final PEIR, and the record of proceedings in this matter do not identify or contain substantial evidence identifying significant environmental effects of the Project with respect to the areas listed below:

1. Geology and Soils
2. Mineral Resources

As described in Section 15128 of the State CEQA Guidelines, and detailed in the Draft EIR, these issues have no potential for significant impacts and required no further environmental review or analysis beyond the discussion in Chapter 6 of the Draft PEIR.

## B. Findings of Less than Significant prior to Mitigation

The County finds that the following environmental effects were identified in the Draft PEIR, the Final PEIR and the record of proceedings in this matter contain substantial evidence establishing that the Project would result in less than significant effects on the environment with respect to the areas listed below:

1. Agriculture and Forestry Resources
2. Energy
3. Greenhouse Gas Emissions
4. Hazards and Hazardous Materials
5. Hydrology and Water Quality
6. Land Use and Planning
7. Population and Housing
8. Public Services
9. Recreation
10. Utilities and Service Systems
11. Wildfire

## B.1 Agriculture and Forestry Resources

### Facts/Effects:

- i. The Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use (Impact AG-1).
- ii. The Project would not conflict with the existing zoning for, or cause rezoning of, forest land, timberland or timberland zoned Timberland Production (Impact AG-2).
- iii. The Project would not result in the loss of forest land or conversion of forest land to non-forest use (Impact AG-3).
- iv. The Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use (Impact AG-4).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to agriculture and forestry resources.

## B.2 Energy

### Facts/Effects:

- i. The Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation (Impact ENG-1).
- ii. The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency (Impact ENG-2).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to energy.

## B.3 Greenhouse Gas Emissions

### Facts/Effects:

- i. The Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment (Impact GHG-1).
- ii. The Project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs (Impact GHG-2).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to greenhouse gas emissions.

## **B.4 Hazards and Hazardous Materials**

### **Facts/Effects:**

- i. The Project would not, either directly or as a result of future projects facilitated by the ESGVAP: create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses; be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment; for a project located within an airport land use plan, or where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the Project area; and expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving fires (Impact HAZ-1 through Impact HAZ-5; Impact HAZ-7).
- ii. The Project would not impair implementation of or interfere with an adopted emergency response plan or emergency evacuation plan (Impact HAZ-6).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to hazardous materials.

## **B.5 Hydrology and Water Quality**

### **Facts/Effects:**

- i. The Project would not: violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality; substantially alter the existing drainage pattern of the site or area, including through the alteration of a Federal 100-year flood hazard area or County Capital Flood floodplain; the alteration of the course of a stream or river; or through the addition of impervious surfaces; otherwise place structures in Federal 100-year flood hazard or County Capital Flood floodplain areas which would require additional flood proofing and flood insurance requirements; conflict with the Los Angeles County Low Impact



Development Ordinance (L.A. County Code, Title 12, Ch. 12.84); use onsite wastewater treatment systems in areas with known geological limitations (e.g., high groundwater) or in close proximity to surface water (including, but not limited to, streams, lakes, and drainage course); and in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation (Impact HYD-1; Impact HYD-3 through Impact HYD-7).

- ii. The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (Impact HYD-2).
- iii. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Impact HYD-8).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to hydrology and water quality.

## B.6 Land Use and Planning

### Facts/Effects:

- i. The Project would not, either directly or as a result of future projects facilitated by the ESGVAP, physically divide an established community or conflict with the goals and policies of the General Plan related to Hillside Management Areas or Significant Ecological Areas (Impact LU-1 and Impact LU-3).
- ii. The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Impact LU-2).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to land use and planning.

## B.7 Population and Housing

### Facts/Effects:

- i. The Project would not induce substantial unplanned population growth in an area, directly nor indirectly (Impact POP-1).
- ii. The Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (Impact POP-2).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to population and housing.

## **B.8 Public Services**

### **Facts/Effects:**

- i. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: (i) fire protection, (ii) police protection, (iii) schools, (iv) parks, (v) other public facilities (Impact PUB-1).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to public services.

## **B.9 Recreation**

### **Facts/Effects:**

- i. The Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated (Impact REC-1).
- ii. The Project would not result in the construction or expansion of recreational facilities which might have an adverse effect on the environment (Impact REC-2).
- iii. The Project would not result interference with regional trail connectivity (Impact REC-3).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to recreation.

## B.10 Utility and Service Systems

### Facts/Effects:

- i. The Project would not create new demand related to water, wastewater, stormwater drainage, electric power, natural gas power, or telecommunications utilities (Impact UTL-1).
- ii. The Project would not induce growth beyond regional SCAG projections. As a result, sufficient water supplies would be available to serve reasonably foreseeable future development during normal, dry and multiple dry years consistent with local UWMP projections (Impact UTL-2).
- iii. The Project would ensure adequate treatment capacity is available in the ESGV Planning Area to service future development (Impact UTL-3).
- iv. The Project would not generate substantial solid waste or impair attainment of solid waste reduction goals (Impact UTL-4).
- v. The Project would not increase regional capacity requirements for local solid waste facilities compared to existing capacity projections. (Impact UTL-5).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to utilities and service systems.

## B.11 Wildfire

### Facts/Effects:

- i. The Project would not: due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes; and expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires (Impact WF-2 through Impact WF-5).
- ii. The Project would not change regulations associated with emergency response and would not provide any goals, policies, or programs that would significantly impact emergency response and/or evacuation (Impact WF-1).

**Mitigation:** No mitigation measures are required to reduce impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant effects on the environment with respect to wildfire.

## C. Findings of Less than Significant with Mitigation

The County finds that although the following environmental effects were identified as potentially significant in the Draft PEIR, changes or alterations have been required in, or incorporated into, the Project which avoid or lessen the potential significant environmental effects listed below to a less-than-significant level:

1. Cultural Resources
2. Tribal Cultural Resources

### C.1 Cultural Resources

#### Facts/Effects:

- i. Future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve structural improvements, demolition/alteration of existing structures, and/or ground disturbing activities (for construction of residential, commercial and mixed-use development) that could, depending on their location, result in direct or indirect adverse changes to the significance of historical resources. Future projects would be required to comply with existing federal, state, and local regulations that protect historical resources and undergo the County's discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Such projects nonetheless could result in significant impacts to previously recorded and as-yet-unidentified archaeological and/or historic architectural resources qualifying as historical resources under CEQA. Any project that proposes the demolition, destruction, relocation, or alteration of a building or structure more than 45 years in age or that involves ground disturbing activities could result in a significant impact to historic architectural and/or archaeological resources qualifying as historical resources under CEQA (Impact CUL-1).
- ii. Future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve ground disturbing activities (for construction of residential, commercial and mixed-use development) that could, depending on their location, result in direct or indirect adverse changes to the significance of historical resources. Future projects would be required to comply with existing federal, State, and local regulations that protect unique archaeological resources and undergo the County's discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Any project that involves ground disturbing activities could result in a significant impact to a unique archaeological resource (Impact CUL-2).

- iii. Future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve ground disturbing activities (for construction of residential, commercial and mixed-use development) that could, depending on their location, result in direct or indirect adverse changes to the significance of paleontological resources. Future projects would be required to comply with existing federal, State, and local regulations that protect paleontological resources and undergo the County's discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Such projects could nonetheless result in significant impacts to unique paleontological resources or sites under CEQA (Impact CUL-3).
- iv. Future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve ground disturbing activities (for construction of residential, commercial and mixed-use development) that could, depending on their location, disturb human remains. Future projects would be required to comply with existing federal, State, and local regulations that protect human remains and undergo the County's discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Such projects could nonetheless result in significant impacts to human remains under CEQA, including to human remains interred outside of dedicated cemeteries (Impact CUL-4).

**Mitigation:** The following mitigation measures are required to reduce impacts below a level of significance:

**CR-4.5-1: Historic Resources Assessment.** Prior to demolition or alteration of buildings and/or structures or the construction of aboveground infrastructure with potentially significant impacts on historic architectural resources, the project proponent shall retain an architectural historian meeting the minimum professional qualifications standards (PQS) set forth by the Secretary of the Interior (codified in 36 Code of Federal Regulations [CFR] Part 61; 48 Federal Register 44738–44739) (Qualified Architectural Historian) to conduct a historic resources assessment of affected properties. The assessment shall include a records search at the South Central Coastal Information Center or review of a prior record search conducted within the previous one year; a review of other pertinent archives and sources; a pedestrian field survey; recordation of all identified historic architectural resources on California Department of Parks and Recreation (DPR) 523 forms; evaluation of resources which may be eligible for listing in the California Register (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a]), and for local listing; and preparation of a technical report documenting the methods and results of the assessment for each future project facilitated by 2045 CAP measures and actions. If a historic architectural resource is found eligible by the Qualified Architectural Historian, then the Qualified Architectural Historian shall coordinate with the project proponent and County to ensure the project is constructed in conformance with the Secretary of the Interior's Standards. All reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center (including but not limited to historic resources assessments and Secretary of the Interior's Standards plan reviews).

**CR-4.5-2: Archaeological Resources Assessment.** Prior to conducting construction activities that would involve ground disturbance, the project proponent shall retain an archaeologist meeting the minimum PQS set forth by the Secretary of the Interior (codified in 36 CFR Part 61; 48 Federal Register 44738–44739) (Qualified Archaeologist) to conduct an archaeological resources assessment. The assessment shall include a records search at the South Central Coastal Information Center or review of a prior record search conducted within the previous one year; a Sacred Lands File search at the California Native American Heritage Commission (NAHC); geoarchaeological review including a focused assessment of land use history and any available geotechnical data to assess the potential for subsurface archaeological resources; a pedestrian field survey in instances where ground surface is exposed; recordation of all identified archaeological resources on DPR 523 forms; evaluation of resources affected by the project for eligibility for listing in the California Register (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a]), and for local listing; and preparation of a technical report documenting the methods and results of the assessment. Resources that do not qualify as historical resources shall be considered by the Qualified Archaeologist for qualification as unique archaeological resources as defined in Public Resources Code Section 21083.2(g). The technical report also shall provide recommendations as to whether additional studies are warranted to further identify or evaluate archaeological resources (i.e., Extended Phase I boundary delineation, Phase II testing and evaluation) and if archaeological monitoring and Native American monitoring of ground disturbing activities is warranted (e.g., in areas where there is a higher potential to encounter buried resources). Prior to the initiation of field work for any Extended Phase I or Phase II investigation, the Qualified Archaeologist shall prepare a work plan outlining the investigation’s objectives, goals, and methodology. When developing a work plan for Native American resources, the County shall consult with local Native American tribes. If archaeological/Native American monitoring is warranted, the Qualified Archaeologist shall determine the locations and duration of monitoring and reporting requirements. All reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center (including but not limited to archaeological resources assessments, Extended Phase I and Phase II reports, and monitoring reports).

**CR-4.5-3: Construction Worker Cultural Resources Sensitivity Training.** For projects with ground disturbing activities that may encounter potentially significant archaeological resources, the Qualified Archaeologist shall implement a cultural resources sensitivity training program. The Qualified Archaeologist, or its designee, shall instruct all construction personnel of the types of archaeological resources that may be encountered, the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, applicable laws protecting archaeological resources, and confidentiality of discoveries. Native American monitor(s) shall be invited to participate in presenting tribal perspectives as part of the training curriculum. In the event that construction crews are phased, additional trainings shall be conducted for new construction personnel. The project proponent or its contractors shall ensure construction personnel are made available for and attend the training. The project proponent shall retain documentation demonstrating attendance and provide it to the County.

**CR-4.5-4: Archaeological Resources Discoveries.** In the event archaeological resources are encountered during construction of a project, the project proponent shall cease all activity within 50 feet of the find shall cease. The discovery shall be evaluated for significance by the Qualified Archaeologist. When assessing significance and developing treatment for resources that are Native American in origin, the County shall consult with local Native American tribes. If the Qualified Archaeologist determines that the resource is significant (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a] or for unique archaeological resource in Public Resources Code Section 21083.2[g]), the Qualified Archaeologist shall provide a method for avoidance and preservation in place, which shall be the preferred manner of mitigating impacts. If avoidance is infeasible, the Qualified Archaeologist shall develop a Phase III Archaeological Resources Data Recovery and Treatment Plan consistent with Mitigation Measure 4.5-5. The Qualified Archaeologist also shall determine, based on the initial assessment of the discovery, whether the 50-foot buffer may be reduced. All reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center (including but not limited to Extended Phase I, Phase II, and Phase III reports).

**CR-4.5-5: Treatment of Archaeological Resources.** If the assessment conducted under Mitigation Measure 4.5-2 or Mitigation Measure 4.5-4 identifies significant archaeological resources (i.e., meets the definition for historical resource in CEQA Guidelines Section 15064.5[a] or for unique archaeological resource in Public Resources Code Section 21083.2[g]), then avoidance and preservation in place shall be the preferred manner of mitigating impacts. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. If avoidance and preservation in place of significant archaeological resources is determined by the County to be infeasible, then the Qualified Archaeologist shall prepare a Phase III Archaeological Resources Data Recovery and Treatment Plan. The plan shall include: a detailed research design; justification for data recovery or other treatment methods depending on the nature of the resource's eligibility; excavation methodology; and, reporting and curation requirements. When developing treatment for resources that are Native American in origin, the County shall consult with local Native American tribes. All Phase III reports resulting from implementation of this measure shall be filed with the South Central Coastal Information Center.

**CR-4.5-6: Curation and Disposition of Cultural Materials.** Disposition of Native American archaeological materials shall be determined by the County in coordination with local California Native American tribes. Disposition of materials may include curation at an accredited or nonaccredited repository, onsite or offsite reburial, and/or donation to a local tribe or public, nonprofit institution with a research interest in the materials, or local school or historical society in the area for educational purposes. The County shall consider tribal preferences when making a determination of disposition of Native American archaeological materials. Disposition of Native American human remains and associated funerary objects or grave goods (i.e. artifacts associated with human remains) shall be determined by the landowner in consultation with the County and the MLD. The project

proponent shall curate all significant historic-period archaeological material, or portions thereof at the discretion of the Qualified Archaeologist, at a repository accredited by the American Association of Museums that meets the standards outlined in 36 CFR Section 79.9. If no accredited repository accepts the collection, then the project proponent may curate it at a nonaccredited repository as long as it meets the minimum standards set forth in 36 CFR Section 79.9. If neither an accredited nor a nonaccredited repository accepts the collection, then the project proponent may offer the collection to a public, nonprofit institution with a research interest in the materials, or to a local school or historical society in the area for educational purposes.

**CR-4.5-7: Paleontological Resources Assessment and Monitoring.** For projects facilitated by the ESGVAP that involve ground disturbance, the project proponent shall retain a paleontologist who meets the Society of Vertebrate Paleontology's (SVP 2010) definition for qualified professional paleontologist (Qualified Paleontologist) to prepare a paleontological resources assessment report prior to the start of construction activities. The report shall include methods and results of the paleontological resources assessment, monitoring requirements (including depths, frequency, and reporting), and maps that outline where monitoring is required. Monitoring shall follow SVP Guidelines: no monitoring of ground-disturbing activities within units of Low Sensitivity or No Potential; monitoring of all ground-disturbing activities (with depths specified) in units of Low to High Significance; and at all depths within units of High Significance unless the Qualified Paleontologist's report identifies previous disturbances or the use of construction methods which do not warrant monitoring; and monitoring at the initiation of excavation in units of Undetermined Significance. The report also shall stipulate whether screen washing is necessary to recover small specimens following SVP Guidelines and determine whether unique geologic features are present onsite. If monitoring is conducted, then the Qualified Paleontologist shall prepare a final report summarizing monitoring results and submit it to the project proponent and the County.

**CR-4.5-8: Paleontological Resources Sensitivity Training.** Prior to the start of ground-disturbing activities for projects facilitated by the ESGVAP with potentially significant impacts on paleontological resources, the Qualified Paleontologist or its designee shall conduct construction worker paleontological resources sensitivity training (or may be provided via digital recording) for all construction workers. Construction workers shall be informed on how to identify the types of paleontological resources that may be encountered, the proper procedures to be enacted in the event of an inadvertent discovery of paleontological resources, and safety precautions to be taken when working with paleontological monitors. The project proponent shall ensure that construction workers are made available for and attend the training. The project proponent shall retain documentation demonstrating attendance and provide it to the County.

**CR-4.5-9: Paleontological Discoveries.** If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area determined by the paleontological monitor shall be established around the find



where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the monitor's discretion, and to reduce any construction delay, the grading/excavation contractor shall assist, where feasible, in removing rock/sediment samples for initial processing and evaluation. If a fossil is determined to be significant, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location, following the guidelines of the SVP (2010). Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and curated at a public, nonprofit institution with a research interest in the material and with retrievable storage, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. Accompanying notes, maps, and photographs shall also be filed at the repository. If no institution accepts the fossil collection, it may be donated to a local school or other interested organization in the area for educational purposes.

If construction workers discover any potential fossils during construction while the paleontological monitor is not present, regardless of the depth of work or location, work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and recommended and implemented appropriate treatment as described earlier in this measure.

Any salvage reports resulting from implementation of this measure shall be filed with the Natural History Museum of Los Angeles County.

**CR- 4.5-10: Human Remains Discoveries.** If human remains are encountered, then the project proponent or its contractor shall immediately halt work within 50 feet of the discovery and contact the Los Angeles County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5, which require that no further disturbance shall occur until the County Coroner has made the necessary findings as to the remains' origin and disposition. If the County Coroner determines that the remains are Native American, then the County Coroner will notify the NAHC within 24 hours in accordance with Health and Safety Code Section 7050.5(c), and Public Resources Code Section 5097.98. The NAHC shall then identify the person(s) thought to be the MLD. The MLD may, with the permission of the land owner, or their authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. The reasonable options regarding the MLD's preferences for treatment.

Until the project proponent, County, and landowner have conferred with the MLD, the contractor shall ensure that the immediate vicinity where the discovery occurred is not disturbed by further activity and is adequately protected according to generally accepted

cultural or archaeological standards or practices (e.g., the NAHC's A Professional Guide for the Preservation and Protection of Native American Human Remains and Associated Grave Goods [NAHC 2022], which reiterates statutory requirements), and that further activities take into account the possibility of multiple burials.

If the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Public Resources Code Section 5097.94(k), if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

**Finding:** The County finds that changes or alterations have been required in, or incorporated into, the Project that lessen significant impacts to cultural resources, as identified in the Final PEIR. The County finds that based on the Final PEIR and the record of proceedings, with the implementation of mitigation measures, impacts to cultural resources would be reduced to a less-than-significant level.

## C.2 Tribal Cultural Resources

### Facts/Effects:

- i. Future projects facilitating land use/zoning changes and policies included in the ESGVAP could involve ground disturbing activities (for construction of residential, commercial and mixed-use development) that could, depending on their location, result in direct or indirect substantial adverse changes to the significance of tribal cultural resources. Future projects facilitated by the ESGVAP would be required to comply with applicable federal, state, and local regulations and, as appropriate, to undergo the County's discretionary review process, including completion of subsequent project-level planning and environmental review under CEQA. These projects would similarly require compliance with AB 52 to ensure that tribal cultural resources are properly identified. Such projects could nonetheless result in significant impacts to sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe qualifying as tribal cultural resources (Impact TCR-1).

**Mitigation:** Implementation of mitigation measures CR-4.5-2 through CR-4.5-6 would reduce impacts to tribal cultural resources, including archaeological resources that could also meet the definition of tribal cultural resource, less than significant levels.

**Finding:** The County finds that changes or alterations have been required in, or incorporated into, the Project that lessen significant impacts to tribal cultural resources, as identified in the Final PEIR. The County finds that based on the Final PEIR and the record of proceedings, with the implementation of mitigation measures, impacts to tribal cultural resources would be reduced to a less-than-significant level.

## D. Impacts Found to Be Significant after Mitigation (Significant and Unavoidable)

The County finds that the following environmental effects were identified as potentially significant and that even with the implementation of mitigation measures, the PEIR and the record of proceedings in this matter identify or contain substantial evidence identifying significant and unavoidable environmental effects as listed below:

1. Aesthetics
2. Air Quality
3. Biological Resources
4. Noise
5. Transportation

### D.1 Aesthetics

#### Facts/Effects:

- i. The Project would result in a significant and unavoidable impact with respect to having a substantial adverse effect on scenic vistas and visual resources (Impact AES-1).
- ii. The Project would not have an adverse impact to existing views of the ESGVAP area from elevated vantage points, as are available from regional riding, hiking, and multi-use trails (Impact AES-2).
- iii. The Project would not substantially damage scenic resources within a state scenic highway (Impact AES-3).
- iv. The Project would result in a significant and unavoidable impact with respect to substantially degrading the existing visual character or quality of public views of the site and its surroundings because of height, bulk, pattern, scale, character, or other features and/or conflict with applicable zoning and other regulations governing scenic quality (Impact AES-4).
- v. The Project would not create a new source of substantial light or glare that would adversely affect day or nighttime views. The impact would be less than significant (Impact AES-5).

**Mitigation Measures:** No feasible mitigation measures are available to reduce the impact of Impact AES-1 and Impact AES-4.

**Finding:** The County has determined that there are no feasible mitigation measures to reduce impacts related to adverse effects on scenic vistas and degradation of the existing visual character or quality of public views of the site and its surroundings with implementation of the Project. Based

on the Final PEIR and the record of proceedings, the Project would result in significant and unavoidable impacts related to aesthetics.

## D.2 Air Quality

### Facts/Effects:

- i. The Project would not conflict with or obstruct implementation of the applicable air quality plan (Impact AQ-1).
- ii. The Project would result in a significant and unavoidable impact with respect to a cumulatively considerable net increase of a criteria pollutant for which the region is non-attainment under an applicable federal or state ambient air quality standard (Impact AQ-2).
- iii. The Project would result in a significant and unavoidable impact with respect to the exposure of sensitive receptors to substantial pollutant concentrations during construction and operations due to future development projects facilitated by adoption of the ESGVAP generating substantial emissions in proximity to sensitive receptors (Impact AQ-3).
- iv. The Project would result in a significant and unavoidable impact with respect to other emissions (such as those leading to odors) during construction or operation (Impact AQ-4).

**Mitigation:** No feasible mitigation measures are available to reduce the impact of Impact AQ-2, Impact AQ-3 and Impact AQ-4.

**Finding:** The County has determined that there are no feasible mitigation measures to reduce impacts related to net increases of criteria pollutants, exposure of sensitive receptors to substantial pollutant concentrations and other emissions (such as those leading to odors) during construction or operation. Based on the Final PEIR and the record of proceedings, the Project would result in significant and unavoidable impacts related to air quality.

## D.3 Biological Resources

### Facts/Effects:

- i. The Project would have a significant and unavoidable impact relating to the loss of special-status species through direct mortality or via indirect effects such as habitat loss and edge effects at the urban-wildland interface. Buildout of the ESGVAP could have significant adverse impacts on special-status species and/or their habitats (Impact BIO-1).
- ii. The Project would have significant and unavoidable impacts relating to sensitive natural communities (Impact BIO-2).

- iii. The Project could result in impacts to aquatic habitats, particularly those located in proximity to water bodies. Implementation of mitigation measure BIO-4.4-1 would require identification of state and federally protected wetlands and waters, implementation of avoidance and minimization measures, obtaining necessary permits, and compensatory mitigation for projects that would result in the direct removal, filling, or other alteration of protected aquatic resources. Impacts would be less than significant with mitigation (Impact BIO-3).
- iv. The Project would have no impact to oak woodlands or other unique native woodlands (Impact BIO-4).
- v. Future construction associated with the Project could result in impacts to nesting resident and migratory birds. Potential impacts could include disruption of nesting activity due to construction-related noise and direct removal of active nests associated with construction or vegetation removal/disturbance. Implementation of mitigation measure BIO-4.4-2 would avoid and/or minimize impacts to nesting avian species and active nests. Potential impacts would be less than significant with mitigation (Impact BIO-5).
- vi. The Project would not conflict with local policies or ordinances protecting biological resources (Impact BIO-6).
- vii. The Project would not conflict with adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved state, regional, or local habitat conservation plans in effect in the East San Gabriel Valley (Impact BIO-7).

**Mitigation:** No feasible mitigation measures are available to reduce the impact of Impact BIO-1 and Impact BIO-2. The following mitigation measures are required to reduce Impact BIO-3 and Impact BIO-5 below a level of significance:

**BIO-4.4-1:** Projects subject to the jurisdiction of the USACE, Los Angeles RWQCB, and/or CDFW shall provide an aquatic resources delineation of wetlands and water courses prior to disturbance of any aquatic, wetland, or riparian habitat. Findings shall be included in an aquatic resources delineation report suitable for submittal to these agencies for obtaining a Section 404 Clean Water Act permit (CWA), Section 401 Water Quality Certification (WQC), Waste Discharge Requirements (WDR), and/or streambed alteration agreement (SAA).

Based on the findings of the aquatic resources delineation report and agency verification of the extent of state/federally protected wetlands and waters resources, riparian vegetation, wetlands, and waters shall be avoided to the extent feasible, and appropriate 100-foot setbacks shall be marked from the edge of jurisdictional waters or riparian vegetation (whichever is wider) to maintain riparian and aquatic functions and values wherever feasible. In areas where avoidance of stream channels or riparian vegetation is infeasible, impacts shall be minimized and the site slopes and hydrology of remediated areas shall be

restored to pre-construction conditions to the extent possible. If impacts to wetlands are unavoidable, compensatory mitigation shall ensure no net loss of wetlands.

A compensatory mitigation plan addressing temporary and permanent impacts to jurisdictional wetlands and waters shall be prepared prior to disturbance. The plan shall be developed in consultation with the USACE, Los Angeles RWQCB, and/or CDFW. All restored/established/enhanced habitats shall be protected in perpetuity, subject to regular maintenance activities, if necessary, and appropriate to permitting agencies. Alternately, compensatory mitigation can be achieved through purchasing credits at a USACE- or CDFW-approved mitigation bank.

**BIO-4.4-2:** Construction, ground-disturbing activities, and vegetation removal shall avoid the general avian nesting season of February 15 through September 15. If construction of future projects that contain or are immediately adjacent to suitable nesting habitat must occur during the general avian nesting season, a pre-construction clearance survey shall be conducted within 7 days prior to the start of construction activities to determine if any active nests or nesting activity is occurring on or within 500 feet of the project. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the preconstruction clearance survey, an adequate buffer shall be established around the active nest depending on sensitivity of the species and proximity to project impact areas. Typical buffer distances include up to 300-feet for passerines and up to 500-feet for raptors, but can be reduced as deemed appropriate by a monitoring biologist. On site construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Project activities may encroach into the buffer only at the discretion of the monitoring biologist. The buffer shall remain in place until the nest is no longer active as determined by the monitoring biologist.

**Finding:** The County has determined that there are no feasible mitigation measures to reduce impacts related to candidate, sensitive, or special status species, or their habitats, including those in SEAs, and sensitive natural communities with implementation of the Project. Based on the Final PEIR and the record of proceedings, the Project would result in significant and unavoidable impacts related to biological resources.

## D.4 Noise

### Facts/Effects:

- i. The Project would have a significant and unavoidable impact relating to construction noise levels in excess of standards. Despite implementation of mitigation measures NOI-4.11-1 and NOI-4.11-2, this impact would remain significant and unavoidable (Impact NOI-1).
- ii. Construction activities for future projects facilitated by adoption of the ESGVAP could result in significant construction groundborne vibration and groundborne noise levels in excess of standards and result in a significant and unavoidable impact. Despite

implementation of mitigation measure NOI-4.11-3, this impact would remain significant and unavoidable during construction (Impact NOI-2).

- iii. Implementation of the proposed ESGVAP would not expose people residing or working in the project area to excessive noise levels, and thus this impact would be less than significant and no mitigation is required (Impact NOI-3).

**Mitigation:** No feasible mitigation measures are available to reduce the impact of Impact NOI-1 and Impact NOI-2. The following mitigation measures are required to reduce the severity of Impact NOI-1 and Impact NOI-2, but they would remain significant and unavoidable:

**NOI-4.11-1: Commercial/Industrial/Accessory Commercial Unit (ACU) Operational Noise.** Prior to issuance of a building permit for any future commercial, industrial, mixed-use, or ACU development projects within the East San Gabriel Valley Area Plan that are located within 500 feet of sensitive receptors, project applicant shall submit a noise mitigation plan to DPH for review and approval. The noise mitigation plan shall be prepared by a sound engineer and be sufficient for DPH to make a determination of whether the project will be in compliance with all applicable County Noise standards and regulations. At minimum, the noise mitigation plan shall include the following information: a list of all electro-mechanical equipment (HVAC, refrigeration systems, generators, etc.) that will be installed at the project site; sound level that would be produced by each equipment; noise-reduction measures, as necessary; and sufficient predictive analysis of project operational noise impact. All noise-reduction measures approved by DPH shall be incorporated into the project building plans and be implemented during project construction. Potential noise-reduction measures may include, but are not limited to, one or more of the following, as applicable to the project:

- Install permanent noise-occluding shrouds or screens on operating equipment.
- Maintain all equipment and noise control features in accordance with the manufacturer's specifications.
- Orient equipment vents and other sources of sound emissions away from noise sensitive receptors and/or behind structures, containers, or natural features.
- Increase distance between the operating equipment and the noise-sensitive receptor(s) of concern, to the maximum extent feasible.
- Install portable sound-occluding barriers to attenuate noise between the source(s) and the noise-sensitive receptor(s).

This mitigation measure shall not apply and is superseded once a Countywide noise ordinance goes into effect that establishes operational noise standards for commercial, industrial, mixed-use, or ACU development projects within the East San Gabriel Valley Area Plan.

**NOI-4.11-2: Construction Noise.** Applicants for future development projects pursuant to implementation of the East San Gabriel Valley Area Plan that are within 500 feet of sensitive receptors (e.g., residences, hospitals, schools) shall submit a noise study to DPH for review and approval prior to issuance of a grading or building permit. The study shall include noise-reduction measures, if necessary, to ensure project construction noise will be in compliance with the County of Los Angeles Noise Ordinance standards (i.e., LACC 12.08.440). All noise-reduction measures approved by DPH shall be incorporated into appropriate construction-related plans (e.g., demolition plans, grading plans and building plans) and implemented during construction activities. Potential noise-reduction measures may include, but are not limited to, one or more of the following, as applicable to the project:

- Install temporary sound barriers for construction activities that occur adjacent to occupied noise-sensitive receptors.
- Equip construction equipment with effective mufflers, sound-insulating hoods or enclosures, vibration dampers, and other Best Available Control Technology (BACT).
- Limit non-essential idling of construction equipment to no more than five minutes per hour.

This mitigation measure shall not apply and is superseded once a Countywide noise ordinance goes into effect that establishes construction noise standards for noise reduction measures that ensures project construction noise compliance with the County of Los Angeles Noise Ordinance standards (i.e., LACC 12.08.440) for development projects within the East San Gabriel Valley Area Plan.

**NOI-4.11-3: Construction Vibration.** For future development projects that utilize vibration-intensive construction equipment (e.g., pile drivers, jack hammers, and vibratory rollers) within 300 feet of sensitive receptors within the East San Gabriel Valley Area Plan, project applicant shall submit a vibration impact evaluation to DPH for review and approval prior to issuance of a grading or building permit. The evaluation shall include a list of project construction equipment and the associated vibration levels and a predictive analysis of potential project vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the County's standard of 0.01 inches per second RMS vibration velocity [within the range of 1 to 100 Hz frequency]), project-specific measures shall be required to ensure project compliance with vibration standards. All project-specific measures approved by DPH shall be incorporated into appropriate construction-related plans (e.g., demolition plans, grading plans and building plans) and implemented during project construction. Examples of equipment vibration source-to-receptor distances at which impact evaluation should occur vary with equipment type (based on FTA reference vibration information) and are as follows:

- Jackhammer: 23 feet.



- Dozer, hoe-ram, drill rig, front-end loader, tractor, or backhoe: 43 feet.
- Roller (for site ground compaction or paving): 75 feet.
- Impact pile-driving: 280 feet.

This mitigation measure shall not apply and is superseded once a Countywide groundborne vibration ordinance goes into effect that establishes construction groundborne vibration standards for vibration-reduction measures that ensures project construction groundborne vibration compliance with the County of Los Angeles standard of 0.01 inches per second RMS vibration velocity [within the range of 1 to 100 Hz frequency]) for development projects within the East San Gabriel Valley Area Plan.

**Finding:** The County has determined that there are no feasible mitigation measures to reduce impacts related to noise and vibration with implementation of the Project. Based on the Final PEIR and the record of proceedings, the Project would result in significant and unavoidable impacts related to noise and vibration.

## D.5 Transportation

### Facts/Effects:

- The Project would be consistent with all applicable plans and programs related to transportation (Impact TR-1).
- The Project would result in a potentially significant VMT impact. Although VMT per capita would be reduced as a result of the Project, with mitigation measures TR-4.15-1 and TR-4.15-2, the impact related to VMT per service population will remain significant and unavoidable (Impact TR-2).
- The Project would not result in hazards due to design features or incompatible uses (Impact TR-3).
- The Project would facilitate the consideration of the needs for emergency access in transportation planning during buildout (Impact TR-4).

**Mitigation:** No feasible mitigation measures are available to reduce the impact of Impact TR-2. The following mitigation measures are required to reduce the severity of Impact TR-2, but the impact would remain significant and unavoidable:

**TR-4.15-1: VMT Reduction Projects.** The County will work with State, regional, and local agencies to reduce regional VMT. Land use policies in the ESGVAP to improve and/or expand transit service, bicycle and pedestrian facilities, and transportation projects will help the region to achieve the projected decreases in regional VMT. The County will also collaborate with State and other agencies to explore the feasibility of new programs for reducing VMT, such as VMT fees.

**TR-4.15-2: TDM Strategies.** Implementation of TDM strategies, where feasible and necessary based on project- and site-specific considerations, may include but are not limited to those identified below:

1. Increased Job Density
2. Provide Transit-Oriented Development
3. Commute Trip Reduction Marketing
4. Ridesharing Programs
5. Subsidized or Discounted Transit Program
6. End-of-Trip Bicycle Facilities
7. Employer-Sponsored Vanpool
8. Employee Parking Cash-Out
9. Limit Residential Parking Supply
10. Unbundle Residential Parking Costs from Property Cost
11. Provide Pedestrian Network Improvements
12. Expand Bikeway Network
13. Extend Transit Network Coverage or Hours
14. Increase Transit Service Frequency
15. Implement Transit-Supportive Roadway Treatments
16. Provide Bus Rapid Transit

**Finding:** The County has determined that there are no feasible mitigation measures to reduce impacts related to VMT with implementation of the Project. Based on the Final PEIR and the record of proceedings, the Project would result in significant and unavoidable impacts related to transportation.

## E. Cumulative Impacts

As indicated previously, the Final PEIR addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the Project. The Draft PEIR provides a detailed cumulative analysis, and this section, provides the Findings relative to the cumulative environmental impacts that would result from implementation of the Project.

Cumulative Impacts Found to Be Less than Significant:

1. Agriculture and Forestry Resources
2. Energy
3. Greenhouse Gas Emissions
4. Hazards and Hazardous Materials
5. Hydrology and Water Quality
6. Land Use and Planning
7. Population and Housing
8. Public Services

- 9. Recreation
- 10. Utilities and Service Systems
- 11. Wildfire

Cumulative Impacts Found to Be Less than Significant with Mitigation:

- 12. Cultural Resources
- 13. Tribal Cultural Resources

Cumulative Impacts Found to Be Significant and Unavoidable:

- 14. Aesthetics
- 15. Air Quality
- 16. Biological Resources
- 17. Noise
- 18. Transportation

## E.1 Agriculture and Forestry Resources

### Facts/Effects:

- i. The Project's less-than-significant incremental contribution would not be cumulatively considerable when considered together with the incremental impacts of other cumulative projects because projects facilitated by implementation of the ESGVAP would improve agriculture and forest resources and because, among the types of projects that could adversely affect such resources, site-specific discretionary environmental and permitting processes would address potential significant impacts.
- ii. No significant cumulative condition exists with respect to conflicts with zoning for forest land. Therefore, no significant cumulative impact exists to which the ESGVAP could contribute, and no cumulative impact would occur.
- iii. As mentioned in point E.1 ii, it is unlikely that throughout the county, there is a significant cumulative condition with regard to the conversion of forest land and the Project includes measures intended to protect and conserve forestland. There is no significant cumulative condition to which the Project could contribute and no cumulative impact.
- iv. As mentioned in point E.1 i and E.1 ii, the Project would improve cumulative conditions in agricultural areas. Therefore, the Project would have a less than significant cumulative impact that related to changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use.

**Mitigation:** No mitigation measures are required to reduce cumulative agriculture and forestry resources impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to agriculture and forestry resources.

## E.2 Energy

### Facts/Effects:

- i. Development under the proposed Project would be required to incorporate energy conservation features to comply with applicable mandatory regulations including CALGreen Code and state energy standards under Title 24. Therefore, the impact with respect to electricity and natural gas consumption from new development under the Project would be less than cumulatively considerable.
- ii. Development under the proposed Project would be required to demonstrate consistency with federal and state fuel efficiency goals and incorporate mitigation measures as required under CEQA. Siting land use development projects at infill sites is consistent with the state's overall goals to reduce VMT pursuant to SB 375, and VMT per capita would decrease compared to existing conditions. Therefore, the impact of development anticipated by the Project would be less than cumulatively considerable with respect to transportation energy.
- iii. Development under the proposed Project would be required to comply with the RPS, California Integrated Energy Policy Plan, Title 24 Building Energy Efficiency Standards, RTP/SCS, OurCounty Los Angeles Countywide Sustainability Plan, and 2020 CCAP. It would also not conflict with the renewable energy or energy efficiency goals of the Draft 2045 CAP nor other energy efficiency requirements or other regulations. Other cumulative projects would also have to comply with the goals and policies of these plans. Therefore, the impact on the implementation of a state or local plan for renewable energy or energy efficiency would be less than cumulatively considerable.

**Mitigation:** No mitigation measures are required to reduce cumulative energy impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to energy.

## E.3 Greenhouse Gas Emissions

### Facts/Effects:

- i. The ESGVAP is a planning document, the approval of which would not directly result in the development of land uses and would not directly result in GHG emissions. Future GHG emissions may result from future development facilitated by adoption of the Project. A future development project's GHG emissions typically would be very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change.
- ii. Given that the Project would not conflict with applicable GHG reduction plans, policies, and regulations, emissions associated with future development that could occur under the proposed General Plan update would be less than significant on a cumulative basis.

**Mitigation:** No mitigation measures are required to reduce cumulative greenhouse gas emissions impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to greenhouse gas emissions.

## E.4 Hazards and Hazardous Materials

### Facts/Effects:

- i. All new projects would be subject to the same federal, State, and local traffic regulations, which would ensure the cumulative impact related to emergency response or evacuation plans would be less than significant.

**Mitigation:** No mitigation measures are required to reduce cumulative hazards and hazardous materials impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to hazards and hazardous materials.

## E.5 Hydrology and Water Quality

### Facts/Effects:

- i. When the Project's incremental impacts are considered in combination with the incremental impacts of past, present, and reasonably foreseeable future projects, its incremental contribution to the interference with groundwater management would not be cumulatively considerable.

- ii. The Project's goals and policies would promote improved water quality and groundwater sustainability in the ESGVAP area, as well as continued compliance with state and local water quality regulations, which is intended to ensure that water quality and groundwater sustainability is managed to the maximum extent practicable. Therefore, when the ESGVAP's incremental impacts are considered in combination with the incremental impacts of past, present, and reasonably foreseeable future projects, its incremental contribution to the interference of a water quality control plan or sustainable groundwater management plan would not be cumulatively considerable.

**Mitigation:** No mitigation measures are required to reduce cumulative hydrology and water quality impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to hydrology and water quality.

## E.6 Land Use and Planning

### Facts/Effects:

- i. All future development would be subject to CEQA and would be required to comply with planning documents, such as the Los Angeles County General Plan, general plans prepared by nearby cities, and regional plans, such as the ESGVAP, SCAG's Regional Comprehensive Plan, and the SCAG RTP/SCS. Projects would be approved if they meet the goals and policies of these planning documents, which have been prepared to reduce environmental impacts. The Project in combination with other cumulative growth in Los Angeles County would contribute to a less than significant impact due to inconsistency with the General Plan or other regional and use plans adopted to avoid or mitigation environmental impacts.

**Mitigation:** No mitigation measures are required to reduce cumulative land use and planning impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to land use and planning.

## E.7 Population and Housing

### Facts/Effects:

- i. Future development, including growth anticipated under the proposed Project, would not result in the displacement of substantial numbers of existing people or housing as future development would be required to comply with planning documents, such as the Los Angeles County General Plan, general plans prepared by nearby cities, and regional plans, such as the ESGVAP, SCAG's Regional Comprehensive Plan, and the

SCAG RTP/SCS. The Project in combination with other cumulative growth in Los Angeles County would contribute to a less than significant cumulative-induced population increase.

- ii. The Project contains policies and enacts zoning changes that will offer additional housing unit type options and ensure communities retain their character, amenities, and access to services and infrastructure. Potential displacement impacts associated with all proposed development projects in the Planning Area will be analyzed and, if required, mitigated in accordance with CEQA. Projects would be approved if they meet the goals and policies of the ESGVAP, SCAG's Regional Comprehensive Plan, and the SCAG RTP/SCS, which have been prepared to reduce environmental impacts, including housing and population displacement. The Project in combination with other cumulative growth in Los Angeles County would contribute to a less than significant cumulative housing displacement.

**Mitigation:** No mitigation measures are required to reduce cumulative population and housing impacts below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to population and housing.

## E.8 Public Services

### Facts/Effects:

- i. Cumulative residential, industrial and commercial projects would depend on existing and expanded fire protection services within the County. The Project would require the incorporation of the County's Developers Fee Program. The County's Developers Fee Program would fund the purchase and construction of new fire stations to provide adequate services as a result of new development. Since the Project would not induce regional population growth beyond SCAG projections, the demand for public services would be consistent with regional demand projections and would not increase the cumulative demand compared to current projections. As a result, the Project's contribution to cumulative demands for public services would not be considerable.
- ii. When the Project's incremental impacts are considered in combination with the incremental impacts of past, present, and reasonably foreseeable future projects, the Project's incremental contribution to law enforcement service impacts would be cumulatively considerable. However, the Project would cause a potential significant impact that could be avoided/reduced to less than significant with Policy PS/F 1.1 and Policy S 4.5. Since the Project would not induce regional population growth beyond SCAG projections, the demand for public services would be consistent with regional demand projections and would not increase the cumulative demand compared to current projections. As a result, the Project's contribution to cumulative demands for public services would not be considerable.

- iii. When the Project's incremental impacts are considered in combination with the incremental impacts of past, present, and reasonably foreseeable future projects, the Project's incremental contribution to school services, would be cumulatively considerable. However, the Project would cause a potential significant impact that could be avoided/reduced to less than significant with the school impact fees established by SB 50. Developers would be required to pay a school impact fee in concurrence with building permit approval. The Project would not induce regional population growth beyond SCAG projections, the demand for schools would be consistent with regional demand projections and would not increase the cumulative demand compared to current projections. As a result, the Project's contribution to cumulative demands for schools would not be considerable.
- iv. The Project's contribution to a cumulative impact with respect to the overuse and degradation of existing park facilities and the construction or expansion of additional parks and recreation facilities are considered in Section 4.14, Recreation.
- v. When the Project's incremental impacts are considered in combination with the incremental impacts of past, present, and reasonably foreseeable future projects, the Project's incremental contribution to library services would be cumulatively considerable. However, the Project would cause a potential significant impact that could be avoided/reduced to less than significant with the incorporation of the library facilities mitigation fee. Present and future projects would be required to pay a fee to reduce the impacts that new development will have on the library system by funding the expansion of library facilities. Since the Project would not induce regional population growth beyond SCAG projections, the demand for libraries would be consistent with regional demand projections and would not increase the cumulative demand compared to current projections. The library facilities fee would mitigate cumulative impacts on the Los Angeles County Library system. As a result, the Project's contribution to cumulative demands for libraries would not be considerable.

**Mitigation:** No mitigation measures are required to reduce cumulative impacts to public services.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to public services below a level of significance.

## E.9 Recreation

### Facts/Effects:

- i. Adherence to existing regulations, General Plan policies, ESGVAP policies, Implementation Programs, and strategies and guidance from the DPR 2016 PNA and 2022 PNA+ Final Reports would ensure that the funding for parkland acquisition and park development, operation, and maintenance would be proportional to increases in population pursuant to the Quimby Act, additional funding mechanisms including,



Prop A and Measure A, and collaboration with other agencies, school districts, and organizations.

- ii. The majority of cumulative projects for the construction or expansion of these facilities would be discretionary and would be required to demonstrate compliance with CEQA prior to project approval; existing federal, state, and local regulations, would mitigate potential adverse impacts to the environment that may result from the expansion of parks, recreational facilities, and trails. Therefore, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact associated with construction recreational facilities.
- iii. The Project is not anticipated to have a significant impact on regional trail connectivity, it would not contribute to a cumulative impact on regional trail connectivity. Therefore, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact associated with interference with regional trail connectivity.

**Mitigation:** No mitigation measures are required to reduce cumulative impacts to recreation below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to recreation.

## E.10 Utility and Service Systems

### Facts/Effects:

- i. Given that the Project would not induce regional population growth beyond SCAG projections, regional utilities would accommodate the local increases without increasing overall regional demand projections. As a result, the Project's contribution to cumulative demands for utilities would not be considerable.
- ii. Based on the General Plan's cumulative water demand projections, the County will have enough water to support all water demands including land uses, residential and nonresidential development, and projected population increases. Additionally, future related projects would be required to comply with local regulations and General Plan policies, including Policy PS/F-3.2, Goal PS/F 2, ESGVAP Policy CC-2.2, and ESGVAP Policy CC-4.6. Furthermore, because the Project would not induce regional population growth beyond SCAG projections, regional water suppliers would accommodate the local increases without increasing overall regional demand projections. As a result, the Project's contribution to cumulative demands for utilities would not be considerable.
- iii. The County has the capacity to treat wastewater from cumulative projects at existing wastewater treatment plants and additional policies and goals outlined in the General Plan will ensure that future projects do not exceed the combined capacity of wastewater

treatment plants in Los Angeles County. Given that the Project would not induce regional population growth beyond SCAG projections, regional wastewater treatment facilities would accommodate the local increases without increasing overall regional demand projections. As a result, the Project's contribution to cumulative demands for utilities would not be considerable.

- iv. Cumulative effects from future projects, population, and development growth accounted for in the General Plan would not require the construction of new solid waste disposal facilities. Additional policies and goals outlined in the General Plan would ensure that future projects do not exceed the combined capacity of solid waste disposal infrastructure in Los Angeles County. Given that the Project would not induce regional population growth beyond SCAG projections, solid waste management facilities would accommodate the local increases without increasing overall regional demand projections. As a result, the Project's contribution to cumulative demands for utilities would not be considerable.
- v. Disposal of waste generated from implementation of the Project would be consistent with all state regulations and the policies within the Los Angeles County Integrated Waste Management Plan. Future development under the proposed Project and other closely related past, present, and reasonably foreseeable future projects would be required to comply with all solid waste statutes and regulations. The Project would not cause or contribute to any significant cumulative impact associated with conflict with federal, state, or local statutes or regulations related to solid waste.

**Mitigation:** No mitigation measures are required to reduce cumulative impacts to utilities and service systems below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to utilities and service systems.

## E.11 Wildfire

### Facts/Effects:

- i. When the Project's incremental impacts are considered in combination with the incremental impacts of past, present, and reasonably foreseeable future projects, it's incremental contribution to the interference with or impairment of emergency response or evacuation plans would not be cumulatively considerable. Any future development would be required to comply with applicable federal, state, and local regulations related to emergency response and wildland fires. Required compliance with these regulations would ensure impacts related to emergency response and wildfire would be less than significant.

**Mitigation:** No mitigation measures are required to reduce cumulative impacts to wildfire below a level of significance.

**Finding:** The County finds that the Final PEIR and the record of proceedings contain substantial evidence establishing that the Project will not result in significant cumulative effects on the environment with respect to wildfire.

## E.12 Cultural Resources

### Facts/Effects:

- i. The Project, as a result of projects facilitated by ESGVAP, would contribute a significant incremental contribution to this significant cumulative impact that could be mitigated to a level that would be less than cumulatively considerable (i.e., less than significant) by the implementation of Mitigation Measures CR-4.5-1 through CR-4.5-6. With the implementation of these measures, the Project-specific, incremental contribution, taken into consideration with the cumulative projects' impacts to historical resources over the span of the ESGVAP, would not be cumulatively considerable because they would require, prior implementation of projects that might impact known and unknown historical resources, an architectural historian to identify historical resources, provide recommendations, require archaeological monitoring, and prepare a plan for the treatment of historical resources.
- ii. The Project, as a result of projects facilitated by the ESGVAP, would contribute a significant incremental contribution to this significant cumulative impact that could be mitigated to a level that would be less than cumulatively considerable (i.e., less than significant) by the implementation of mitigation measures CR-4.5-2 through CR-4.5-6. With the implementation of these mitigation measures, the Project-specific, incremental contribution, taken into consideration with the cumulative projects' impacts to unique archaeological resources over the span of the ESGVAP, would not be cumulatively considerable because they would require identification and treatment of unique archaeological resources and thereby avoid or reduce significant impacts.
- iii. The Project, as a result of projects facilitated by the ESGVAP, would contribute a significant incremental contribution to this significant cumulative impact that could be mitigated to a level that would be less than cumulatively considerable (i.e., less than significant) by the implementation of mitigation measures CR-4.5-7 through CR-4.5-9. With the implementation of these mitigation measures, the Project-specific, incremental contribution, taken into consideration with the cumulative projects' impacts to unique paleontological resources or sites or unique geologic features over the span of the ESGVAP, would not be cumulatively considerable because they would require identification and treatment of unique paleontological resources or sites or unique geologic features and thereby avoid or reduce significant impacts.
- iv. The Project, as a result of projects facilitated by the ESGVAP, would contribute a significant incremental contribution to this significant cumulative impact that could be mitigated to a level that would be less than cumulatively considerable (i.e., less than significant) by the implementation of mitigation measures CR-4.5-10. With the implementation of this mitigation measure, the Project-specific, incremental

contribution, taken into consideration with the cumulative projects' impacts on human remains interred outside formal cemeteries over the span of the ESGVAP, would not be cumulatively considerable because the measure would require the project proponent and County to follow the law governing such finds, including by halting work, notifying the County Coroner, and consulting with the MLD or taking other specified, appropriate actions to assure treatment of the remains with appropriate dignity. If human remains of Native American origin are discovered during work associated with a project facilitated by the ESGVAP, then the project proponent and/or the County would be required to comply with state laws relating to the disposition of Native American burials (e.g., Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98).

**Mitigation:** Implementation of mitigation measures CR-4.5-1 through CR4.5-10 are required to reduce impacts below a level of significance.

**Finding:** The County finds that changes or alterations have been required in, or incorporated into, the Project which help to reduce the severity of the cumulative impact to cultural resources.

## E.13 Tribal Cultural Resources

### Facts/Effects:

- i. Incremental contribution to this significant cumulative impact that could be mitigated to a level that would be less than cumulatively considerable (i.e., less than significant) by the implementation of mitigation measures CR-4.5-2 through CR-4.5-6. With the implementation of these measures, the Project's-specific, incremental contribution, taken into consideration with the cumulative projects' impacts on tribal cultural resources over the span of the ESGVAP, would not be cumulatively considerable because the measure would require the County to initiate consultation (within 14 days of a decision to undertake a project facilitated by the ESGVAP) with California Native American tribes in order to avoid or lessen impacts to tribal cultural resources, as well as require archaeological and Native American monitoring and preparation of a plan for the treatment of such resources.

**Mitigation:** Implementation of mitigation measures CR-4.5-2 through CR4.5-6 are required to reduce impacts below a level of significance.

**Finding:** The County finds that changes or alterations have been required in, or incorporated into, the Project which help to reduce the severity of the cumulative impact to tribal cultural resources.

## E.14 Aesthetics

### Facts/Effects:

- i. Notwithstanding compliance with objective and quantitative County policies and standards and the adoption of General Plan and zoning amendments as part of the ESGVAP, the extent of physical change that could occur in many areas under the

Project would result in a considerable contribution to the significant cumulative impact on scenic vistas. Given the Project's plan for higher density development than currently exists in the Plan Area, no feasible mitigation measures are available to reduce this significant or unavoidable impact.

- ii. The implementation of policies included in the Project and the County's General Plan that would guide the design of future development in these areas, would be anticipated to lessen this effect to the extent that such development would integrate into the existing character of those communities, would have gradual transitions between areas of differing density, and would not have an adverse impact to existing views of the ESGVAP area from elevated vantage points, as are available from regional riding, hiking, and multi-use trails. For this reason, development that would occur pursuant to the Project would be anticipated to have a less-than-cumulatively-considerable impact on the significant cumulative impact to views from regional riding, hiking, or multi-use trails.
- iii. Development in unincorporated communities further to the north, may be briefly visible from SR 57; however, based on the level of densification anticipated to occur pursuant to the Project, such development is not anticipated to be visibly discernable from those distances. For this reason, implementation of the Project is not anticipated to substantially damage scenic resources within a state scenic highway, and its contribution to a potentially significant cumulative impact to scenic resources would be less-than-cumulatively considerable.
- iv. As development pursuant to the Project and cumulative could be denser and taller than most or all of the existing adjacent development, some areas currently appreciated as open space could be developed with new housing. Even though the maximum allowable height for future development projects under the ESGVAP would be reduced to fifty feet (from the currently allowable 65-foot height limit), given that the Project and cumulative development would result in higher density development than currently exists in the Plan Area and no feasible mitigation is available to address unknown potential future project-specific impacts to visual character, public views, or scenic quality, this impact is considered cumulatively significant and unavoidable.
- v. Anticipated development patterns within the ESGVAP would not preclude other cities and counties within East San Gabriel Valley viewsheds from developing substantial new sources of light or glare. For this reason, there would be a potential cumulatively significant impact related to the creation of new sources of substantial light or glare, which could adversely affect day or nighttime views in the East San Gabriel Valley area. However, with the application of relevant County policies related to the control of sources of light and glare, implementation of the Project would have a less-than-cumulatively-considerable contribution to this potentially significant cumulative impact.

**Mitigation:** No feasible mitigation measures are available to reduce the cumulative impact related to aesthetics to a less than significant level.

**Finding:** The County has determined that no feasible mitigation measures are available to reduce the cumulative impact related to aesthetics to a less than significant level. Based on the Final PEIR and the record of proceedings, the Project would result in a significant and unavoidable cumulative impact related to aesthetics.

## **E.15 Air Quality**

### **Facts/Effects:**

- i. The Project would not conflict with AQMP construction, land use, and transportation strategies that are intended to reduce construction emissions, VMT, and resulting regional mobile source emissions. In addition, construction and operation would not conflict with growth projections as the County continues to coordinate with SCAQMD and SCAG to ensure county-wide growth projections, land use planning efforts, and local development patterns are accounted for in the regional planning and air quality planning processes. As such, a cumulatively considerable impact would be less than significant.
- ii. The cumulative analysis of air quality impacts follows SCAQMD's guidance such that construction or operational project emissions would be considered cumulatively considerable if project-specific emissions exceed an applicable SCAQMD recommended significance threshold. Future development facilitated by adoption of the Project may result in construction or operational emissions that could exceed the SCAQMD significance thresholds. Therefore, the cumulative impact would remain significant and unavoidable.

**Mitigation:** No feasible mitigation measures are available to reduce the cumulative impact related to air quality to a less than significant level.

**Finding:** The County has determined that no feasible mitigation measures are available to reduce the cumulative impact related to air quality to a less than significant level. Based on the Final PEIR and the record of proceedings, the Project would result in a significant and unavoidable cumulative impact related to air quality.

## **E.16 Biological Resources**

### **Facts/Effects:**

- i. Due to the loss of common habitats and diminished resource availability, impacts to special-status species remain significant at the ESGVAP level. It is presumed that direct impacts to special-status species and their habitats would be mitigated, as feasible, in other regions of the cumulative impacts study area. The significant incremental contribution of future individual projects under the ESGVAP, when taken into consideration with the cumulative projects' impacts to special-status species over

the span of the ESGVAP, is cumulatively considerable and are significant and unavoidable.

- ii. Depending on the location of future ESGVAP projects, construction could result in significant impacts to riparian and other sensitive natural communities. The significant incremental contribution of future individual projects under the ESGVAP, when taken into consideration with the cumulative projects' impacts to riparian and other sensitive natural communities over the span of the ESGVAP, is cumulatively considerable and are significant and unavoidable.
- iii. Depending on the location of future ESGVAP projects, construction could result in impacts to state and/or federally protected wetlands or waters, particularly those located in proximity to water bodies. Implementation of mitigation measure BIO-4.4-1 would require identification of state and federally protected wetlands and waters, implementation of avoidance and minimization measures, obtaining necessary permits, and compensatory mitigation for projects that would result in the direct removal, filling, or other alteration of protected aquatic resources. Impacts would be less than significant with mitigation. Presuming that impacts to wetlands would be similarly mitigated in other regions of the cumulative impacts study area, cumulative impacts would be less than significant with mitigation.
- iv. There are no proposed changes to the zoning or land use intensities within oak woodlands or other unique native woodlands that would result habitat loss or conversion. As such, there would be no cumulative impacts to oak woodlands or other unique native woodlands.
- v. While there are no proposed changes that increase intensities of the existing zoning or land use intensities within regional wildlife linkages or SEAs, future construction could result in impacts to nesting resident and migratory birds such as through disruption of nesting activity due to construction-related noise and direct removal of active nests associated with construction or vegetation removal/disturbance. Implementation of mitigation measure BIO-4.4-2 would avoid and/or minimize impacts to nesting avian species and active nest at the project level. Thus, the significant incremental contribution of future individual projects under the ESGVAP, when taken into consideration with the cumulative projects' impacts to wildlife movement and corridors over the span of the ESGVAP, is less than significant.
- vi. Future individual projects implementing the ESGVAP's goals, policies, strategies, and implementation actions would also be consistent with those identified in the General Plan, as well as other local, state, and federal regulations, for the protection of biological resources. Impacts would be less than significant at the ESGVAP level. Similarly, applicable County policies and ordinances pertaining to biological resources protection would be applied to projects within the cumulative impacts study area. Therefore, cumulative impacts would be less than significant.

**Mitigation:** No feasible mitigation measures are available to reduce the cumulative impact associated with special-status species and their habitats, and sensitive natural communities. Implementation of mitigation measures BIO-4.4-1 and BIO4.4-2 are required to reduce impacts below a level of significance for impacts related to aquatic, wetland, or riparian habitat, and related to nesting birds.

**Finding:** The County has determined that no feasible mitigation measures are available to reduce the cumulative impact related to biological resources to a less than significant level. Based on the Final PEIR and the record of proceedings, the Project would result in a significant and unavoidable cumulative impact related to biological resources.

## E.17 Noise

### Facts/Effects:

- i. Construction of future projects under the ESGVAP and other projects in the vicinity could occur at the same time and in proximity to each other and sensitive receptors. Therefore, cumulative construction noise impacts could be potentially significant. Cumulative impacts during construction are considered significant and unavoidable. Stationary operational noise sources at each site within the ESGVAP area will be required to comply with the County's noise ordinance. Nonetheless, it is possible that the operation of future projects under the ESGVAP and other projects in the vicinity could occur in proximity to each other and sensitive receptors. Therefore, the cumulative stationary operational noise impacts could be potentially significant. Despite implementation of mitigation measures NOI-4.11-1 and NOI-4.11-2, cumulative impacts would remain significant and unavoidable. As such, cumulative impacts during future operations are considered significant and unavoidable.
- ii. It is possible that construction of future projects under the ESGVAP and other projects in the vicinity could occur at the same time and in proximity to each other and sensitive receptors. Despite implementation of mitigation measure NOI-4.11-3, cumulative impacts during construction would remain significant and unavoidable. Therefore, cumulative construction vibration impacts are considered significant and unavoidable.

**Mitigation:** No feasible mitigation measures are available to reduce the cumulative impact associated with construction and operational noise and vibration. Implementation of mitigation measures NOI-4.11-1 through NOI-4.11-3 are required to reduce the severity of cumulative impacts, but they would remain significant and unavoidable.

**Findings:** The County has determined that no feasible mitigation measures are available to reduce the cumulative impact related to noise to a less than significant level. Based on the Final PEIR and the record of proceedings, the Project would result in a significant and unavoidable cumulative impact related to noise.



## E.18 Transportation

### Facts/Effects:

- i. The Project would not contribute to a cumulative impact with respect to consistency with programs, plans, policies, and ordinances. Cumulative impacts are considered less than significant.
- ii. The Project may result in cumulatively considerable significant impacts to VMT per service population, although the cumulative impact of the proposed Area Plan traffic along with other regional growth will be reduced through mitigation measures TR-4.15-1 and TR-4.15-2, along with regional programs that are the responsibility of other agencies such as cities within the Planning Area and Caltrans. In addition, as described above, the goals and policies of the Project would result in a decrease in VMT per capita by prioritizing transit-oriented development, mixed use development, as well as safe and accessible multi-modal transportation circulation improvements. Future plans and programs implemented by cities within the Planning Area would also be subject to the State and regional policies that encourage or require similar improvements and reductions in VMT per capita and per service population. However, if these programs and policies are not implemented by the agencies with the responsibility to do so, the cumulative transportation and traffic impacts would remain significant and unavoidable. Under these circumstances, the proposed Area Plan could result in a cumulatively significant traffic impact that may remain significant and unavoidable.
- iii. The Project would not contribute to a cumulatively considerable impact related to hazards.
- iv. Implementation of the Project would not contribute to a cumulatively considerable impact related to emergency access. Cumulative impacts are considered less than significant.

**Mitigation:** No feasible mitigation measures are available to reduce the cumulative impact associated with transportation. Implementation of mitigation measures TR-4.15-1 and TR-4.15-2 are required to reduce the severity of cumulative impacts, but they would remain significant and unavoidable.

**Finding:** The County has determined that no feasible mitigation measures are available to reduce the cumulative impact related to transportation to a less than significant level. Based on the Final PEIR and the record of proceedings, the Project would result in a significant and unavoidable cumulative impact related to transportation.

### 3. Evaluation of Alternatives

In accordance with State CEQA Guidelines Section 15126.6(a), an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. The Project's objectives are provided above in Section 1.2, *Project Objectives*.

State CEQA Guidelines Section 15126.6(b) states that the selection of project alternatives “shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” Because the Project would result in significant and unavoidable environmental impacts after implementation of the mitigation measures, the County considered alternatives to the Project specifically to reduce those impacts. State CEQA Guidelines Section 15126.6(f) further direct that “the range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.” State CEQA Guidelines Section 15126.6(f) goes on to say that the “range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.”

The PEIR considers a total of five alternatives to the Project. Two alternatives were considered but were not selected for further analysis due to a failure to meet most of the basic Project Objectives, infeasibility, and/or an inability to avoid significant environmental impacts, and in accordance with the criteria established in State CEQA Guidelines Section 15126.6(c). Three alternatives were comprehensively evaluated in the Draft PEIR, including the “no project” alternative and two reduced transit planning radius alternatives, which reduce the transit planning radius for transit centers from a one-mile radius to a 0.5-mile and 0.25-mile radius, respectively. State CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR, and that if the “no project” alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. In general, the environmentally superior alternative is the alternative with the least adverse impacts on the environment.

The alternatives considered or evaluated in the Draft PEIR include:

- Alternative Location/Alternative Sites (rejected from further consideration in the Draft PEIR)
- Reduced Development (rejected from further consideration in the Draft PEIR)
- No Project Alternative (evaluated in detail in the Draft PEIR)
- 0.5-Mile Transit Planning Radius Alternative (evaluated in detail in the Draft PEIR)
- 0.25-Mile Transit Planning Radius Alternative (evaluated in detail in the Draft PEIR).

The impacts of each of alternative evaluated in detail in the Draft PEIR are compared to the Project's impacts in Draft PEIR Chapter 5, *Alternatives*, with a summary of comparative impacts provided in in Draft PEIR Table 5-1.

### 3.1 Alternatives Considered and Rejected

According to State CEQA Guidelines Section 15126.6(c), the following factors may be used to eliminate alternatives from detailed consideration: the alternative's failure to meet most of the basic Project Objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives that were considered but rejected after initial analysis include the Alternative Location/Alternative Sites Alternative, which seeks to put the project in another location, and the Reduced Development Project which would reduce or eliminate the amount of candidate parcels proposed for re-designation. As identified in PRC Section 21081 and State CEQA Guidelines Section 15091, findings are required only for "alternatives identified in the environmental impact report." Alternatives that are not reviewed in detail in an EIR because they have been determined to be infeasible need not be discussed in the findings (*Crenshaw Subway Coalition v Los Angeles County Metro. Transp. Auth.* (CD Cal, Sept. 23, 2015, No. CV 11-9603 FMO [JCx]) 2015 US Dist Lexis 143642, 2015 WL 6150847). Therefore, findings are not provided for alternatives considered in the Draft PEIR and rejected from detailed analysis.

#### a) Alternative Location/Alternative Sites

Pursuant to Section 15126.6(f)(2) of the State CEQA Guidelines, the County considered the potential for alternative locations to the Project. As stated in Section 15126.6(f)(2)(A), the key question and first step in analyzing alternative sites is whether any of the significant effects of a project would be avoided or substantially lessened by putting that project in another location. Only locations that would avoid or substantially lessen any of the significant effects of a project need to be considered in the PEIR.

The ESGVAP also aims to create a more robust housing stock within the ESGV that provides affordable options while still meeting the County's Regional Housing Needs Assessment (RHNA) allocations. The Project aims to increase residential uses throughout the ESGV Planning Area by primarily increasing the allowable residential uses and densities primarily around transit to foster smart growth within the County. The County has also identified that additional residential uses could be obtained from rezoning agricultural-zoned parcels that currently support residential uses as residential, as well as establishing streamlined zoning to create consistency across the Plan Area.

Specifically, the Project's proposed land use changes would allow for the increase in commercial and residential development within one mile of major transit stops, within a half-mile of High-Quality Transit Areas (HQTAs), and near major intersections where there is accessibility to existing or proposed frequent transit and commercial services. The goal of these land use changes would be to target growth near transit and active transportation facilities and everyday commercial services, and coordinate growth with improvements and investments that support walkable, thriving, and connected communities.

In order to achieve the desired smart-growth around transit centers and HQTAs within the ESGV Planning Area, the County determined that a one-mile planning radius for transit centers and a 0.5-mile planning radius for the HQTAs is the appropriate distances to maximize the usage of transit services as a means to decrease vehicle mile traveled (VMT) and other related environmental impacts, such as air quality and greenhouse gas (GHG) emissions, within the ESGV Planning Area. Due to the nature of creating transit-focused development, the County could not consider alternative locations outside of the identified planning radii because the effectiveness of locating residential uses near transit centers as a way to foster smart growth decreases as the distance between the two uses increase.

For the existing agricultural-zoned properties currently serving as residential uses, the County would rezone these properties for residential uses to create consistency between the County's land use and zoning documents and existing use of those properties. Similarly, the County would also streamline zoning to create consistencies throughout the ESGV, which in turn could create new residential uses. For these zoning processes, the parcels that meet the County's existing land use and zoning designations would be applicable, where alternative sites or locations that do not match the County's zoning criteria would not apply. Therefore, due to the nature of land use and zoning designations being site-specific, the County could not consider alternative sites or alternative locations for these two zoning processes.

For the reasons listed above, the County rejected the alternative site or location alternative as it would not achieve the objectives of the Project and would not foster the desired type of development within the ESGV Planning Area. This alternative is not further evaluated within this PEIR.

## **b) Reduced Development Project**

The County considered an alternative that would reduce or eliminate the amount of candidate parcels proposed for re-designation under the proposed land use and zoning amendments as a way to reduce environmental impacts compared to the Project (hereinafter refer to as the Reduced Development Alternative). However, the Reduced Development Alternative was rejected as it would not allow for the increase in designated residential uses throughout the ESGV Planning Area that is necessary to accommodate the County's share of the regional housing allocation established by the Southern California Association of Governments (SCAG) for the 2021–2029 planning period. Furthermore, the Project would update and reorganize the existing overlapping land use plans, policies, and regulations throughout the East San Gabriel Valley communities, as well as simplify and streamline land use and zoning regulations for the ESGV Planning Area. In contrast, the Reduced Development Alternative would only partially achieve these land use and zoning goals, as the excluded parcels from the ESGVAP would remain subject to existing land use and zoning designations, which would create further land use and zoning inconsistencies in the ESGV Planning Area as the entire Planning Area would not be updated as a whole. For these reasons, the Reduced Development Alternative was considered but rejected from further evaluation within this PEIR.

## 3.2 Alternatives Analyzed in the PEIR

### a) No Project Alternative

As specified in Section 15126.6(e)(3)(A), when a project is the revision of an existing land use or regulatory plan or policy or an ongoing operation, the No Project Alternative (Alternative 1) will be the continuation of the plan, policy, or operation into the future. Therefore, the No Project Alternative, as required by the State CEQA Guidelines, would analyze the effects of not adopting and implementing the ESGVAP. Future development under the No Project Alternative would continue to be guided by the County's existing General Plan land use, including the recently adopted Housing Element Update, and zoning designations. The No Project Alternative would result in the continuation of existing conditions and planned development within the County as no land use or zoning amendments would be processed under this alternative. No new significant environmental impacts or an increased severity of environmental impacts identified in the County's General Plan, including the updated Housing Element, or Community Plan EIRs would occur under this alternative because it would retain the current General Plan and Community Plan land use designations and policy provisions.

**Finding.** The County rejects the No Project Alternative and finds that the alternative is infeasible because it would not fully achieve the Project Objectives.

**Basis for finding:** Although the No Project Alternative would reduce the Project's significant and unavoidable aesthetic impact to a less than significant level, it would also result in three new significant and unavoidable impacts associated with GHG emissions, hazards and hazardous materials, and wildfire. Furthermore, while the significance conclusion would be the same as the Project, Alternative 1 would result in more severe impacts related to energy and GHG emissions, as the energy efficiencies and savings and reduction in VMT would not be provided to the same extent as the Project. Finally, while the significance conclusion would be the same as the Project, Alternative 1 would result in less severe impacts related to population and housing, as growth would occur at a slower rate as projected in the County's General Plan and Communities Plans. As such, this alternative would not accomplish some of the project objectives (e.g., promote economic development via an active regional hub near transportation centers with diverse options for housing, shopping, entertainment, recreation, and public services and encourage a diversity of housing options and affordability) to the same degree as the Project.

### b) 0.5-Mile Transit Center Planning Radius Alternative

The 0.5-Mile Transit Center Planning Radius (Alternative 2) would be similar to the Project, with the exception that the transit planning radius for transit centers would be reduced from a one-mile radius to a 0.5-mile radius. The 0.5-mile planning radius for High-Quality Transit Areas (HQTAs), as well as all other Project components, would remain the same as the Project under this alternative. By reducing the Planning Area from a one-mile radius to a 0.5-mile radius, it would be reasonable to assume that the Planning Area used for the Project would be roughly reduced by 50 percent under this alternative, thus the developable area of the ESGVAP would be limited.

**Finding.** The County rejects the 0.5-Mile Transit Center Planning Radius Alternative and finds that the alternative is infeasible because it would not fully achieve the Project Objectives.

**Basis for finding:** Implementation of Alternative 2 would not reduce any of the Project's significant and unavoidable impacts associated with aesthetics, air quality, biological resources, noise, or transportation to a less than significant level, but would reduce the severity of these impacts due to the reduction in developable area contained in the Alternative. While the significance conclusion would be the same as the Project, Alternative 2 would also reduce the severity of impacts associated with cultural resources, GHG emissions, noise, population and housing, and tribal cultural resources. Moreover, since the authority of the ESGVAP would be restricted to the Alternative 2 Planning Area, the energy efficiency and savings policies, goals, and development features of the ESGVAP would not be as widely applied throughout the County. Therefore, Alternative 2 would have more severe energy impacts than the Project, and as such, would not provide the additional energy benefits of the Project. Lastly, Alternative 2 would result in similar impacts to all other issue areas as the Project but would achieve the Project's objectives on a reduced scale compared to the Project since it would allow for fewer future housing options, which would limit growth around transit centers and HQTAs, and provide less opportunity for an increase in commercial uses due to the reduced developable area.

### **c) 0.25-Mile Transit Planning Radii Alternative**

The 0.25-Mile Transit Center Planning Radius (Alternative 3) would be similar to the Project, with the exception that the transit planning radii for both transit centers and HQTAs would be reduced from one mile and 0.5-mile, respectively, under the Project to 0.25-mile for both under this alternative. By reducing the Project Planning Area from a one-mile planning radius to a 0.25-mile planning radius for transit centers and from a 0.5-mile planning radius to 0.25-mile planning radius for HQTAs, it would be reasonable to assume that the Planning Area used for the Project would be roughly reduced by 75 percent under this alternative.

**Finding.** The County rejects the 0.25-Mile Transit Center Planning Radius Alternative and finds that the alternative is infeasible because it would not fully achieve the Project Objectives.

**Basis for finding:** Implementation of Alternative 3 would not reduce any of the Project's significant and unavoidable impacts associated with aesthetics, air quality, biological resources, noise, or transportation to a less than significant level, but would substantially reduce the severity of these impacts due to the considerable reduction in developable area. While the significance conclusion would be the same as the Project, Alternative 3 would also reduce the severity of impacts associated with cultural resources, GHG emissions, noise, population and housing, and tribal cultural resources. Moreover, since the authority of the ESGVAP would be restricted to the Alternative 3 Planning Area, the energy efficiency and savings policies, goals, and development features of the ESGVAP would not be as widely applied throughout the County. Therefore, Alternative 3 would have more severe energy impacts than the Project, and as such, would not provide the additional energy benefits of the Project. Lastly, Alternative 3 would result in similar impacts to all other issue areas as the Project but would achieve the Project's objectives but on a substantially reduced scale since it would allow for fewer future housing options, which would limit growth around transit centers and HQTAs, and result in less opportunity for an increase in commercial uses due to the reduced developable area.

### 3.3 Environmentally Superior Alternative

Section 15126.6 of the State CEQA Guidelines requires that an “environmentally superior” alternative be identified and the reasons for such a selection be disclosed and if the No Project Alternative is identified as environmentally superior, then the EIR is required to identify an alternative from among the others evaluated as environmentally superior. In general, the environmentally superior alternative is the alternative that would be expected to generate the least amount of adverse impacts. As detailed in Chapter 5 of the Draft PEIR (see Table 5-1), the No Project Alternative would reduce the Project’s significant and unavoidable aesthetic impact but would also result in three new significant and unavoidable associated with GHG emissions, hazards and hazardous materials, and wildfire. Therefore, this alternative is not the environmentally superior alternative.

Alternative 2 and 3 would result in similar impacts and would partially achieve the Project Objectives. However, since the developable area would be greater under Alternative 2, this Alternative would provide greater benefits to the communities within the ESGVAP area as the policies, goals, and implementation actions of the ESGVAP would be applied to a larger area than Alternative 3. While Alternative 2 would not reduce any of the Project’s significant and unavoidable impacts, this Alternative would reduce the severity of those impacts, as well as impacts related to cultural resources, GHG emissions, noise, population and housing, and tribal cultural resources. However, since the authority of the ESGVAP would be restricted to the Alternative 2 Planning Area, the energy efficiency and savings policies, goals, and development features of the ESGVAP would not be as widely applied throughout the County. Therefore, Alternative 2 would have more severe energy impacts than the Project, and as such, would not provide the additional energy benefits of the Project. Lastly, Alternative 2 would result in similar impacts to all other issue areas as the Project.

While Alternative 2 would reduce the severity of the Project impacts, this Alternative would not fully achieve the Project’s objectives nor provide the Project’s benefits to the same extent as the Project. This Alternative would limit the developable area targeted for transit-oriented growth and would not uniformly apply streamlined land and zoning processes across the County. Alternative 2 is considered the environmentally superior alternative for CEQA purposes because it would result in similar adverse impacts but would provide the greatest long-term benefit to the communities within the ESGVAP area.

## 4. Findings Regarding the Final PEIR

The Responses to Comments, provided as Chapter 2 of the Final PEIR, includes the comments received during the public review period on the Draft PEIR, as well as the County's responses to these comments. The focus of the Responses to Comments is on the disposition of significant environmental issues as raised in the comments, as specified by State CEQA Guidelines Section 15088(c). The County provided a written proposed response to each public agency on comments made by that public agency pursuant to State CEQA Guidelines Section 15088(b).

The purpose of the Final PEIR is to respond to all comments received by the County regarding the environmental information and analyses contained in the Draft PEIR. Corrections and Addition to the PEIR, provided as Chapter 3 of the Final PEIR, includes any clarifications/corrections to the text, tables, figures, and appendices of the PEIR generated either from responses to comments or independently by the County. The County finds that comments made on the Draft PEIR, the responses to these comments, and revisions to the PEIR clarify or update the analysis presented in the document but do not change the analysis or conclusions of the PEIR. Accordingly, no significant new information, as described in State CEQA Guidelines Section 15088.5, was added to the PEIR after the Draft PEIR was made available for public review.

The comments, responses to comments, and the clarifications to the PEIR do not trigger the need to recirculate the PEIR pursuant to State CEQA Guidelines Section 15088.5. These changes merely clarify or update the discussion but do not change the analysis or conclusions of the PEIR. Based on the analysis in the Draft PEIR, the comments received, and the responses to these comments, no substantial new environmental issues have been raised that have not been adequately addressed in the PEIR. Also, no changes to the analysis or conclusions of the PEIR are necessary based on the comments, the responses to the comments, and the revisions to the PEIR.

All feasible mitigation measures are included in the Mitigation Monitoring and Reporting Program (MMRP) that will be adopted if the County approves the Project. As discussed above, the County finds that specific economic, legal, social, technological, or other considerations, make it infeasible to mitigate significant impacts with respect to aesthetics, air quality, biological resources, noise, and transportation.

Nonetheless, as indicated above, some significant and unavoidable impacts will remain, and all of the feasible mitigation measures are included in the Project's MMRP, which will be adopted by the County if the Project is approved. The MMRP ensures implementation of the mitigation measures and provides the following information: (1) the full text of the mitigation measure and the impact statement(s) to which it applies; (2) the agency responsible for enforcing implementation of the mitigation measure; (3) the phase of the Project during which the measure would be monitored; and (4) the agency responsible for monitoring implementation of the mitigation measure. The MMRP is provided in Chapter 4 of the Final PEIR. For significant and unavoidable impacts, a Statement of Overriding Considerations has been prepared to provide substantial evidence that the Project's benefits outweigh its significant environmental impacts and will be adopted by the County if the Project is approved. The Statement of Overriding Considerations is provided in Section 5 of these Findings of Fact.



## 5. Statement of Overriding Considerations

The County finds on the basis of the Final PEIR and the record of proceedings in this matter that the unavoidable significant impacts of the Project and the unavoidable significant cumulative impacts are acceptable when balanced against the benefits of the Project. This determination is based on the following factors and the substantial public, social, economic, and environmental benefits flowing from the Project as identified in the Final PEIR and the record of proceedings in the matter.

The Final PEIR identifies significant environmental effects that will occur as a result of implementation of the ESGVAP. With implementation of the Project's mitigation measures and regulatory requirements, as discussed in the Final PEIR, these effects can be mitigated to levels considered less than significant, except for significant and unavoidable impacts in the areas of aesthetics, air quality, biological resources, noise and transportation as described above.

Considering the information contained in and related to the Final PEIR, and pursuant to State CEQA Guidelines Section 15092, the County finds that in approving the Project, it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible as shown in these Findings. The County further finds that it has balanced the economic, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable risks and that those risks are acceptable. The County makes this statement of overriding considerations in accordance with State CEQA Guidelines Section 15093 in support of approval of the Project. Specifically, in the County's judgment, the benefits of the Project, as proposed, outweigh the significant and unavoidable impacts, and the Project should be approved. The following provides the County's rationale:

- The proposed ESGVAP will provide for the orderly build-out of new development; residential units of varying densities; mixed-use development; retail, office, and industrial uses; public lands; and parks, open space, and recreational facilities.
- The proposed ESGVAP implements principles of sustainable growth by promoting economic development via an active regional hub near transportation centers with diverse options for housing, shopping, entertainment, recreation, and public services; thereby minimizing land consumption while maintaining open space, habitat, and recreation uses throughout the ESGVAP area.
- The proposed ESGVAP improves mobility options through the establishment of more public spaces and the creation of walkable communities linked by paths and greenways.
- The proposed ESGVAP encourages the development of a variety of housing types that are needed to meet the needs of all of the ESGVAP's residents, to meet its fair share housing allocation without dividing established communities.

Accordingly, the County hereby concludes that the Project's benefits outweigh and override its unavoidable significant impacts for the reasons stated above. The County reached this decision

after having: (1) adopted all feasible mitigation measures, (2) rejected as infeasible alternatives to the Project, (3) rejected alternatives that do not fully meet the Project objectives (4) recognized all significant, unavoidable impacts, and (5) balanced the benefits of the Project against its significant and unavoidable impacts.

**SUMMARY OF PROCEEDINGS  
REGIONAL PLANNING COMMISSION  
EAST SAN GABRIEL VALLEY AREA PLAN  
PROJECT NO. 2020-000612  
ADVANCE PLANNING CASE NO. RPPL2021013047  
GENERAL PLAN AMENDMENT NO. RPPL2022003554  
ZONE CHANGE NO. RPPL2022003557  
ORDINANCE NO. RPPL2022014158  
ENVIRONMENTAL ASSESSMENT NO. RPPL2022003550**

**August 9, 2023 Regional Planning Commission (RPC) Hearing**

At the public hearing on August 9, 2023, staff presented the East San Gabriel Valley Area Plan (ESGVAP) and the associated amendments to: (1) the General Plan and (2) Title 22 (Planning and Zoning) of the Los Angeles County Code, including the zoning map, collectively known as the Project. Staff also provided background on the relationship between the Project and the Green Zones Program, which took effect on July 14, 2022, and the Housing Element, which was certified by the California Department of Housing and Community Development on May 27, 2022.

Nine individuals testified at the hearing. Seven spoke in opposition to the Project, two spoke in favor of the Project.

Those testifying in opposition or asking questions and providing comments cited the following issues:

1. Opposition to changes in the land use category that reduce the future residential development potential for sensitive hillside lands in Rowland Heights, which are currently used for oil extraction. The EIR does not mention the reduction in land use intensity for the specific properties. Staff clarified that the change in land use intensity allows for the existing land use of oil extraction.
2. Opposition to zone changes from the A-1 Zone (Light Agricultural) to an R-1 (Single-Family Residential) or R-A (Residential-Agricultural). Staff clarified that the Project had been revised prior to public hearing based on additional conversations with property owners.
3. Concerns regarding a lack of adequate outreach regarding zone changes. Commenters stated that they did not receive a zone change notice, and that there was a lack of variety in meeting times for engagement events. There were also concerns about using digital outreach and not properly engaging the elderly community. Staff responded that zone change notices were sent

by mail with phone numbers to call for further information and that all phone calls were returned by staff with translators for foreign language speakers.

4. Concerns over code enforcement as discriminatory and the great cost of requiring compliance. There was concern that the rezoning of A-1 properties to R-1 or R-A was directly related to code enforcement concerns. Staff responded that the Project does not address code enforcement, but that their concerns were noted and would be addressed by the Department.
5. Concerns about rezoning in Pellissier Village, to which staff clarified that no zone changes were proposed for Pellissier Village.
6. Concerns about displacement, gentrification, development of luxury condos, and the creation of warehouse districts. Staff commented that the Project does not expand industrial zoning and that housing land use and zone changes are intended for small areas to accommodate diverse housing options and more affordable housing options.

One commenter spoke in favor of the Project, appreciating the robust outreach and thoughtful approach to providing missing middle housing that is context-sensitive. Another commenter spoke in support of the Project's protection of significant ridgelines and scenic hillsides.

The RPC closed the public hearing and voted to recommend approval of the Project to the Board of Supervisors.

Concurring: Commissioners Hastings, O'Connor, Louie, Duarte-White, and Moon

Dissenting: None

Abstaining: None

Absent: None

Action Date: August 9, 2023

**RESOLUTION  
REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. 2020-000612-(1,5)  
ADVANCE PLANNING CASE NO. RPPL2021013047  
GENERAL PLAN AMENDMENT NO. RPPL2022003554  
ORDINANCE NO. RPPL2022014158  
ZONE CHANGE NO. RPPL2022003557  
ENVIRONMENTAL ASSESSMENT NO. RPPL2022003550**

**WHEREAS**, the County is authorized to adopt amendments to the County General Plan pursuant to the State Law (commencing with §65350 of the California Government Code);

**WHEREAS**, the County is authorized to adopt amendments to the County Zoning Ordinance, pursuant to the State Law (commencing with §65800 of the California Government Code);

**WHEREAS**, the Regional Planning Commission ("Commission") of the County of Los Angeles ("County") conducted a duly noticed public hearing on (1) amendments to the County General Plan ("General Plan") and to Title 22 (Planning and Zoning) of the Los Angeles County Code ("County Code") to consider establishment of an area plan and changes to the land use and zoning for the 24 unincorporated communities of the East San Gabriel Valley Planning Area (Planning Area) (hereinafter, the "East San Gabriel Valley Area Plan" or "Area Plan"); an ordinance, (hereinafter, the "East San Gabriel Valley Planning Area Standards District" or "Ordinance"); and (2) Final Program Environmental Impact Report (FEIR) on August 9, 2023; and

**WHEREAS**, the Regional Planning Commission finds as follows:

1. The County Board of Supervisors ("Board") adopted the General Plan, pursuant to California Government Code ("Government Code") section 65300 on October 6, 2015;
2. The Area Plan is consistent with and implements the General Plan. The General Plan established the Planning Areas Framework Program, Implementation Program LU-1, and created 11 Planning Areas, one of which is the East San Gabriel Valley Planning Area. The General Plan serves as the foundation for all community-based plans, such as area plans. Area plans focus on land use and other policy issues that are specific to the Planning Area. Area plans are tailored toward the unique geographic, demographic, and social diversity of the Planning Area;

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3. The Planning Area spans the easternmost portions of Los Angeles County. It is roughly bordered by the Angeles Forest and San Gabriel Mountains to the north, the Puente Hills and Orange County to the south, Interstate-605 and the San Gabriel River to the west, and San Bernardino County to the east. The Planning Area includes 24 unincorporated communities totaling approximately 51.3 square miles with a population of approximately 242,000. Most of the communities are predominantly residential, with limited industrial and commercial areas. In addition, some residential areas include active equestrian and small-scale agricultural uses. Some of the communities are unpopulated or have minimal development and are primarily designated open space, water resource areas, or privately-owned natural land with minimal development. The communities share boundaries with 13 cities;
4. The 24 unincorporated communities within the Planning Area are Avocado Heights, Charter Oak, Covina Islands, East Irwindale, East Azusa, East San Dimas, Glendora Islands, Hacienda Heights, North Claremont, North Pomona, Northeast La Verne, Northeast San Dimas, Rowland Heights, South Diamond Bar, South San Jose Hills, South Walnut, Valinda, Walnut Islands, West Claremont, West Puente Valley, West San Dimas, Pellissier Village, Unincorporated North Whittier, and Unincorporated South El Monte;
5. As a policy document and a component of the General Plan, the Area Plan directs future development and land use decisions to achieve a shared vision for the built environment within the Planning Area, considering the unique features and needs of the Planning Area and its individual communities. The overarching vision is to conserve the character of the communities within the Planning Area, while growing sustainably into a regional hub with walkable communities that provide proximate access to transit and diverse options for housing, services, employment, and recreation;
6. The Area Plan includes an amendment to the General Plan to update the boundaries of the East San Gabriel Planning Area boundary to include the unincorporated communities of South El Monte, Pellisier Village, and North Whittier, and remove them from the West San Gabriel Planning Area;
7. The Area Plan rescinds the existing Rowland Heights Community Plan, which was adopted in 1981, and Hacienda Heights Community Plan, which was adopted in 2011, and incorporates relevant community-specific policies into the Area Plan;
8. All land use policy designations in the Hacienda Heights and Rowland Heights Community Plans are converted and updated to be consistent with

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the General Plan Land Use Policy Legend and the goals and policies of the General Plan;

9. The Area Plan updates the Land Use Policy Map to be consistent with the General Plan Land Use Legend, updates areawide zoning to be consistent with the General Plan Land Use Policy Map, and implements zoning tools as needed to realize the goals and objective of the General Plan at the local scale;
10. The Area Plan includes amendments to the General Plan Land Use Policy Map to implement the ESGVAP's and General Plan's goals to increase housing diversity, increase commercial and mixed-use options along major corridors and near transit, bring diverse land uses in proximity to residential neighborhoods, promote transit use and active transportation for walkable communities, and focus growth in areas with existing infrastructure and away from hazard and natural resource areas. Reductions in land use intensities are proposed for areas with hazards, scenic and biological resources, and where existing infrastructure does not meet the needs of the current land use designation. The criteria used to select potential growth areas consisted of reviewing areas generally within a mile of major transit stops, a half mile of high-quality transit corridors (HQTA), and near major intersections with access to existing or proposed transit and commercial services. Areas recommended for changes have been reviewed to ensure adequate means of access and consistency of community character. Areas with potential for hazards were removed from consideration. The changes will also correct parcels with split land use categories;
11. The Area Plan implements zone changes to align with the changes to the Land Use Policy Map within the Area Plan's designated "growth areas". The zone changes include those that allow for additional housing types and a greater diversity of land uses in proximity to each other. The specific types of zone changes within the "growth areas" include the following: A-1 (Light Agricultural) to R-2 (Two-Family Residence), R-3 (Limited Density Multiple Residence), or C-1 (Restricted Business); R-A (Residential Agricultural) to R-2 (Two-Family Residence), or R-3 (Limited Multiple Residence); R-1 (Single-Family Residence) to R-2 (Two-Family Residence); and C-1 (Restricted Business), C-2 (Neighborhood Business), C-3 (General Commercial), or C-H (Commercial Highway) to MXD (Mixed Use Development);
12. The Area Plan includes a Zoning Consistency Program which implements zone changes to update zoning for consistency with the existing General Plan Land Use Policy Map, to correct the zoning category for parcels with multiple zoning designations and apply the predominant zone to the entire property, ensuring consistency with its context, and to address legacy agricultural zoning in areas developed with residential subdivisions. The legacy

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agricultural zone changes apply to Light Agricultural (A-1) properties with primary residential uses and residential land use policy categories (H5, H9, H18). The properties are rezoned to either Residential Agricultural (R-A) or Single-Family Residence (R-1) depending on property size and location, where appropriate, to ensure consistency between the General Plan Land Use Policy Map, the Zoning Map, and the existing land use of the properties. The A-1 zoning was maintained, where feasible and consistent with the goals of the Area Plan, where agricultural or equestrian uses exist;

13. The Southern California Association of Governments determined that the County's Regional Housing Needs Allocation ("RHNA"), or fair share of the regional housing need, for the period October 15, 2021 – October 15, 2029, is as follows: 25,648 units for extremely low/very low-income households; 13,691 units for low-income households; 14,180 units for moderate-income households; and 36,533 units for above moderate-income households for a total of 90,052 units;
14. The County determined that there is not sufficient capacity to accommodate the RHNA, and identified the following shortfall by income level: 16,393 units for extremely low/very low-income households; 4,357 units for low-income households; 9,019 units for moderate-income households; and 26,005 units for above moderate-income households;
15. The County will complete the rezoning through various community-based efforts, including the East San Gabriel Valley Area Plan, as described in Program 17: Adequate Sites for RHNA of the Revised Housing Element;
16. The Area Plan implements land use and zone changes as required by the Revised Housing Element, adopted by the Board on May 17, 2022, and certified by the State Department of Housing and Community Development on May 27, 2022, which includes a list of sites to be rezoned by 2024 to accommodate the RHNA shortfall, pursuant to Government Code section 65583(c)(1)(A).
17. The Area Plan implements the addition of the "-GZ" zoning suffix for specific properties in existing designated Green Zones Districts to clarify to which properties the adopted Green Zones Program standards are applicable. The Green Zones Program was adopted by the Board on June 14, 2022 and the zoning suffixes implemented with the Project are intended to facilitate implementation of the Green Zones Program;
18. A notice of a change to land use and/or zoning designation was sent to approximately 25,183 property owners on January 26, 2023 informing them of the proposed changes in advance of the public hearing to allow time to contact the Department for further information or to voice their concern. The



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Department received approximately 405 calls and emails requesting further information or to express their concerns. The Department reviewed properties where concern was voiced and communicated with the affected property owners to address their concerns where feasible and consistent with the goals of the Area Plan and General Plan.

19. The availability of Geographic Information Systems (GIS) technology allows the development of parcelized and digitized maps;
20. The Area Plan includes not only static maps, but GIS data that generate maps and figures in multiple, dynamic ways;
21. Pursuant to County Code Section 22.244.040, the Ordinance is consistent with the principles of the General Plan and supportive of the goals and policies of the General Plan in that it promotes environmentally sensitive and sustainable design, addresses scenic and biological impacts, promotes pedestrian-oriented design, ensures that new development addresses its context, and strengthens and enhances development in the Planning Area;
22. The Ordinance is established to implement specific development standards for and enhance the character of the 24 unincorporated communities of the Planning Area. The Ordinance is necessary to ensure that the goals and policies of the Area Plan and the community-specific regulations for each community are accomplished in a manner which protects the health, safety and general welfare of the community;
23. The Ordinance takes the existing Community Standards Districts (CSDs) into a newly established Planning Area Standards District (PASD). The Ordinance updates and incorporates the Rowland Heights and Avocado Heights Community Standards Districts (CSDs), and incorporates additional supplemental districts applicable to communities in the Planning Area into the new PASD. In addition, the Ordinance streamlines and reorganizes the additional standards applicable to communities within the Planning Area into to facilitate use and application;
24. The Ordinance contains standards to address the specific character and needs of the communities of the Planning Area including: expanding the notification radius for discretionary projects from 500 to 1,000 feet; identification and protections for significant ridgelines; protections for biological resources; pedestrian-oriented commercial design; standards for incorporation of enhanced architectural features, articulation, and design for commercial and mixed use zones; and a 50-foot height limit and height step-back standards from adjoining residential zones for General Commercial (C-3) and Mixed Use Development (MXD) zones;

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25. In updating and incorporating the Rowland Heights CSD into the Ordinance, members of the community of Rowland Heights participated in the Rowland Heights Planning Advisory Group and with the Department to develop the updates to the CSD to address requests from the community to revise the CSD to better address their concerns regarding the quality of development, protection of significant ridgelines, supporting pedestrian-oriented development, and shared public spaces in private developments;
26. Pursuant to County Code Section 22.244.040, the Ordinance is consistent with other applicable provisions of Title 22, including Section 22.02.050 pertaining to zoning consistency with the General Plan;
27. Pursuant to Section 1.5.1 of the Airport Land Use Commission (ALUC) Review Procedures, all General Plan Amendments and zoning ordinances must be consistent with the County Airport Land Use Plan, if the General Plan Amendment or ordinance includes areas that are within an airport influence area. Because no unincorporated property in the Planning Area is within an airport influence area, the East San Gabriel Valley Area Plan and Ordinance do not involve an area of concern from an airport compatibility perspective;
28. In accordance with Government Code sections 65092, 65352, and 65352.3, California Native American Tribes traditionally and culturally affiliated with the project area that have requested project notification were notified and invited to request consultation regarding the Area Plan and Ordinance;
29. Two written responses were received from the following tribes: Soboba Band of Luiseno Indians and San Manuel Band of Mission Indians. The representative of the San Manuel Band of Mission Indians requested further information in the form of more detailed maps of specific communities within their ancestral territory within the Planning Area. The requested information was provided with no further request for consultation on the East San Gabriel Valley Area Plan and Ordinance;
30. A Program EIR was prepared in compliance with the California Environmental Quality Act (CEQA) and the County environmental guidelines. The draft Area Plan and Draft EIR were publicly released on February 27, 2023. In conjunction with the release of the draft documents, newsletters and notices were emailed to community stakeholders to share information about the project, newspaper notices were published, and the draft documents were placed for review at 13 County libraries within the Planning Area. The official public review period lasted for 45 days until April 12, 2023.
31. The Final PEIR identified that the Project would result in less than significant impacts to the following 13 areas: Agriculture and Forestry Resources, Energy, Geology and Soils, Greenhouse Gas (GHG) Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning,

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Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems, and Wildfire. The following were identified as having potentially significant impacts that could be reduced, avoided, or substantially lessened through implementation of mitigation measures: Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources. However, impacts to Aesthetics, Air Quality, Biological Resources, Noise, and Transportation were determined to be significant and unavoidable, requiring a Statement of Overriding Considerations;

32. The Project has environmental, economic, and social benefits that outweigh the unavoidable adverse environmental impacts of the short-term impacts on air quality, ambient noise level, and ground-borne vibration during construction activities of future development in the Planning Area. In addition, the Project has environmental, economic, and social benefits that outweigh the unavoidable adverse environmental impacts on scenic vistas, visual character, visual quality, and public views; candidate, sensitive, or special status species and sensitive natural communities; and vehicle miles traveled (VMT) from future development in the Planning Area for discretionary projects, by-right development, activities that are subject to ministerial review, or that are statutorily exempt from CEQA. Implementation of the Project supports attainment of state, regional, and County goals for GHG emission reductions, reduction of VMT, and encouragement of housing and economic development opportunities, social equity, and environmental justice.
33. The Department conducted outreach for the development of the proposed Area Plan and Ordinance and engaged local stakeholders, community members, and advisory committees from the community. The Department engaged in a robust and varied outreach strategy attending events and conducting meetings throughout the planning process. The Department organized and/or attended approximately 107 events and workshops in support of the Area Plan and Ordinance;
34. Pursuant to Section 22.222.180 of the County Code, a public hearing notice was published in the following local and regional newspapers between July 6-9, 2023: Asian Journal, Azusa Beacon, Azusa Herald Highlander, The Covina Argus Citizen, Highlander Press Courier, Diamond Bar/Phillips Ranch Highlander, Hacienda Heights Highlander, La Puente Valley Journal, Pasadena Star News, Pasadena Weekly, Rowland Heights/Walnut Highlander, San Gabriel Valley Tribune, West Covina Press. The public hearing was noticed in additional languages in the following newspapers: Chinese Daily News and World Journal (Traditional and Simplified Chinese), La Opinion and Excelsior (Spanish), The Korea Times (Korean), and the Nguoi Viet Daily News (Vietnamese).

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35. The public hearing notice was sent by email to 604 interested parties who signed up for Project-related information and departmental contact lists. Materials were also posted on the Department of Regional Planning's website and promoted through social media; and
36. At the Regional Planning Commission hearing on August 9, 2023, seven individuals spoke in opposition to the ESGVAP Project, asked questions, or provided comments. Testifiers raised concerns regarding proposed rezoning of select areas from A-1 to R-1 or R-A, stating that notification and outreach were inadequate. Staff responded that zone changes were revised based on feedback and that the affected parties were previously notified of the revisions. Staff also stated that various strategies for outreach were conducted, including mailings, in-person, and virtual events. One individual spoke in opposition to the recommended downzoning in the Puente Hills. Staff clarified that the change does not affect the existing land use and is intended to bring consistency with the General Plan. Two individuals spoke in favor of the Project commending the outreach, context-sensitive housing options, and protection of sensitive habitat. Following discussion, the Regional Planning Commission closed the public hearing and voted unanimously by voting 5 – 0 in favor of recommending the ESGVAP Project for adoption by the Board of Supervisors.

**THEREFORE, BE IT RESOLVED THAT** the Regional Planning Commission recommends to the County of Los Angeles Board of Supervisors (Board) as follows:

1. That the Board certify the Final PEIR, Environmental Assessment No. RPPL2022003550, and find that it has been prepared in compliance with CEQA and the State and local agency guidelines related thereto;
2. That the Board determine that where significant adverse environmental effects of the project, as described in the Final Program EIR, have not been reduced to a level of less than significant, the benefits of the East San Gabriel Valley Area Plan and Ordinance, such as specific social, economic, legal, technological, or other considerations outweigh the environmental effects of the project as stated in the CEQA Findings of Fact and Statement of Overriding Considerations (attached) for the project;
3. That the Board hold a public hearing and adopt the East San Gabriel Valley Area Plan and Ordinance, Project No. 2020-000612-(1,5), General Plan Amendment No. RPPL2022003554, Zone Change No. RPPL20220, Ordinance No. RPPL2022014158, amending the General Plan to establish the East San Gabriel Valley Area Plan with the updated Land Use Policy

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Map for the 24 unincorporated communities of the East San Gabriel Valley Planning Area, and amending Title 22 to establish the Ordinance and updated zone changes, and find that they are consistent with the General Plan;

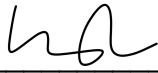
4. That the Board find the Area Plan, accompanying Land Use Policy Map, zone changes, and Ordinance compatible with and supportive of the goals and policies of the General Plan, in the interest of public health, safety, and general welfare, in conformity with good zoning practice, and consistent with other applicable provisions of this Title 22.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on August 9, 2023.

*Elida Luna*

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Elida Luna, Secretary  
Regional Planning Commission  
County of Los Angeles

APPROVED AS TO FORM: OFFICE OF THE COUNTY COUNSEL

By 

Kathy Park  
Deputy County Counsel  
County of Los Angeles