RANCHO LA HABRA SPECIFIC PLAN

EIR COMMENTS AND RESPONSES TO COMMENTS

SCH NO. 2015111045

CITY OF LA HABRA

July 2020

Metis Environmental Group

Final EIR Volume 3

Rancho La Habra Specific Plan

Final Environmental Impact Report

Volume 3 – EIR Comments and Responses

July 2020

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CHAPTER 1 INTRODUCTION

This Final Environmental Impact Report (Final EIR) has been prepared in conformance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq*.) and CEQA Guidelines (14 California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 *et seq*.) to evaluate the environmental effects of the proposed Rancho La Habra Specific Plan. The Final EIR is composed of the following documents:

- Volume 1
  - Draft EIR and Appendices (February 2018), including the Mitigation Monitoring and Reporting Program (MMRP).

    Additional revisions to the text and figures of the Draft EIR, generated either from responses to comments or independently by the City of La Habra (City), have been incorporated into this volume of the Final EIR in an underline – ~~strikeout~~ format.
- Volume 2
  - Partially Recirculated Draft EIR and Appendices (November 2019), including the MMRP.

    Additional revisions to the text and figures of the Partially Recirculated Draft EIR, generated either from responses to comments or independently by the City, have been incorporated into this volume of the Final EIR in an underline – ~~strikeout~~ format.
- Volume 3 (this volume)
  - Chapter 1, Introduction, which is the introduction to the Final EIR;
  - Chapter 2, Responses to Comments, which provides responses to comments received on the Draft EIR and Partially Recirculated Draft EIR;
  - Chapter 3, Revisions to the Draft EIR, which shows revisions to the Draft EIR as it was modified by the Partially Recirculated Draft EIR; and
  - Chapter 4, Mitigation Monitoring and Reporting Program, which contains the final text of the MMRP.

The purpose of this volume (Volume 3) of the Final EIR is to respond to comments received by the City regarding the environmental information and analyses contained in the Partially Recirculated Draft EIR (November 2019) and the Draft EIR (February 2018). Additionally, this volume of the Draft EIR identifies revisions to the text and figures of the Draft EIR as it was modified by the Partially Recirculated Draft EIR that were generated as the result of responses to comments or independently by the City.

Subsequent to this introductory chapter, Chapter 2 contains copies of each comment letter received on the Partially Recirculated Draft EIR (November 2019) and the Draft EIR (February

2018), along with annotated responses to the comments in the comment letters. Chapter 3 of this document contains corrections and errata to the Draft EIR as it was modified by the Partially Recirculated Draft EIR. Chapter 4 contains the final MMRP.

The Lead Agency for this project is the City of La Habra. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions should be referred to:

Mr. Andrew Ho, Community and Economic Development Director
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631
andrewh@lahabraca.gov

The City of La Habra has determined that none of the additional material included in the Final EIR constitutes "significant new information" that would require a second recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. The additional material included in the Final EIR clarifies and amplifies existing information provided in the Draft EIR as it was modified by the Partially Recirculated Draft EIR. The Final EIR indicates that:

- The Project would not result in a new significant environmental impact or impacts other than those previously disclosed in the Draft EIR as it was modified by the Partially Recirculated Draft EIR;
- There would not be a substantial increase in the severity of any significant environmental impact previously disclosed in the Draft EIR as it was modified by the Partially Recirculated Draft EIR, and
- None of the other circumstances requiring recirculation of the Draft EIR described in CEQA Guidelines Section 15088.5 would occur.

1.1 PROJECT LOCATION

The Rancho La Habra Specific Plan (Specific Plan) area is located in the southern portion of the City of La Habra, which is in the northern portion of Orange County (see **Figure 1-1**). The City of Fullerton is located to the south and the City of Brea is to the east in Orange County. Within Los Angeles County, the City of La Mirada is located to the west of La Habra, with the cities of Whittier to the northwest and La Habra Heights to the north. Major regional roadways in the area include Beach Boulevard to the west and Imperial Highway to the north. Beach Boulevard provides regional access to the Interstate 5 freeway (I-5), approximately 4.5 miles to the south. Imperial Highway also provides regional access to the State Route 57 freeway (SR-57), approximately 5 miles to the east.

Figure 1-1: Project Location

RANCHO LA HABRA SPECIFIC PLAN EIR

Source: Google Earth

1.2 PROJECT OVERVIEW

1.2.1 PROJECT DESCRIPTION

The Project site is the current site of the Westridge Golf Club, which is adjacent to Beach Boulevard and the existing Westridge Plaza shopping center. The Westridge Golf Club was developed along with the Westridge residential community to the south pursuant to the La Habra Hills Specific Plan, which was adopted in 1992. The currently proposed Rancho La Habra Specific Plan would remove the 150.8-acre Project site from the La Habra Hills Specific Plan and develop the existing golf course with 402 dwelling units, consisting of 277 single-family homes and 125 multi-family residences, along with either 20,000 square feet of commercial development (e.g., specialty grocery, restaurant, or general retail uses) or an additional 46 multi-family dwelling units (see **Figure 1-2**). Also proposed are open space areas that would include public parks and private recreational areas, a community center, a habitat conservation area, and passive recreational uses including trails, picnic areas, and tot lots on the Project site.

The applicant, Lennar Homes of California (Lennar), is requesting that the City of La Habra approve the following:

- General Plan Amendment
- Amendment to the existing La Habra Hills Specific Plan
- Rancho La Habra Specific Plan
- Change of Zone
- Vesting Tentative Tract Map 17845
- Development Agreement with the City of La Habra
- Design Review for Planning Areas 1 through 4 and 6. (Note: Design review for Planning Area 5 is anticipated as a future application.)
- Establishment of a Community Facilities District or another financing mechanism

In addition, the applicant is requesting that the California Department of Fish and Wildlife approve a new Streambed Alteration Agreement and vacate existing deed restrictions that were previously established on the Project site. The existing deed restrictions for habitat areas within the Project site were established as mitigation for impacts related to previous construction of the existing Westridge Golf Club and adjacent residential areas (Westridge community) to the south pursuant to the previous La Habra Hills Specific Plan. Approval of a new Streambed Alteration Agreement and vacation of existing deed restrictions by the Department of Fish and Wildlife is a necessary prerequisite for City approval of final subdivision map(s), a grading permit, and development of the Project site as proposed in the Rancho La Habra Specific Plan.

1.2.2 PROJECT OBJECTIVES

Project objectives for Rancho La Habra, including the underlying purpose of the Project, are presented below pursuant to CEQA Guidelines Section 15124(b), which requires an EIR to include a "statement of objectives sought by the proposed project." Project objectives include those of the Lead Agency (City of La Habra), as well as those identified by the Specific Plan applicant, Lennar Homes of California.

a. Project Objectives of the City of La Habra

The City's overarching objectives for the proposed Rancho La Habra Specific Plan are to:

- Ensure that the long-term planned use of the Project site is consistent with the goals, objectives, and other provisions of the City's General Plan, recognizing that state law grants the City the authority to amend the General Plan and approve a specific plan consistent with the *amended* General Plan; and
- Meet the requirements of state law and local ordinances to provide the public and decision-makers with a thorough and objective evaluation of the physical and environmental effects that would result from the proposed Rancho La Habra Specific Plan and related actions, implement all feasible mitigation measures and consider a reasonable range of alternatives to the proposed Project that would avoid or reduce any significant environmental effects, and otherwise comply with the provisions of the CEQA and local practices to implement CEQA.

b. Applicant's Project Objectives

The applicant, Lennar Homes of California, has established the following project objectives for its proposed Specific Plan development:

- Implement the City's Housing Element by providing new development that provides a range of new housing types, sizes, and prices for existing and future residents of the city;
- Provide new housing opportunities for city residents that provide fiscal benefit to the City, whereby revenues from the new development exceed public expenditures needed to serve and maintain the development;
- Provide a range of public park and recreational facilities, such as a Community Center, open turf, playground areas, picnicking and quiet enjoyment space, trail systems with fitness facilities and view overlooks, and nature trails with educational signage, that exceed the City's local park code requirements for the proposed Project;
- Create a network of trails throughout the residential neighborhoods that provide connections to existing City and regional trails east and west of the Project site and to the Westridge Plaza shopping center located north of the Project site;

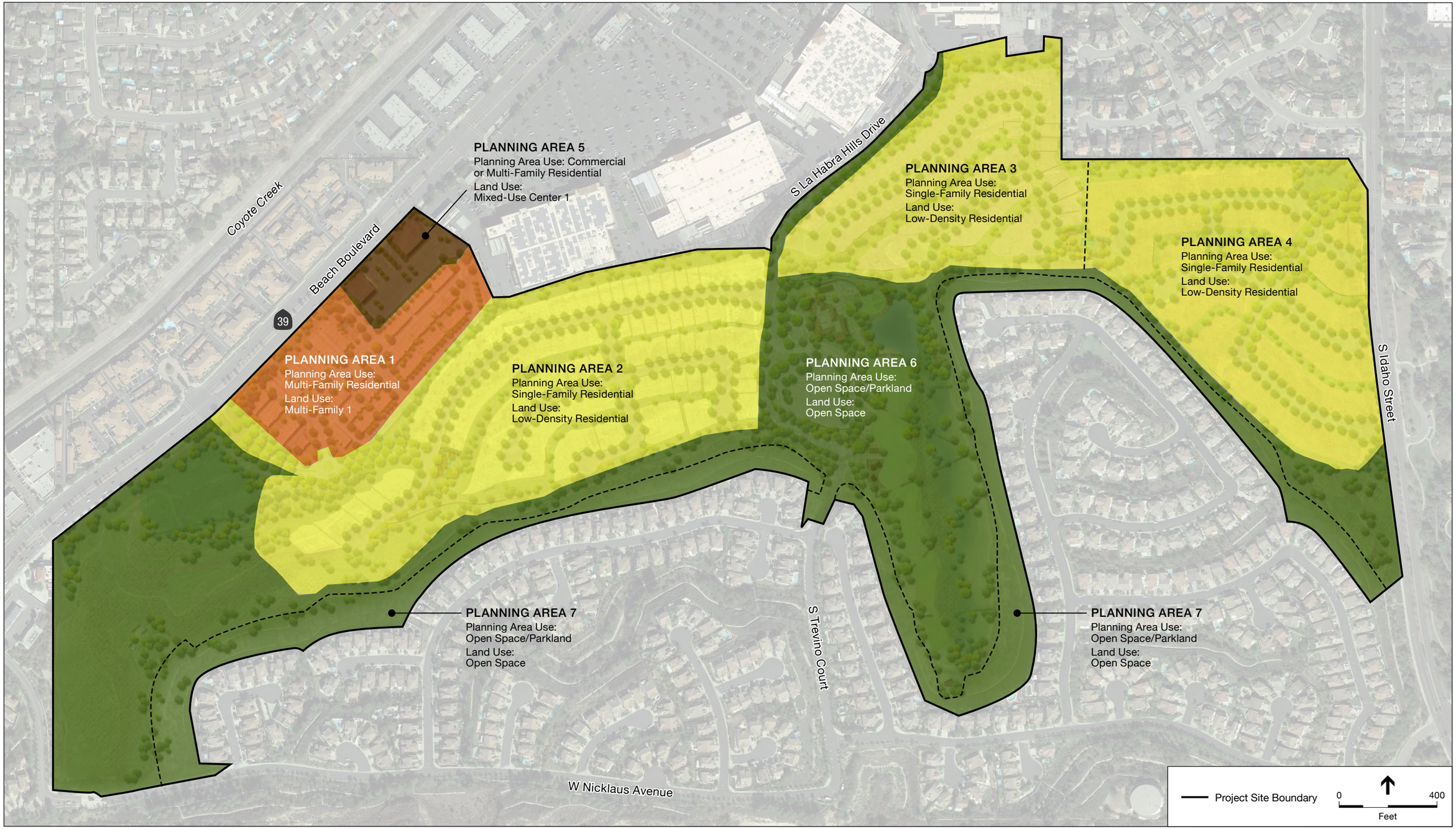

Figure 1-2: Proposed Land Use

Source: Google Earth Pro; Carlson SLS; BrightView Design Group

- Improve the aesthetic character of the Beach Boulevard and Idaho Street frontages through landscape design consistent with the City's goals and objectives;
- Preserve, restore, and conserve natural habitat on the Project site to the extent practicable considering the other competing project objectives;
- Reduce the demand for potable water compared to the existing golf course water demand; and
- Redevelop the golf course property for a "higher and better use."[1]

1.2.3 PROPOSED FUTURE DEVELOPMENT

As shown in **Figure 1-2**, **Table 1-1**, and **Table 1-2**, the Rancho La Habra Specific Plan defines seven Planning Areas. Planning Area 1 is proposed for the multi-family residential development, while Planning Areas 2 through 4 are proposed for single-family residential neighborhoods. Planning Area 5 is a 2.64-acre building pad located along Beach Boulevard designed to accommodate either 20,000 square feet of commercial development or an additional 46 multi-family dwelling units. Planning Area 6 consists of areas proposed for public parkland, including the conversion of the existing clubhouse to a City-owned Community Center, public streets, and public open space areas. Planning Area 7 encompasses the slope separating the existing Westridge neighborhood from the golf course. The existing Westridge neighborhood south of the Project site, which was developed as part of the La Habra Hills Specific Plan, retains an easement over the 19.38-acre vegetated slope, along with the obligation for slope maintenance.

1.3 ANTICIPATED DISCRETIONARY ACTIONS AND APPROVALS

1.3.1 REQUIRED APPROVALS

The Project will require the following discretionary actions and other approvals:

- City of La Habra (Lead Agency)
  - General Plan Amendment to change the land use designation of the Project site from Open Space to Low Density Residential, Multi-Family 1, and Mixed-Use Center 1
  - Amendment of the La Habra Hills Specific Plan to remove the Project site and all references to the golf course from the Specific Plan
  - Approval of the Rancho La Habra Specific Plan

[1] The Appraisal Institute defines "highest and best use" as the "reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value."

Table 1-1
Land Use Acreage by Planning Area

	Planning Area 1	Planning Area 2	Planning Area 3	Planning Area 4	Planning Area 5	Planning Area 6	Planning Area 7	Total
Residential/Commercial Development								
Multi-Family Homes	8.60	-	-	-	-	-	-	**8.60**
Single Family Residential	-	14.20	7.90	12.50	-	-	-	**34.60**
Commercial or Multi-Family Homes	-	-	-	-	2.50	-	-	**2.50**
Open Space Uses								
Public Community Center/Parking	-	-	-	-	-	3.30	-	**3.30**
Public Park/Picnic Area/Pond	-	-	-	-	-	12.79	-	**12.79**
Public Linear Park/Multi-Use Trails	-	-	-	-	-	12.77	-	**12.77**
Habitat Conservation Area	-	-	-	-	-	9.86	-	**9.86**
Private Open Space and Detention Basins	1.66	14.50	5.86	5.91	0.14	-	-	**28.07**
Existing Slope	-	-	-	-	-	-	19.38	**19.38**
Roads	0.30	6.98	3.10	5.18	-	3.41	-	**18.97**
Total Acres	**10.56**	**35.68**	**16.86**	**23.59**	**2.64**	**42.13**	**19.38**	**150.84**

Table 1-2
Number and Size of Dwelling Units by Planning Area

Residential Planning Area	Minimum Lot Size	Number of Dwelling Units	Approximate Average Size of Dwelling Units	Number of Bedrooms
Planning Area 1	not applicable – multi-family	125	1,900 square feet	3/4
Planning Area 2	48'/54' x 80' (3,840 square feet)	115	2,700 square feet	4/5
Model Home Complex	47' x 70' (3,290 square feet)	3	2,400 square feet	4
Planning Area 3	47' x 70' (3,290 square feet)	77	2,400 square feet	4
Planning Area 4	55' x 90' (4,950 square feet)	82	3,300 square feet	4/5
Planning Area 5	not applicable – multi-family (option)	46	1,900 square feet	3/4

Source: Rancho La Habra Specific Plan, 2019.

- Change of Zone for the Project site from La Habra Hills Specific Plan to Rancho La Habra Specific Plan
- Development Agreement to vest the Project entitlements, define the terms and conditions under which the proposed project will be developed, and define specific benefits to be provided to the City

  - Vesting Tentative Tract Map to subdivide the property into single-family residential, multi-family residential, commercial retail, and open space lots, and to confer a vested right to proceed with development in compliance with the Vesting Tentative Tract Map
  - Design Review, including proposed architectural design for each Planning Area (Note: Design review for Planning Area 5 is anticipated as a future application.)
  - Formation of a Community Facilities District, also known as a Mello-Roos District, or another mechanism for financing of improvements
- California Department of Fish and Wildlife (Responsible Agency)
  - Section 1600 Streambed Alteration Agreement
  - Vacation of an existing deed restriction within the Specific Plan area

1.3.2 OTHER RESPONSIBLE AND TRUSTEE AGENCIES

The following are responsible agencies[2] and trustee agencies[3] for the proposed Rancho La Habra Specific Plan:

- Regional Agencies
  - Regional Water Quality Control Board (Section 401 Water Quality Certification)
  - Orange County Public Works Department (encroachment permit[s] and infrastructure improvements)
  - Orange County Sanitation District (Sewage Collection Permit)
  - Orange County Health Care Agency (Remedial Action Supervision)
- State Agencies
  - Santa Ana Regional Water Quality Control Board (National Pollutant Discharge Elimination System [NPDES] Storm Water Permit, NPDES Construction Permit, Section 401 Water Quality Certification)
  - Department of Transportation (Caltrans) District 12 (Encroachment Permit[s] and improvements within Caltrans rights-of-way)
- Federal Agencies
  - U.S. Fish and Wildlife Service (Amended Biological Opinion)
  - U.S. Army Corps of Engineers (Section 404 Nationwide Permit)

[2] A "responsible agency" is a public agency, other than the lead agency, that has responsibility for carrying out or approving a project.
[3] A "trustee agency" is a state agency that has jurisdiction by law over natural resources affected by a project, that are held in trust for the people of the State of California.

1.4 USE OF THE EIR IN AGENCY DECISION-MAKING

In conformance with CEQA and the CEQA Guidelines, the Final EIR provides detailed and objective information regarding the environmental consequences of the Project. The Final EIR also examines mitigation measures and alternatives to the Project intended to reduce or avoid significant environmental impacts. The Final EIR will be considered by the City and responsible agencies before they make discretionary decisions regarding development of the Rancho La Habra Specific Plan.

Should the City decide to certify the Final EIR, it must make the findings set forth in CEQA Guidelines Section 15090(a). Namely, the City would have to certify that the EIR:

- Complies with CEQA;
- Reflects the lead agency's independent judgment and analysis; and
- Was presented to the decision-making body, which reviewed and considered the information in the Final EIR before approving or approving with modifications any component of the Project.

After considering and certifying the EIR, the lead agency may then decide whether or how to approve a project. Under CEQA (Public Resources Code Section 21081, CEQA Guidelines Section 15092(b)), an agency may not approve or carry out a project for which an EIR was prepared unless it makes written findings to the effect that:

- The project as approved will not have a significant effect on the environment; or
- The agency has eliminated or substantially lessened all significant effects on the environment when feasible and has determined that any remaining significant effects are acceptable when balanced again the project's benefits.

CEQA requires an agency to avoid or reduce a project's significant effects when it is feasible to do so. When deciding whether a project should be approved, an agency has an obligation to balance various public objectives, including economic, environmental, legal, technological, and social factors, and determine whether overriding considerations justify approval of the project despite its significant environmental effects. Should the agency adopt a project that would result in one or more significant unavoidable impacts, the agency must first adopt a statement of overriding considerations, setting forth specific reasons in support of project approval.

In accordance with CEQA and the CEQA Guidelines, the Final EIR will be made available prior to the City's consideration of EIR certification. All documents referenced in this Final EIR are also available for public review.

1.5 CEQA REQUIREMENTS REGARDING EIR COMMENTS AND RESPONSES

The lead agency must evaluate comments on the Draft EIR and prepare written responses for inclusion in the Final EIR. The written responses must describe the disposition of any "significant environmental issues" raised by commenters. (Public Resources Code Section 21091(d); CEQA Guidelines Section 15088.) Written responses must be detailed and provide a reasoned, good faith response. Responses to comments that do not raise a significant environmental question are not required (*Citizens for E. Shore Parks v. State Lands Comm'n* (2011) 202 Cal.App.4th 549).

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be "on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated." Section 15204(a) further states:

> *Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible … CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

CEQA Guidelines Section 15204(c) further advises:

> *Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

Section 15204(d) also states that "each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility." Section 15204(e) states that "this section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section."

In accordance with CEQA (Public Resources Code Section 21092.5), copies of the written responses to comments from public agencies will be forwarded to those agencies at least 10 days prior to certification of the EIR. In addition, the full set of comments and responses to

comments will be made available to the public on the City's website before the commencement of public hearings on the Project.

CHAPTER 2 RESPONSES TO COMMENTS

California Environmental Quality Act (CEQA) Guidelines Section 15088, Evaluation of and Response to Comments, states:

(a) 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 raising significant environmental issues received during the noticed comment period and any extensions and may respond to late comments.

(b) The lead agency shall provide a written proposed response, either in a printed copy or in an electronic format, to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report.

(c) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice. The level of detail contained in the response, however, may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment.

(d) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the Lead Agency should either:

(1) Revise the text in the body of the EIR, or

(2) Include marginal notes showing that the information is revised in the responses to comments.

This chapter of the Final EIR sets forth the City of La Habra's written responses to written comments provided to the City during the public review periods for the Rancho La Habra Partially Recirculated Draft EIR (November 2019) and the Rancho La Habra Draft EIR (February 2018).

Revisions to the Draft EIR or Partially Recirculated Draft EIR are referenced where relevant within individual responses to comments. Consistent with CEQA Guidelines Section 15088(d), the full text of these revisions is presented Chapter 3 of this document, as well as in the body of the EIR in Final EIR Volume 1 (Draft EIR) and Final EIR Volume 2 (Partially Recirculated Draft EIR).

Comment letters and responses to comments on the Partially Recirculated Draft EIR are presented in Section 2.1, below. Comment letters and responses to comments on the Draft EIR are presented in Section 2.2.

2.1 RESPONSES TO COMMENTS ON THE PARTIALLY RECIRCULATED DRAFT EIR

The City received a total of eighty-six (86) comment letters or emails providing comments on the Partially Recirculated Draft EIR (November 2019), with seventy-four (74) letters and emails from private individuals; three (3) letters from representatives of Save La Habra; four (4) letters from local public agencies and utilities; and five (5) letters from federal agencies, state agencies, and tribal authorities. Responses to all comments that address substantive environmental concerns in each of these letters and emails are provided in this section of the Final EIR.

Table 2-1
Comments Received on the Rancho La Habra Partially Recirculated Draft EIR

Comment Letter	Commenter	Date	Number of Comments
Comment Letters Responded to in Master Responses			
	J. A. Lee	January 15, 2020	
	Mira Choi	January 15, 2020	
	Byung D. Choi	January 15, 2020	
	Dong H. Choi	January 15, 2020	
	Myung J. Choi, Kwang Min Choi	January 15, 2020	
	Jin Choi	January 15, 2020	
	Connie Jhung Sim Choi	January 15, 2020	
	Kum Ja Lee	January 15, 2020	
	Nam Hyun Jhung	January 15, 2020	
	Byung I. Ham	January 15, 2020	
	Sook Ham	January 15, 2020	
	Tina Hseih	January 15, 2020	
	Mira Howard	January 15, 2020	
	Hoondo Hur	January 15, 2020	
	Eunice Kang	January 15, 2020	
	Byong C. Kang	January 15, 2020	
	BumSuk Kim	January 15, 2020	
	Catherine Kim	January 15, 2020	
	Catherine Kim	January 15, 2020	
	Henry Kim	January 15, 2020	
	Hae Jim Kim	January 15, 2020	
	Kap Choon Kim	January 15, 2020	

Comment Letter	Commenter	Date	Number of Comments
	Yom Kyung Kim	January 15, 2020	
	Hyuk Kim Kwon	January 15, 2020	
	Bruce Bum Se Lee	January 15, 2020	
	Bum Wan Lee	January 15, 2020	
	Chang B. Lee, M.D.	January 15, 2020	
	Haeyeong Lee, M.D.	January 15, 2020	
	James Y. Lee	January 15, 2020	
	Katherine Lee	January 15, 2020	
	Kwan M. Lee	January 15, 2020	
	Kum Ja Lee	January 15, 2020	
	Kyung S. Lee	January 15, 2020	
	Susan Lin	January 15, 2020	
	Aisha Manjra	January 15, 2020	
	Ravindra Patel	January 15, 2020	
	Maureen Rocha	January 15, 2020	
	Rashmi Shah	January 15, 2020	
	Kay K. Yoon	January 15, 2020	
	Jaewhan Yoon	January 15, 2020	
	Jong Jo Yoon	January 15, 2020	
Comments from Members of the Public			
BRAUN	Thomas and Alicia Braun	No Date	1
JAMES	Walter James	November 25, 2019	1
LOWERY	Cherie Lowery	November 26, 2019	1
DERRICO	Carol D'Errico	November 27, 2019	1
REICKS	Ed Reicks, Ph.D.	December 1, 2019	1
ISHIHARA	Elizabeth Ishihara	December 3, 2019	4
WEI	Dr. Julie Wei	December 3, 2019	2
MILLER	Rosa Miller	December 6, 2019	3
MENDOZA	Diane Mendoza	December 8, 2019	1
JWKANG	Jimmie Kang	December 9, 2019	1
LEELIN	Mendrei and Cecilia Leelin	December 29, 2019	1
BRETOI	Dave Bretoi	January 3, 2020	4
PROPST	Vicky Propst	January 3, 2020	1
WDJIN	W. David Jin	January 5, 2020	3
FOUST	Joe Foust	January 10, 2020	22
JOC	Jennifer O'Brien Chavez	January 13, 2020	2
KJLEE-1	Kum Ja Lee	January 15, 2020	1
KJLEE-2	Kum Ja Lee	January 15, 2020	1
KJLEE-3	Kum Ja Lee	January 15, 2020	1
KJLEE-4	Kum Ja Lee	January 15, 2020	1

Comment Letter	Commenter	Date	Number of Comments
KJLEE-5	Kum Ja Lee	January 15, 2020	1
KJLEE-6	Kum Ja Lee	January 15, 2020	1
KJLEE-7	Katherine J. Lee	January 15, 2020	1
KCKIM-1	Kap Choon Kim	January 16, 2020	5
KCKIM-2	Kap Choon Kim	January 15, 2020	1
JYLEE-1	James Y. Lee	January 16, 2020	1
JANICKI	Robert Janicki	January 15, 2020	5
BIHAM	Byung I. Ham	January 16, 2020	1
JC-KGC	Jack Cook and Karla Gary Cook	January 16, 2020	8
CCOOK	Christine Cook	January 16, 2020	16
HYLEE	Haeyeong Lee, M.D.	January 16, 2020	1
CBLEE	Chang B. Lee, M.D.	January 16, 2020	1
GARCIA	Kelley Garcia	January 16, 2020	3
LOPEZ	Maribelle Lopez	January 17, 2020	1
Comments from Representatives of Save La Habra			
JL-ML-SH	James Lees, Maribelle Lopez, and Sue Ham	January 9, 2020	7
HAMILTON	Hamilton Biological	January 16, 2020	22
CSA	Cotton, Shires and Associates	January 16, 2020	17
Comments from Local Public Agencies and Utilities			
SCG-1	SoCalGas	December 31, 2019	1
SCG-2	SoCalGas	January 15, 2020	3
OCTA	Orange County Transportation Authority	January 15, 2020	2
PHPPA	Puente Hills Habitat Preservation Authority	January 16, 2020	1
Comments from State Agencies, Federal Agencies, and Tribal Authorities			
CDFW	California Department of Fish and Wildlife	January 6, 2020	17
USFWS-1	United States Fish and Wildlife Service	January 7, 2020	7
DOC-GEMD	California Department of Conservation	January 7, 2020	3
JUANEÑO	Juaneño Band of Mission Indians	January 14, 2020	1
CALTRANS	California Department of Transportation	January 17, 2020	12

Aside from the courtesy statements, summaries of the EIR project description, introductions, and closings, individual comments within the body of each comment letter and email have been identified and numbered. A copy of each comment letter and the City's responses to comments on the Draft EIR are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the right margin of the letter or email. Responses to each comment identified are included on the page(s) following each comment letter.

In the process of responding to some comments, minor revisions were made to the text of the EIR. None of the comments or responses constitutes "significant new information" (CEQA Guidelines Section 15073.5) that would require additional recirculation of the EIR.

Sections 2.1.1 through 2.1.5 include responses to each individual comment, although a response may sometimes refer to another response. The responses to the individual comment letters in Sections 2.1.1 through 2.1.5 are organized as follows:

- 2.1.1 Master Responses
- 2.1.2 Responses to Comments from Members of the Public
- 2.1.3 Responses to Comments from Representatives of Save La Habra
- 2.1.4 Responses to Comments from Local Public Agencies and Utilities
- 2.1.5 Responses to Comments from State Agencies, Federal Agencies, and Tribal Authorities

Many comments received on the Draft EIR and Partially Recirculated Draft EIR raised planning issues or provided background information and did not identify any substantive environmental issue or address the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Such comments did not require a response. While the City, as the CEQA lead agency, acknowledges their receipt, only limited responses are provided to comments that do not address substantive environmental issues or address the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

Where a response to a comment requires revisions to the text of the Partially Recirculated Draft EIR, such revisions are shown in <u>underline</u> for additions and ~~strikethrough~~ for deletions. Chapter 3 of the Final EIR contains a consolidated set of all changes made to the Draft EIR as it was modified by the Partially Recirculated Draft EIR that resulted from (1) changes made in response to the comments received on the Draft EIR or the Partially Recirculated Draft EIR, or (2) City staff-initiated changes to clarify information presented in the Draft EIR or the Partially Recirculated Draft EIR.

2.1.1 MASTER RESPONSES

Forty-one (41) comment letters were received by the City of La Habra containing a similar set of comments. These letters are provided following the responses below. Each of these comment letters begins with the phrases "I am AGAINST the development" and "These are my concerns," followed by various combinations of the following comments.

1. I am AGAINST the development.

Response: This comment expresses the commenters' opinions regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

2. The impact to our already congested roads, especially along Imperial Highway and Beach Boulevard.

Response: This comment expresses a general concern regarding increased traffic and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. The Project's impacts on traffic in the vicinity of the Project site, including impacts along both Imperial Highway and Beach Boulevard, are addressed in Section 3.7, *Traffic and Circulation*, of the Draft EIR as modified by the Partially Recirculated Draft EIR (Final EIR Volume 2).

3. The increased traffic on Idaho, especially if Coyote Hills becomes developed.

Response: Partially Recirculated Draft EIR Table 3.7-21 indicates that the Project would add a total of 108 vehicle trips per 24-hour day to Idaho Street between Lambert Road and Imperial Highway and that this segment of roadway would operate at an acceptable level of service (LOS C) with Project-generated traffic under 2035 Cumulative plus Project conditions,[1] including development of the proposed Rancho La Habra Specific Plan, West Coyote Hills, and 62 other past, present, and probably future projects.

A comparison of Partially Recirculated Draft EIR Tables 3.7-15 and 3.7-21 indicates that existing traffic volumes along Idaho Street between Lambert Road and Imperial Highway would grow from 23,702 average daily trips (ADT) to 26,520 ADT in 2035 with the addition of increases in background traffic and development of the 63 cumulative projects analyzed in the Rancho La Habra traffic impact analysis. Traffic from Rancho La Habra would add 108 daily trips, representing 3.8 percent of the increased traffic and 0.4 percent of the total traffic along Idaho Street between Lambert Road and Imperial Highway in 2035.

As noted in Partially Recirculated Draft EIR Table 3.7-21, Idaho Street between Lambert Road and Imperial Highway would operate at an acceptable LOS C under 2035 Cumulative plus Project conditions. Year 2035 cumulative impacts at intersections are presented in Partially Recirculated Draft EIR Table 3.7-19, which indicates:

[1] Year 2035 background traffic growth estimates were calculated using an ambient traffic growth factor of 1 percent per year to reflect unknown and future cumulative projects in the area, as well as account for regular growth in traffic volumes due to the development of projects outside the area. In addition, Year 2035 background traffic includes development of the 63 cumulative projects within the cities of La Habra, La Habra Heights, Fullerton, Whittier, Brea, Buena Park, and La Mirada that are identified in Partially Recirculated Draft EIR Table 6-1 and Figure 6-1. The West Coyote Hills project is identified in Table 6-1 as cumulative project #9, which includes development of 556 single family dwellings, 204 condominium units, and 68,000 square feet of retail/office development.

- The intersection of Idaho Street at Sandlewood Avenue would operate at an acceptable LOS A in the AM peak hour and LOS B in the PM peak hour.
- Although the intersection of Idaho Street at Lambert Road would operate at unacceptable LOS E during the AM and PM peak hour, the intersection would operate at LOS E even without development of Rancho La Habra. The traffic that Rancho La Habra would add to this intersection was found not to exceed applicable significance thresholds and the Project's impacts at this intersection were therefore determined to be less than significant.

The addition of 108 Project-related vehicle trips over a 24-hour period to Idaho Avenue, which is projected to carry 26,412 daily vehicle trips without the Project would not cause safety issues because:

- Cumulative traffic volumes along Idaho Street between Lambert Road and Imperial Highway would be well within the roadway's carrying capacity as evidenced by an acceptable LOS C under 2035 Cumulative plus Project conditions;
- Rancho La Habra would make a very small relative contribution to the projected increase in daily traffic compared to existing conditions (3.8 percent of the increased traffic and 0.4 percent of the total traffic along Idaho Street between Lambert Road and Imperial Highway in 2035);
- The intersection of Idaho Street at Sandlewood Avenue would operate at an acceptable would operate at acceptable levels of service during the AM and PM peak hours; and
- Although the intersection of Idaho Street at Lambert Road would operate at unacceptable LOS E during the AM and PM peak hours, the Project's impacts at this intersection were determined to be less than significant

4. The increased usage along Sandlewood Avenue, which will cause increased danger to the children attending school in the area.

Response: As demonstrated in the Partially Recirculated Draft EIR, the Project would add 15 AM peak hour trips, 18 PM peak hour trips and 212 daily trips to Sandlewood Avenue between Idaho Street and Euclid Street, which would be well within the capacity of the roadway and not sufficient to cause any significant traffic congestion or safety impacts.

5. The loss of natural habitat for the California Gnatcatcher.

Response: The presence of coastal California gnatcatcher (*Polioptila californica californica*) within the Project site has long been known. On April 12, 1995, the United States Fish and Wildlife Service (USFWS) issued a Biological Opinion (1-6-95-F-

17) and a permit or "take" authorization for up to two pairs of the gnatcatcher species associated with construction of the Westridge Golf Club.

Subsequently, protocol California gnatcatcher surveys were conducted on the Westridge Golf Club site for the Rancho La Habra EIR on three separate occasions: by Glen Lukos Associates (GLA) in 2013, by Cadre Environmental in the fall of 2014, and by Kidd Biological, Inc. in the spring of 2016. As explained in Section 3.5, *Biological Resources*, of the Partially Recirculated Draft EIR, findings were as follows:

- Two pairs of California gnatcatcher and as many as two unpaired males were documented within the Project site during the spring of 2013 by GLA. The two pairs of California gnatcatcher were documented within the western portion of the Project site, while the two unpaired males were recorded using suitable habitats within the eastern portion of the site.
- In 2014, Cadre Environmental documented one family group within the western region of the Project site. Specifically, one female and four juvenile California gnatcatchers were consistently documented using the majority of Coastal Sage Scrub and Coyote Brush Scrub habitats in the western portion of the Project site. Also, no California gnatcatcher were documented within suitable habitats located within the eastern portion of the Project site.
- In 2016, Kidd Biological, Inc. documented a California gnatcatcher pair, and two juveniles were observed in the Coastal Sage Scrub in the southwest portion of the Project site during the first survey conducted on April 6, 2016. During the subsequent five surveys, they were not observed and had dispersed.

As indicated in Partially Recirculated Draft EIR Table 3.5-9, development of Rancho La Habra would result in the loss of 7.55 acres of the 11.60 acres of Coastal Sage Scrub and Coyote Brush Scrub habitat areas existing within the Project site. Mitigation Measure BIO-1.1a requires that the loss of these habitat areas "be compensated through on-site or off-site establishment/restoration/ enhancement and/or off-site purchase of functionally equivalent or better habitat." Provision of such mitigation would reduce impacts from loss of habitats suitable for coastal California gnatcatcher to less than significant.

6. The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO_2e per year.

Response: This comment expresses a general concern regarding the increased Greenhouse Gas Emissions that would result from the Project, acknowledging that the Partially Recirculated Draft EIR correctly notes that the Project's GHG

emissions would exceed the SCAQMD's screening threshold of 3,000 $MTCO_2e$ per year (see Section 3.9, *Greenhouse Gas Emissions*, of the Partially Recirculated Draft EIR). This comment raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

7. General increase in population density leading to new inter-city problems.

Response: This comment expresses general concerns regarding population density and "new inter-city problems" and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. The physical environmental effects of increased population density within the Project site are addressed in the Rancho La Habra Draft EIR. In the absence of a description of what specific "new inter-city problems" commenters believe might result from the Project, a more specific response cannot be provided.

8. Overcrowding of the city resulting in too few city resources spread over too many residents' needs.

Response: This comment expresses a general concern regarding city resources and their availability to meet residents' needs. The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Discussion of the Project's effects on public services, utilities and water supply, and parks is provided in Section 3.15, *Public Services and Facilities*, Section 3.16, *Recreational Resources*, and Section 3.17, *Utilities, Service Systems, and Water Supply* of the Draft EIR. In the absence of a description of what City resources are of concern and why commenters believe the City would not be able to meet residents' needs should the Project be approved, a more specific response cannot be provided.

9. Lack of city "open spaces" and the effect on residents' lifestyles.

Response: This comment expresses a general concern regarding loss of open space and effects on residents' lifestyles. The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

Draft EIR Section 3.16, *Recreational Resources*, specifically addresses the loss of the Westridge Golf Club that would result from the Project, along with the parks and recreational trails that the Project proposes to provide.

Pursuant to the requirements of CEQA, the Rancho La Habra EIR addresses the physical environmental effects that would result from the Project, determines the significance of those environmental effects, and sets forth measures to

mitigate significant environmental effects. CEQA Guidelines Section 15131(a) states that the economic or social effects of a project "shall not be treated as significant effects on the environment." While this CEQA Guidelines section acknowledges that there may be "a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes," the focus of the EIR's analysis "shall be on the physical changes." In the absence of information on what effects commenters believe the Project might have on residents' lifestyles, a more detailed response addressing potential physical environmental effects is not possible.

10. Removal of many green mature trees which cleanse the air will produce more CO_2 and less O_2 in the air.

Response: This comment expresses a general concern regarding CO_2 (greenhouse gas) emissions and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. See Section 3.9, *Greenhouse Gas Emissions*, of the Partially Recirculated Draft EIR for a discussion of greenhouse gas emissions and mitigation measures. The evaluation of greenhouse gas emissions provided in the EIR presents a worst-case analysis in that it does not assume any carbon sequestration from trees and other landscaping to be provided as part of the Project.

11. Breathing contaminated air during excavation of contaminated soil. Seniors, babies, and children who have already been suffering with lung disease will struggle.

Response: Management of contaminated soils buried within the Project site would occur pursuant to a Soil Management Plan approved and overseen by the Orange County Health Care Agency. The Soils Management Plan for Rancho La Habra is included in the Draft EIR in Appendix M as described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*.

The EIR recognizes that soils containing petroleum hydrocarbons would be encountered during site grading and noted that a Soils Management Plan approved by the Orange County Health Care Agency (OCHCA) sets forth extensive controls to minimize hazards from the excavation and placement of total petroleum hydrocarbon (TPH)-affected soils, including the following:

- Standard work practices, such as suppressing dust, performing proposed site improvements in the upwind position, and monitoring for the potential presence of volatile organic compounds (VOCs), shall be observed. Where impractical, the site safety officer, or designated alternate, is to be consulted to identify acceptable alternatives. If an inhalation hazard is identified,

Level C respiratory protection using National Institute for Occupational Safety and Health (NIOSH)-approved half-face air purifying respirators with volatile organic or combination high-efficiency particulate (HEPA)/volatile organic cartridges shall be required.

- Skin exposure of workers is to be limited by use of gloves, eye protection, and hard hat; hand washing; and limiting incidental ingestion of soil.

The excavation, stockpiling, sampling, and placement of TPH-affected soils would be required to follow the approved Soils Management Plan, including proper handling of potentially impacted soils during removal and placement such that potential impacts due to odor, dust, runoff, and physical contact are mitigated.

In addition, control of petroleum hydrocarbon vapor emissions would follow the guidelines set forth by South Coast Air Quality Management District Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil.

Soil testing is required to be performed by a qualified remediation specialist, as overseen by the OCHCA, and would occur prior to completion of grading to (1) verify the complete removal of previously placed fill soil in the original reuse areas, (2) characterize the excavated fill once it is placed in stockpiles, and (3) verify that all soils in the upper 10 feet meet the criteria established by the OCHCA.

During construction, soil piles would be watered (misted) or covered when necessary to prevent fugitive dust. This would prevent the potential release of contaminated soil into the environment. In addition, the fugitive dust control measures set forth in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, and the erosion control measures set forth in Draft EIR Section 3.13, *Hydrology and Water Quality*, would be maintained.

Recognizing the potential of encountering TPH-affected soil outside of existing reuse areas, the approved Soils Management Plan also provides requirements for general site grading, as follows (and as explained in Section 3.12, *Hazards and Hazardous Materials*, of the Draft EIR):

- During site grading, excavated soil originating from outside of the three reuse areas that visually displays dark discoloration/staining shall be flagged and segregated during the excavation process. These segregated soils shall be tested to determine whether the soil can be reused as cover or must be placed within a deep fill location.

- Potentially impacted soils shall be stockpiled on plastic sheeting to segregate contaminated soils from clean soils. Vapor and dust from excavation and stockpiling activities shall be controlled using one or more of the following: water misting, covering with poly sheeting; backfilling of off-gassing excavations, locating stockpiles away from and/or downwind of on-site workers and public receptors, and reducing the pace of project site activities and/or halting activities. In general, flagged (impacted) locations outside of the reuse areas are to be visually located, and confirmed by hand-held (or equivalent) global positioning system (GPS) equipment, when necessary.
- Excavation efforts shall proceed at individual flagged (impacted) suspect areas based upon visual staining and/or other methods (i.e., air monitoring equipment). Confirmation soil samples shall be collected from stockpiled soil and excavation limits, and properly documented as excavation proceeds. Final excavation confirmation sampling should be conducted at a rate of at least one soil sample per 5-foot vertical interval/20-foot horizontal interval of exposed sidewall and/or excavation floor. However, this sample frequency may be modified in the field based on site-specific conditions such as accessibility, soil homogeneity, and results of previous sampling data.
- Soil samples shall be collected using appropriate hand sampling tools or from the bucket of the excavation equipment and placed in laboratory-supplied glass sample jars and/or stainless steel sleeves, as required. In either case, samples should be compacted within the sample container to remove any head space. Soil samples shall be sealed with Teflon-lined lids/caps, labeled with a number unique to the sample, placed in a chilled cooler, and logged under proper chain-of-custody (COC) protocol for transportation to a California-state certified laboratory. A mobile laboratory may be used to analyze soil samples during the excavation confirmation process, depending upon the nature of the contaminant and/or the scheduling needs of the project.

The EIR determined that, although the controls mandated in the Soils Management Plan approved by the Orange County Health Care Agency make a substantial health risk unlikely, a health risk would nevertheless be possible. Thus, the EIR set forth the following mitigation measure to ensure the safety of soil management activities:

Mitigation Measure HAZ-2.2: Excavation, handling, and placement of contaminated soils within the Project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk

(ECR) of 1 x 10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

The EIR concluded that Implementation of Mitigation Measure HAZ-2.2, combined with the controls mandated by the Soils Management Plan, would ensure that the Project would not result in a substantial health risk. The Soils Management Plan, in combination with Mitigation Measure HAZ-2.2, would therefore reduce impacts to a less-than-significant level.

Impacts related to emissions of particulate matter that is 2.5 microns in diameter or less ($PM_{2.5}$) and other air pollutants are addressed in the Rancho La Habra air quality analysis, which is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

12. Hillside residents along ridges need proven mitigation measures for possible landslide and land slippage hazards.

Response: See Comments and Responses to Comments CSA-1 through CSA-17 for discussion of landslide and land slippage hazards analysis and mitigation.

13. The development is inconsistent with the city's existing general plan, which I relied on when moving to the city.

Response: Approval of the Rancho La Habra Specific Plan requires amendments to the City's existing General Plan. The Project as proposed by the applicant includes General Plan Amendment 18-01, which requests that the City change the site's General Plan land use designation from Open Space to Low Density Residential, Multi-Family 1, and Mixed-Use Center 1. Discussion of the Project's consistency with the La Habra General Plan is provided in Draft EIR Section 3.2, *Land Use and Planning Policy* (Final EIR Volume 1). See also Section 2.1.3-2, Responses to Comments HAMILTON-4 and HAMILTON-5, as well as Section 2.2.2-1, Responses to Comments SMW-7 and SMW-9 through SMW-18, for additional discussion of General Plan consistency.

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

These are my concerns:

- ❑ The impact to our already overly congested roads, especially along Imperial Highway and Beach Blvd.
- ❑ The increased traffic on Idaho, especially if Coyote Hills becomes developed.
- ❑ The increased usage along Sandlewood Drive, which will cause increased danger to the children attending school in the area.
- ❑ The loss of a natural habitat for the California Gnatcatcher.
- ❑ The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO2s per year
- ❑ ADDITIONAL COMMENTS:

  General increase in city population density leading to new inter-city problems.

  Overcrowding of the city resulting in too few city resources spread over too many resident's needs.

  Lack of city "open spaces" and the effect on resident's lifestyles.

  Removal of many Green mature trees which has been cleanse the air will produce more CO2 and less O2 in the air.

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  Hill side residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

  The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name:

Signature

Address

1611 West Nickous Ave.

La Habra CA 90631

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Printed Name: MIRA CHOI

Signature _____

Address 1651 W NICKLAUS AVE
La Habra CA 90631

January 15, 2020

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201 E La Habra Blvd
La Habra Ca 90633
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Printed Name BYUNG D. CHOI

Signature Byung D. Choi

Address 2131 W. Snead St. La Habra CA 90631

January 15, 2020

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201 E La Habra Blvd
La Habra Ca 90633
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Printed Name DONG H. CHOI

Signature Dong H. Choi

Address 2131 W. SNEAD ST, LA HABRA, CA 90631

January 15, 2020

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Printed Name MYUNG JA Choi, Kwang Min Choi

Signature Myung Ja Choi, Kang Min Choi

Address 2421 W. Casper Court La Habra CA. 90631

January 15, 2020

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City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: JIN CHOI

Signature _____

Address

1651 W NICKLAUS AVE

La Habra CA 90631

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  The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name Connie Jung Sim Chun

Signature [illegible]

Address 1301 W Player Ave La Habra, Ca 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

These are my concerns:

- ❑ The impact to our already overly congested roads, especially along Imperial Highway and Beach Blvd.
- ❑ The increased traffic on Idaho, especially if Coyote Hills becomes developed.
- ❑ The increased usage along Sandlewood Drive, which will cause increased danger to the children attending school in the area.
- ❑ The loss of a natural habitat for the California Gnatcatcher.
- ❑ The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO2s per year.
- ❑ ADDITIONAL COMMENTS:

General increase in city population density leading to new inter-city problems.

Overcrowding of the city resulting in too few city resources spread over too many resident's needs.

Lack of city "open spaces" and the effect on resident's lifestyles.

Removal of many Green mature trees which has been cleanse the air will produce more CO2 and less O2 in the air.

Breathing air become contaminated during excavation of contaminated soil and flow thru vicinity residents. Seniors, babies and childrens will struggle who has been already suffering with lung diseases.

Hill side residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: Kum Ja Lee

Signature Kum Ja Lee

Address : 1801 S. Palmer Ct, La Habra Ca 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

These are my concerns:

- ❑ The impact to our already overly congested roads, especially along Imperial Highway and Beach Blvd.
- ❑ The increased traffic on Idaho, especially in light of the proposed Coyote Hills development.
- ❑ The increased usage along Sandlewood Drive, which will pose increased danger to the children attending school in the area.
- ❑ The loss of a natural habitat for the California Gnatcatcher.
- ❑ The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO2s per year.
- ❑ General increase in city population density leading to new inter-city problems.
- ❑ Overcrowding of the city resulting in too few city resources spread over too many resident's needs.
- ❑ Lack of city "open spaces" and the effect on resident's lifestyles.
- ❑ Removal of many Green mature trees which has been cleanse the air will produce more CO2 and less O2 in the air.
- ❑ Breathing air becoming contaminated during excavation of contaminated soil and flow through vicinity residents. Seniors, infants, and children will be especially at risk especially those who are already suffering with lung disease.
- ❑ Hill side residents, like me, around ridges of the project area need and demand proven mitigation measures of possible land slide and/or land slippage.
- ❑ The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: Nam Hyun Jhung

Signature Nam H Jhung

Address: 1641 W Nicklaus Ave, La Habra, CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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  Hill side residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

  The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: Byung I. HAm

Signature _____

Address 1520 S Runyan st
La Habra CA. 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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These are my concerns:

The impact to our already overly congested roads, especially along Imperial Highway and Beach Blvd.

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The increased usage along Sandlewood Drive, which will cause increased danger to the children attending school in the area.

The loss of a natural habitat for the California Gnatcatcher.

The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO2s per year.

ADDITIONAL COMMENTS:

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Removal of many Green mature trees which cleanse the air. The result is more production of CO2 and less O2 in the air.

Concern of breathing contaminated air during the excavation of contaminated soil. Seniors, babies and children will struggle, especially those who have already been suffering with lung diseases.

Hillside residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: In Sook Ham

Signature_____

Address 1520 S Runyan St La Habra Ca 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

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Printed Name Tina Hsieh

Signature [illegible]

Address 1800 S. Palmer Ct., La Habra, CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: Mira Howard

Signature _____

Address 2161 S. Farrell Ct
La Habra, CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Scanned with CamScanner

Andrew Ho

City of La Habra

Printed Name HOONDO HUR

Signature

Address 1580 S Runyan St.
La Habra, CA 90631

Scanned with CamScanner

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: Eunice Kang

Signature _____

Address 1960 S. Floyd ct. La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: Byong C. Kang

Signature _____

Address 1960 S. Floyd CT. La Habra
CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: BUMSUK KIM

Signature Bumsuk Kim

Address 1860 S. Floyd ct.
La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

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Printed Name CATHERINE KIM

Signature [illegible]

Address 2041 W. Snead St.
La Habra Ca. 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90631
Community Development Director

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

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Printed Name CATHERINE KIM

Signature

Address

Catherine Kim
2041 W. Snead St.
La Habra, CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: Henry Kim

Signature Henry Kim

Address 1941 S. Hagen CT La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: Hae Jin Kim

Signature Hae Jin Kim

Address 1860 S. Floyd ct
La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

These are my concerns:

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- ❑ The increased traffic on Idaho, especially if Coyote Hills becomes developed.
- ❑ The increased usage along Sandlewood Drive, which will cause increased danger to the children attending school in the area.
- ❑ The loss of a natural habitat for the California Gnatcatcher
- ❑ **The loss of a natural habitat for the cayotes. These are already coming down to the people's homes killing the pets. The City of La Habra warned its community to keep the pets inside – every year. If the last open space, the Westridge Golf Course, is gone, then there will be more frequent sighting of the cayotes and will lead to the attacks to little children, besides the pets. Have you addressed this problem?**
- ❑ The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO2s per year.
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The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: Mrs. Kap Choon Kim

Signature: Kap Choon Kim

Address : 1801 S. Palmer Ct, La Habra Ca 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name:

Signature [illegible] / Yom Kyung Kim

Address 1941 S. Hagen CT. La Habra

CA. 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca ~~90633~~ 90631
Community Development Director

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Printed Name Hyuk Ku Kwon

Signature [illegible]

Address 1760 S palmer ct. LaHabra CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: Bruce Bum Se Lee

Signature Bruce Bum Se Lee

Address 2161 S. Ferrier Court
La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Lack of city "open spaces" and the effect on resident's lifestyles.

Removal of many Green mature trees which has been cleanse the air will produce more CO2 and less O2 in the air.

Breathing air become contaminated during excavation of contaminated soil and flow thru vicinity residents. Seniors, babies and childrens will struggle who has been already suffering with lung diseases.

Hill side residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: BUM WAN LEE

Signature Bum Wan Lee

Address 2161 S. Ferrier Ct
La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

These are my concerns:

The impact to our already overly congested roads, especially along Imperial Highway and Beach Blvd.

The increased traffic on Idaho, especially if Coyote Hills becomes developed.

The increased usage along Sandlewood Drive, which will cause increased danger to the children attending school in the area.

The loss of a natural habitat for the California Gnatcatcher.

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CHANG B. Lee MD
1/15/2020

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Haeyeong LEE, M.D.
H. Lee 1-15-2020
1431 W. BOROS CT LaHabra CA 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: James Y Lee

Signature _____

Address : 1801 S. Palmer Ct, La Habra Ca 90631

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

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Printed Name: Katherine Lee

Signature _____

Address 2161 S. Ferrier Ct
La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

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Printed Name Kwan M. Lee

Signature

Address 1401 W Playen Ave

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

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Printed Name Kum Ja Lee

Signature [illegible]

Address 1801 S. Palmer Ct. La Habra, CA 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

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Printed Name KYUNG S. LEE

Signature

Address 401 W Player AVE

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

January 15, 2020

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

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Printed Name SUSAN LIN

Signature

Address 1321 W HARRISON AVE, LA HABRA, CA 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

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Printed Name Aisha Manjra

Signature [illegible]

Address 1761 S. Palmer Ct La Habra CA 90631

January 15, 2020

Mr. Andrew Ho
201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

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Printed Name RAVINDRA PATEL

Signature

Address ~~[illegible]~~ 2141 W SNEAD ST LA HABRA CA

January 15, 2020

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201 E La Habra Blvd
La Habra Ca 90633
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Printed Name Maureen Rocha

Signature Maureen Rocha

Address 2121 W Snead St, La Habra 90631

January 15, 2020

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201 E La Habra Blvd
La Habra Ca 90633
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Printed Name Rashmi Shah

Signature [illegible]

Address 1740 S Runyan St La Habra CA 90631

January 15, 2020

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201 E La Habra Blvd
La Habra Ca 90633
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Printed Name KAY K. YOON

Signature Kay K. Yoon

Address 1981 S. Hagen St La Habra CA 90631

January 15, 2020

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201 E La Habra Blvd
La Habra Ca 90633
Community Development Director

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Printed Name JAEWHAN YOON

Signature

Address 1981 S. Hayden ST La Habra, CA 90631

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110 E La Habra Blvd
La Habra Ca 90631
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andrewh@lahabraca.gov

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Concern of breathing contaminated air during the excavation of contaminated soil. Seniors, babies and children will struggle, especially those who have already been suffering with lung diseases.

Hillside residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Scanned with CamScanner

Printed Name YOON, Jong Jo

Signature

Address 1560 S Runyon ST CA habra CA90631

Scanned with CamScanner

2.1.2 RESPONSES TO COMMENTS FROM MEMBERS OF THE PUBLIC

Comments and responses to the thirty-five (35) comment letters and emails that were received from private individuals are provided on the following pages.

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Mr. Andrew Ho , Community Development Director

As residents of La Habra since 1993 we are extremely concerned about this Rancho La Habra Development from Lennar. We are residing on 1320 Smoke Tree CT in La Habra, just adjacent to Westridge Golf Club.
With all the new developments already build, behind old Vons, around the City Hall, at Whittier and Harbor Blvd and at La Habra and Idaho street, the traffic got just so much worse and there is no plan being announced or developed to address this issue.
With the current infrastructure La Habra in our opinion cannot handle over 400 new residential dwellings.
We are opposing this new development due to possible horrendous traffic congestions and a diminishing quality of life due to this increased traffic and pollution. 1

With kind regards

Thomas and Alicia Braun

1320 Some Tree Crt
La Habra CA 90631

Alicia D. Braun

1. Response to Comments from Thomas and Alicia Braun (No Date)

BRAUN-1 There is, in fact a plan to address traffic within the City, as well as traffic from the Project. The ability of the area's roadway system to accommodate traffic from the Project is addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, along with measures needed to mitigation the Project's impacts. In addition, the City of La Habra has adopted the plans and programs described below.

Chapter 3, Mobility/Circulation, of the La Habra General Plan includes a master plan of arterial highways and sets forth detailed traffic improvement programs addressing:

- Roadway and intersection improvements
- Transit usage
- Alternatives to single-occupant vehicles
- Livable residential streets

The General Plan also sets forth plans for bicycle and pedestrian mobility within the City.

Section 3.7.2 in Section 3.7, *Traffic and Circulation*, of the Partially Recirculated Draft EIR explicitly notes the following:

- La Habra Municipal Code Section 10.48, Traffic Improvement Fee, is intended to implement the General Plan and to mitigate the traffic impacts caused by new development within the City through the construction of certain traffic improvements. As a mitigation measure, future developments are required to incorporate fair share participation to the cost of maintaining applicable level of service standards throughout the City and to develop future transportation systems.
- La Habra Municipal Code Section 10.52, Traffic Phasing Plan, is intended to ensure that major development is adequately accommodated by the existing transportation system and permitted to proceed only if deficient areas are being addressed through new facilities, impacts on the system are being mitigated in conjunction with the development, other trip generation reduction measures are adopted that will alleviate traffic impacts, and/or the project will be phased to eliminate any significant impacts.
- Orange County voters first approved Measure M in 1990 for a 20-year period, establishing a county-wide sales tax providing funding for more than $4 billion in transportation improvements, including adding 192 freeway lane

miles, improving 170 intersections and 38 freeway interchanges, and implementing Metrolink service in Orange County. Voters renewed the sales tax for transportation improvements in 2006 for another 30 years.

City of La Habra Community Development November 25,2019
110 East La Habra Blvd
La Habra CA 90631

Attention Andrew Ho Community Development Director

Dear Mr Ho.

This letter is in response to your notice regarding the proposal entitled "The Rancho La Habra Specific Plan" for the development of the Westridge Golf Club.

I am a resident of La Habra and have lived in Country Hills for 50 years. During that time I have witnessed and enjoyed the growth and development of our city and want to commend and compliment the past and present leaders of our fair city. They. Have done a commendable job of planning and improving La Habra and making it a nice place to live.

I have reviewed the project summary on the city website. I feel that the general outline is satisfactory and makes allowance for parks, open space, commercial development, trails and etc. Every day on T V and in the Orange County Register, there are articles about the dilemma of the State of California and the lack of housing and the availability of reasonable rental units. 1

Several months ago I was approached to sign a petition against the development of Westridge which I refused to sign or consider. To me it was sponsored by the people who presently overlook the golf course and are part of the NIMBY (Not in my back yard) population.I would agree that a golf course may be an asset to the city, however, it only caters to a limited segment of the community and has become unaffordable to most of our residents.

We owe it to future generations to provide them with places to live or they will leave the state, which we now see.Yes we will see increased traffic but we cannot stop the growth of our population . I am in favor of the orderly development of Westridge and have confidence that the leaders of our city will work out a favorable plan that contributes to the growth of our city

Sincerely

Walter K James

Walter K James
420 W,. Country Hills Dr
La Habra, Ca 90631

<james7679@roadrunner.com>

2. Response to Comments from Walter James (11-25-2019)

JAMES-1 This comment expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

LOWERY

From: **cherie lowery** cheriedlow@yahoo.com
Subject: Rancho La Habra proposal
Date: November 26, 2019 at 4:01 PM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Please do not approve this massive housing project. La Habra residents are already feeling negative impacts from the previously added housing units. As per the impact reports this project will have many negative effects. Time to put the citizens quality of life first 1

Sent from Yahoo Mail on Android

3. Response to Comments from Cherie Lowery (11-26-2019)

LOWERY-1 This comment expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

DERRICO

From: **Carol DErrico** scderrico@dslextreme.com
Subject: REPORT SCH# 2015111045 FOR THE RANCHO LA HABRA SPECIFIC PLAN The City of La Habra
Date: November 27, 2019 at 9:27 AM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Hi Andrew,

My family and I live on West Parkwood and Euclid, we are totally against the building of homes where the Westridge Golf Course is. La habra and Fullerton does not need more homes, people and cars. I love driving down Euclid and Idaho St. to look at the hills and open land. It is nice to see that we still have it, and it should stay that way. My husband and I in the past lived off of Beach and Rosecrans in Fullerton also and we loved the hills then too. We have also been to a Fullerton meeting opposing the development of Coyote Hills. We need to protect the open spaces that we have left. We love seeing the wildlife we have around our area. Please protect La Habra, Fullerton and help keep our open space opened! 1

Thank you
Carol DErrico
331 West Parkwood Ave
La Habra

Sent from my iPhone

4. Response to Comments from Carol D'Errico (11-27-2019)

DERRICO-1 This comment expresses the commenter's opinion regarding the Project, as well as proposed development adjacent to the site in Fullerton. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

ED REICKS Ph. D.
CLINICAL PSYCHOLOGIST
PSY 11010

12/1/19

Dr Mr Ho:

In regards to the Environmental Impact Report SCH#2015111045 (RANCHO LA HABRA PLAN); in the twenty years that my wife & myself have lived in the Westridge Summit Homes, the hills alongside Idaho Street have been ablaze on three separate occasions, of late, only a few weeks ago.

All three times, the emergency helicoptors used the available water in the three nearby golf course lakes (ponds) to assist in extinguishing the flames thus sparing our homes & others from disaster. The golf-course also serves as a fire break (buffer zone) to keep flames from spreading.

Professionally Yours,

Ed Reicks PhD

1

Fullerton Towers • 1440 N. Harbor Blvd. • Suite 127 • Fullerton, California 92835 • 714.879.7091 • Fax: 714.441.0914

5. Response to Comments from Ed Reicks, Ph.D. (12-1-2019)

REICKS-1 Project impacts on wildfire hazards and fire protection service are evaluated in Section 3.12, *Hazards and Hazardous Materials*, and Section 3.15, *Public Services and Facilities*, of the Draft EIR. The Los Angeles County Fire Department reviewed the Project and stated, "While each additional development does create a greater demand on existing resources, this project is expected to have a less than significant effect on Fire Department services" (see Draft EIR Appendix Q). Draft EIR Appendix Q also sets forth the Fire Department's requirements for development of the Project site, all of which have been incorporated into the Project's conditions of approval. (See Section 3.15, *Public Services and Facilities*, of the Draft EIR.)

ISHIHARA

From: **Elizabeth Ishihara** lizzie_ish@sbcglobal.net
Subject: RANCHO LA HABRA
Date: December 3, 2019 at 9:54 AM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Mr. Ho –

As a resident of La Habra for 58 years, I have seen this city grow from a quiet, very suburban, very ideal place to live, to the present congested streets and neighborhoods. I love living here, and having every store that I need within a couple of miles from my home is quite an advantage, no need to get on the freeway. Now with the influx of new homes, condos, and apartments in La Habra, it is imperative for me to get home by 2:30 to avoid the peak traffic flow on all our major streets – Beach, Imperial, Euclid, Harbor, La Habra Blvd, Whittier Blvd. 1

We used to have scenic open spaces, but now it is like living in Los Angeles. Coyotes have nowhere to roam. They are now in our yards, looking for food – yes, they have been feasting on dogs and cats. These animals can no longer go out in their back yards to play. Even if the owner is with their animal in the yard, coyotes swoop in and grab the animal before the owner has a chance to save their cat or dog. 2

As an avid golfer, I am heartbroken that Westridge will be torn down to make way for more houses which we definitely don't need! Also a park and a trail??? The golf course is scenic, great for wedding venues, it has a lot of character, and has a very busy daily tee sheet. It also is tucked away from traffic and causes no congestion in or out of the course. The clubhouse is a great place to have parties, food is very good. Golf is one sport that any age can play – I personally know golfers in their 80s and 90s – how wonderful it is for them to still be able to play golf. They need to keep moving to remain healthy! Funny, I don't see them sitting on park benches! We have enough parks around here, hardly anyone uses them except for the holidays, perhaps. Parks are also an invitation for the homeless. 3

So please, leave Westridge Golf Course alone. Do NOT destroy one last scenic property we have left to build any more houses. Our city is overcrowded! 4

Thank you,

Elizabeth Ishihara

6. Response to Comments from Elizabeth Ishihara (12-3-2019)

ISHIHARA-1 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Traffic issues are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

ISHIHARA-2 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Scenic resources are addressed in Draft EIR Section 3.4, *Aesthetic Resources*. Biological resources issues are addressed in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*.

ISHIHARA-3 This comment expresses the commenter's opinion regarding the existing golf course and need for parks. The comment not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Draft EIR Section 3.16, *Recreational Resources*, specifically addresses the loss of the Westridge Golf Club that would result from the Project, along with the parks and recreational trails that the Project proposes to provide.

ISHIHARA-4 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

WEI

From: **Dr. Julie Wei** dr.julie.wei@gmail.com
Subject: Environmental impact report 2015111045 Ranch La Habra
Date: December 3, 2019 at 11:15 AM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

The water supply at Westridge is barely merely meeting current demand. I live at Smith Court, and has experienced lack of water during evenings. It was annoying trying to take a shower and found water barely dripping.

The EIR did address water supply, but is only looked at average water consumption. It needed to address at least peak hourly demand, and preferably peak 15 minutes demand. 1

I understand that the golf course was the condition developing Westridge community. I don't understand why city of La Habra can get away approving so many high density developments on a previously reserved open space. Crowded developments cause traffic problems, air pollution, water shortages , and increasing crimes. In the meantime, Fullerton correctly approved low density developments.

I wish the City of La Habra will take a more far sights in the future of the city. 2

Thank you!

Julie Wei

Sent from my iPad Air.

7. Response to Comments from Dr. Julie Wei (12-3-2019)

WEI-1 The availability of water supply for existing and new development is a different issue from water storage and the physical delivery of water during peak demand periods. Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*, discusses the overall availability of water and concludes that the Project would require approximately 101 acre-feet (AF) less water annually than the existing golf course use. In addition, the Draft EIR demonstrated that La Habra's water supplies are adequate to meet projected demands in normal, dry, and multiple dry years through 2040. Thus, new or expanded water supply entitlements would not be needed as the result of the Project.

Draft EIR Appendix S, *Water System Hydraulic Analysis*, was prepared to determine sizing of the proposed water system, as well as to ensure adequate fire flow and water pressure under average daily, maximum daily, and peak hour demand scenarios. As documented in Draft EIR Appendix S, the Project's proposed water system meets the City's design standards and would provide adequate fire flow and water pressure under average daily, maximum daily, and peak hour demand conditions.

WEI-2 Development of the Westridge Golf Club was approved as part of the La Habra Hills Specific Plan, which also included development of the Westridge residential community. The Rancho La Habra applicant, Lennar, is seeking to purchase the privately owned and operated Westridge Golf Club and has requested that the City approve a General Plan Amendment and Specific Plan, as well as other approvals to permit development of residential and commercial uses within the site. Project impacts on traffic, air, water supply, and law enforcement services are addressed in the Draft EIR and the Partially Recirculated Draft EIR.

MILLER

Date: December 6, 2019 at 3:58 PM

From: **Rosa Miller** millerrosa75@gmail.com

Subject: Rancho La Habra Plan

To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Hi Mr. Andrew Ho,

What a bad idea it is to develop more homes in this beautiful area. La Habra is know for its' Westridge Golf Course. When we talk to people from far way areas and we tell them that we are from La Habra, they ask, "Is that where Westridge Golf course is? " 1

We have so many homes popping out everywhere that we are just going to be known as the city with so much traffic that they can't even go shopping here. It sometimes takes about 10 minutes to drive just one block. Parking is already ridiculous. I can't even picture having any more cars on the road. Sometimes it takes five minutes before we can even get out of our own neighborhood. Having that many more cars on the street is going to be a nightmare. This is a horrible idea. We will just become another crowded city where no body wants to visit. 2

We used to have lots of the animal life behind our home and now it's just becoming a crowded area where all the animals are disappearing. Any little spot where there is room to build is being developed and already causing so many problems with traffic. More is not always better. The city may get more money, but we will never be able to add more land and dealing with the traffic problem will make everyone want to leave this city. Then we will be left to deal with so many vacancies everywhere. Real estate will plummet. La Habra will no longer be a desirable place to live. Just another overcrowded place that people will not want to visit. More is not better. Less is more! We used to see hawks and birds of all kinds living in that area. But no longer. They will be driven out for the selfish reason of wanting more and more taxes, and for what? Then we will have to deal with the traffic and the concrete areas and not enough parking where we have driven every species of animals out, for our selfish reasons. All kinds of animal species and birds will disappear. Please don't be selfish. Please represent us as you should. All the animals that live there do not have a voice. So consider them. You would be killing them off. It's sad. We used to feel like we were out in the wilderness when we would hike out there. Then they built the golf course. Now they want to take it out and put more houses. We do not want this! We do not need this! So many people are leaving out of California for this reason. Now you are giving us more of a reason to leave La Habra. You would be doing an injustice to all of us. We have added enough homes. Enough is enough. 3

Sincerely,

1301 Smoke Tree Ct.
La Habra, CA. 90631 K hey
Legends Realty
714-315-1296
Have a nice day!

8. Response to Comments from Rosa Miller (12-6-2019)

MILLER-1 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

MILLER-2 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Traffic issues are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

MILLER-3 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Biological resources issues are addressed in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*. Traffic issues are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

MENDOZA

From: **Diane M** drangerover77@gmail.com
Subject: Ranch La Habra Development
Date: December 8, 2019 at 6:28 PM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Hello
I am a long time resident of La Habra and I am strongly against a proposed housing development. The traffic is already very congested in addition the original plan was the golf course. Why can we not have a local park in this area with soccer and or baseball fields as well as a community pool instead? 1

I know there are many of my neighbors that have posted that they too are not in agreement that we are not in need of more housing in our area. If you want to remain in office and not get voted out I would recommend you reconsider supporting this proposal.

Sincerely
Diane K Mendoza. M.A
562 881-0317

9. Response to Comments from Diane Mendoza (12-8-2019)

MENDOZA-1 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Traffic issues are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*. See Chapter 2, *Project Description*, of the Partially Recirculated Draft EIR for a description of the parks and recreational facilities included in the Project.

JW KANG

From: **Jimmie Kang** jimmie@jwkanglaw.com
Subject: I am opposed to Rancho La Habra....
Date: December 9, 2019 at 2:23 PM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Mr. Ho,

My name is Jimmie Kang. I live in the Westridge Community on W Nicklaus Ave.

I strongly oppose the City of La Habra from approving the General Plan Amendment 18-01, Change of Zone 18-01...etc.

The argument may be that the owner of Westridge golf course should be free to sell his property to whoever he wants....
However, the city of La Habra cannot be free to approve the Change of Zoning from golf course to residential housing.

We the constituents of the City of La Habra are opposed to the rezoning due to a multitude of reasons. 1

If I were to ask the city to rezone my property from residential to a casino or a marijuana dispensory or even a automobile repair shop, should the city grant me the permit to rezone?
I am a private landowner and I wish to sell my property to whoever I want, correct?
Of course, not!

For the same reasons, this decision should be made by the La Habra citizens, not the city council on the next ballot.

This is my position, please make a note of it. If you should have any further questions, please feel free to contact me.

Jimmie W Kang Esq .
Attorney at Law
Law Offices of Jimmie Kang
627 N Main St.
Orange, CA 92868
(714) 633-1700 tel
(714)633-3700 fax

10. Response to Comments from Jimmie Kang (12-9-2019)

JWKANG-1 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

In relation to the proposed sale and use of property, the City of La Habra does not have authority to determine to whom a private landowner can or cannot sell their property. The City, through powers granted by State of California planning, zoning, and development law, does have the authority to determine the various permitted uses of land within the City. Because the Westridge Golf Club is privately owned and operated, the landowner and applicant have the legal right to request approval for development of the site. While the City is obligated to review and consider the applicant's request, the City has the legal authority and discretion to approve, approve with modifications, or deny the applicant's request, subject to completing the CEQA review process, holding public hearings, making required findings, and other requirements of state law.

From: **Mendrei Leelin** mendrei@aol.com
Subject: Westridge Golf Course Residents, La Habra

Date: December 29, 2019 at 1:17 AM

To: Rose Espinoza
/O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Rose Espinoza18a
Cc: cecilehleelin@gmail.com, Mendrei@aol.com

December 29, 2019

Dear Mayor Pro Tem Rose Espinoza,

My wife, Cecilia and I found our little piece of paradise in 2000, almost 20 years ago. We watched our home built from the ground up.

The only reason we decided to sell our 1 acre estate in Glendora and move to La Habra was to live in a golf course community and we found that at the Westridge Golf course community. This was our dream home, in a golf course community with breathtaking views.

Our serene, safe and beautiful community has given us so much joy, comfort and happiness. We are very proud homeowners living in an exclusive golf course community. All that changed when we heard the Westridge Golf course was planning to sell to a developer. We were shocked and blindsided. How can this even happen? Don't we have rights to protect our interests, privacy, right to live peacefully and quietly?

1

As it is now, our community is already saturated and over crowded. There's congestion all over, specially on Beach and Imperial.

Converting our beloved golf course into more residential and commercial space will be a disaster for all homeowners, specially in the Westridge Golf course community. We will be directly impacted. Our real estate values will definitely take a major hit. Crimes, traffic and congestion will increase and become a major concern and inconvenience. We will lose our piece of paradise and our breathtaking views of the golf course.

As happy and grateful residents of the Westridge Golf course residential community in La Habra, we implore you to stop this foolish and irresposible proposal and
"SAVE LA HABRA ".

Preserve the much needed open space. Stop excessive congestion, traffic and increase in crime. Do not support the greedy developers who are just out to make a quick buck at our expense.

Trusting you will make the right decision and **"SAVE LA HABRA ".**

With faith and gratitude,

Mendrei and Cecilia Leelin
1400 S. Runyan St.
La Habra, Ca 90631
562.577.2985

11. Response to Comments from Mendrei and Cecelia Leelin (12-29-2019)

LEELIN-1 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

There is no evidence that the Project would result in crime rates greater than those existing within the City of La Habra. Impacts on law enforcement services are addressed in Draft EIR Section 3.15, *Public Services and Facilities*.

The City of La Habra, through powers granted by State of California planning, zoning and development law, has the authority to determine the various permitted uses of land within the City. Because the Westridge Golf Club is privately owned and operated, the landowner and applicant have the legal right to request approval for development of the site. While the City is obligated to review the applicant's request, the City has the legal authority and discretion to approve, approve with modifications, or deny the applicant's request, subject to completing the CEQA review process, holding public hearings, making required findings, and other requirements of state law.

BRETOI

From: **DAVE BRETOI** davebretoi@icloud.com
Subject: Re: Rancho La Habra status
Date: January 3, 2020 at 9:01 AM

To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Hi Andrew
I would like to respond to the Rancho La Habra project and its status.
BACKGROUND
As a long term La Habra resident over 30 years and original owner in the Westridge community, I have seen the transition from a sleepy small town status to a city that has gone to an extreme in development activities, much to the chagrin of the local residents, primarily because of the increased traffic, increased infrastructure expenses to support the expansion. I believe that the proposed Rancho La Habra project is the largest and last parcel of open space left in the city. When I purchased my current residence in the Westridge development in 1999, several important factors were taken into consideration, namely, having a view lot, being adjacent to a golf course and a gated community. While I understand I that our development is not a part of the golf course, it certainly played into the decision making process of many of the owners of this development. If you review the original marketing brochures that Lennar Homes used in marketing these properties you would see how we could be influenced that the development and the golf course were intertwined. 1

COMMENTS ON RECIRCULATED EIR REPORT

Your conclusions are obvious and unavoidable:
The increased population growth would result in significant visual resources, traffic and circulation and green house gas emissions. The traffic is already significant at the intersections of Beach Blvd and Imperial Currently, during peak periods, you can see traffic build ups from above intersections looking East from Beach Blvd to Euclid and further. With respects to the green house and environmental issues, I will leave that to the experts and your report indicated there were significant issues. 2

SUMMARY
The golf course is one of the better courses in North Orange County and and as such with the current zoning and environmental restrictions. If he desires to sell the property, it should be sold as a golf course as originally zoned and approved. 3

I believe I read somewhere in he documentation that there would be no economic benefit to the a City by approving the development, if so, the decision should be easy. As you know a group of citizens signed a petition to have the voters decide this issue. The open Space initiative will be on the November ballot, for the residents of La Habra to decide whether this development should proceed. Any decision made prior to November will undoubtably create litigation.
To save the city from these expenses, the prudent thing would be to let the voters decide this issue. 4

Respectfully submitted

Dave Bretoi

Sent from my iPad

> On Nov 22, 2019, at 4:07 PM, Andrew Ho <andrewh@lahabraca.gov> wrote:
>
> Hi Dave,
>
> The EIR was recirculated today. Here's the link to the website:
>
>http://www.lahabraca.gov/1233/Rancho-La-Habra
>
>Andrew
>
>
>
>
>
> ----Original Message----
> From: Andrew Ho
> Sent: Tuesday, October 8, 2019 9:39 AM
> To: DAVE BRETOI <davebretoi@icloud.com>
> Subject: RE: Rancho La Habra status
>
> Hi Dave,
>
> The project is still active. Currently, the City is working on responding to public comments received on the draft EIR. The project has not been presented to the Planning Commission or City Council yet and no tentative dates have been identified for future meetings. There are no Planning Commission recommendations on the project at this time. There also is no active litigation going on with the project. The open space initiative will be on the November 2020 ballot and has not caused any delay in the City's processing of the project.
>
> Andrew
>
> Andrew Ho
> Director of Community & Economic Development City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
> Phone: (562) 383-4100 • Fax: (562) 383-4476
> http://lahabraca.gov/
>
> -----Original Message-----

BRETOI

> Original Message
> From: DAVE BRETOI <davebretoi@icloud.com>
> Sent: Tuesday, September 24, 2019 9:16 AM
> To: Andrew Ho <andrewh@lahabraca.gov>
> Subject: Rancho La Habra status
>
> Good morning Andrew
> As a resident of La Habra, I have been attempting to follow the progress of the proposed Rancho La Habra project.
> Looking at the web page there has not been any recent updates.
> Perhaps you could give me an update as to where the project stands.
> Some specific questions I have are:
> Has the city Council been presented with the planning commissions' recommendations.
> If so, has a date been established to vote on it.
>
> I have heard rumors of litigation, is there any active litigation going on in this regard.
>
> Has the open space initiative placed a delay in any activity taken place regarding moving the project ahead.
>
> Andrew, any information you can provide me on this would be appreciated.
> Thanks
> Dave BRETOI
>
>
> Sent from my iPad
>

12. Response to Comments from Dave Bretoi (1-3-2020)

BRETOI-1 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

BRETOI-2 This comment acknowledges the conclusions contained in the Partially Recirculated Draft EIR and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

BRETOI-3 This comment expresses the commenter's opinion regarding the existing golf course and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

BRETOI-4 It is not clear what documentation the comment refers to in relation to the Project's economic benefits and costs to the City.

This comment also addresses a measure that will be on the ballot in November 2020. The measure, if approved, would require voter approval of proposed changes to allowed uses on lands currently designated as open space, including city parks.

Neither of the concerns expressed in this comment raises any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

From: **Vicky Propst** vicky.propst@yahoo.com
Subject: Rancho La Habra
Date: January 3, 2020 at 10:34 AM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Not sure if I am understanding the article that was in the LH Journal dated 12/19/19. I am assuming that your plans are to get rid of the golf course at Westridge.

Why does the city want to build more homes? I am really curious if all these new condo's or apartments what ever they may be are at full capacity.

What the city needs is more business that will provide more resources to the residents and I am sure tax money, compared to residential taxes.

I am really interested in this project and I am sure most of the LH residents don't even know that this is being considered.

I would appreciate some feed back on this.

1

Vicky Propst

13. Response to Comments from Vicky Propst (1-3-2020)

PROPST-1 Comment PROPST-1 does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. This comment refers to an article in a privately owned and operated newspaper, the La Habra Journal, and not a publication of the City. The proposal to close the Westridge Golf Club and develop the site with residential uses involves a request by the applicant, Lennar, to the City of La Habra to approve and General Plan Amendment and Specific Plan, as well as other approvals to permit development of residential and commercial uses within the site.

Subject: Comments to Portions of the Draft EIR for Rancho La Habra

Date: Sunday, January 5, 2020 at 4:47:15 PM Pacific Standard Time

From: David

To: Andrew Ho

CC: david malom

Dear Mr. Ho,

My comments with respect to the Rancho La Habra Specific Plan are as follows:

1. The extreme traffic congestion in the region has been steadily worsening over the past decade and this issue cannot be resolved by the developer (Lennar) and the surrounding city government. The new development will only serve to further worsen the traffic, especially after Hacienda Road is re-opened this March. 1
2. The developer should not be allowed to request the approval of the plan every year before the traffic situation is completely resolved. The City of La Habra (Council members) should limit the submissions by each developer to once every 3 years. 2

I am firmly against this project and further development until all traffic issues are resolved. 3

Sincerely,

W. David Jin

1940 S. Spyglass Hill Ct.
La Habra, CA. 90631

14. Response to Comments from W. David Jin (1-5-2020)

WDJIN-1 This comment expresses the commenter's opinion regarding area traffic and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Traffic issues are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

WDJIN-2 The landowner and applicant have the legal right to request approval for development of the site. While the City is obligated to review the applicant's request, the City has the legal authority and discretion to approve, approve with modifications, or deny the applicant's request, subject to completing the CEQA review process, holding public hearings, making required findings, and other requirements of state law. Traffic issues, including required mitigation measures, are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

WDJIN-3 This comment expresses the commenter's opinion regarding the Project and area traffic and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Traffic issues, including required mitigation measures, are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

Memorandum

To: Mr Andrew Ho, City of La Habra, andrewh@lahabraca.gov

From: Joe Foust, PE , Registered Traffic Engineer No. 854 State of California
601 Sandlewood Ave. La Habra, CA 90631 714-871-8140

Date: January 10, 2020

Subject: Comments Regarding the Partially Recirculated RLH DEIR

The Traffic Impact Study (hereafter referred as TIS) does not include any traffic analysis based on Vehicle Miles Traveled (VMT) as is now required after certification of SB 743 in December, 2018. SB 743 requires replacement of LOS by VMT for a CEQA analysis of traffic impacts. The consultant traffic engineer, LL&G, acknowledges that VMT will be included in their analysis in a May 16, 2016 letter memorandum to Mr. Peter Carlson responding to City of La Habra's comments of the need for this in the RLH scope of work. LL&G's response is "The VMT analysis is forthcoming." This is significant because SB 743 requires that CEQA cannot use vehicle delay or LOS to determine significant traffic impacts. SB 743 was certified in December, 2018. SB 743 CEQA Guidelines does allow cities to delay its implementation until July 1, 2020 but the law further states "vehicles delay as described solely by LOS or similar measures of vehicle capacity or traffic congestion SHALL NOT be considered a significant impact" after certification of the new CEQA Guidelines. This new requirement for VMT to replace LOS for CEQA analysis is not new. SB 743 was initially passed into law in 2013. Traffic engineers and CEQA consultants have known this has been coming for over six years. Even though SB 743 allows a grace period until July 1, 2020 it none the less took effect immediately upon certification and many cities including Los Angeles, Pasadena, San Francisco Oakland etc. are already using it. As stated after December 28, 2018 LOS cannot be used to define a significant traffic impact. Therefore use of VMT is for all intense and purposes a practical necessity as of December, 2018. 1

Since we have known SB 743 and its VMT requirements were coming for six years it is not surprising that the City staff would include it in their comments regarding the RLH CEQA document's scope of work, Why it isn't included in the TIS is perplexing. The Recirculated EIR mentions the new CEQA's VMT requirement on page 6-23 but indicates these will come about sometime in the next 2 or 3 years. To the contrary the new CEQA VMT Guidelines were approved and came into effect immediately in December, 2018 just about a year before this Recirculated EIR was released.

VMT is currently already required by CEQA for GHG emissions, energy, air quality and noise assessments. So VMT's inclusion in CEQA for traffic analysis constitutes a relatively simple change.

The developer's response to this comment could be that the project is not subject to CEQA's VMT requirements due to its submittal date before certification of the new CEQA guidelines in December, 2018.

The response to this is that City did, in fact, indicate the need for VMT in their scope of work comments. In addition, the project is requesting City approval a General Plan Amendment and Zone Change both of which afford the City the opportunity to request this analysis if it is deemed essential to their determination of whether or not to approve such significant changes to the existing Land Use

Plan. Perhaps, most importantly, is the fact that CEQA Guidelines Section 15064.3 along with Public Resources Code Section 21099 specifically state that as of Dec 28, 2018 LOS cannot be used to determine a significant traffic impact. This effectively means the current RLH CEQA DEIR has not identified any significant traffic impacts because its analysis is based on LOS. The Partially Recirculated EIR including its traffic impact study was resubmitted on November 22, 2019 nearly a year after of use of LOS was disallowed for CEQA. This period would have been more than sufficient time for the VMT analysis to be completed. As a consequence of the use of LOS the current CEQA DEIR does not identify any significant traffic impacts. As a result a VMT analysis is essential for a development that everyone knows will have a significant impact on traffic.

The need for a VMT analysis is justified not only by the fact it was indicated by staff to be included in the scope of work but also by the fact that LOS cannot be for CEQA. The TIS identifies 14 (or more) major traffic impacts it creates. A VMT analysis will assist the City in determination whether or not the RLH project justifies the change of 150 acres of open space by 448 new residential units is worthy of making a finding of overriding considerations. This may open a door for a legal battle where the developer argues that since LOS cannot be the basis of a significant traffic impact the CEQA identified traffic mitigation is no longer required. What an injustice that would be. 1

It should also be pointed out that a VMT analysis was already required for GHG emissions, Air Quality, Energy and Noise analyses. For example the impact of increased VMT on GHG emissions and Air Quality are huge. As indicated in the GHG analysis the Project's VMT increases about 13 fold from exiting (1.3 million veh miles traveled for the existing golf course to 17.5 million annual vehicle miles for this residential development). Gasoline consumption will likewise dramatically increase from 46,700 gal/yr to 424,000 gal/yr a nine fold increase.

The effect of the predicted GHG increase is similarly striking (9000 tons of CO2 vs less than 900 for the existing condition) thus creating a ten fold increase. Air quality is worsened by 6037 mt of CO2 compared to the SCAQMD's limit of 3000 mt. In short EIR acknowledges that VMT will increase from 1 million annual vehicle miles to over 17 million. This dramatic increase in VMT is itself sufficient cause to conduct a through examination of VMT even if one ignores CEQA's requirement to do so. 2

Since the effect of the existing LOS based analysis is to allow the project to avoid virtually all identified mitigation based on a couple of technicalities (ie. No city agreements and current law which says LOS is cannot be used) the City needs to insist that its initial comments for a VMT analysis be complied with.

As presently structured the TIA identifies 14 intersections and at least three road segments that are significantly impacted by project traffic. Now, based on a technicality in the CEQA guidelines and the fact the City does not have agreements with neighboring cities and Caltrans, the project receives a "get out of jail free card" and potentially does no traffic mitigation at all. Consequently the project does not have to pay any of its fair share portion of the cost for the traffic mitigation identified for all these locations. The cost of this mitigation will run into the millions of dollars and RLH gets off Scott free. This fact alone should preclude the city from make the necessary finding of overriding considerations. What needs to be done is for the development to pay the entire cost of these mitigation improvements and allow the city to enter into agreements with its neighbors. It is much more likely those cities/Caltrans will participate with the City if they aren't required to pay a portion of the cost themselves. If the neighboring cities failed to reach a satisfactory agreement with the City of La Habra then the mitigation funding provided by the development would be eligible for use on any traffic 3

improvements identified in the City's Circulation Element. This way the project pays for its needed mitigation and the City negotiates the agreements, if possible, or simply expends the funds on its own Circulation Element. RLH pays its traffic impact obligation and does not get any "free pass." 3

It must be emphasized that the city still can use the LOS information in the CEQA DEIR for purposes of the effect of project trips on the City's own General Plan and the Circulation Element and determination of transportation fees. However it needs to be understood that the City's traffic fee program is expected to generate less than one third the amount needed to complete the Master Plan of Arterial roadway improvements. Allowing any project to avoid or minimize its fair share of transportation fees is itself a significant impact. 4

With regards a matter very near my own heart is the project's impact on Sandlewood Avenue, the street I have lived on for 50 years. The TIA continues to classify Sandlewood Ave as a residential collector street with a capacity of 5400 ADT. In reality Sandlewood Ave is included as a local residential street on the City's Master Plan with houses facing directly on both sides of the street. The County of Orange deals with this issue by indicating that "residential collectors SHALL NOT have residential frontage." 5

There is a conceptual way to evaluate the impact of a project's traffic on a residential street known as the Environmental Roadway Capacity. This method does not consider the physical car carrying capability of a residential street but its environmental acceptance by residents living on the street itself. Generally speaking the environmental capacity of a local residential street ranges from about 1500 to 2000 ADT—far below the TIA's capacity estimate for Sandlewood Ave. Failure to adequately address this issue continues to demonstrate that the TIA is incentive to the project's impact on the surrounding local street system and particularly the expectation that Sandlewood Ave is capable of safely carrying 5400 ADT. Sandlewood Ave. currently has over 3600 ADT and any additional traffic will be controversial in the neighborhood. This neighborhood's sensitivity to traffic was pointed out in comments to the original DEIR and only a highly insensitive and erroneous opinion that the capacity of Sandlewood Ave is 5400 ADT is included in the recirculated draft. 6

The TIA also fails to recognize that several other local streets will also be impacted. For example, there are two schools on Parkwood/Schoolwood (one elementary and one middle school) that create severe congestion on Sandlewood Ave during the morning arrival and afternoon departure periods. These two streets are not even shown in the TIS. Also Parkwood Ave connects to Euclid from Sandlewood Ave and is essential to the two schools circulation plans. In addition the TIA continues to show Patwood Ave, Dorwood Ave and other residential streets as dead end cul de sacs. There is an existing traffic signal at Euclid Ave and Montewood Ave that local traffic and especially school based traffic uses for access to and from the two schools. There are two existing signals on Euclid Ave that directly serve the neighborhood and the two schools that are not shown or evaluated. The TIA must assess the local traffic impacts by identifying and evaluating the impacts based on a full understanding of local circulation patterns. This is an area of special concern to the City which has recently completed a NTMP "Traffic Calming" study for this same residential area. To further add to and compound this insensitivity, the project is proposing to add it own private entrance as a new forth leg of the existing signalized intersection of Idaho St and Sandlewood Ave. With a gated entrance there project traffic can use Sandlewood Ave. to avoid Imperial Hwy (which is heavily congested) while Sandlewood Ave traffic cannot use the new entrance to RLH due to the private gates. The TIA calls this mitigation. This is not mitigation but is itself another significant traffic impact. The project needs to keep this access closed. To categorize this signal modification which only benefits the project as mitigation is entirely false and provides further evidence of the TIA's lack of sensitivity to the surrounding homes and any real understanding of the surrounding circulation system. The EIR must fully evaluate the traffic 7

impact on all of these local streets.

The developer has made a statement that the project will contribute more than a million dollars per year to the City's general fund. I conducted an analysis in a kind of "on the back of the envelope" manner of this claim to assess its truthfulness. Based on the assumption that the project builds 448 units at an average value of a half million dollars each (In 2017 the median property value in La Habra was $473,000) the project's total property tax assessment would be about $224 million. At an assessment rate of 1 percent of market value (ie. the selling price) the project's total annual property tax would be $2.2 million. The City of La Habra receives 17.68 percent of the total property tax which would amount to about $390,000 far short of the $1 million claim by the developer. In addition the project could cause a lose of $100,000 or more in the value of each of the existing golf course view homes. This lost value would decrease the existing property tax of the existing 440 view homes with current home values in the range of $ 1.1 to 1.3 million each by $44 million. At a 1 percent assessment rate this means a lost property tax of $440,000. The City of La Habra's 17.68 percent share amounts to an annual lose of $78,000. The net effect of lost property tax from the golf course ($120,000 @ 17.68 %) is estimated at $23,000 plus another $78,000 from lost value of view lots creating a total annual lose in city property tax revenue of $101,000. City costs will increase significantly for the additional safety personnel needed for police and fire. The project's 448 homes are expected to create a new population of 1434 (3.2 persons per du) persons. The city has a budgeted police cost of $337 per resident (current General Fund budget of $21 million for 62183 population). Fire costs are roughly half that at $171 per resident ($10 million for 62183 population). The total cost of the increased annual budget for police and fire is $508 per resident. The cost for the additional 1434 new residents is estimated at $728,000. In effect the 448 new homes costs the City a lot more than implied by the developer. Lastly regardless of whether or not one agrees, the City is in the water supply business. The project claims it will use 100 acre-feet less water per year than the golf course. The lost to the City's water revenue would be $164,000 per year. 8

The total estimated revenue lost by the City is as follows:

	$78,000
Property value reduction for golf view lost	$23,000
Golf course eliminated	$728,000
Additional Police and Fire (increased cost)	$164,000
City water lost revenue	
	$993,000
Total Increased Costs and Lost Revenue	

Based on the current city budget the total annual general fund revenue is $46 million per year. This is amounts to $740 per resident. RLH with its 1434 new residents can be expected to increase the City's revenue by $1,068,000. This analysis based on actual city budget figures indicates that RLH can be expected to increase the city's net revenue by at most $69,000 per year-- far below the developer's estimate of $1 million.

The TIA collected updated traffic counts which are shown on Figure 3-6 in the TIA. This chart indicates that while many area wide streets have experienced an increase in traffic, the two most critical arterial roadways, Beach Blvd and Imperial Hwy in the segments adjacent to the project site the TIA reports a reduction of up to to 8000 ADT. On the surface this appears fails to meet a reasonableness test since virtually everyone living in this area will tell you that traffic has increased over the last few years. Beach Blvd and Imperial Hwy with its large shopping centers on the corners of these two streets is typically congested on a daily basis. The TIA indicating otherwise is expected to generate even more 9

suspicion regarding the development which is projected to add over 6100 more daily trips to these already congested streets. To address this issue the TIA needs to examine the traffic count data more carefully to either confirm traffic has actually decreased near the project site (which seems highly doubtful) or report otherwise and re-evaluate the analysis. Simply relying on the results of a one day count does not adequately address the question. These two roadways are under both City and Caltrans jurisdictions and both agencies have conducted periodic and extensive ADT counts over the past few years. Caltrans annually publishes complete count data on all State highways. This data needs to be assimilated and examined to ensure the count data used in the TIA is accurate (or revised accordingly).

The City also has maps showing ADT for several years. The TIS contains a comparison of the daily traffic on Beach Blvd and Imperial Hwy along the project frontage showing a large drop in traffic for a 3 year period (2015 and 2018). These reductions amount to over 8000 ADT on Imperial Hwy and over 5600 ADT on Beach Blvd. This substantial drop in traffic just does not make since. Traffic in this area is a major concern of almost everybody who travels these two roadways very often. Local residents express the opinion that traffic has gotten much worse in last few years. Rather than any reduction in traffic in last couple of years one would expect an actual increase due to new development in the immediate area such as Aventia apartments, Burlington, Trader Joe's, Hobby Lobby etc. But contrasting this large decrease in traffic on Beach Blvd south of Imperial Hwy the TIS also indicates an increase of almost 12000 ADT on Beach Blvd just north of Lambert Rd. These ADT figures defy logic and must be reevaluated. A recent citywide survey reveals that traffic congestion is the third most serious concern of residents behind police and fire safety and health care. Even the city council has expressed their concern with the growth of traffic and partially equated it to "cut-thru" traffic the city experiences. Reference FIGURE 3-6 in the DEIR and same figure in the Partially Re-Circulated DEIR. 9

One of the recommended mitigation measures is the installation of a new traffic signal at Imperial Hwy and Walnut Ave. The TIA indicates that Caltrans is already planning to install this project and otherwise dismisses it. The intersection is a 3-way Tee configuration with Walnut Ave terminating at Imperial Hwy. Traffic southbound on Walnut Ave must turn right or left onto Imperial Hwy. The right turn volume is relatively modest with only about 120 vehicles in the peak periods. The left turn is quite minimal with only 10 to 20 vehicles during the peak hours. Field observation reveals that the right turn proceeds without significant delay whereas the low volume left turn can wait up to about two minutes for gaps in both directions of flow on Imperial Hwy. Installation of a new signal at this intersection may reduce the delay for some southbound left turners but will actually increase delay for left turners during the non peak periods as these motorists will have to wait for the signal to turn green. The existing signal cycle is about 2 to 2 and a half minutes. Southbound left turners who can now make a " two piece left turn" by first turning into the center two way left turn lane then waiting for a safe gap in the eastbound flow on Imperial will no longer have that option. They must wait for the signal to turn green for Walnut Ave. The new signal will not make much of a difference for the 120 or so peak period right turners as they will mostly simply turn right on red. Adding a new signal at Walnut Ave and Imperial will encourage some traffic from the residential area to the north of this intersection to divert from their existing travel patterns to take advantage of the new signal. However this may be to the detriment of the residential area as Walnut Ave is the subject of a NTMP traffic calming program for this sensitive residential neighborhood. There are existing signalized intersections located a short distance both east and west of Walnut Ave (at Euclid and Idaho) that motorists can and do use which do not involve much if any out of direction travel. A possible benefit of the new signal is that it may provide a left turn arrow for the eastbound left turn from Imperial Hwy to northbound Walnut Ave. This may improve the safety associated with this left turn but will increase the delay for this movement and provides little else in the way of benefit. In fact it will increase the delay associated with existing 10

movements and encourage additional traffic to use Walnut Ave in violation of the intent of the traffic calming on Walnut Ave. The volume of this left turn, like the southbound left turn, is quite modest at less than 100 in the peak periods. Little delay was observed for this existing movement. And like for the southbound left the two adjacent signals at Idaho St and Euclid Ave already provide a nearby alternative routing without violating the traffic calming plans on Walnut Ave. In short a new signal at Walnut Ave probably creates a problem rather than solving one. With regards the RLH project the identification of the need for and then taking credit for a new signal at Walnut Ave neither affects nor is needed by the project. Unless a safety problem can be shown to already exist at this location, installation of a signal should be critically re-evaluated. 10

On December 10, 2019 Dr. James Doty, past president of Chapman University and renowned professor of finance and expert on Orange County economics indicated that due to outward migration of people from Orange County and California due to a lack of adequate jobs, Orange County no longer needs more housing. Moreover, The City's 2035 General Plan update calls for an increase of over 5400 additional homes and 4 million square feet of commercial land use without changing the zoning of the Westridge Golf Club from its current Open Space designation. Consequently in order to satisfy its RHNA requirements no change in the zoning of the Westridge Golf Club is needed. This professional opinion stands in stark contrast with Governor Newsom and SB 50. 11

The original DEIR indicated the existing golf course generated 2500 ADT and took that figure as a credit to the overall trip generation of the project. This figure was called into question in the comments to the DEIR and subsequently revised to 547 daily trips—a five fold reduction in the trip credit. As a result I conducted my own independent research by visiting the golf course parking lot on 29 different days and physically counted the number of parked cars. The results revealed an average of 94 cars parked within a range of 11 (on a day it was raining) to 248 (Sheriffs Dept shotgun tournament). The average of 94 cars present did not necessarily represent the maximum at any one time. Rather most of these counts were taken between 11am and 1 pm when I gassed my car at the nearby Sam's Club gas pumps. This average does seem to corroborate the revised trip credit of 547 ADT since the many golfers arrive driving alone so the 94 cars represent nearly 200 ADT and this represents only part of the day. So 547 ADT seems about right. It does however provide one very important insight to the project. The developer claims that golf courses are dying and implies that same fate is awaiting Westridge. In reality the revised trip credit supported by my own independent research suggests Westridge's patronage is on par (excuse the pun) with the average golf course and any suggestion to the contrary appears to be misleading. 12

The TIS utilizes computer programs to facilitate the calculation of the LOS at intersections These programs are called Traffix and Synchro. Both programs provide default values for various factors that affect the actual mathematical calculation of the LOS. The TIS uses the default values for three relatively important factors, the Peak Hour Factor (PHF), Truck Percentage Factor (% trucks) and Passenger Car Equivalent (PCE). The PHF indicates the fluctuation in the actual traffic flow in the peak hour for each 15 minute period. So why is this an issue? Put succinctly the TIS assumes a PHF factor of 1.00 meaning that traffic flow in constant during the peak hour with each 15 minute flow rate being the same—one forth of the hour total. If the actual PHF is not 1.0, and it rarely is, then the use of 1.0 imparts a bias to the calculation by understating the final LOS (ICU) calculation. Each case is different but this difference can easily amount to 5 percent in the calculated LOS. This matters a lot since the difference between a significant impact and acceptable LOS is measured by a one present change. Use of 1.0 for the PHF favors the developer in all cases. Moreover use of the actual PHF is easy to do since the data needed (ie. the peak hour volume broken down into 15 minute intervals) is routinely available in the traffic count data. It merely has to be inserted into the software replacing the 13

1.0 default value. It may appear to someone unfamiliar with traffic engineering practice that use of the maximum PHF would work against the project's best interest but in fact it provides the project with the most favorable bias in every case.

Another software default factor used in the LOS calculation involves the percentage of trucks (% Trks) in the peak hour traffic flow. Like for PHF there is a default factor (2 %) built into the software programs. The Traffix software utilizes what is known as passenger car equivalent (PCE) with a default value of 1.00 meaning there are no additional trucks present in the peak hour flow. Typically trucks make up 5 to 10 percent of the existing daily traffic but a somewhat lesser amount in the peak hour. Still 3 to 5 percent trucks can move the IUC calculation significantly. Once again use of the default value of 2 % for the Trk Factor bias the results to favor the project. Very few intersections that are on city truck routes would have a Trk Factor under 2 %. In fact the vast majority would be much higher probably in the 5 to 8 percent range. The percentage of trucks is not routinely reported in peak hour traffic count data so determination of the actual truck factor requires a little research. Caltrans publishes annual truck count data for state highways which is easily obtained on the internet.

The third default factor used in the ICU software is the Passenger Car Equivalent (PCE). This factor has been examined for various types of trucks based on the number of axles. Depending upon the number of axles. PCE's range between 1.5 (a two axle truck) to 3 for a full 18 wheeler tractor/trailer rig. To determine the effect of trucks on peak hour traffic flow the peak hour volume is multiplied by the truck factor (percentage of trucks in the peak hour). This figure is then multiplied by the PCE (usually about 2.5) and this amount added to the peak hour volume. The net effect of these adjustments to increase the number of peak hour vehicles used to calculate the LOS.

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The Truck factor, in combination with the PHF and PCE increases the resulting ICU. For example just assume the peak hour flow rate is 1000 veh/hour and the actual truck percentage is 5 % rather than the default 2 percent then the adjusted peak hour flow is 30 more vehicles multiplied by a PCE say 2.5 which means 75 more vehicles are added to the peak hour ICU calculation. This means the 'real' ICU is calculated using an adjusted peak hour volume that is about 5 percent higher than the raw count data. The impact on the ICU of use of a default 2 percent truck percentage combined with use of default values of 1.00 for PHF and PCE can be quite substantial. But once again the use of a default values for each of these three critical factors introduces a bias which always results in a lower ICU calculation than actually occurs in the intersection.

As a consequence of these software defaults, that all favor the project's LOS, the TIS must be redone to eliminate or minimize this inherent bias. And, yes a little work is involved but the calculations are all done by a computer and the basic files are already available from the previous TIA analysis. Just change the default PHF, PCE and truck percentages factors to actual field conditions rather than rely on the defaults. With this project already nearing the impact threshold for several locations, this is almost certain to result in additional intersections or roadway segments being identified as impacted.

The TIS uses the results of the ICU capacity analysis in a fashion that favors the project in a manner referred to as "Capacity Grab" for the first development in. For example consider the case where the existing ICU is 0.91 indicating an existing LOS E. LOS E ICU's range from 0.91 up to 1.00. This means the project can add as much more traffic to the intersection up to the point where the ICU calculated remains just barely below 1.00. This amounts to being able to add about 10 percent more traffic without a creating of a significant impact. This use of the last remaining capacity by the first development in seeking city approval can use up all available existing capacity while the next project in has to pay for mitigation the first development should have at least contributed a fair share to. This

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example illustrates one of the worst cases by starting with ICU 0.91 but even if the existing ICU is 0.95 then the reaming capacity (without a significant impact) would be still be 5 percent. So the extent of the seriousness of a Capacity Grab varies. What is needed is an identification of a significant impact if the project increases the existing ICU by as little as 0.01 if the existing ICU is LOS E or F and 2 percent if existing LOS is D or better. This would ensure that the first project in line doesn't use up all the remaining capacity without paying its fair share. The TIS must further refine its analysis to indicate those locations where a "Capacity Grab" is occurring and identify suitable mitigation. The City needs to have this information in able to fully understand the consequences of their potential approval of the development. A good example is Beach and Rosecrans where the project increases an already poor ICU (0.093) by almost 5 percent to 0.982 and calls this acceptable. 14

The development may claim that this Capacity Grab concept is just "part of the development approval game" and should be ignored. Rather the City must examine the fairness of this situation particularly when a consideration of overriding concerns is contemplated.

The Executive Summary contains 10 pages attempting to explain the traffic mitigation. The mitigation projects identified involve other jurisdictions including the Cities of Buena Park, La Mirada and Caltrans. The mitigation requires the City of La Habra to collect both "city-wide traffic improvement fees as well as fair share impact fees" and distribute them to the appropriate agency. These improvements involve widening of roadways and intersections and even include widening of the SR 57 Freeway south of Imperial Hwy. The City does have a transportation fee program but it wasn't designed to include projects in other jurisdictions. In addition there is no existing "fair-share" fee for specified improvements. What is meant by the mitigation measure to collect developer fee and distribute then to some other agency is not clear at all. As mentioned in the DEIR there are no agreements between the City and others regarding sharing of fair-share fees and certainly no agreement as to the amount of money those "distributed developer paid fees" would be. The collective cost of all the mitigation identified projects is unknown at this point but would be in the millions of dollars. The developer's fee must include the full cost of the improvement for the City to accept the responsibility to negotiate an agreement with the appropriate agency. If the City collects only a portion of the project cost the City is in a difficult position of having to work out an agreement with another agency and convince them to pay the additional cost over the developer's fair-share. The City might even be held liable for the unfunded portion. The way to avoid this situation is to allow the City of La Habra to apply these fees to any General Plan Circulation System elements within the City. The affected city or Caltrans would be much more inclined to accept these developer's fees if they covered the entire cost or, failing to reach a mutual agreement, these funds would be used by the City of La Habra for its own Circulation Element. 15

The recirculated DEIR fails to adequately address an issue regarding project traffic on the SR 57 Fwy at Imperial Hwy. The original TIS indicated there would be an actual reduction (albeit small) of traffic on the S/B SR 57 Fwy due to the project. This is completely illogical. How would traffic volume decrease on the SR 57 Fwy with the project that originally was forecast to generate 4600 additional? The revised TIS corrected that seemingly illogical forecast and upped it to essentially a no change condition in the existing + project traffic condition on the SR 57. That is not consistent with the project's trip generation increase of over 6100 ADT. RLH is a large single family residential development that will have a high percentage of trips generated in the peak hours by residents going to/from work. The SR 57 Fwy is critical for the residents of La Habra as it is the only north/south Fwy linking La Habra with key employment centers in Orange County and the Inland Empire to the north. To think that none of the new residents of RLH will use the SR 57 Fwy for both work and other trips is erroneous. Although the revised TIS eliminated its forecast that traffic would actually go down on the 16

SR 57 Fwy due the the project, the infinitesimally small revision to no change caused by the project with its 6100 added ADT is not supportable. The revised TIS has not adequately addressed this issue. 16

Another major issue with the TIS is the complete lack of any analysis or even mention of the SR 91 (Artesia/Riverside) Fwy. The SR 91 is one of the closest freeways to the project site and as a result is heavily used by the existing residents for their longer trips. The TIA assigns 10 percent of the project's trips to the northbound I-5 Fwy via Beach Blvd. As a resident of Country Hills, the single family tract immediately adjacent to RLH on the east side, I and my neighbors routinely drive to/from the I-5 Fwy and we use Imperial Hwy. The Beach Blvd south to the I-5 Fwy routing involves too much out-of-the-direction travel. In addition the area's residents use the SR 91 Fwy perhaps more so than any other Fwy. To ignore it completely indicates a serious lack of understanding of the local area resident's circulation patterns. The TIS assigns 12 percent of trips to west on Imperial Hwy and 10 percent to I-5 North via Beach Blvd. In reality this distribution is probably closer to 18 to20 percent Imperial and 2 to 4 percent Beach since the Imperial Hwy routing is about 4 miles shorter. As a consequence of all of this the TIS needs to at least evaluate impacts to the SR 91 Fwy since it is so important to existing area wide residents. 17

Lastly I prepared and submitted extensive comments regarding the initial version of the RLH draft EIR. However other than a brief discussion of the capacity of Sandlewood Ave. the entirety of which I completely disagree, little or no analysis of those comments have been included in this recirculated version. To be considered adequate the EIR must address all comments received regarding the draft EIR. To satisfy this requirement substantial additional information needs to be included in this draft. 18

The partially recirculated DEIR contains a total of over 5000 pages. The EIR itself has 594 pages. The Traffic Impact Study is 2232 pages including almost 2000 pages of traffic counts and ICU based computerized calculations. From a practical standpoint it is virtually impossible for anyone, other than perhaps a traffic engineer, to study and fully comprehend this eminence volume of material. The DEIR itself has over 100 pages devoted solely to traffic. A 57 day public review and comment period has been set for this voluminous partially recirculated document. This means anyone interested in commenting must read and comprehend almost 90 pages per day of highly technical information to meet such a deadline. Such a task is simply not practical. What is needed is a one to two page summary outlining the significant traffic impacts and the traffic improvements required to fully mitigate these impacts in order for the City Council to determine if a finding of overriding concerns is supported. I commented about this matter for the first draft EIR but these comments seemed to be ignored. I also expected a summary of the changes from the first draft which does not seem to exist. 19

The CEQA Guidelines state that "[w]hen recirculating a revised EIR, either in whole or in part, the lead agency shall, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR" (see CEQA Guidelines, Section 15088.5, subd. (g)). This does not appear to have been done. 20

Rezoning Westridge from its existing Open Space classification to single-family residential (R-1) opens the risk to the City that this development could become all four-unit apartments instead of the proposed conventional R-1 homes. SB 50, if approved, would allow any single-family home to be replaced by a four-unit apartment. This includes the RLH development. Under the new law the owner could simply not build the proposed single-family units and substitute a four-unit apartment for each one. It is acknowledged that SB 50 is currently only a proposal but the property is also within a half mile of the bus stops at Beach Blvd and Imperial Hwy which could allow even more dense development of mid-rise apartments on the rezoned property. The way to avoid such a dramatic and environmentally destructive possibility is to simply retain the existing Open Space zoning. The City needs to ensure this disastrous consequence does not occur. Would the property owner actually do this is 21

unknown but the financial insensitive would be staggering. There is no need to rush to rezone this Open Space. The only the necessity is to process the development's application in an orderly fashion. The SB 50 threat combined with all the significant impacts identified in the DEIR provide more that sufficient evidence for the City not to make any findings of overriding concerns. This does not preclude the City from rezoning Westridge in the future if SB 50 is not approved. 21

RLH Financial Analysis

The Rancho La Habra (RLH) proposed residential development has taken out a full page add in the Life in La Habra magazine stating that the project will create more than a $1 million annually for the City's General Fund. This claim has been "Fact Checked" for accuracy as it completely ignores the increased costs that will result from the construction of 448 more single family homes. As Mr. Pat Dugan points out in his article addressing this matter "The perception that single-family houses do not generate sufficient revenue to pay for the local governmental services needed to serve them has become a basic assumption throughout local government." These added costs are estimated to be over $1 million per year meaning the City loses money as a result of the proposed development. These added costs and lost revenues are detailed in the following analysis.

The City's current General Fund is $46 million and the population is 62,400 persons. That equates to an annual General Fund amount of $737 per resident in La Habra. RLH with its 448 new homes can be expected to add 1434 new residents (La Habra avg. of 3.2 persons per household). Assuming the project is about on par with the existing La Habra residents, the City can expect the RLH development to generate $1.06 million annually. This is about what RLH claims.

Another way to forecast the increased revenue contributed by RLH is to base it upon the average revenue per household. La Habra has roughly 20,000 homes (both single family and multi-family). This equates to an average annual General Fund revenue of $2300 per home. RLH with 448 new homes could produce up to about $2300 per year per home. The 448 RLH homes would generate just a little over $1 million annually.

However this gross revenue increase ignores the increased costs the City will encounter. One of the largest increases will be the increase cost for safety (police and fire). Currently the police and fire annual cost is about $32 million per year or $512 per resident. RLH with its 1434 new residents will increase the annual fire/police cost by $734,000 per year.

While the DEIR suggests that RLH itself will not generate the need for building any more police and fire facilities, it does at least mention additional personnel will be needed in the future. A response is that the current level of service will go down for all residents without additional safety personnel to accommodate the 1434 new residents at RLH. RLH will add an additional 97 police call outs per month (3.2 per day). The Police Department has a total of 71 personnel or 1.14 persons per thousand population. RLH will need 1.63 additional police personnel just to maintain the current staffing and the same level of service. In California the average cost for police is $300,000 per year. This figure also is representative of La Habra's cost. Numerous studies of policing reveal that for each police officer added a reduction of 1.3 violent and 4.2 property crimes per year can be expected. Consequently RLH's 448 new homes will increase the need for police (and fire) to prevent a reduction in the current safety level of service. The cost of the added police personnel is estimated at $489,000 per year. Something similar for fire protection would also be required. I don't have specific fire figures available, but the fire budget is half the police budget. It is estimated that, like for the police, a fire budget increase of $245,000 per year can be expected. The total of these two costs for added safety personnel amounts to $734,000 which confirms the previous analysis. In addition the City will lose the entire gross revenue generated from the Westridge Golf Club for its annual water usage. The DEIR for RLH indicates that the replacement of the golf course with 448 homes will result in a "savings" of 100 acre-feet of water each year. Based on the City's commercial water rates ($3.72 per ccf) this amounts to $164,000 per year.

Finally, although relatively small by comparison to the costs previously discussed, the entire property tax and sales tax attributable to Westridge Golf Club will be lost. The current property tax is estimated at $130,000 per year of which the City gets $23,000. The sales tax lost is unknown but is expected to be significant.

These revenue loses (and city cost increases) amount to at least $921,00 meaning the net gain to the City from development of RLH is, at most, $80,000 rather $1,000,000 per year as claimed in the magazine add.

There is one more hidden cost that is difficult to talk about and even harder to quantify. Westridge sold homes on the golf course as view lots. There are about 440 of these lots whose current property values are in the range of $1.2 million each give or take a couple of hundred thousand dollars. If, as is feared by these homeowners, their property values are deflated by the loss of the golf course views, the property tax collected from these homes will suffer significant losses. Assuming the lost real estate value is on the order of 8 to 9 percent (admittedly a speculative but conservative figure) the overall lost in property tax revenue to the City of La Habra would be approximately $177 for each of the 440 view lot homes or a total lost of $78,000. Consequently the implied gain of $1 million for the City is really at best at the "break even" point with no gain achieved and a substantial possibility of a significant loss if there is any legal challenge to an approval of a change to the General Plan and Open Space Zone for a residential development.

15. Response to Comments from Joe Foust (1-10-2020)

FOUST-1 Adopted in September 2013, Senate Bill (SB) 743 (Steinberg) eliminated traffic congestion as a significant impact under CEQA within designated Transportation Priority Areas[2] (TPAs), and gave the Governor's Office of Planning and Research (OPR) leeway to eliminate level of service (LOS) from CEQA entirely throughout the state, which OPR elected to do.

Neither SB 743 nor the CEQA Guidelines prohibit use of LOS analyses or other delay-based congestion analyses for purposes of analyzing project impacts. Following July 1, 2020, congestion-related traffic studies will continue to be permitted as a means of implementing congestion-related provisions of local General Plans, such as those set forth in Chapter 3, Mobility/Circulation of the La Habra General Plan.

Comment FOUST-1 asserts that the "City did, in fact, indicate the need for VMT" analysis in its comments on the scope of work for the EIR's traffic study. The City's comments regarding vehicle miles traveled (VMT) to which this comment refers are included in Appendix A to the Traffic Impact Analysis prepared for the Draft EIR.

The City's comments state in full:

> "*page 8-Other issues, I don't see reference to VMT analysis or HCM analysis.*

LLG, the EIR traffic consultant, responded on May 16, 2016:

> *Comment acknowledged. Refer to Sections 13.0 and 16.0 of the Traffic Impact Analysis report for the relative Caltrans analyses. The VMT analysis is forthcoming.*

In May 2016, at the time the City of La Habra was originally considering the scope of work for the Rancho La Habra traffic analysis, OPR had released a revised draft of proposed CEQA Guidelines to implement the provisions of SB 743, along with a revised Technical Advisory to help local communities implement SB 743. However, it was not until November 2017 that proposed

[2] A "Transportation Priority Area" is an area located within a 1⁄2 mile of an existing or planned "major transit stop" or an existing stop along a "high-quality transit corridor." Per Public Resources Code Section 21064.3, "'major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Per Public Resources Code Section 21155, a "high-quality transit corridor" means a "corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours."

CEQA Guidelines revisions for VMT were first submitted by OPR to the Natural Resources Agency for consideration and approval.

Subsequent to its original comments on LLG's scope of work, the City of La Habra determined that, although the Project's VMT would be a critical input to analysis of mobile source air quality, greenhouse gas (GHG) emissions, and energy impacts, analysis of the significance of VMT would not be undertaken as a distinct environmental effect in the Rancho La Habra EIR for the following reasons:

- Changes in VMT that would result from the Rancho La Habra Specific Plan were already included in the analyses being undertaken to address air quality, GHG emissions, and energy impacts. Thus, the physical environmental effects of VMT increases in relation to air quality, GHG emissions, and energy impacts were already being addressed in the EIR.
- CEQA Guidelines provisions implementing SB 743 were undergoing public comment, OPR had yet to submit proposed Guidelines to the Secretary of Resources, and the final CEQA Guidelines had not been adopted, and therefore the final wording of these guidelines could not be known at the time the Draft EIR was prepared.
- An additional update to OPR's Technical Advisory for the implementation of SB 743 was being prepared at the time of the 2018 Draft EIR's public review period but was not released until April 2018, after the Draft EIR had been released for public review.[3]
- CEQA Guidelines provisions addressing SB 743 and VMT were being considered but had not yet been adopted by the Natural Resources Agency at the time of the 2018 Draft EIR's public review period.
- CEQA Guidelines Section 15064.3, Determining the Significance of Transportation Impacts, implementing SB 743 was adopted subsequent to the close of the Draft EIR's public review period.
- As part of a consortium of northern Orange County communities, the City of La Habra was in the process of developing methodologies, analytical tools, and significance thresholds for the evaluation of VMT impacts, none of which were available when updated traffic studies for the Partially Recirculated Draft EIR were being prepared or when the public review period for the Partially Recirculated Draft EIR began.

[3] The Technical Advisory was not finalized by OPR until the final version was released in December 2018.

- As stated in CEQA Guidelines Section 15007(b), amendments to the CEQA Guidelines "apply to steps in the CEQA process not yet undertaken."

  Public agencies shall comply with new requirements in amendments to the Guidelines beginning with the earlier of the following two dates:

  (1) The effective date of the agency's procedures amended to conform to the new Guideline amendments; or

  (2) The 120th day after the effective date of the Guideline amendments.

- Because the Partially Recirculated Draft EIR was distributed for public review and the public review period closed before July 1, 2020, when the provisions of CEQA Guidelines Section 15064.3 apply statewide, the Rancho La Habra EIR was permitted by CEQA Guidelines to undertake analysis of vehicle delay and to determine that vehicular delay would constitute a significant impact. CEQA Guidelines Section 15064.3(c) specifically states:

  Applicability. The provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.

Thus, analysis of vehicle delay was permitted to be considered to be an environmental, and VMT as a transportation issue was not required for the Rancho La Habra EIR.

Other points to consider include the following:

- VMT analysis measures a different metric from the LOS analysis undertaken for the Draft and Partially Recirculated Draft EIRs. Whereas VMT addresses the total length of vehicular travel from a project and is a useful tool to reduce trip generation, air pollutant/GHG emissions, and energy use, it is not helpful in addressing traffic congestion, which is measured with delay-based metrics such as LOS. Because traffic congestion and the effects that the Project might have in relation to increasing congestion are of substantial concern to the public and the CEQA Guidelines permitted the use of delay-based metrics to analyze and impose mitigation measures for the Project's traffic congestion impacts, the City required that the traffic section of the Rancho La Habra EIR analyze traffic congestion using traditional LOS analysis.

- The effects of VMT are most apparent in the analysis of air pollutant and GHG emissions from vehicular travel (i.e., the greater the VMT, the greater the mobile source emissions of air pollutants and GHGs), as well as in the consumption of energy. See Partially Recirculated Draft EIR Section 3.8, *Air Quality*, and Partially Recirculated Draft EIR Section 3.9, *Greenhouse Gas*

Emissions, for discussion of mobile source emissions related to vehicular travel. See Partially Recirculated Draft EIR Section 3.10, *Energy Resources*, for discussion of energy use related to vehicular travel.

- The Project's noise impacts are based on increases in traffic at specific locations. While VMT measures the total length of Project-related trips, it is not a useful metric in determining the noise effects of Project-related traffic at any given location. Even if a VMT study were to be undertaken, it would not have relevance to the Project's noise impacts.

FOUST-2 While the Project's VMT is a critical input to analyzing mobile source air pollutant and GHG emissions, VMT is not relevant to noise analysis. As noted in Response to Comment FOUST-1, above, while VMT represents the total length of Project-related trips, it is not a useful metric in determining the noise effects of Project-related traffic at any given location.

As discussed in Comment FOUST-1 and acknowledged in this comment (Comment FOUST-2), changes in VMT resulting from the Rancho La Habra Specific Plan were, in fact, analyzed and included when addressing the Project's air quality, GHG emissions, and energy impacts.

Existing VMT is addressed in the Partially Recirculated Draft EIR on page 3.10-11, which states:

> *Based on the trip frequency and trip length methodologies cited in the Rancho La Habra Air Quality Impact Analysis, the existing golf course use would generate an estimated 1,332,274 annual vehicle miles traveled (VMT) along area roadways.*

Changes in annual VMT that would result from the Project were addressed in the Partially Recirculated Draft EIR on page 3.10-15, which states:

> *With respect to estimated VMT and based on the trip frequency and trip length methodologies cited in the Rancho La Habra Air Quality Impact Analysis, the Project at full buildout would generate an estimated 17,464,807 annual VMT along area roadways for all passenger cars, representing a net increase of 16,132,533 VMT.*

Comment FOUST-2 acknowledges that analysis of VMT has been incorporated into the Partially Recirculated Draft EIR's analyses of air quality, GHG emissions, and energy resources and raises no substantive issues regarding the adequacy of those analyses. The City of La Habra has, however, determined not to include additional analysis of VMT in the EIR for the reasons cited in Response to Comment FOUST-1.

As indicated in Partially Recirculated Draft EIR Table 3.9-1, the Project would result in the following increases in annual GHG emissions:

- From 867.59 metric tons of CO_2e to 8,963.58 metric tons, an increase of 8,095.99 metric tons in the Year 2026
- From 867.59 metric tons of CO_2e to 8,422.48 metric tons, an increase of 7,554.69 metric tons in the Year 2030

The 3,000 metric tons of CO_2e figure cited in Comment FOUST-2 is not a "limit" as stated in the comment, but is the South Coast Air Quality Management District's (SCAQMD) suggested screening threshold for determining the significance of GHG emissions. See Partially Recirculated Draft EIR Section 3.9.5, Impact GHG-1, for discussion of how that suggested threshold is addressed in the EIR.

Comment FOUST-2 incorrectly asserts that the EIR allows the Project to avoid providing mitigation for LOS-based impacts cited in the Partially Recirculated Draft EIR and incorrectly implies that the EIR fails to require mitigation for LOS-based impacts since current law says that LOS "cannot be used." As discussed in Response to Comment FOUST-1, current law and CEQA Guidelines do permit the Rancho La Habra EIR to contain LOS analyses and require mitigation measures for LOS-based impacts. The Partially Recirculated Draft EIR does, in fact, set forth specific mitigation measures for LOS-based impacts. The Partially Recirculated Draft EIR does, however, acknowledge that the City of La Habra does not have the legal authority to compel other agencies (e.g., adjacent cities, Caltrans) to undertake the specific improvements cited in EIR mitigation measures to address Project impacts on roadway and highway operations.

Comment FOUST-2 incorrectly asserts that "the effect of the existing LOS based analysis is to allow the project to avoid virtually all identified mitigation based on a couple of technicalities (i.e., no city agreements and current law which says LOS is cannot be used)." In fact, the FOUST comment letter acknowledges that the Recirculated Draft EIR does, in fact, set forth LOS-based mitigation measures. See Responses to Comments FOUST-3 for discussion of the enforceability of the EIR's LOS-based mitigation measures within jurisdictions other than the City of La Habra.

FOUST-3 The Partially Recirculated. Draft EIR sets forth a comprehensive set of mitigation measures to address Rancho La Habra's traffic impacts within the City of La Habra, on the streets of surrounding cities, and on state-operated Caltrans facilities. The suite of mitigation measures set forth in the EIR (1) recognize the limits of the City's authority to compel other jurisdictions to comply with and

implement La Habra's mitigation measures within their jurisdictions and (2) the basic constitutional requirements set forth in CEQA Guidelines Section 15126.4(a)(4), which states:

> *(4) Mitigation measures must be consistent with all applicable constitutional requirements, including the following:*
>
> *(A) There must be an essential nexus (i.e., connection) between the mitigation measure and a legitimate governmental interest. Nollan v. California Coastal Commission, 483 U.S. 825 (1987); and*
>
> *(B) The mitigation measure must be "roughly proportional" to the impacts of the project. Dolan v. City of Tigard, 512 U.S. 374 (1994). Where the mitigation measure is an ad hoc exaction, it must be "roughly proportional" to the impacts of the project. Ehrlich v. City of Culver City (1996) 12 Cal.4th 854.*

These mitigation measures identify the roadway and highway improvements necessary to address Project-generated traffic within the City of La Habra, on the streets of surrounding cities, and on state-operated Caltrans facilities. While mitigation measures addressing impacts outside of the City's jurisdiction are feasible and should be implemented by the agencies with jurisdiction, the City of La Habra has no legal authority to require other agencies, such as surrounding jurisdictions and Caltrans, to permit construction of the improvements described in Rancho La Habra EIR mitigation measures. While it may be true that these agencies might be more willing to construct these improvements if Rancho La Habra would pay for 100 percent of the cost of improvements, the City of La Habra does not have the legal authority to impose such a requirement since it would clearly not be "'roughly proportional' to the impacts of the project" and therefore not consistent with applicable constitutional requirements for mitigation measures.

Comment FOUST-3 also suggests that the City of La Habra should keep any fair share funds required by EIR mitigation measures for roadway improvements outside of La Habra should other jurisdictions or Caltrans decline to use the funds for improvements that would mitigate Project-related impacts. For the City to keep funds for improvements not related to the Project's impacts would be inconsistent with applicable constitutional requirements since doing so would remove the essential nexus (i.e., connection) between mitigation measures and the impacts created by the Project. Further, using fair share funds for improvements not related to the Project's impacts would not be considered to be mitigation under CEQA, since nothing would be done to avoid or reduce the Project's actual physical impacts. This would put the City of La Habra in the untenable position of (1) accepting cash payments as mitigation for Project

impacts, and (2) determining that nothing would actually be done to avoid or reduce the impacts for which the payments were made.

FOUST-4 The City has, in fact, used the LOS analysis set forth in the Partially Recirculated Draft EIR to impose enforceable mitigation requirements. See Response to Comment FOUST-1 and FOUST-3 for discussion of why the LOS-based analyses and mitigation measures set forth in the EIR comply with CEQA and current CEQA Guidelines.

The City of La Habra is in the process of updating its traffic impact fees to reflect current roadway improvement needs and costs. It is therefore possible that City Council action on Rancho La Habra could precede action on the updated traffic impact fees. However, La Habra Municipal Code Section 10.52.030 states:

A. *Limitation. No building permit shall be issued, and no construction shall be commenced, for any project not exempt from this chapter until the city engineer or designee or an appeal to the planning commission or city council makes the necessary findings that the proposed development complies with the provisions of this chapter.*

B. *Findings. Based upon a review of the project traffic study submitted by the applicant, the city engineer or designee shall make a finding such that:*

   1. *The project will not, at a minimum, create nor make worse an unsatisfactory level of traffic service at any study street segment or intersection.*

   2. *The project will provide for improvements so that an unsatisfactory level of traffic service will not be created nor made worse at the study locations.*

   3. *An overall benefit to the traffic circulation system is provided as identified through a list of improvements, programs, and/or actions with estimates of costs that will (1) result in a level of service improvement of the overall circulation system to offset impacts which will remain unimproved, and (2) may be required to show improvements in air quality as specified in the growth management element of La Habra's general plan 2020.*

   4. *Feasible identified improvements cannot be provided based on available information indicating that project size, location and/or impacts when compared to the cost of necessary improvements creates an unreasonable burden on the project to the city to condition the project to complete the improvement(s) and, thus, payment of a fee by the project to fund construction of the improvements shall bear a prorated share to the traffic generated at the impacted intersection.*

C. *Application. Based upon the findings above, the project will provide required improvements or a traffic impact fee as determined by the city engineer or designee.*

Based on these Municipal Code requirements, Mitigation Measure TRA-1.2 is revised to read as follows:

> **Mitigation Measure TRA-1.2**: The applicant shall pay city-wide traffic improvement fees. Should the City Engineer identify a shortfall between the traffic improvement fees established by the Municipal Code and the actual fair share cost for providing the improvements within the City of La Habra that are identified as mitigation measures in the Rancho La Habra Specific Plan Final EIR, the City Engineer shall require payment of a fair share fee by the Project to fund construction of the improvements based on a prorated share of the Project's contribution to the need for such improvements.

FOUST-5 Based on review and discussions between the EIR traffic consultant and La Habra Public Works Department staff, it was determined that a daily capacity of 6,000 vehicles per day (vpd) should be used for analysis of Sandlewood Avenue. The 6,000 vpd capacity, which was taken from the *Orange County Highway Design Manual*, was reduced by 10 percent to 5,400 vpd to account for the residential frontage that occurs along part of Sandlewood Avenue. Refer to Section 3.4 of Partially Recirculated Draft EIR Appendix H for more details on the Sandlewood Avenue roadway capacity. Further, as demonstrated in Figures 5-7A, 5-8A and 5-9 of the Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H), the Project would add 15 AM peak hour trips, 18 PM peak hour trips, and 212 daily trips to Sandlewood Avenue between Idaho Street and Euclid Street, which would not contribute to an unacceptable level of service on the roadway.

FOUST-6 See Response to Comment FOUST-5 for discussion of roadway capacity along Sandlewood Avenue. For purposes of CEQA and traffic impact analysis, the City of La Habra considers LOS D to be the acceptable condition that should be maintained for all roadway segments within the City, except those roadway segments that are part of the Orange County Congestion Management Plan Highway System (Beach Boulevard, Imperial Highway, and Whittier Boulevard west of Beach Boulevard), where LOS E is defined as the acceptable limit as stated on page 3.7-13 of the Partially Recirculated Draft EIR. The concept of "Environmental Roadway Capacity" is based on the subjective notion of how much traffic might be found by residents along the street to have "environmental acceptance." The Rancho La Habra EIR's traffic analysis is instead based on the objective measures of the street's physical capacity represented by the City's longstanding level of service standards.

FOUST-7 The area addressed in the Partially Recirculated Draft EIR's traffic impact analysis is comprised of those locations that have the potential to experience significant traffic impacts due to the Project as defined by the lead agency. Consistent with

standard traffic engineering practices, the area analyzed for Rancho La Habra includes those intersections that are:

- Arterial-to-arterial intersections adjacent or in close proximity to the Project site;
- Arterial-to-arterial intersections in the vicinity of the Project site that are documented to have current or projected future adverse operational issues; and
- Arterial-to-arterial intersections in the vicinity of the Project site that are forecast to experience a relatively greater percentage of Project-related vehicular turning movements.

Consistent with this criteria, Partially Recirculated Draft EIR Figure 3.7-1 identifies the 32 key study intersections selected for analysis. Although not every intersection along every roadway has been selected for analysis (as this number of intersections would be extremely large and yield little additional helpful information), analysis locations were selected to identify potential Project impacts on a corridor-level basis. The traffic study area included several intersections immediately adjacent to the Project site, along with key intersections in the Project vicinity that may have future operational issues and a relatively higher percentage of Project-related turning movements (i.e., Beach Boulevard/Imperial Highway, La Habra Hills Drive/Imperial Highway, etc.).

The 32 intersections analyzed in the Partially Recirculated Draft EIR, inclusive of the potential assessment of all-way stop-controlled intersections located along Sandlewood Avenue at Almondwood Street, Patwood Drive, and Dorwood Avenue, were fully vetted and approved by the City of La Habra traffic engineer during the traffic study scoping process. Intersections to be analyzed within the City of Fullerton were also fully vetted and approved by the City of Fullerton's On-Call Traffic Consultant (i.e., Albert Grover & Associates). Further, intersections to be analyzed were also discussed and reviewed with Caltrans District 12 staff at a meeting held on January 14, 2016. Thus, the area used in the EIR for analysis of intersections is sufficiently comprehensive to identify and represent the potential significant traffic impacts related to the Project.

It should be noted that the key study intersections analyzed in the Partially Recirculated Draft EIR located at either end of Sandlewood Avenue (i.e., Idaho Street/Sandlewood Avenue [key study intersection #6] and Euclid Street/Sandlewood Avenue [key study intersection #7]) would not be significantly affected by the Project under Existing plus Project, Year 2023 plus

Project, or Year 2035 plus Project traffic conditions. Given that there would be no significant impacts at the larger arterial intersections analyzed in the traffic study (i.e., key study intersections #6 and #7), the Project's traffic consultant and the City's traffic engineer concluded that the local stop-controlled intersections along Sandlewood Avenue would also not be affected by the Project.

It should be further noted that the key study intersections analyzed in the traffic study located along Euclid Street between Sandlewood Avenue and Rosecrans Avenue (i.e., Euclid Street/Sandlewood Avenue [key study intersection #7] and Euclid Street/Rosecrans Avenue [key study intersection #3]) would not be significantly affected by the Project under Existing plus Project, Year 2023 plus Project, or Year 2035 plus Project traffic conditions. Given that there would be no significant impacts at the larger intersections analyzed in the traffic study (i.e., key study intersections #3 and #7), the Project's traffic consultant and the City's traffic engineer concluded that the local intersections along Euclid Street would not be affected by the Project.

FOUST-8 Comment FOUST-8 refers to a statement made by the Project applicant regarding municipal revenues that might be generated by the Project. This comment raises no substantive environmental issues regarding the information, analyses, or conclusions presented in the Draft EIR or Partially Recirculated Draft EIR.

FOUST-9 Updated traffic counts were taken on September 18, 2018 in accordance with long-accepted industry practice for each of the intersections previously analyzed in the Rancho La Habra Draft EIR. Because updated PM peak hour traffic counts at the intersection of Beach Boulevard at Imperial Highway were lower than the previous traffic counts taken for the Draft EIR, the traffic counts were compared to even more recent traffic counts conducted on April 11, 2019 for a proposed Starbucks.

As indicated in the table below, Rancho La Habra AM peak hour traffic counts for the intersection of Beach Boulevard at Imperial Highway were higher overall than both previous and subsequent traffic counts. PM peak hour traffic counts taken in October 2016, September 2018, and April 2019 show a steady decline in PM peak hour traffic at this intersection.

Beach Boulevard at Imperial Highway	AM Peak Hour Total	PM Peak Hour Total
Rancho La Habra TIA (Counts 10-16)	6,772	7,937
Rancho La Habra TIA (Counts 9-18-18)	7,090	7,267
Starbucks TIA (Counts 4-11-19)	6,410	6,910

Thus, the Project's traffic consultant, the City's traffic engineer, and the City's traffic consultant each determined that the EIR's traffic counts taken at the intersection of Beach Boulevard at Imperial Highway for the Partially Recirculated Draft EIR were reasonable.

FOUST-10 The traffic signal referred to in this comment is being funded and constructed by Caltrans on State Route 90 (Imperial Highway). Imperial Highway, including its intersection with Walnut Street, is a state-maintained facility under Caltrans' jurisdiction. Caltrans has determined signalizing this intersection to be necessary for safety reasons due to high accident rates.

As indicated in the Rancho La Habra Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H) Table 8-1, Table 9-1, Table 10-1, Table 11-1, Table 11-2, and Table 11-3, the intersection of Walnut Street at Imperial Highway is forecast to operate at an acceptable level of service during the AM and PM peak hours with implementation of the improvements that Caltrans is funding and installing. While is it true that installation of a traffic signal at this location "neither affects nor is needed by the project," Imperial Highway, including its intersection with Walnut Street, is a state-maintained facility under Caltrans' and not City of La Habra jurisdiction. Thus, re-evaluation of signalization in the Rancho La Habra EIR is neither necessary, nor appropriate.

FOUST-11 Comment FOUST-11 sets forth opinions regarding the need for housing in Orange County and discusses the existing General Plan's capacity for residential development within La Habra. Whether or not there is a "need" for housing within Orange County does not raise any substantive issues regarding the information, analyses, or conclusions set forth in the Draft EIR or Partially Recirculated Draft EIR. The following response is, however, provided for informational purposes.

Southern California Association of Governments (SCAG) regional growth projections identified in the Draft EIR indicate that Orange County's population will grow by 389,000 between 2012 and 2040, including 136,000 new households. SCAG also projects that La Habra's population will grow by 7,400 (2,700 households) between 2012 and 2040.

Draft EIR Section 3.3, *Population and Housing*, notes that Government Code Section 65583(b) requires cities and counties to establish quantified objectives for future housing growth in their General Plan Housing Elements. Government Code Section 65583(b) states: "The quantified objectives shall establish the maximum number of housing units by income category, including extremely low

income, that can be constructed, rehabilitated, and conserved over a five-year time period."

The Regional Housing Needs Assessment (RHNA) referred to in Comment FOUST-11 is an assessment process performed by regional planning agencies to quantify housing need by income group[4] within each city and county during specific planning periods. The RHNA forms the basis for each agency's Housing Element quantified housing objectives. State General Plan housing law requires that each city and county ensure that its current zoning regulations and inventory of land available for housing development allow the city or county to meet these quantified housing objectives.

The current (fifth cycle) RHNA was adopted by the SCAG Regional Council on October 4, 2012, for Orange County and other counties in the SCAG region to address housing need for the planning period of October 2014 to October 2021. La Habra General Plan Housing Element Table 39 shows the City's quantified objectives for construction of new housing between 2014 and 2021 to be 395 dwelling units as follows:

- Extremely Low Income: 20 dwelling units
- Very Low Income: 40 dwelling units
- Low Income: 100 dwelling units
- Moderate Income: 64 dwelling units
- Above Moderate Income: 171 dwelling units

The Draft EIR also noted that the La Habra General Plan anticipates and plans for future growth in the City as expressed in Policy LU 1.2, which states:

> **LU 1.2 Development Capacity**. Accommodate the type and density of land uses depicted on the Land Use Diagram to a cumulative (existing and new) maximum of 24,850 housing units and 12,525,000 square feet of commercial and industrial development citywide. These represent increases of 4,213 units and 4.1 million square feet respectively above January 2011 existing development.

[4] "Income groups" are defined based on household income in relation to the county's median income, and include very low income (less than 50 percent of county median income), low income (50.1 to 80 percent of county median income), moderate income (80.1 to 120 percent of county median income), and above moderate income (more than 120 percent of county median income).

Draft EIR Section 3.3, *Population and Housing*, further states that the Rancho La Habra Specific Plan would increase La Habra's development capacity to 4,615 new dwelling units (4,661 dwelling units if Planning Area 5 were developed for residential use).

FOUST-12 This comment expresses the commenter's opinion regarding the amount of traffic generated by the existing golf course and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-13 As stated in Section 1.0 of the Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H), the most currently available analysis software version was used for the analysis of key study intersections, key roadway segments, and key freeway locations, inclusive of key input parameters, where applicable (i.e., peak hour factors, truck percentages, etc.). Specifically, the Caltrans intersection analyses used the intersection peak hour factors from the existing traffic counts for Existing and Existing plus Project traffic conditions, a minimum peak hour factor of 0.95 for Year 2023 traffic conditions, and a peak hour factor of 1.00 for Year 2035 buildout traffic conditions. The Caltrans freeway analysis (mainline and merge/diverge) used a peak hour factor of 0.95 for Existing, Existing plus Project and Year 2023 traffic conditions, a peak hour factor of 1.00 for Year 2035 buildout traffic conditions, and a truck percentage of 9.35% for the I-5 freeway and 6.14% for the SR-57 freeway. Caltrans comments on the Partially Recirculated Draft EIR raised no issues with the software version or key input parameters used in the EIR's analysis of traffic along state highways.

FOUST-14 The traffic analysis undertaken for the Partially Recirculated Draft EIR relies on (1) the performance standards for roadway and intersection operations established by the City of La Habra, as well as applicable performance standards established by the cities of Fullerton, Buena Park, and La Mirada; and (2) the methodology each of these agencies as well as agencies throughout the state commonly used to determine the significance of traffic congestion impacts. These performance standards are described in Partially Recirculated Draft EIR Section 3.7.2(e). The Methodology section for Impact TRA-2 describes the criteria by which the City of La Habra and other area agencies determine the significance of traffic congestion impacts.

The criteria used in the EIR include:

- **City of La Habra**. For those study intersections within the jurisdiction of the City of La Habra, impacts are considered significant if:

- An undesirable peak hour LOS would occur at a signalized intersection as the result of the Project; or
- The Project would increase LOS at an intersection by 0.010 or greater, where the future LOS is unacceptable.

An unsignalized intersection impact is considered to be significant if the project causes an intersection at LOS D or better to degrade to LOS E or LOS F, and the traffic signal warrant analysis determines that a traffic signal is justified.

In addition, the City of La Habra has undertaken traffic engineering studies for the intersection of Beach Boulevard at Imperial Highway and concluded that any additional traffic generated by new development at this intersection would have a significant impact.

- **City of La Mirada**. For intersections within the jurisdiction of the City of La Mirada, impacts are considered significant if:
  - An unacceptable peak hour LOS would occur as the result of the Project; or
  - The Project would increase traffic demand at the intersection by 2 percent or more of capacity (intersection capacity utilization [ICU] increase ≥ 0.020) at a location operating at an unacceptable LOS.
- **City of Fullerton**. For intersections within the jurisdiction of the City of Fullerton, impacts are considered significant if:
  - The Project would cause a signalized intersection operating at LOS D or better to degrade to LOS E or F; or
  - The Project would cause an unsignalized intersection operating at LOS D or better to degrade to LOS E or F, and a traffic signal warrant analysis determines that a signal is justified.
- **City of Buena Park**. For intersections within the jurisdiction of the City of Buena Park, impacts are considered significant if:
  - *ICU Analysis*. An unacceptable peak hour LOS would occur, and the Project would increase traffic demand at the study intersection by 2 percent of capacity (ICU increase ≥ 0.020).
  - *Highway Capacity Manual (HCM) Analysis*. An unacceptable peak hour LOS would occur, and the Project would increase the delay by at least 2.0 seconds.

Although Project-related impacts at the intersection of Beach Boulevard at Rosecrans Avenue were determined to be less than significant under Existing

plus Project conditions, the Partially Recirculated Draft EIR determined that impacts would be significant and required mitigation for:

- Year 2023 plus Project conditions in the PM peak hour (see Table 3.7-16); and
- Year 2035 plus Project conditions in the PM peak hour (see Table 3.7-19).

Although implementation of recommended improvements at the intersection of Beach Boulevard at Rosecrans Avenue would achieve acceptable levels of service, because this intersection is within La Mirada, the City of La Habra would not have authority to ensure implementation of mitigation requirements, and the Project's impact was therefore determined to be significant and unavoidable.

FOUST-15 The 10 pages of the Executive Summary referred to in this comment summarize the entirety of the Traffic Impact Analysis and Section 3.7, *Traffic and Circulation*, of the Partially Recirculated Draft EIR. This portion of the Executive Summary identifies each of the thresholds used in the EIR to evaluate Project Impacts, summarizes the analysis of 18 different impact analyses, and provides the full text of 13 traffic-related mitigation measures set forth in the Partially Recirculated Draft EIR.

Payment of citywide traffic improvement fees as required by Mitigation Measure TRA-1.2 only addresses Project-related impacts for which needed improvements are already included in the City's fee program. This fee program does not address improvements outside of La Habra, and the City does not currently have agreements with surrounding jurisdictions to mitigate impacts caused by projects within La Habra on roadways that are not within the City's jurisdiction. These are precisely the reasons why additional mitigation measures requiring payment of fair share fees to those other jurisdictions to address the Project's impacts are necessary.

As stated in Response to Comment FOUST-3, mitigation requirements must be "'roughly proportional' to the impacts of the project." The City of La Habra does not have the legal authority to require Rancho La Habra to pay for 100 percent of the cost of improvements for which the Project contributes only a portion of the need. Thus, the concept of "fair share" payments has long been established and accepted throughout Orange County and the State of California as a means of requiring a development within one jurisdiction to mitigate the traffic impacts it generates in another jurisdiction in the absence of fee programs or prior mitigation agreements between the jurisdictions.

Because of constitutional requirements for the rough proportionality between a project's impacts and its mitigation requirements, neither the City of La Habra

nor the Project can be held liable for the costs of roadway improvements in excess of the Project's share of the need for those improvements.

See Response to Comment FOUST-3 for discussion of rough proportionality and the limits of the City's legal authority for requiring and using mitigation fees.

FOUST-16 The traffic assignments presented in Figures 5-7, 5-8, and 5-9 of the Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H) are accurate. Project traffic conditions do not include traffic from the existing Westridge Golf Club (which is more freeway- and regionally-oriented than Project traffic), and therefore the locations evaluated along the SR-57 freeway are forecast to experience minimal to no change with the Project. Section 15.0 of the Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H) details the results of the Existing plus Project, Year 2023 plus Project, and Year 2035 plus Project freeway mainline analysis and merge/diverge analysis for the SR-57 freeway.

FOUST-17 Table 15-1 in Section 15.0 of the Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H) shows that the Project would generate minimal traffic during the AM and PM peak hours on the I-5 freeway (i.e., between 0 and 20 Project trips). The Traffic Impact Analysis indicates that no further analysis of the I-5 freeway is required according to Caltrans criteria. Given that the SR-91 freeway connects to the I-5 freeway east of Beach Boulevard, the Project would add less traffic to the SR-91 freeway and would not meet Caltrans criteria for analysis. It should be noted that during the traffic study scoping process, Caltrans District 12 staff did not identify a need for analysis of the SR-91 freeway, nor did the City of Fullerton's On-Call Traffic Consultant (Albert Grover & Associates) identify a need for analysis of any SR-91 freeway ramp intersections.

FOUST-18 The Traffic and Transportation analysis and the Traffic Impact Analysis (Appendix H) included in the Draft EIR was revised and recirculated as part of the Partially Recirculated Draft EIR.

Section 19.0 and Table 19-1 of the updated Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H) provides a comparison of the Traffic Impact Analysis prepared for the Partially Recirculated Draft EIR with the Traffic Impact Analysis prepared for the Draft EIR.

See Responses to Comments FOUST-2-1 through FOUST-2-58 in Section 2.2, *Responses to Comments on the Draft EIR*, of the Final EIR for discussion of Mr. Foust's comments on the Draft EIR.

FOUST-19 Approximately 88 percent of the 5,000 pages of text referenced in the comment consists of technical studies and printouts of model runs from various traffic,

noise, air quality, greenhouse gas technical studies. The large majority of the 2,000 pages of the traffic impact report for Rancho La Habra also consists of model run tables.

A 1- to 2-page summary of the Partially Recirculated Draft EIR would be rightfully criticized for not providing an adequate description of the Project or its impacts and mitigation measures. The Partially Recirculated Draft EIR includes an executive summary that summarizes the analyses for each of the impact statements analyzed for Rancho La Habra and includes all required mitigation measures. The Draft EIR is also organized by environmental issue. The Draft EIR's table of contents provides readers with easy access to environmental issues of interest.

FOUST-20 Page 1-1 of the Partially Recirculated Draft EIR summarizes the revisions to the Draft EIR that were made. As stated there, these revisions include:

- **Modifications to the Project Description** that were proposed by the applicant subsequent to the close of the public review period for the Draft EIR that modified the design of the proposed community center and adjacent park, requiring revisions to the Project's biological resources impact analysis.
- **New biological resources surveys, updated mapping and impact analysis, and an updated mitigation program** that were prepared to address California Department of Fish and Wildlife (CDFW) comments on the Draft EIR, along with an updated impact analysis addressing the modified design of the proposed community center and adjacent park. The updated biological resources analysis also included updating the mapping of vegetation communities to characterize vegetation alliances in accordance with *The Manual of California Vegetation*, Second Edition (Sawyer et al. 2009).
- **An updated traffic impact analysis**, which indicated that the Project would generate a substantially greater net increase in daily traffic than was originally disclosed in the Draft EIR and that new significant unavoidable impacts would occur at intersections in addition to those disclosed in the Draft EIR. The updated traffic impact analysis was based on updated traffic counts and updated traffic generation based on the 10th Edition of Trip Generation, published by the Institute of Transportation Engineers (ITE) (Washington D.C. 2012).
- **Updated air quality, greenhouse gas (GHG), energy, and noise analyses** that were prepared to reflect the increase in daily traffic generation indicated in the updated traffic impact analysis. The updated air quality and GHG analyses used the most recent California Emissions Estimator Model™ (CalEEMod) v2016.3.2 and the 2017 version of the Emission Factor model

(EMFAC) developed by the California Air Resources Board (CARB), both of which became available subsequent to preparation of air quality and GHG studies for the Draft EIR. The updated air quality, GHG, energy, and noise analyses also reflect slight revisions to construction scheduling proposed by the applicant subsequent to the close of the Draft EIR public review period.

FOUST-21 This comment refers to Senate Bill 50, which was defeated in the State Legislature subsequent to submittal of the FOUST comment letter. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-22 Comment FOUST-22 refers to a statement made by the Project applicant regarding municipal revenues that might be generated by the Project. This comment raises no substantive environmental issues regarding the information, analyses, or conclusions presented in the Draft or Partially Recirculated Draft EIR.

JOC

From: **Jennifer O'Brien-Chavez** jennobrienchavez@gmail.com
Subject: Rancho La Habra project - resident comments
Date: January 13, 2020 at 10:04 PM
To: Andrew_Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Hello

I would like put my comments in regarding the proposed Rancho La Habra project in my city.

Over the past several years, the City of La Habra has taken every small piece of land and developed it into more homes. Our city has reached all it can take. 1

Traffic at Beach and Imperial is already horrible. Traffic at Lambert and Beach is awful. Adding hundreds of homes will only make it worse. Please don't take the little open land we have left and turn it into more homes. La Habra doesn't need more homes. It doesn't need more traffic. I grew up in La Habra and remember the lovely hills owned by Chevron and the flora and fauna were a part of our city. Please don't make our city a concrete jungle with LA traffic. Please do what is best for the residents of our town. 2

Thank you,
Jennifer O'Brien Chavez
2221 Wilshire Avenue, La Habra

Sent from my iPhone

16. Response to Comments from Jennifer O'Brien Chavez (1-13-2020)

JOC-1 This comment expresses the commenter's opinion regarding development within the City of La Habra and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JOC-2 This comment expresses the commenter's opinion regarding development within the City of La Habra and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Traffic issues are addressed in Section 3.7, *Traffic and Circulation*, of the Partially Recirculated Draft EIR.

Mayor Tom Beamish Tbeamish@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located very close to the upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent. 1

My property is my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities, so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

Printed Name__Kum Ja Lee _____

Signature_____ Date_____1/15/2020_____

Address _____1801 S Palmer Ct. La Habra CA 90631 _____

17. Response to Comments from Kum Ja Lee (1-15-2020)

KJLEE-1-1 See Responses to Comments CSA-1 through CSA-17 for discussion of landslides and slope stability.

Mayor Pro Tem Rose Espinoza Respinoza@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent.

My property, being my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

1

Printed Name___Kum Ja Lee _____

Signature_____ Date___1/15/2020_____

Address_____1801 S Palmer Ct. La Habra CA 90631 _____

18. Response to Comments from Kum Ja Lee (1-15-2020)

KJLEE-2-1 See Responses to Comments CSA-1 through CSA-17 for discussion of landslides and slope stability.

Council Member Jim Gomez Jgomez@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent. 1

My property, being my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities, so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

Printed Name: Kum Ja Lee _____

Signature _____ Date 1/16/2020 _____

Address 1801 S Palmer Ct, La Habra, CA 90631 _____

19. Response to Comments from Kum Ja Lee (1-15-2020)

KJLEE-3-1 See Responses to Comments CSA-1 through CSA-17 for discussion of landslides and slope stability.

Council Member Jose Medrano Jmedrano@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent.

My property, being my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

1

Printed Name Kum Ja Lee

Signature: Kum Ja Lee Date 1/15/2020

Address 1801 S Palmer Ct., La Habra, CA 90631

20. Response to Comments from Kum Ja Lee (1-15-2020)

KJLEE-4-1 See Responses to Comments CSA-1 through CSA-17 for discussion of landslides and slope stability.

Council Member Tim Shaw Tshaw@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located very near the houses on the upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent.

My property, being my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

1

Printed Name_: Kum Ja Lee_____

Signature :_____ Date_1/15/2020_____

Address___1801 S Palmer Ct. La Habra, CA 90631_____

21. Response to Comments from Kum Ja Lee (1-15-2020)

KJLEE-5-1 See Responses to Comments CSA-1 through CSA-17 for discussion of landslides and slope stability.

From: **Kum Lee** kum1.lee@gmail.com
Subject: Response to EIR
Date: January 15, 2020 at 10:28 PM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Dear Mr Andrew,

My name is Kum Ja Lee.

Please see my response to your EIR. I am very much concerned for the decline in the quality of life for both people and habitat animals in La Habra if the current Westridge Golf Course is converted into building of ~450 houses and its impact on the inhabitants of this community. 1
I ask you to be truthful and objective in this matter.

Kum Ja Lee
1801 S Palmer Ct.
La Habra, CA 90631

EIR letter Jan 2020 s...d.docx

22. Response to Letter from Kum Ja Lee (1-15-2020)

KJLEE-6-1 This comment identifies the commenter's concerns regarding the Project and requests that the City be "truthful and objective in this matter." The comment does not, however, identify any instance in the Draft EIR or Partially Recirculated Draft EIR that fell short of being "truthful and objective." In the absence of such information, a detailed response cannot be provided.

KJLEE-7

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

These are my concerns:

- The impact to our already overly congested roads, especially along Imperial Highway and Beach Blvd.
- The increased traffic on Idaho, especially if Coyote Hills becomes developed.
- The increased usage along Sandlewood Drive, which will cause increased danger to the children attending school in the area.
- The loss of a natural habitat for the California Gnatcatcher.
- The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO2s per year 1
- ADDITIONAL COMMENTS:

  General increase in city population density leading to new inter-city problems.

  Overcrowding of the city resulting in too few city resources spread over too many resident's needs.

  Lack of city "open spaces" and the effect on resident's lifestyles.

  Removal of many Green mature trees which has been cleanse the air will produce more CO2 and less O2 in the air.

  Breathing air become contaminated during excavation of contaminated soil and flow thru vicinity residents. Seniors, babies and childrens will struggle who has been already suffering with lung diseases.

  Hill side residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

  The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: Katherine J Lee

Signature: _____

Address : 1801 S. Palmer Ct, La Habra Ca 90631

23. Response to Comments from Katherine J. Lee (1-15-2020)

KJLEE-7-1 See Section 2.1.1, Master Response 1 through Master Response 12.

KCKIM-1

From: **kap choon Kim** kapkim24@gmail.com
Subject: Response to EIR on Westridge development
Date: January 16, 2020 at 9:15 AM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0
Cc: Kum Lee kum1.lee@gmail.com

To: Andrew Ho, La Habra Community Development, Director
Dear Mr Andrew,

My name is Kap Choon Kim and I am 95 years old. My address is 1801 S. Palmer Ct. living with my son James Y Lee.

Please see my response to your EIR. I am very much concerned for the decline in the quality of life for both people and habitat animals in La Habra if the current Westridge Golf Course is converted into building of ~450 houses and its impact on the inhabitants of this community.] 1

The traffic is already a nightmare on the Beach Blvd, including the weekends. You are not addressing the true impact of the development of new several hundreds of houses and increased population in La Habra. 2

The City of La Habra already mandates the watering of lawns to only twice a week. Is the City going to ask its inhabitants to use the water for cooking, showering, drinking, etc. only to two times a week when the Ranch La Habra is built? 3

My utmost concern is the loss of a natural habitat for the coyotes . These are already coming down to the people's homes killing the pets. I lost my dog, Comet, in 2019 due to the coyotes. The City of La Habra warned its community to keep the pets inside – every year. If the last open space, the Westridge **Golf Course, is gone, then there will be more frequent** sighting **of the coyotes and will lead to the attacks to little children, besides the pets. Have you addressed this problem?** 4

I ask you to be truthful and objective in this matter. 5

Kap Choon Kim
1801 S Palmer Ct. La Habra, Ca 90631

EIR letter Jan 2020 s...1.docx

January 15, 2020

Mr. Andrew Ho
City of La Habra
110 E La Habra Blvd
La Habra Ca 90631
Community Development Director
andrewh@lahabraca.gov

As a resident of La Habra, I am concerned about the impact the proposed Rancho La Habra Development would bring to our city and I am AGAINST the development.

These are my concerns:

- ❑ The impact to our already overly congested roads, especially along Imperial Highway and Beach Blvd.
- ❑ The increased traffic on Idaho, especially if Coyote Hills becomes developed.
- ❑ The increased usage along Sandlewood Drive, which will cause increased danger to the children attending school in the area.
- ❑ The loss of a natural habitat for the California Gnatcatcher
- ❑ **The loss of a natural habitat for the cayotes. These are already coming down to the people's homes killing the pets. The City of La Habra warned its community to keep the pets inside – every year. If the last open space, the Westridge Golf Course, is gone, then there will be more frequent sighting of the cayotes and will lead to the attacks to little children, besides the pets. Have you addressed this problem?**
- ❑ The net increase in Greenhouse Gas Emissions, which would exceed the SCAQMD's screening threshold of 3,000 MTCO2s per year.
- ❑ ADDITIONAL COMMENTS:

  General increase in city population density leading to new inter-city problems.

  Overcrowding of the city resulting in too few city resources spread over too many resident's needs.

  Lack of city "open spaces" and the effect on resident's lifestyles.

  Removal of many Green mature trees which has been cleanse the air will produce more CO2 and less O2 in the air.

Breathing air become contaminated during excavation of contaminated soil and flow thru vicinity residents. Seniors, babies and children will struggle who has been already suffering with lung diseases.

Hill side residents around ridges of project area needs proven mitigation measures of possible land slide and /or land slippage.

The development is inconsistent with the city's existing general plan which I relied on when moving to the city.

Printed Name: Mrs. Kap Choon Kim

Signature: Kap Choon Kim

Address : 1801 S. Palmer Ct, La Habra Ca 90631

24. Response to Comments from Kap Choon Kim (1-16-2020)

KCKIM-1-1 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Biological resources issues are addressed in Section 3.5, *Biological Resources*, of the Partially Recirculated Draft EIR.

KCKIM-1-2 The traffic analysis is set forth in Appendix H and Section 3.7, *Traffic and Circulation*, of the Partially Recirculated Draft EIR. The traffic analysis evaluated impacts of adding the traffic generated by Rancho La Habra to existing conditions and to future cumulative conditions. The analysis used the appropriate traffic model and methodologies used for development projects throughout Orange County.

The Rancho La Habra traffic impact analysis was prepared by the firm of LLG, and was peer reviewed by the City of La Habra traffic engineer and the City's traffic consultant, Grover Associates. The Partially Recirculated Draft EIR and its appendices were provided to Caltrans, the Orange County Transportation Authority, Orange County, and the cities adjacent to La Habra. The only substantive traffic analysis issues regarding the Partially Recirculated Draft EIR were raised by Caltrans (see Section 2.1.5-6 for Caltrans Comments and Responses to Comments) and the Orange County Transportation Authority (see Section 2.1.4-3 for OCTA Comments and Responses).

While Comment KCKIM-1-2 asserts that the EIR does not address "the true impact of the development," no discussion is provided that describes any particular instance in which the Partially Recirculated Draft EIR might fall short of providing a thorough, objective, and accurate analysis of the physical environmental issues that would result from the Project. In the absence of such information, a more detailed response is not possible.

KCKIM-1-3 The City of La Habra does not currently have any specific restrictions in place that limit lawn watering to two days per week, although water use restrictions were in place during the recent drought. As documented in Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*, as well as in Draft EIR Appendix T, *Water Supply Assessment*, the existing golf course historically used an average of approximately 276 acre-feet (AF) of water annually. The Rancho La Habra Specific Plan is projected to result in an average annual water demand of 180 AF annually, thereby resulting in an annual average water savings of 96 AF. Based on this reduction in projected water demand, the City determined that it had sufficient water supplies for the next 20 years to meet city-wide water demand,

including development of Rancho La Habra during normal year, single dry year, and multiple dry year conditions.

KCKIM-1-4 Consistent with the requirements of the California Environmental Quality Act (CEQA) and State CEQA Guidelines, Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, addresses the physical environmental effects that the Project would have on sensitive habitats and species, including wildlife movement corridors.

While coyotes are not considered to be a sensitive species, it is highly unlikely that coyotes would traverse through an existing residential neighborhood in search of another neighborhood or that development of the existing golf course for residential use would cause a substantial increase in coyote intrusion into the existing Westridge neighborhood. The far more likely scenario would be that coyotes might traverse from open lands in the West Coyote Hills across the undeveloped open space area interface with the West Coyote Hills located along the west side of the Project site since that area would provide far fewer impediments to travel than would the Westridge neighborhood.

Currently, Nicklaus Avenue runs east-west through the open space interface between the Rancho La Habra and West Coyote Hills sites. Nicklaus Avenue is a low traffic volume, private residential road with a private gated access only serving the Westridge gated community. An existing wrought-iron fence prevents pedestrians from entering the golf course at this location; however, Rancho La Habra would remove the existing fence would and replace it with a split-rail style of fencing that could accommodate movement of large mammals. Coyote and bobcat would then not be deterred from crossing this low traffic volume road to move between the two open space areas.

KCKIM-1-5 This comment requests that the City be "truthful and objective in this matter." The comment does not, however, identify any instance in which the Draft EIR or Partially Recirculated Draft EIR fell short of being "truthful and objective." In the absence of such information, a detailed response cannot be provided.

From: **Kum-Ja Lee** kumlee@usc.edu
Subject: My esponse to EIR reg the proposed Ranch La Habra
Date: January 16, 2020 at 8:43 AM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

To: Andrew Ho, Community Development, Director

Dear Mr Andrew Ho,

My name is James Y Lee.

Please see my response to your EIR. I am very much concerned for the decline in the quality of life for both people and habitat animals in La Habra if the current Westridge Golf Course is converted into building of ~450 houses and its impact on the inhabitants of this community. 1

Your EIR does not address realistically all the concerned we have.

I ask you to be truthful and objective in this matter.

Thank you.

James Y Lee

EIR letter Jan 2020 s...1.docx

25. Response to Comment from James Y. Lee (1-16-2020)

JYLEE-1-1 This comment identifies the commenter's concerns regarding the Project and requests that the City be "truthful and objective in this matter." The comment does not, however, identify any instance in the Draft EIR or Partially Recirculated Draft EIR that fell short of being "truthful and objective." The comment also states that the EIR does not "realistically" address all concerns but does not explain which concerns are not addressed in the EIR or what is not realistic about the EIR's analyses. In the absence of such information, a detailed response cannot be provided. Biological resources issues are addressed in Section 3.5, *Biological Resources*, of the Partially Recirculated Draft EIR.

January 15, 2020
City Clerk
City of La Habra
110 East La Habra Blvd
La Habra, CA. 90631

#1 Back in May the city held 4 meetings about up-grading several city parks from a state lottery for funs. Mayor Gomez said at the time if we don't get state funds none of these park plans will Happen, then in August the city manager state he is spending $9 million on up-grading the park located on Idahoe & Los Lomas at the same time that the city plans are being submitted to the state. 1

#2 during the summer the city sent out a mailer from Mayor Gomez about saving the city $60,000 dollars on an ballot measure to change Westridge Golf course from the city parks, by holding the vote during the 2020 elections. As a county voters registrant I don't recall any elections yet. 2

#3 in December the city shows plans from a contractor to put in 277 single family homes plus 125 multi family homes plus new stores taxing our water plain, at the same time wanting a new water tax to encourage water saving plus water restrictions on single family homes but not businesses. Is that so new homes can have our water 3

So I'm just curious, ,whats what and whos who??? 4

Robert Janicki
2400 Berkley Ave
La Habra

Forgot #4 what about the State Fish & Wildlife 5

RECEIVED
hand-delivered
JAN 16 2020
City Clerk Department
City of La Habra

26. Response to Comments from Robert Janicki (1-15-2020)

JANICKI-1 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JANICKI-2 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JANICKI-3 Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*, discusses the overall availability of water and concludes that the Project would use less water annually than the existing golf course. In addition, the Draft EIR demonstrated that La Habra's water supplies are adequate to meet projected demands with the proposed Rancho La Habra project in normal, dry, and multiple dry years through 2040.

JANICKI-4 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JANICKI-5 See Comments and Responses to Comments CDFW-1 through CDFW-17.

City of La Habra Andrew Ho andrewh@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent. 1

My property, being my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

Printed Name Byung I Biham

Signature [signature] Date 1/16/2020

Address 1520 S. Runyan st La Habra CA 90631

27. Response to Comments from Byung I. Ham (1-16-2020)

BIHAM-1 See Comments and Response to Comments CSA-1 through CSA-17 for discussion of landslides and slope stability.

JC-KGC

Jack Cook and Karla Gary Cook
2001 S Mangrum Ct
La Habra Ca 90631

Mr. Andrew Ho
Director of Community and Economic Development
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631

1/16/2020

To Andrew Ho,

Please acknowledge receipt of this email.

We are original owners of our home in Westridge. We are retired citizens enjoying our lives in a quiet community. We moved to Westridge from Los Coyotes golf course. We have lived in this area since the early 1980s. 1

We are deeply concerned about the proposed project. Having a home on the cusp of the golf course will really subject our lot and home to construction for nearly 6 years. Jack is 85 years old and this is not an ideal way to live in retirement. We currently walk from one end of Westridge to the other side each day. It's about a 2 mile walk for our health. We sometimes walk to Sam's and Walmart below our home. We are not sure that will be healthy for us if Lennar builds the Rancho La Habra Project. 2

Geological and Slope stability

What about the Safety of the existing homes on Mangrum Court? Most of these homes have significant structural issues. Moving backyards. Cracks in the homes. Pilons been drilled thru the homes to stabilize them shifting and breaking. Moving the earth below for cleanup, drainage and sewers may undermine the poorly designed existing slopes. 3

Our home is situated on expansive soil, oil deposits in the ground; 8 years after moving in we had to retrofit our back yard at the cost of $200,000.00 to stabilize the soil. We had the understanding that the golf course became a golf course due to all the oil deposits in the ground and that it was not suitable for the housing Development at that time. It's still not suitable for building homes if 20 feet of topsoil must be removed. Also our soil is saturated with water due to the oil underneath us. This is called a liquefaction zone. Our house and soil has the potential in an earthquake to turn to mud and slide. What mitigation are you taking to prevent this from happening? Our home could end up on top of another home below us. Why take this chance? 4

Vibration, slippage and earthquakes are a significant problem with this proposed building. Grading is expected to be 11 months or 220 days. Site preparation will be 120 days. Construction will take 4 years. Westridge will be living in misery for 5-6 years. Our property values will drop. 5

There will be toxins in the air from removing polluted soil. Contaminated soil needs to be moved further deeper into the ground. There needs to be 20 additional feet of fill dirt. 6

Does Rancho La Habra make fiscal sense?

No. Not if Mello-Roos are necessary. Not in Rancho La Habra/Lennar has to print "Fake news" in the Living in La Habra Community booklet. Not if quality of life will diminish. What about the cost to upgrade the current infrastructure? Hiring additional city fire, police, staff and such also comes at a cost. 7

We hope our beautiful City will stay beautiful with less traffic, less people and congestion. Keep our bird sanctuary, cleaner air and the open space we purchased years ago. 8

Thank you,
Jack Cook and Karla Gary Cook

Karla Gary Cook
2001 S. Mangrum Ct
La Habra Ca 90631
(562) 694-4852 Phone
karlacook2000@yahoo.com

28. Response to Comments from Jack Cook and Karla Gary Cook (1-16-2020)

JC-KGC-1 The comment notes that the commenters live "on the cusp" of the golf course and will be subject to six years of construction. The Draft EIR and Partially Recirculated Draft EIR specify that construction of the Project is expected to occur over approximately six years, with grading operations constituting the greatest generation of dust, diesel particulate matter construction emissions, and noise occurring during 160 working days over an approximately 11-month period.

This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JC-KGC-2 Based on the results of the localized significance thresholds and carbon monoxide (CO) "hot spot" analysis, the Draft EIR determined that the Project would not expose sensitive receptors to substantial air pollutant concentrations with implementation of Best Available Control Measures (BACMs) and localized significance thresholds (LST)-related mitigation measures.

During preparation of the Partially Recirculated Draft EIR, the City further determined that preparation of a health risk assessment analyzing the project's construction emissions of diesel particulate matter was not warranted. The primary purpose of such an assessment would be to determine long-term health risks, such as cancer risks over, for example, a 30-year residency or 70-year lifetime. Construction of the Project is expected to occur over approximately 6 years with grading operations constituting the greatest generation of diesel particulate matter construction emissions during 160 working days over an approximately 11-month period.

Exposure of such duration would not create long-term health effects on adjacent receptors. Additionally, the City followed South Coast Air Quality Management District (SCAQMD) guidance for air quality analysis when preparing the Partially Recirculated Draft EIR and its air quality analysis. SCAQMD's Health Risk Assessment procedures recommend evaluating risk from extended exposures measured across 30 or 70 years and not from short-term construction exposures or from infrequent operational exposure to diesel truck deliveries or trash hauling.

JC-KGC-3 See Responses to Comments CSA-1 through CSA-17.

JC-KGC-4 Development of a golf course was proposed and constructed as an open space and recreational amenity as part of the La Habra Hills Specific Plan. There is no

evidence that a golf course was proposed due to any lack of suitability of that site for residential use.

As stated in Chapter 2, *Project Description*, of the Draft EIR and Partially Recirculated Draft EIR, development of the Westridge neighborhood and golf course pursuant to the La Habra Hills Specific Plan required extensive grading of an abandoned oil field. As a result, approximately 426,000 cubic yards of soil containing total petroleum hydrocarbons (TPH), a chemical compound associated with crude oil, was placed in several low-lying locations beneath the existing golf course. Placement of the soils containing TPH occurred pursuant to regulatory approvals granted by the Orange County Health Care Agency (OCHCA)[5] at depths appropriate for the proposed golf course and other types of recreational facilities. Since the golf course was the only proposed use for the areas where soils containing TPH were proposed to be buried, there was no need to place these soils at greater depths than might be appropriate for residential uses that were not being proposed at that time.

The Rancho La Habra Specific Plan proposes to place soils containing TPH previously buried within the Project site at depths appropriate for residential use: a minimum of 20 feet of additional fill, clear of soils containing TPH, over existing soils containing TPH, with those overlying soils compacted to over 90 percent to comply with residential development standards.

Liquefaction issues are addressed in Draft EIR Section 3.14, *Geology, Soils, and Seismicity*, which concluded that significant liquefaction impacts would not be significant. All site grading and construction will be required to be conducted in accordance with California Building Code requirements.

JC-KGC-5 Comment JC-KGC-5 does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Vibration is addressed in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*. Seismic and geologic issues are addressed in Draft EIR Section 3.14, *Geology, Soils, and Seismicity*.

JC-KGC-6 See Response to Comment JC-KGC-4. The Project includes a proposed Soils Management Plan that addresses these items and meets OCHCA standards and requirements. As described in Chapter 2, *Project Description*, of the Draft EIR and

[5] After reviewing the project file, the Department of Toxic Substances Control (DTSC) declined to take jurisdiction over the Project site. Therefore, review and authority over the handling of hazardous materials are the responsibility of OCHCA.

Partially Recirculated Draft EIR, the proposed Soil Management Plan involves the following steps:

1. Remove "clean" overburden soils and segregate for reuse as cover.
2. Remove crude oil-impacted soil from Reuse Area 1 (RUA 1), Reuse Area 2 (RUA 2), and the eastern portion of Reuse Area 3 (RUA 3) and place the soil in one of four identified fill locations (see Recirculated Draft EIR Figures 2-6 and 2-7 for locations of existing and proposed soil reuse areas, respectively).
3. Collect confirmation soil samples from former reuse areas upon completion to verify removal and facilitate closure.
4. Upon completing placement of crude oil-impacted soils into deep fill locations, place a minimum of 20 feet of "clean" (i.e., less than 100 milligrams per kilogram [mg/kg] total petroleum hydrocarbons [TPH]) cover soil.
   (a) RUA 1 is the largest of the reuse areas and is located in the central portion of what was formerly Closure Phase A, in the western portion of the golf course. It is estimated that RUA 1 contains approximately 220,000 cubic yards of crude oil-impacted soil.
   (b) RUA 2 is located east of RUA 1, beneath the golf course driving range, and contains an estimated 30,000 cubic yards of crude oil-impacted soil.
   (c) RUA 3 is located in the far western portion of the subject property and contains an estimated 176,000 cubic yards of crude oil-impacted soil.

On-site grading would require removal of all previously placed fill material until either bedrock or suitable material is reached. Once grading for the proposed project reaches bedrock or suitable material, the approximately 260,000 cubic yards of TPH-affected soil removed from RUA 1, RUA 2, and the eastern margin of RUA 3 would be placed in one of four pre-designated deep fill locations in accordance with standards previously established by OCHCA and the Regional Water Quality Control Board (RWQCB). Additional fill, consisting of "clean" (less than 100 mg/kg TPH) soil would be placed over the deep fills at a minimum thickness of 20 feet and compacted to over 90 percent to comply with residential development standards established by the State of California to protect public health. The majority of RUA 3 would not be affected by development as the portion of the subject property overlying RUA 3 is to be designated as open space and would not be subject to grading and construction.

JC-KGC-7 This comment addresses municipal finance issues and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as

modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Draft EIR Section 3.15, *Public Services and Facilities*, analyzes the Project's effects on police and fire services, concluding that while demands would increase as the result of Project development, provision of new facilities or physical expansion of existing police and fire protection facilities would not be required. Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*, identifies the utilities facilities needed for Project development.

Because the applicable CEQA thresholds address the physical environmental effects related to the construction of new or expanded infrastructure or police and fire protection facilities, the Draft EIR correctly concluded that no significant impacts would result from the Rancho La Habra Specific Plan.

JC-KGC-8 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

Christine Cook
13918 Highlander Rd
La Mirada Ca 90638

Mr. Andrew Ho
Director of Community and Economic Development
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631

1/16/2020

To Andrew Ho,

Please acknowledge receipt of this email.

I'm deeply concerned about the Rancho La Habra recirculated EIR and I would like a response to my concerns. My address is above. I live on the border of La Mirada and La Habra at Hillsborough Dr in Hawks Pointe. My work in Westridge at 2001 S Mangrum Ct, La Habra CA 90631. I am a property manager/owner and provide service on 3 different HOA boards. 1

The public review period began Friday evening on November 22, 2019 and ends 1/17/20. Although this is 57 days, La Habra city hall was not working 48% of those days. The public review was not advertised properly and was expected to be conducted between Thanksgiving and New Year's which human production goes down significantly. 2

I am concerned about the quality of life for citizens of La Habra and the surrounding communities. I am a long-time resident of this area. My first home was on Gilbert before it turns into Idaho in Fullerton. I grew up as a teenager on Los Coyotes Drive in Buena Park. I've owned a home in the Westhills development of La Habra, off the golf course in La Mirada and now in Hawks Pointe. I have not traveled far. For a short time, I lived in Placentia off Alta Vista Golf Course. I guess I like golf course homes due to nature, trees, tranquility and overall quality of life. I was born in Europe and we have many forests and green areas. I still want to live in a green area. For the builder to say that the Westridge Golf Course is NOT PRIME agricultural land, then take a look at La Habra boulevard in comparison. Westridge is the biggest Green area in La Habra. 3

I am opposed to having additional Multi-family, single family and commercial developments in my backyard. I will list my reasons below. 4

Quality of Life

If rezoning is approved, I will listen to the excessive noise of building for many years. I already listened to the development of Westridge when I lived in Westhills of La Habra. For years we listened to noise, 5

had dust and rodents invading our home. I mentioned in a previous letter than my dog became ill and suffered the rest of her life. 5

Noise barriers are not going to help. Currently, Westridge residents hear a lot of traffic noise from Beach Blvd and Imperial Hwy. Lennar states that Modifications to the unit plans could be proposed prior to the building permit applications to help with the noise levels since they won't be acceptable. Also they recommend carpet in the homes to absorb the noise. 6

Project-related demolition and crushing, site grading, and infrastructure and building construction would temporarily expose persons to noise levels substantially in excess of existing conditions. Even with implementation of Mitigation Measures NOI-4a through NOI-4j, construction noise levels would remain substantially above ambient conditions and would be clearly audible to area residents. The resulting impact would be ***significant and unavoidable.*** 7

Emergency access to Westridge would be slowed during the process. My father is 85 and might need emergency assistance or our homes might become more vulnerable to break ins during construction. I will have to give up riding my bike around town. It will not be safe. Currently I feel safe riding my bike to downtown Brea. 8

Our new view will be solar panels and apartments. And Behind us we will have the construction of Coyote Hills in Fullerton which will add a double burden to everyone. 9

Biological

I chose to live in this area due to the bird sanctuary and higher standards of living with an assortment of wildlife and trees. I think the developer has NO regard for the birds, wildlife and shrubs in this area. These things bring a special quality to the life we have here. I just had a friend who stayed with me for a month during his home renovation and told me that his quality of life and sleep had never been better. Lennar would like the burden of our wildlife and scrub to disappear. Move it out of sight. 10

Air quality/Greenhouse gas emissions

I already have issues with allergies and my lungs due to secondhand smoke exposure. I have chosen to live in a less dense and cleaner area. The new construction will significantly pollute the air with traffic, construction, Diesel exhaust and a higher population. Significant ODORS will fill the air from the underground methane, fuel and other biology in the soil. Westridge has much more significant air movement than other communities such as Hawks Pointe. Should we keep our windows closed for 5 years? 11

Traffic 12

There are no plans to help our traffic problems. Everyday I see traffic stuck in the intersection of Imperial Hwy and Idaho St. It's a nightmare to drive thru Imperial Hwy between Target and Trader Joe's. I love all the stores in between and this is where I do most of my daily shopping, but traffic is horrible. Getting to the 57, 5, 91, 605 and 60 is very bad. Although we live in a central area to these freeways, I plan my day around traffic. Fortunately, I can do so. Most people cannot. 12

The developer will get rid of La Habra Hills Drive, which is the "cut-though" road that I take many times a day to avoid both Beach, Imperial and Idaho. I don't believe the traffic studies were conducted in the proper fashion. I understand that Level of Service (LOS) is no longer the proper measure of traffic. It's now Vehicle Miles Traveled (VMT). 13

It's Ironic that the City of La Habra already used eminent domain to take away some of the property on Whittier Blvd at Hacienda Road. The builder has offered to help pay the fees associated with this intersection. 14

It's also stated in the EIR that there are as of August 2019, 61 closely related building projects under way. 15

Accepting this EIR would be a detriment to La Habra. This is not necessary. It's not fiscally responsible. The City residents will be inconvenienced and miserable for 6 years. Please listen to the residents and keep our open space green, our air clean and our birds chirping. 16

Thank you for your time.

Sincerely,

Christine Cook

29. Response to Comments from Christine Cook (1-16-2020)

CCOOK-1 Pursuant to the requirements of the California Environmental Quality Act and State CEQA Guidelines, written responses to the comments provided by the commenter are provided below.

CCOOK-2 The public review period for the Partially Recirculated Draft EIR ran for 57 days from November 22, 2019 to January 17, 2020, to account for the holiday season. The Partially Recirculated Draft EIR and its appendices were available for the entire 57-day public review period. City Hall was closed for a total of 10 weekdays during the 57-day public review period for the Partially Recirculated Draft EIR, including from December 23, 2019, through January 1, 2020. City Hall was therefore open, and City staff was available for the same number of days as would be typical of a 45-day EIR public review period with no intervening holidays.

CCOOK-3 In Draft EIR Section 3.4, *Aesthetic Resources*, Impact AES-3 clearly states:

> *Implementation of the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource. While the proposed project would be well planned and designed, the substantial loss of open space that would result from project development would degrade the existing visual character of the site. Even with implementation of project design features and compliance with existing regulations, this impact would remain significant and unavoidable.*

Whatever statements the applicant may have made regarding prime agricultural land or comparisons they may have made to other locations are irrelevant to and raise no substantive environmental regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

As stated in Section 3.3.1 of the Draft EIR, the Project site does not contain any prime agricultural land. The site and adjacent lands are designated as "Urban and Built-up Land" according to the California Department of Conservation, 2016 California Important Farmland Finder map system and are not designated or zoned for agricultural or forestry use by the City of La Habra.

CCOOK-4 This comment expresses the commenter's opinion regarding the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CCOOK-5 This comment expresses concerns regarding the construction noise and air quality impacts of the Project but does not address raise any issues with the analyses, conclusions, or adequacy of the Draft EIR as modified by the Partially

Recirculated Draft EIR. See also Section 2.2.1-14 for Responses to Comments COOK-1 through COOK-17, addressing comments made in Christine Cook's May 8, 2018, comment letter on the Draft EIR.

CCOOK-6 Partially Recirculated Draft EIR Mitigation Measure NOI-1.1a requires noise barriers to be constructed in the locations identified in Partially Recirculated Draft EIR Appendix L, Rancho La Habra Noise and Vibration Analysis Report. Figures 10-A and 10-B illustrate noise barrier locations.

Table 22 in Appendix L of the Partially Recirculated Draft EIR, which is presented on the following page, demonstrates that noise barriers at the lot lines would generally be effective in reducing exterior traffic noise to levels below the City's daytime noise standard. Thus, implementation of the recommendations included in Appendix L as reflected in Mitigation Measure NOI-1.1a would reduce impacts to less than significant.

To better reflect the recommendations set forth in Appendix L, Partially Recirculated Draft EIR is revised to read as follows:

Mitigation Measure NOI-1.1a: Noise barriers shall be constructed in the locations identified in the Rancho La Habra Noise and Vibration Analysis Report (Partially Recirculated Draft EIR Appendix L) as exceeding applicable noise standards. <u>In addition, to mitigate exterior noise from commercial activities within the Westridge Plaza shopping center, a 6-foot-high noise barrier that would block the line-of-sight to such activities from the first-floor elevations shall be constructed along the backyard property lines of the first row of homes along the south side of the shopping center.</u>

Mitigation Measure NOI-1.1b: <u>To ensure that the interior sound levels of the future homes within the Project comply with the City's noise criterion, the following conditions shall be satisfied:</u>

<u>1.</u> Exterior activity areas such as balconies shall be placed at the opposite side of buildings from the roadways within areas subject to a CNEL in excess of 60 dBA.

<u>2.</u> <u>Windows and sliding glass doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be mounted in low air infiltration rate frames (0.5 cubic feet per minute foot [cfm/ft.] or less per American National Standards Institute [ANSI] specifications).</u>

<u>3.</u> <u>Exterior doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be solid core with perimeter weather-stripping and threshold seals.</u>

Figure 10-A
Traffic Noise Barrier Locations
Along South Idaho Street

Noise Barrier

Figure 10-B
Traffic Noise Barrier Locations
Facing Beach Boulevard

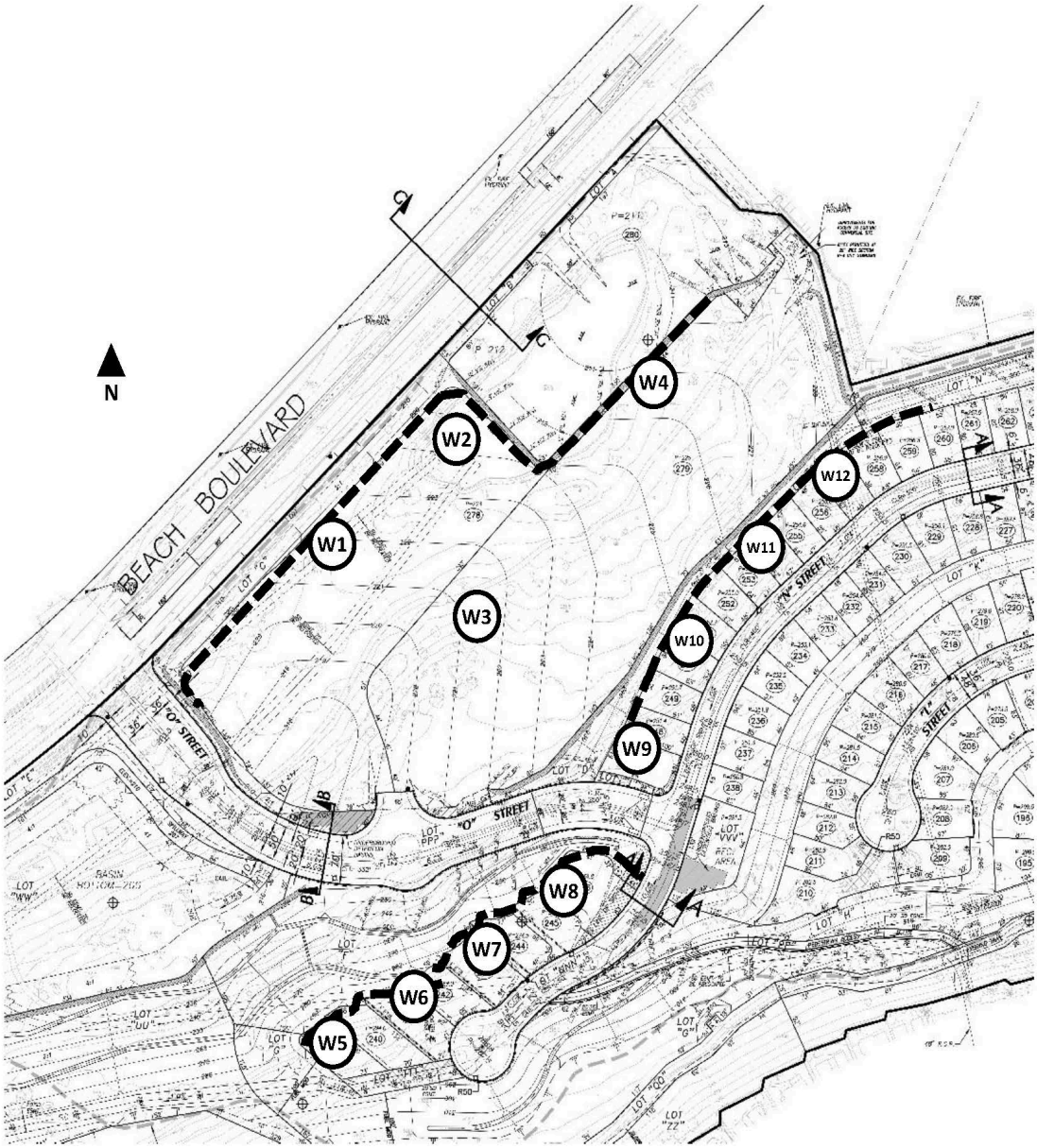

TABLE 22

Project Traffic Noise Barrier Calculation Results
Proposed Rancho La Habra Development Project

Receiver Location	Lot No.	Calculated CNEL (dB)					
		No Barrier	6-ft Barrier	7-ft Barrier	8-ft Barrier	9-ft Barrier	10-ft Barrier
Along South Idaho Street							
E1	Lot 2	66	57	56	55	55	54
E2	Lot 3	67	59	58	57	56	55
E3	Lot 11	64	60	59	59	58	58
E4	Lot 12	66	60	58	57	56	55
E5	Lot 28	63	60	59	58	58	57
E6	Lot 29	58	56	56	54	53	53
Along Beach Boulevard							
W1	Lot 278	72	61	60	59	59	58
W2	Lot 278	69	61	60	59	59	58
W3*	Lot 279	56	56	56	56	56	56
W4	Lot 279	64	57	55	54	54	53
W5	Lot 239	62	52	51	50	50	49
W6	Lot 241	59	51	50	50	49	48
W7	Lot 243	60	54	54	53	50	50
W8	Lot 245	57	51	50	49	48	47
W9	Lot 247	56	51	50	49	48	47
W10	Lot 250	58	52	51	50	49	48
W11	Lot 253	59	53	52	51	50	49
W12	Lot 256	59	53	52	51	50	49

* No noise barrier at this location.
Note: Calculated noise levels are at first-floor elevations.
Source: A/E Tech LLC

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4. Air conditioning or mechanical ventilation shall be provided for the first row of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project to allow occupants to close doors and windows for the required acoustical isolation.
5. Roof or attic vents directly facing the traffic and commercial noise sources shall be baffled so that sound must take an indirect route when entering the attic space.

CCOOK-7 This comment acknowledges the Partially Recirculated Draft EIR's conclusion regarding Project-related demolition and crushing, site grading, and infrastructure and building construction. The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CCOOK-8 Draft EIR Section 3.2, *Land Use and Planning*, provides an evaluation of the temporary effects that site grading would have on access to and from the Westridge community. As noted in the Draft EIR, the Project would result in the temporary closure of the La Habra Hills Drive entrance to the Westridge residential community during site grading, temporarily restricting use of one of the three current entries to the community over an anticipated 11-month period. The community's access points to Idaho Street and Beach Boulevard would remain unaffected, and emergency access from the two closest fire stations serving the Westridge community would not be affected. Travel time between housing and shopping would, however, be temporarily increased due to the closure of La Habra Hills Drive.

Comment CCOOK-8 also addresses the safety of bicycle travel, apparently asserting that while bicycle travel around La Habra and to downtown Brea is safe today, such bicycle travel would become unsafe. No evidence is presented as to why bicycle travel would become unsafe, and it is unclear whether the comment is referring to bicycle travel safety during site construction or to future bicycle travel safety following Rancho La Habra's development. Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, evaluated whether development of Rancho La Habra would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The EIR concluded that the Rancho La Habra Specific Plan "provides enhanced bicycle and pedestrian facilities within the Project site" and would "implement applicable requirements for transit, bicycle, and pedestrian facilities."

CCOOK-9 Draft EIR Section 3.4, *Aesthetic Resources*, includes visual simulations that illustrate changes in views from the Westridge residential community to the

project site, and analyzes the Specific Plan's consistency with General Plan policies addressing scenic quality. The Draft EIR concluded that the "substantial change in the visual character of the site that would result from replacing the existing Westridge Golf Club with the proposed Rancho La Habra residential community would constitute a significant impact due to the loss of open space, change of character as demonstrated by the visual prominence of housing within the site, and inconsistency with General Plan Policies CI 1.4 and SM 1.2."

CCOOK-10 Comment CCOOK-10 addresses the commenter's opinions regarding the project in relation to the biological resources impacts that would result from its development. The comment makes no reference to the Rancho La Habra EIR. Impacts to onsite habitats and sensitive species are addressed in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*.

CCOOK-11 Recirculated Draft EIR Section 3.8, *Air Quality*, addresses air pollutant emissions during construction and subsequent operation of proposed residential and commercial uses within the Project site. There is no evidence that methane emissions from underground sources would pollute air quality during construction. In addition, health analyses undertaken for the Partially Recirculated Draft EIR demonstrate that no significant health effects would result from Project construction or operations.

The potential for odor impacts is addressed in Impact AQ-5 of the Partially Recirculated Draft EIR, which concludes that the Project does not propose land uses having a potential for significant odor emissions. The Partially Recirculated Draft EIR explicitly recognizes that while some odors may be generated by diesel exhaust during construction activities, they would not be likely to violate applicable South Coast Air Quality Management District (SCAQMD) regulations and would temporary in nature. Such emissions would primarily be generated during site grading operations which would occur during 160 working days spread over an approximately 11-month period. No evidence is presented in this comment to substantiate that impacts would be significant and not less than significant as concluded by the Partially Recirculated Draft EIR.

CCOOK-12 Chapter 3 of the La Habra General Plan sets forth a comprehensive plan for mobility within the City of La Habra.

Section 3.7.2 of the Partially Recirculated Draft EIR also notes the following:

- La Habra Municipal Code Section 10.48, Traffic Improvement Fee, is intended to implement the General Plan and to mitigate the traffic impacts caused by new development within the City through the construction of

certain traffic improvements. As a mitigation measure, future developments are required to incorporate fair share participation to the cost of maintaining applicable level of service standards throughout the City and to develop future transportation systems.

- La Habra Municipal Code Section 10.52, Traffic Phasing Plan, is intended to ensure that major development is adequately accommodated by the existing transportation system and permitted to proceed only if deficient areas are being addressed through new facilities, impacts on the system are being mitigated in conjunction with the development, other trip generation reduction measures are adopted that will alleviate traffic impacts, and/or the project will be phased to eliminate any significant impacts.
- Orange County voters first approved Measure M in 1990 for a 20-year period, establishing a county-wide sales tax providing funding for more than $4 billion in transportation improvements, including adding 192 freeway lane miles, improving 170 intersections and 38 freeway interchanges, and implementing Metrolink service in Orange County. Voters renewed the sales tax for transportation improvements in 2006 for another 30 years.

The Rancho La Habra Partially Recirculated Draft EIR also sets forth a series of mitigation measures to address the specific impacts of traffic associated with the Project.

CCOOK-13 As noted in the Draft EIR, grading for the Rancho La Habra Specific Plan would result in the temporary closure of the La Habra Hills Drive entrance to the Westridge residential community during site grading, temporarily restricting use of one of the three current entries to the community. Once grading activities have been completed, La Habra Hills Drive would be reopened to traffic between the Westridge community and Imperial Highway. See Draft EIR Section 3.2, *Land Use and Planning Policy*, Impact LUP-1 for discussion of the temporary closure of the La Habra Hills Drive entrance to the Westridge residential community during site grading.

See Responses to Comments FOUST-1 and FOUST-2 for discussion of vehicle miles traveled (VMT) analysis and the appropriateness of undertaking level of service (LOS) analysis.

VMT analysis measures a different metric (vehicle miles traveled) from the LOS analysis undertaken for the Draft and Partially Recirculated Draft EIRs. Whereas VMT addresses the total length of vehicular travel from a project and is a useful tool to reduce trip generation, air pollutant/greenhouse gas emissions, and energy use, it is not helpful in addressing traffic congestion, which is measured with delay-based metrics such as LOS. Because traffic congestion and the effects

that the Project might have in relation to increasing congestion are of substantial concern to the public and the CEQA Guidelines still permit the use of delay-based metrics to analyze and require mitigation measures for traffic congestion, the City required that the traffic section of the EIR analyze traffic congestion using traditional LOS analysis. Had the Partially Recirculated Draft EIR not undertaken LOS analyses, the City would have rightfully been criticized for ignoring the effects Rancho La Habra might have on area traffic congestion.

CCOOK-14 The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. It is not clear what offer from the applicant this comment refers to. Partially Recirculated Draft EIR Mitigation Measure TRA-1.3 requires the applicant to pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts at the following intersections:

- Beach Boulevard at Artesia Boulevard (within Buena Park)
- Hacienda Road at Whittier Boulevard (within La Habra)

Payment of fair share fees for Project-related impacts is an enforceable requirement placed by the City onto the applicant and not a voluntary offer being made by the applicant.

CCOOK-15 Partially Recirculated Draft EIR Table 6-1 identifies 63 past, present, and probable future projects whose physical environmental effects might combine with those of Rancho La Habra to create one or more cumulative impacts. Chapter 6, *Cumulative Impacts*, of the Draft EIR as modified by the Partially Recirculated Draft EIR (Final EIR Volume 2) addresses the cumulative environmental effects of Rancho La Habra when combined with the environmental effects of other past, present, and probable future projects in the vicinity. These projects range from a 7-unit single-family development to the 760-unit West Coyote Hills project as well as non-residential projects ranging from a 2,260-square-foot fast food restaurant to a 978,665-square-foot warehouse, manufacturing, and industrial project. The cumulative projects identified in Table 6-1 of the Draft EIR (Final EIR Volume 1) and Partially Recirculated Draft EIR (Final EIR Volume 2) include projects in the cities of La Habra, La Habra Heights, Fullerton, Whittier, Brea, Buena Park, and La Mirada.

The first full paragraph on page 6-3 of the Partially Recirculated Draft EIR (Final EIR Volume 2) is revised to read as follows.

> A total of ~~61~~ 63 closely related projects were identified within the vicinity of the project site as of August 2019 when preparation of the updated Rancho

> La Habra Traffic Impact Analysis was under way, whose physical environmental effects might combine with those of the proposed project to create one or more cumulative impacts. These cumulative projects are identified in **Table 6-1** and illustrated in **Figure 6-1**.

CCOOK-16 At the conclusion of the CEQA review process, the La Habra City Council will consider certification of the Final EIR. To certify the Final EIR, the City Council must make the findings set forth in CEQA Guidelines Section 15090(a). Namely, the City Council would certify that the EIR:

- Complies with CEQA;
- Reflects the lead agency's independent judgment and analysis; and
- Was presented to the decision-making body, which reviewed and considered the information in the Final EIR before approving or approving with modifications any component of the project.[6]

If, following public hearings, the City Council wishes to approve the Project or approve it with modifications it can do so only after it makes the findings set forth in CEQA Guidelines Section 15090(a) described above. In addition, because the Project would result in significant unavoidable impacts, the City Council must make the following written finding prior to taking action to approve the Project or approve it with modifications (as required by Public Resources Code Section 21081 and CEQA Guidelines Section 15092(b)):

> The agency has eliminated or substantially lessened all significant effects on the environment when feasible and has determined that any remaining significant effects are acceptable when balanced again the project's benefits.

[6] CEQA does not require that the Final EIR be certified if the decision-making body does not approve the project for which the EIR was prepared.

Mayor Tom Beamish Tbeamish@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent.

My property, being my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

1

Printed Name Haeyeong LEE, M.D.

Signature _____ Date 01-16-2020

Address 1431 W. BOROS CT. La Habra, CA 90631

30. Response to Comments from Haeyeong Lee, M.D. (1-16-2020)

HYLEE-1 See Responses to Comments CSA-1 through CSA-17.

CBLEE

Mayor Tom Beamish Tbeamish@lahabraca.gov

In the last several days I have become aware of an incomplete analysis of slope stability of the hillside adjacent to the Rancho La Habra Development which was identified by Cotton, Shires and Associates, Inc. consulting engineers and geologist for "Save La Habra" that concerns me very much. Their review shows the City's engineering analysis for slope stability does not adequately describe how the sheer strength of soils were derived thus undermining the EIR's analysis of slope stability. In addition, it shows the RDEIR fails to adequately address repair of the landslide located at the western margin of the project site. As proposed, repair of the slide, which is limited to repairing only the toe of the slide, could activate the old slide, which would introduce risks not only on the project site, but to the property upslope as well. The EIR fails to address these risks.

My residence is located upslope from the project and the idea that the City of La Habra would approve a construction project which lacks adequate analysis of the effects of destabilizing the hillside my property is located on, both during the project construction phase and in perpetuity after the project is complete, is negligent.

My property, being my life's biggest investment and now worth well over one million dollars, is central to my life and I will do almost anything to protect it. Further, I would expect my home city of La Habra to do nothing less, putting its resident's interest above any outside developer's need to generate company profits.

If it is found, either now or in the future, the City of La Habra has not adequately required all the proper soil studies to be completed by the developer thus safeguarding my property from a catastrophic loss due to any hillside failure, I will hold the City responsible for both my compensatory and punitive damages that result from the City's negligence.

I will take it upon myself to inform all my neighbors of these City responsibilities so they are also aware of the possible catastrophic loss due to this incomplete engineering analysis of slope stability.

1

Printed Name CHANG B. LEE MD

Signature [signature] Date 1/16/2020

Address 1431 W. Boros Ct. La Habra, CA 90631

31. Response to Comments from Chang B. Lee M.D. (1-16-2020)

CBLEE-1 See Responses to Comments CSA-1 through CSA-17.

From: **Kelley Garcia** tvor65@gmail.com
Subject: opposition to Rancho La Habra
Date: January 16, 2020 at 5:38 PM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Dear Mr. Ho,
I am opposed to rezoning the Westridge Golf Course for the following reasons:

- The developer purchased the Westridge Golf Course property knowing full well that it was designated as open space on the general plan
- The city is under **NO** obligation to change the general plan to suit a developer or property owner
- There is very little open space left in La Habra and what there is, most are very small parcels

I urge the city of La Habra to adhere to the general plan that was approved on JANUARY 21, 2014 (see excerpts below) 1

'The General Plan is a binding legal document which is a comprehensive and long-range statement of the general policies and procedures governing the physical development of the planning area. The purpose of the plan is to provide a coordinated and integrated framework for the development and changes within the City's planning area, both public and private, over a long period of time, while providing enough flexibility to account for unforeseen circumstances which may occur in future. 2

' **Open space, parks, trails, and recreational facilities and programs are important land use components in an urban environment, providing visual relief from the built environment and contributing to residents' quality of life through recreational programming and social value.** The City of La Habra has a wide range of parks including mini parks, neighborhood parks, community parks, **and a golf course that incorporate natural and paved walking trails and bicycle paths.'**

Open Space Areas for Natural Resource Protection 3

The following goal and policies support the conservation of open space areas for protection of La Habra's natural resources.

Goal OS 1

Natural Resource Conservation. Open spaces that protect and conserve La Habra's natural resources.

Policies OS 1.1

OS 1.2

Natural Resource Preservation. Preserve open spaces for the protection and maintenance of La Habra's natural resources including watersheds, hillsides, and drainage corridors.

Sincerely,
Kelley Garcia

32. Response to Comments from Kelley Garcia (1-16-2020)

GARCIA-1 This comment expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

GARCIA-2 This comment sets forth a statement from the City of La Habra's adopted General Plan, including a description of the General Plan's purpose, and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

GARCIA-3 This comment includes several relevant policy statements from the City's General Plan and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

From: **Maribelle Lopez** marinateplus3@hotmail.com
Subject: Partially recirculated draft EIR comments
Date: January 17, 2020 at 9:38 AM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0
Cc: Tom Beamish /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Tom Beamishea0, Rose Espinoza /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Rose Espinoza18a, Jim Gomez /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Jim Gomez83d, Jose Medrano /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Jose Medrano853, Tim Shaw /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Tim Shawb96

This project will increase traffic along Sandlewood drive, which is in the vicinity of Imperial Middle School, which already has traffic problems. The EIR should analyze the project's impact on traffic circulation and safety, especially in regard to school children near this site. The EIR should also analyze the projected increase in traffic along Sandlewood Drive, as it will inevitably be used as a thoroughfare to bypass Imperial Highway. A traffic study should be conducted along Sandlewood Drive from Idaho to Euclid Ave during the months that school is in session, and especially during the hours when children are dropped off in the morning and picked up once school has commenced. 1

Maribelle Lopez
1821 S Ford Ct, La Habra
714-366-1631

33. Response to Comments from Maribelle Lopez (1-16-2020)

LOPEZ-1 Project-generated traffic along Sandlewood Avenue was, in fact, analyzed. As discussed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, and demonstrated in Figures 5-7A, 5-8A, and 5-9 of Partially Recirculated Draft EIR Appendix H, the Project would add 15 AM peak hour trips, 18 PM peak hour trips and 212 total daily trips to Sandlewood Avenue between Idaho Street and Euclid Street. This level of traffic would be well within the capacity of the roadway and not sufficient to cause any significant traffic congestion or safety impacts.

2.1.3 RESPONSES TO COMMENTS FROM REPRESENTATIVES OF SAVE LA HABRA

Comments and responses to the three (3) comment letters and emails that were received from representatives of the Save La Habra group are provided on the following pages.

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JL-ML-SH

January 9, 2020

RUSH

Council Member Tim Shaw
110 East La Habra Blvd.
La Habra, CA 90631

Dear Council Member Tim Shaw,

We have a **very urgent** matter to discuss with you and your fellow Council members that will not wait until the next scheduled Council Meeting. Since the scheduled Council Meeting was cancelled on January 6, with only a couple of days notice before hand, and the next scheduled Council Meeting is not scheduled until January 20th, we believe this matter warrants a special Council meeting which should be scheduled next week to hear our concerns and to allow a vote of the Council to address them.

As you are aware, Andrew Ho, Director of Community & Economic Development in La Habra, made available and requested comments on the Partially Recirculated Draft Environmental Impact Report for the Rancho La Habra Specific Plan in the last week of November. With the release coinciding with the busy holiday season, it has made it very difficult to have the right parties available to properly review the draft. Our representatives even wrote Roy Ramsland on December 19th pointing out that all the information related to the recirculated draft EIR was not posted on the City's website and that the comment period should be extended due to the non-availability of the information necessary to properly comment on the EIR. 1

At this point we believe that the Council should vote to extend the comment period for 60 days for the following reasons:

1. The City failed to provide access to all Project related documents on the project website during the limited public review period. 2
2. The City has not given the public an opportunity to voice their opinions to the Council in a public forum (ie. Council Meeting) since posting all the proper material on their website. 3
3. The Notice received by the Korean Community was not written in Korean and made no allowance for translation which is required for their understanding and comprehension of matters discussed in the voluminous recirculated EIR. This is an additional time consuming necessary step before they can comment on the Project EIR. 4
4. The notification of the Recirculated Draft EIR was distributed to only a very limited number of residents in La Habra, while it has been clearly established that the project will affect nearly every resident in La Habra. Councilman Tom Beamish stated in a public Council Meeting that he wanted the entire City to be notified about matters related to the Rancho La Habra Project such as the EIR. 5
5. The Notification of the recirculated Draft EIR was made over the holiday when many concerned parties are generally unavailable. That would include impacted City residents that are on vacation as well as experts employed to review the draft. In addition, the City staff had limited 6

availability during this period as did the City Councilmembers, thus making fact finding and voicing opinions to the Council all but impossible. 6

Considering all these issues, we want the Council to convene prior the expiration of the Comment period on January 17th and vote to extend the period for another 60 days. In addition, we are requesting that due to the nature and scope of this project, and how it will impact all the citizens in our city, we ask that the notifications letter of the recirculated EIR be mailed to all the homeowners in La Habra, as Mayor Tom Beamish has previously indicated he would do. By sending the notification to all the residents of La Habra, everyone will have an opportunity to make comments on the Recirculated Draft EIR. 7

Sincerely,

James Lees, Maribelle Lopez, Sue Ham

Representatives of SAVE LA HABRA

1. Response to Comments from James Lees, Maribelle Lopez, and Sue Ham (1-9-2020)

JL-ML-SH-1 This comment addresses a request for the La Habra City Council to extend the public review period for the Partially Recirculated Draft EIR. The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

The Partially Recirculated Draft EIR was released for public review on November 22, 2019, for a 57-day public review period, running to January 17, 2020. The entirety of the Partially Recirculated Draft EIR and its appendices were posted on the City's website at all times throughout the entirety of the Partially Recirculated Draft EIR's public review period.

As noted in this comment, a representative of Save La Habra, Carmen Borg, AICP, an Urban Planner with the law firm of Shute, Mihaly & Weinberger, requested that City provide the following documents, which Ms. Borg could not locate on the City's website at the time of the request:

- Draft EIR Appendix P, Preliminary Geotechnical Report, April 28, 2017 prepared by LGC Geotechnical Consulting, Inc.
- EEI Geotechnical & Environmental Solutions, Phase I Environmental Site Assessment –Proposed Rancho La Habra, November 2016
- EEI Geotechnical & Environmental Solutions, Soil Management Plan – Proposed Rancho La Habra, September 2015
- EEI Geotechnical & Environmental Solutions, Soil Management Plan Addendum – Proposed Rancho La Habra, November 2016

All of these documents were included as part of the Draft EIR and were distributed for public review along with the Draft EIR from February 26, 2018, through May 10, 2018. Because Section 3.14, *Geology, Soils, and Seismicity*, of the Draft EIR was not recirculated, these documents were not part of the Partially Recirculated Draft EIR.

On December 20, 2019, Roy Ramsland, City of La Habra Planning Manager, provided the following response via email to Carmen Borg's emailed request:

> "It looks like the information you are requesting was not part of the Partially Recirculated Draft EIR. It is however still available on the website at: https://www.lahabracity.com/1138/Environmental-Documents-Public-Notices

All of the information that was included in the February 2018 Draft EIR has been available on the City website since the Draft EIR was published. For clarification on what was recirculated, please refer to pages 1-2 and 1-3 of the Partially Recirculated Draft EIR which states that the only technical sections and appendices that were being recirculated were those related to biological resources, traffic, air quality, greenhouse gas (GHG), noise, and energy. All other technical sections and appendices to the Draft EIR remain as previously circulated for public review and comment. Also, as stated on page 1-3 of the Partially Recirculated Draft EIR:

> *Because the Draft EIR has been revised in part and the City of La Habra, as lead agency, is recirculating only the revised portions of the EIR identified above, pursuant to CEQA Guidelines Section 15088.5 (f)(2), the City [of] Habra is requesting that reviewers limit their comments on the Partially Recirculated Draft EIR to the revised portions of the EIR contained in this document.*

Later during the afternoon of December 20, Carmen Borg responded as follows:

> *Thanks for your response. I appreciate the posting of the appendices online. Please indicate whether the City will extend the comment period 60 days, as required, to allow time to review this material.*
>
> *In addition, please provide the requested references. They are part of the public record and I had hoped to obtain them without the need for a public records act request.*

On December 20, 2019 at 4:10 p.m., Roy Ramsland responded:

> *We will not be extending the review period. We have already taken the holidays into consideration when we circulated the documents for 57 days. All the appendices required as part of the recirculation have been posted since the date of the publishing of the RDEIR document. All the original documents have been posted since the original circulation of the EIR, except for a short period recently when we reformatted our Website. Everything you are looking for is now posted.*

See also Responses to Comments JL-ML-SH-2 through JL-ML-SH-7, below, for a more detailed discussion of the Partially Recirculated Draft EIR's public review period.

JL-ML-SH-2 The public review period for the Partially Recirculated Draft EIR was not "limited," but ran for 57 days from November 22, 2019 to January 17, 2020 to account for the holiday season. The documents referred to in this comment included some appendices to the February 2018 Draft EIR that were not part of the Partially Recirculated Draft EIR.

As stated by Roy Ramsland, the City of La Habra's Planning Manager in his December 20, 2019 email responses regarding the requested documents:

> *It looks like the information you are requesting was not part of the Partially Recirculated Draft EIR. It is however still available on the website at: https://www.lahabracity.com/1138/Environmental-Documents-Public-Notices"*
>
> *"All the appendices required as part of the recirculation have been posted since the date of the publishing of the RDEIR document. All the original documents have been posted since the original circulation of the EIR, except for a short period recently when we reformatted our Website. Everything you are looking for is now posted.*

See also Response to Comment JL-ML-SH-1.

JL-ML-SH-3 Public hearings on the Project will be held at the Planning Commission and at the City Council following completion of the Final EIR, as is the City's standard practice.

JL-ML-SH-4 Neither CEQA nor CEQA Guidelines require translation of CEQA documents. City policy is to provide all official documents in English and not to attempt to translate CEQA documents into other languages.

JL-ML-SH-5 The City Council did not direct that notice of the Partially Recirculated Draft EIR's availability be sent citywide in addition to the notices provided by the City as described below.

- A Notice of Availability for the Rancho La Habra Partially Recirculated Draft EIR was published in the Orange County Register on November 22, 2019, for a 57-day public review period ending January 17, 2020.
- Notices of the Partially Recirculated Draft EIR's availability were mailed to the Orange County Clerk-Recorder (posted by the Clerk-Recorder for 30 days) to property owners within 300 feet of the Project boundary, and to anyone who had asked to be placed on the list for notice involving this property.
- The Partially Recirculated Draft EIR and its appendices were mailed to the State Clearinghouse and to 40 adjacent cities and agencies.
- Additional hard copies of the Partially Recirculated Draft EIR were made available for public review at the La Habra City Hall and the La Habra Branch of the Orange County Library.
- The Partially Recirculated Draft EIR and its appendices were also posted on the City of La Habra's website.

- The public review period for the Partially Recirculated Draft EIR ran for 57 days from November 22, 2019, to January 17, 2020 to account for the holiday season. City Hall was closed for a total of 10 weekdays during the 57-day public review period for the Partially Recirculated Draft EIR, including from December 23, 2019 through January 1, 2020. City Hall was therefore open and City staff was available for the same number of days as would be typical of a 45-day EIR public review period with no intervening holidays.

JL-ML-SH-6 Notification of the availability of the Partially Recirculated Draft EIR was made and the 57-day public review period started the week before Thanksgiving week and ran through January 17, 2020, to account for the holiday season. City Hall was closed for a total of 10 weekdays during the 57-day public review period for the Partially Recirculated Draft EIR, including from December 23, 2019, through January 1, 2020. City Hall was therefore open and City staff was available for the same number of days as would be typical of a 45-day EIR public review period with no intervening holidays.

Public hearings on Rancho La Habra at the Planning Commission and City Council will be held following completion of the Project's Final EIR, as is the City's standard practice.

JL-ML-SH-7 The 57-day public review period for the Partially Recirculated Draft EIR was not extended. See Responses to Comments JL-ML-SH-1 through JL-ML-SH-6.

Mayor Beamish did not, in fact, commit to sending notification for the EIR to every homeowner. The City Council directed staff to look into and report back to the City Council regarding the cost to provide notices to all homeowners and for a mailing prior to the public hearing for the Project in front of the Planning Commission and City Council.

HAMILTON BIOLOGICAL

January 16, 2020

Mr. Roy Ramsland, Planning Manager
City of La Habra Planning Division
110 East La Habra Boulevard
La Habra, CA 90631

**SUBJECT: REVIEW OF BIOLOGICAL RESOURCE ISSUES
PARTIALLY RECIRCULATED DRAFT EIR
RANCHO LA HABRA SPECIFIC PLAN PROJECT
CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA**

Dear Mr. Ramsland,

In a letter dated April 2, 2018, I reviewed relevant portions of Section 4.3 and Appendix F (Biological Resources) of the Draft EIR (DEIR) for the Rancho La Habra Specific Plan project, located in the City of La Habra, Orange County, California (the City). On behalf of the citizens' group, "Save La Habra", this letter provides my comments on the treatment of biological issues in the Partially Recirculated DEIR (PRDEIR) for this project. Hamilton Biological is a consultancy specializing in field reconnaissance, regulatory compliance, preparing CEQA documentation, and providing third-party review of CEQA documentation. My curriculum vitae is attached.

The purpose of this review is to (a) identify any inadequacies in the field work or literature review conducted in support of the PRDEIR's analyses; (b) discuss any apparent errors in fact stated in the PRDEIR; (c) identify and discuss any biological impact analyses not consistent with CEQA, its guidelines, or relevant precedents; and (d) identify and discuss any remedies that might be appropriate to enable the EIR to satisfy the minimum requirements of CEQA. 1

As part of my review, I reviewed the original Notice of Preparation (NOP), the letters submitted in response to the NOP, relevant sections of the DEIR and PRDEIR, and the following relevant documents:

- Biological Opinion for the Chevron La Habra Hills Oil Field project, Orange County, California (1-6-95-F-17), dated April 12, 1995, specifying restoration requirements for pre-development oilfield abandonment activities, and subsequent development activities on a depleting 300-acre oil field in La Habra adjacent to a similar oil field in Fullerton, and construction of 540 homes, an 18-hole golf course, and associated infrastructure.

316 Monrovia Avenue Long Beach, CA 90803 562-477-2181 robb@hamiltonbiological.com

- Letter from Karen A. Goebel of the US Fish and Wildlife Service (USFWS) to Sheri Asgari of Glenn Lukos Associates dated August 7, 2006, with subject line: "Approval of the Coastal Sage Scrub Restoration on the Westridge Golf Course, as Described in the Biological Opinion for the Chevron La Habra Hills Oil Field, Orange County, California (1-6-95-F-17)."
- Portions of the recirculated DEIRs (2006, 2008, 2015) for the West Coyote Hills Specific Plan, City of Fullerton.

I also visited the project site on March 27, 2018, and took notes of all wildlife observed (https://ebird.org/view/checklist/S44025311). 1

PROPOSED IMPACTS TO SENSITIVE HABITAT AREAS

In 2009, the State of California intended to place a conservation easement/deed restriction upon 11.43 acres of sensitive habitats on the project site. As explained on page 3.5-10 in the PRDEIR, however, only 10.97 acres were recorded as being deed-restricted. Figure 3.5-1, reproduced below, shows that all of the deed-restricted conservation areas would be graded as part of the proposed project. 2

LSA

LEGEND
Project Boundary
Deed Restricted Areas
Grading Footprint

0 300 600
FEET

SOURCE: Bing (2014); Glenn Lukos Associates (8/2019)
I:\LEN1802\GIS\MXD\Grading Footprint.mxd (8/27/2019)

FIGURE 3.5-1
Rancho La Habra
Development Footprint

DEIR Table 3.5-9, reproduced below, shows that grading and other adverse effects would impact ("affect") 7.55 acres of coastal sage scrub, 2.83 acres of riparian woodlands, 1.70 acres of riparian scrub, and 3.96 acres of emergent wetlands, for total impacts of 13.62 acres of impacts to sensitive communities (9.66 acres within the deed-restricted areas plus an additional 3.96 acres not within deed-restricted areas). The PRDEIR should be providing replacement of all 11.43 acres that had been required to be set aside as deed-restricted mitigation, along with any other non-deed-restricted areas of sensitive habitat that would be impacted.

Table 3.5-9
Project Impacts on On-Site MCVII Vegetation Alliances (Acres)

MCVII Vegetation Alliances	Affected Deed-Restricted Area	Affected Non-Deed-Restricted Area	Total Affected Area	Total Preserved Area	Total Area on Project Site
Coastal Sage Scrub					
Black Sage Scrub Shrubland Alliance	1.34	0.06	1.40	-	1.40
California Brittlebush Scrub Shrubland Alliance	-	0.59	0.59	2.25	2.84
California Buckwheat Scrub Shrubland Alliance	-	0.40	0.40	-	0.40
California Sagebrush Shrubland Alliance	1.12	0.49	1.61	0.01	1.62
Coyote Brush Scrub Shrubland Alliance	1.02	0.05	1.07	1.25	2.32
Mixed Scrub Shrubland Alliance	2.18	0.30	2.48	0.54	3.02
Coastal Sage Scrub Subtotal	*5.66*	*1.89*	*7.55*	*4.05*	*11.60*
Riparian Woodland					
Arroyo Willow Forest Alliance	0.12	0.09	0.21	-	0.21
Fremont Cottonwood Forest Alliance	1.91	0.71	2.62	-	2.62
Riparian Woodland Subtotal	*2.03*	*0.80*	*2.83*	-	*2.83*
Riparian Scrub					
Mixed Riparian Scrub Shrubland Alliance	0.56	0.95	1.51	-	1.51
Mulefat Thicket Shrubland Alliance	0.17	0.02	0.19	-	0.19
Riparian Scrub Subtotal	*0.73*	*0.97*	*1.70*	-	*1.70*
Emergent Wetland					
California Bulrush Marsh Herbaceous Alliance	0.03	0.30	0.33	-	0.33
Southern Cattail Marsh Alliance	0.06	-	0.06	-	0.06
Open Water	1.15	-	1.15	-	1.15
Emergent Wetland Subtotal	*1.24*	*0.30*	*1.54*	-	*1.54*
Vegetation Alliance Total	***9.66***	***3.96***	***13.62***	***4.05***	***17.66***
Other (Developed, Parks and Trails, Ornamental Landscaping)					**133.17**
Total Project Site					**150.84**

Notes: MCVII = Manual of California Vegetation, Second Edition
Source: GLA 2018c.

3

PROJECT VIOLATES POLICY BR 1.1 OF THE GENERAL PLAN

Policy BR 1.1 of the City's General Plan states:

> **Biological Resource Protection.** Conserve and protect wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course.

The PRDEIR discusses Policy BR 1.1 on page 3.5-104:

> Notably, La Habra General Plan Policy BR 1.1 contemplates the conversion and protection of "sensitive plant species areas within the Westridge Golf Course."

4

Note that Policy BR 1.1 uses the word "conserve" but the PRDEIR changes this word to "conversion," which has the opposite meaning. The PRDEIR then nonsensically asserts that Policy BR 1.1 "contemplates the conversion and protection" of sensitive habitats. Project implementation would grade and develop most of the sensitive habitat areas on the Westridge Golf Course, rather than conserving and protecting them. Thus the proposed actions violate Policy BR 1.1 of the General Plan. The PRDEIR must (a) correct its mischaracterization, and (b) acknowledge that the proposed project would violate the General Plan's most important resource-protection policy.

PROJECT VIOLATES POLICY BR 1.8 OF THE GENERAL PLAN

Policy BR 1.8 of the City's General Plan states:

> **Tree Preservation.** Encourage the preservation of trees in existing and new development projects that are suitable nesting and roosting habitat for resident and migratory bird species.

After quoting this policy, page 3.5-104 of the PRDEIR discusses the project's plan to remove large numbers of trees:

> . . . the Project would remove all trees within the Specific Plan grading limits, including individual trees that provide nesting and roosting habitat for resident and migratory birds.

5

Figure 3-5.3 in the DEIR, reproduced on the following page of this letter, shows the large numbers of trees on the site, most of which would be removed.

Corresponding Mitigation Measure BIO-5 states:

> . . . replacement for landscaping lost during development (combination of native and non-native plantings) that will provide equivalent or better habitat suitable for bird nesting and roosting for resident and migratory birds. Replacement for habitat lost during Project development may be in the form of landscaped slopes, street trees, preservation and enhancement of conservation habitat areas, and landscaping of the Community Center, park, and trail areas.

LSA

FIGURE 3.5-3

Rancho La Habra
Tree Inventory

SOURCE: Valleycrest (2015)
I:\LEN1802\G\Overview Map.cdr (9/27/2018)

Given that Policy BR 1.8 in the General Plan calls for "preservation" of trees, not their wholesale removal and replacement, Mitigation Measure BIO-5 does not achieve the policy's basic intent. Furthermore, the mitigation measure promises that replacement trees will provide "equivalent or better habitat," but fails to define what "equivalent or better" means. Since no method exists for determining whether the measure's requirements have been satisfied, a potentially significant impact to trees would remain after mitigation. 5

PRDEIR Improperly Defers Mitigation

As discussed previously, the proposed project would impact 13.62 acres of sensitive habitats, 9.66 acres of which are deed-restricted. As the main form of mitigation for these significant impacts, the PRDEIR proposes: 6

> **Mitigation Measure BIO-1.1a**: The loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within the Project site shall be compensated through on-site or off-site establishment/restoration/enhancement and/or off-site purchase of functionally equivalent or better habitat. The determination of functional equivalency of on-site establishment/restoration/enhancement and/or off-site purchase shall be made by the California Department of Fish and Wildlife for mitigation of the loss of coastal sage scrub, riparian wood-

> land, and riparian scrub alliances within existing deed-restricted areas and by the City of La Habra for mitigation of loss of these habitats outside of existing deed-restricted areas and jurisdictional areas.

The PRDEIR does not specify any of the following basic information required to evaluate the adequacy of the mitigation proposed:

- Location(s) of the mitigation site(s).
- The number of acres of each type of plant community to be purchased, restored, and/or enhanced.
- The techniques to be used in restoration.
- The number of years required to establish restored habitats.
- The performance standards established used to determine success of restoration.
- The level of funding devoted to long-term maintenance.

6

In a literal sense, the PRDEIR provides no way for **anyone** — not even the California Department of Fish and Wildlife — to evaluate the EIR preparer's claim that the specified mitigation will reduce the project's significant impacts to special-status species and ecologically sensitive habitats to below the level of significance. In *Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural, Assoc.* (1986) 42 Cal. 3d 929, the court emphasized that the public holds a "privileged position" in the CEQA process "based on a belief that citizens can make important contributions to environmental protection and on notions of democratic decision making." If members of the public were no longer permitted to review, evaluate, and comment upon relevant parameters of the mitigation measures set forth in a Draft EIR, this would make a mockery of the public's "privileged position" in the process. By denying the public any formal avenue for evaluating evidence and making meaningful contributions, the approach set forth in the PRDEIR reduces the CEQA review process to merely a forum for registering complaints.

PRDEIR Fails to Provide Information Requested by CDFW

On page 3 of a letter dated May 11, 2018, commenting on the original DEIR for this project, the California Department of Fish and Wildlife (CDFW or Department):

> . . . conditionally agreed to consider relocation of the conserved mitigation areas (i.e., riparian areas within the deed restriction) if in-kind mitigation, at a ratio of no less that 5: 1, was provided to compensate for the loss of the mitigation lands. Since the deed restriction was a requirement of Agreement No. 5-465-94, the relocated mitigation site(s) would need to be identified, approved by the Department, and acquired (if applicable) prior to the Applicant term initiating the current deed restriction.

7

Contrary to these directions from CDFW, the PRDEIR (a) does not commit to the specified 5:1 ratio; (b) does not identify the mitigation sites; and (c) provides no indication that the Applicant has acquired the needed relocated mitigation site(s). Instead, Mitigation Measure Bio-1.1a refers to a future Habitat Mitigation and Monitoring Plan

(HMMP) and lists various topics that would be addressed therein, a vague approach that falls far short of the concrete requirements that the Department detailed in their letter of May 11, 2018. Unless and until the Department's requirements are met, and relevant details of the HMMP are disclosed for review in a CEQA document, the City will continue to lack an adequate evidentiary basis for certifying the EIR. 7

PRDEIR Must Analyze Fuel Modification Impacts

The Orange County Fire Authority (OCFA) requires that vegetation within 50-200 feet of residences be perpetually maintained in a manner that eliminates highly flammable plant species while providing "defensible space" for firefighting purposes. The PRDEIR fails to evaluate the effects of these required fuel modification actions on biological resources. Please refer to CDFW's letter of May 11, 2018, commenting on the original DEIR's lack of information about this topic:

> With respect to defensible space, the recirculated EIR should fully describe and identify the location, acreage, and composition of defensible space within the proposed project footprint. The City, through its planning processes, should ensure that defensible space is provided and accounted for within proposed development areas, and not included in Conservation Areas. Impacts to native vegetation communities to create defensible space should be treated as permanent impacts and mitigated as such. The regular disturbance associated with thinning vegetation in fuel modification zones increases the extent of non-native weedy species and has the potential to result in the spread of weedy species to Conservation Areas. Therefore, we recommend that fuel modification zones be planted and maintained with native vegetation that is on Orange County Fire Authority's list of approved species for fuel modification zones[1] and that maintenance be restricted to removing non-native species and species that pose an unacceptable fire risk.

8

These comments remain valid with respect to the PRDEIR. The use of native plants in required fuel modification represents a feasible mitigation measure that would contribute toward minimizing the project's significant adverse effects upon biological resources. This includes mitigating the project's contribution to cumulative adverse effects that would, as discussed subsequently, remain significant after mitigation. In compliance with CEQA, the EIR should specify that, in fuel modification zones adjacent to natural/restored open space, the project proponent shall use only locally native, OCFA-approved plant species.

[1] https://www.ocfa.org/Uploads/CommunityRiskReduction/OCFA%20Guide-C05-Fuel%20Modification.pdf

PRDEIR Must Accurately Depict and Describe Open-Space Uses

As summarized on page 2-23, the proposed 9.66-acre on-site habitat conservation area is placed within the 42.13-acre Planning Area 6:

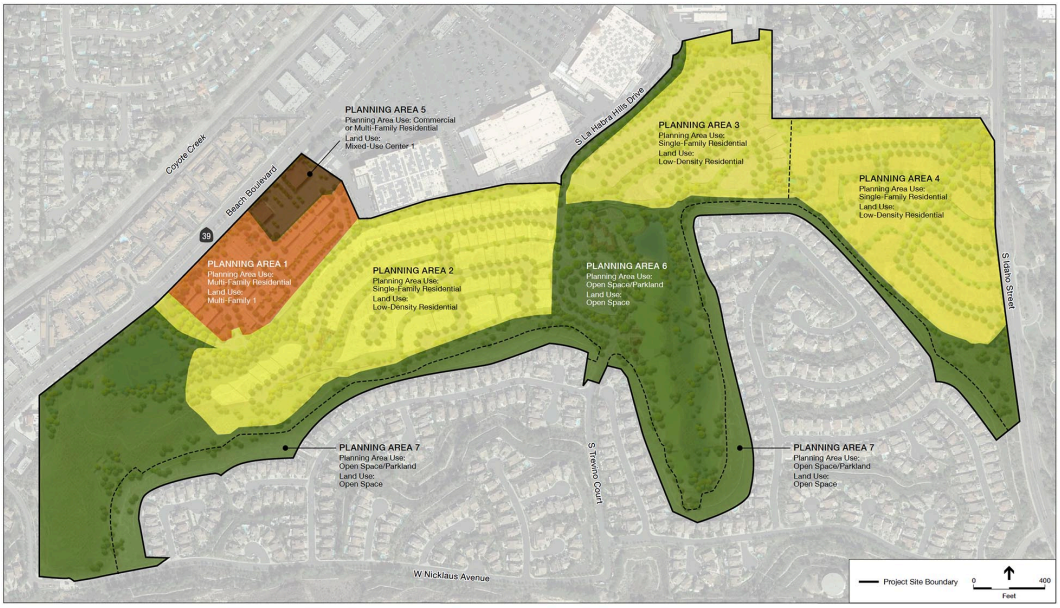
- Public Community Center – 3.30 acres
  - Approximately 22,500 square feet of building area providing indoor banquet, dining, kitchen, meeting, and office facilities in the existing Westridge Golf Club clubhouse, which is proposed to be converted to a public community center
  - Outdoor banquet, dining, and gathering space
  - Play areas, open turf
  - Event lawn
  - Parking for daily use and special events
- Public Park and Picnic Area – 12.79 acres
  - A southerly extension of the Community Center and Park facility
  - Terraced multi-purpose play areas
  - Picnic areas, including benches and tables, with shade trees and views of the San Gabriel Mountains
- Public Linear Park – 12.77 acres
  - 2.6 miles of trails proposed to traverse throughout the community, with connections to Idaho Street and Beach Boulevard
  - Benches, shade trees, viewing overlooks, and exercise equipment
- Conservation Area – 9.86 acres
  - Preservation, restoration and enhancement of locally rare native coastal sage habitat

9

Confusingly, page ES-2 states, "Design Review for Planning Areas 1-4 and 6. Design review for Planning Area 6 is anticipated as a future application." This appears to be the PRDEIR's only indication that design review of Planning Area 6 would be deferred to a future application. Please clarify.

The acreages specified above show that less than a quarter of Planning Area 6 (23%) would be set aside for ecological conservation purposes, with the rest devoted to typical human parkland uses. Nevertheless, by grouping the conservation area together with areas that would be devoted to buildings, play areas, turf, and other non-conservation land uses, the PRDEIR's figures give a misleading impression that more of the site would be devoted to conservation than is actually the case. See, for example, Figures ES-2 and 3.5-14, reproduced together on the following page of this letter.

10

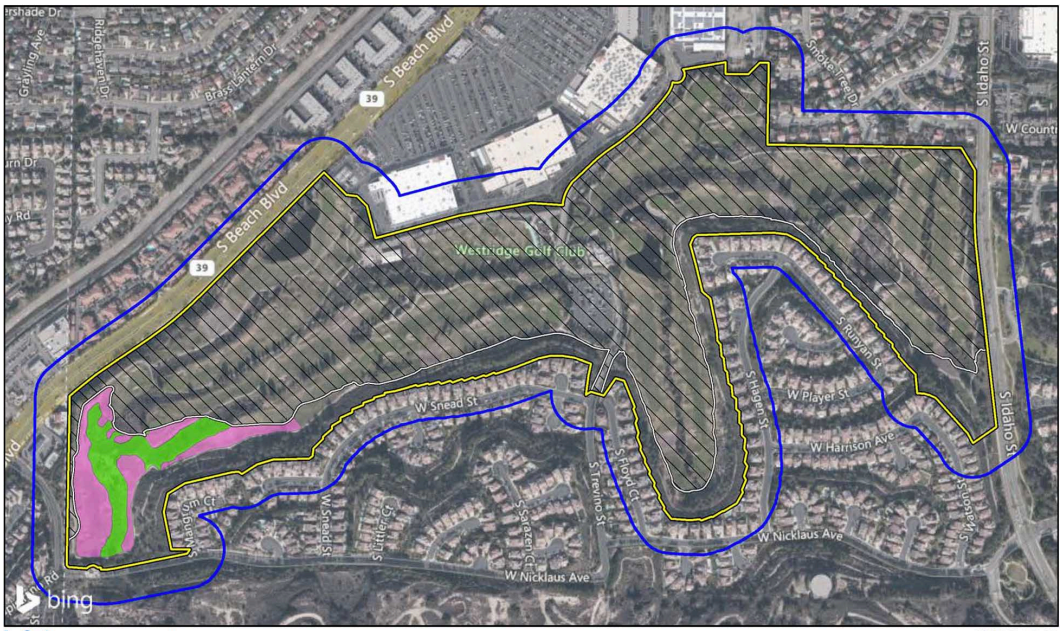


RANCHO LA HABRA SPECIFIC PLAN EIR

Figure ES-2: Proposed Land Use

Source: Google Earth Pro; Carlson SLS; BrightView Design Group

Figure ES-2, above, lumps the conservation area that accounts for only 23% of Planning Area 6 with non-conservation-related "open space" uses in Planning Areas 6 and 7. Figure 3.5-14, below more accurately shows that only a small area in the southwestern corner of the project site would actually be set aside for conservation purposes. 10



LSA

FIGURE 3.5-14

LEGEND

Project Boundary
Study Area
Grading Footprint

Post-Construction Habitat

Preservation (4.05 acres)
Restoration (5.81 acres)

0 300 600
FEET

SOURCE: Bing (2014); Glenn Lukos Associates (8/2019)

I:\LEN1802\GIS\MXD\PostConstructionHabitat.mxd (9/18/2019)

Rancho La Habra

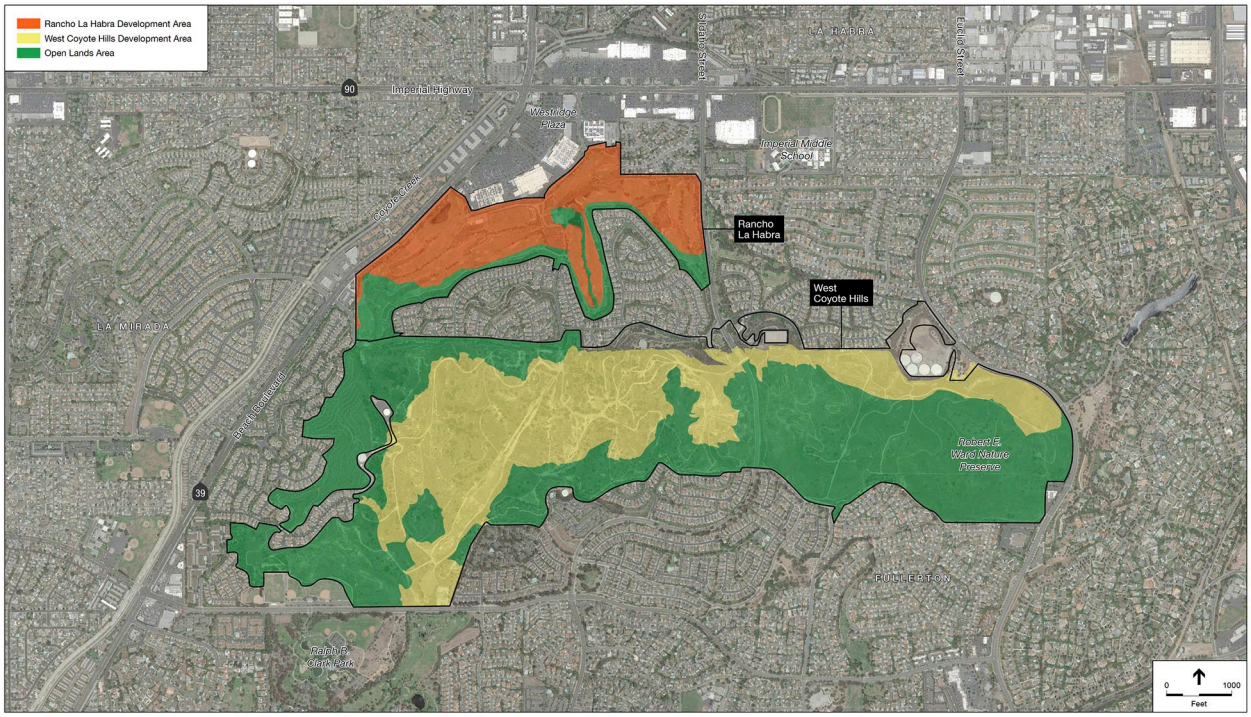
Post-Construction Habitat

By misleadingly depicting the limited conservation area together with other forms of open space, the PRDEIR makes the proposed project appear superficially less destructive to sensitive natural resources than it actually would be.

Policy BR 1.1 of the General Plan prioritizes the conservation and protection of "wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course." Contravening this policy, the PRDER proposes to remove all of the sensitive habitat areas on the site. Furthermore, the PRDEIR proposes only minimal on-site biological mitigation "to the extent practicable considering the other competing project objectives" (PRDEIR at page ES-5). This cavalier approach violates the General Plan and fails to adequately recognize the ecological value of deed-restricted areas that were intended to be preserved in perpetuity for habitat conservation purposes. 10

Faulty Analysis of Cumulative Impacts

Unlike the original DEIR, the PRDEIR makes some effort to analyze the cumulative effects of the proposed project. It does so, in part, through Figure 6.3, reproduced below. Note, however, that this figure, like others in the PRDEIR, does not accurately depict the on-site conservation area. As shown on Figure 3.5-14 (reproduced on the previous page), only 9.66 acres in the southwestern corner of the Rancho La Habra Specific Plan project site would be set aside for conservation purposes. 11

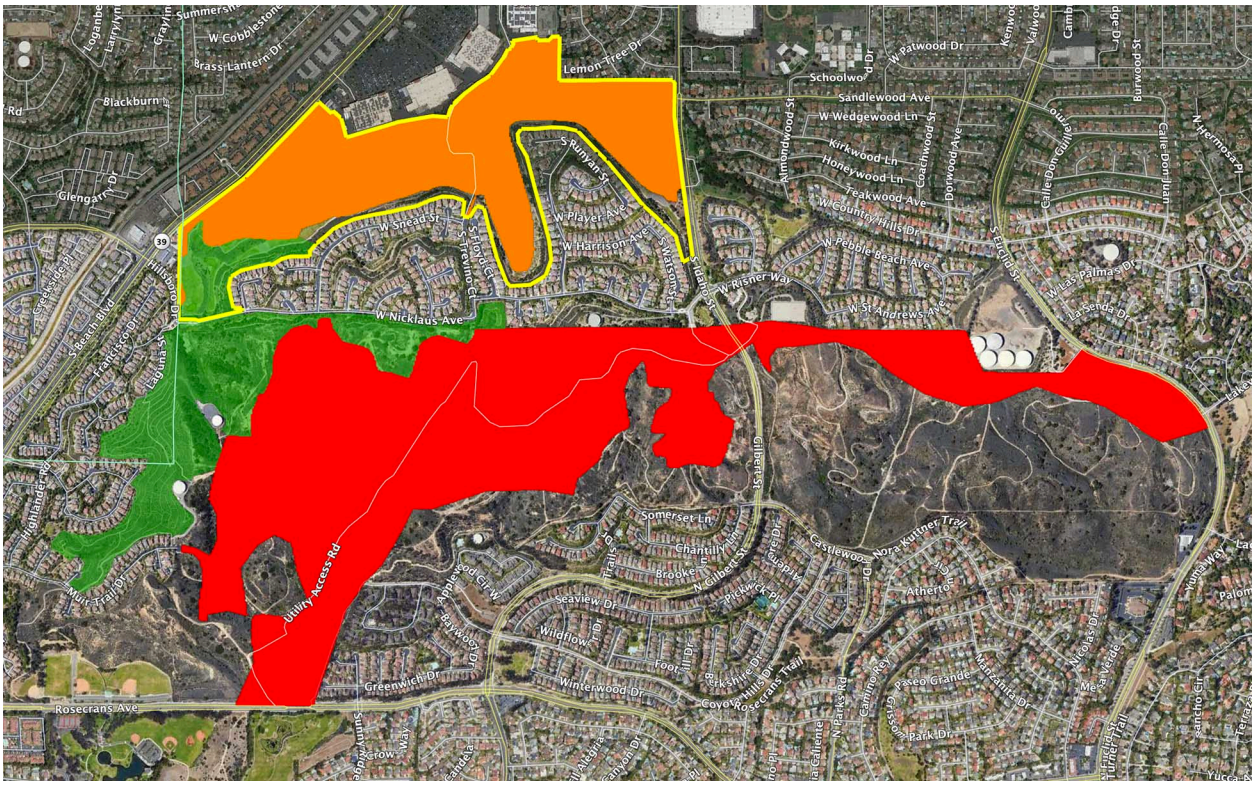


RANCHO LA HABRA SPECIFIC PLAN EIR

Figure 6-3: Rancho La Habra and West Coyote Hills Post-Development Cumulative Setting

Source: Hamilton Biological, Walden & Associates, Google Earth Pro

The exhibit below shows the on-site natural open space (post-project) together with the adjacent natural open space on the Hawks Pointe site (to the southwest) and the West Coyote Hills Specific Plan Area (to the south and southeast), with the area already approved for development on the West Coyote Hills site shown in red screen.



Taken together, the Rancho La Habra Specific Plan site, the unbuilt portion of the Hawks Pointe property to the southeast, and the West Coyote Hills Specific Plan project site, comprise approximately 849 acres of largely "unbuilt" open space. Following construction of the approved West Coyote Hills project (red screen) and the proposed Rancho La Habra Specific Plan project (orange screen), approximately 94 acres of natural/naturalized habitat would remain in the area where these three properties adjoin each other (green screen). Additional limited fragments of open space would remain west and east of the West Coyote Hills development. 12

The theory of insular biogeography (MacArthur and Wilson 1967) proposes that, for biogeographical purposes, an insular environment or "island" is any area of habitat suitable for a specific ecosystem, surrounded by an expanse of unsuitable habitat. The number of species found on such an island, absent any consideration of disturbance, is determined by immigration and extinction. Immigration and emigration are affected by the distance of an island from a source of colonists. The rate of extinction on the island is related to the island's size. Larger islands typically support larger patches of habitats, reducing the potential for extinction due to chance events. Larger islands may also have greater habitat heterogeneity, increasing the number of species that can survive there. 13

For biogeographical purposes, fragments of habitat surrounded by development function as "islands," and in southern California such areas have been studied to evaluate wildlife population dynamics in these areas. Special-status species, such as the federally

threatened Coastal California Gnatcatcher (*Polioptila californica californica*), are generally at increased risk of extirpation from habitat fragments because the specialized vegetative structures and/or interspecific relationships on which they depend are more vulnerable to disruption in these areas (Vaughan 2010). In studies of the coastal sage scrub and chaparral systems of coastal southern California, fragment area and age (time since isolation) were the most important landscape predictors of the distribution and abundance of native plants (Soulé et al. 1992), scrub-breeding birds (Soulé et al. 1988; Crooks et al. 2001), native rodents (Bolger et al. 1997b), and invertebrates (Suarez et al. 1998; Bolger et al. 2000). Edge effects and habitat fragmentation are among the principal threats to persistence of biological diversity (Soulé 1991).

Fragmentation increases the amount of development edge per unit land area, and species that are sensitive to "edge effects" (discussed subsequently in this comment letter) can experience reduced effective area of suitable habitat (Temple and Cary 1988). This can lead to increased probability of extirpation/extinction in fragmented landscapes (Woodroffe and Ginsberg 1998). For example, within fragmented coastal sage scrub ecosystems the diversity of native bees (Hung et al. 2015) and native rodents (Bolger et al. 1997b) is lower, and decomposition and nutrient cycling are significantly reduced (Treseder and McGuire 2009), compared with larger core reserves.

Similarly, habitat fragmentation and alterations of sage scrub habitats likely have reduced both the genetic connectivity and diversity of coastal-slope populations of the Cactus Wren in southern California (Barr et al. 2015). Both Bell's Sparrows (*Artemisiospiza belli)* and California Thrashers (*Toxostoma redivivum*) show strong evidence of direct, negative behavioral responses to edges in coastal sage scrub; that is, they are edge-averse (Kristan et al. 2003), and California Thrashers and California Quail (*Callipepla californica)* were found to be more vulnerable to extirpation with smaller fragment size of the habitat patch (Bolger et al. 1991), demonstrating that both behavioral and demographic parameters can be involved. 13

Other species in coastal sage scrub ecosystems, particularly the Cactus Wren and likely the Coastal California Gnatcatcher and San Diego pocket mouse (*Chaetodipus fallax*), appear to be vulnerable to fragmentation, but for these species the mechanism is probably associated only with extirpation vulnerability from habitat degradation and isolation rather than aversion to the habitat edge (Kristan et al. 2003). Bolger (et al. 1997b) found that San Diego coastal sage scrub and chaparral canyon fragments under 60 acres that had been isolated for at least 30 years support very few populations of native rodents, and they suggested that fragments larger than 200 acres in size are needed to sustain native rodent species populations.

Urbanization typically includes residential, commercial, industrial, and road-related development (i.e., the "built" environment). At the perimeter of the built environment is an area known as the urban/wildland interface, or "development edge." In ecology, "edges" are places where natural communities interface, vegetation or ecological conditions within natural communities interact (Noss 1983), or patches with differing quali-

ties abut one another (Ries and Sisk 2004). "Edge effects" are spillover effects from the adjacent human-modified matrix that cause physical gradients in light, moisture, noise, etc. (Camargo and Kapos 1995; Murcia 1995, Sisk et al. 1997) and/or changes in biotic factors such as predator communities, density of human-adapted species, and food availability (Soulé et al. 1988; Matlack 1994; Murcia 1995; Ries and Sisk 2004). Edge-related impacts may include:

- Introduction/expansion of invasive exotic vegetation carried in from vehicles, people, animals or spread from backyards or fuel modification zones adjacent to wildlands.
- Higher frequency and/or severity of fire as compared to natural fire cycles or intensities. 13
- Companion animals (pets) that often act as predators of, and/or competitors with, native wildlife.
- Creation and use of trails that often significantly degrade the reserve ecosystems through such changes as increases in vegetation damage and noise, such that even hikers and bikers who stay on trails can prevent sensitive wildlife species from successfully occupying and/or reproducing in otherwise suitable habitat areas (Hammitt et al. 2015).
- Introduction of or increased use by exotic animals which compete with or prey on native animals.
- Influence on earth systems and ecosystem processes, such as solar radiation, soil richness and erosion, wind damage, hydrologic cycle, and water pollution that can affect the natural environment.

Any of these impacts, individually or in combination, can result in the effective loss or substantial degradation of habitats used for foraging, breeding or resting, with concomitant adverse effects on population demographic rates of sensitive species.

The Rancho La Habra site currently represents approximately 150 acres of an 849-acre "island" of natural and quasi-natural open space surrounded by developed areas. The rest of this "island" consists of the preserved portion of the Hawks Pointe site and the West Coyote Hills Specific Plan site. After build-out of the approved West Coyote Hills project and the proposed Rancho La Habra Specific Plan project, the Rancho La Habra site would represent approximately 16 acres of natural and quasi-natural open space out of a much smaller "island" covering only 94 acres. These are **89% reductions** in both the overall size of the "island" and the amount of natural and quasi-natural open space on the Rancho La Habra site. Of the 16 acres that would remain on the Rancho La Habra project site, only 9.66 acres would be specifically conserved as natural habitat. 14

The published research discussed previously predicts that, by greatly reducing the size of the island of open space and increasing the intensity of "edge effects" on the remaining habitat areas, the proposed actions would increase the rate of extirpation of relative- 15

ly sedentary, scrub-dependent bird species, such as the federally listed Coastal California Gnatcatcher, which are not well-suited to moving into and out of the "island" through developed areas. Instead of describing and evaluating these cumulative impacts, however, page 6-15 of the PRDEIR provides only the following superficial and unsubstantiated "analysis":

> Consolidation of habitat areas through restoration and enhancement of CSS in the western portion of the Project site adjacent to the interface with West Coyote Hills would have a positive benefit to special status avian species that utilize CSS habitat and move between the Rancho La Habra and West Coyote Hills habitats.

The suggestion that "consolidation of habitat areas" into 9.66 acres of conserved habitat in the southwestern corner of the project site, within a fragment of open space measuring less than 100 acres, "would have a positive benefit to special status avian species" flies in the face of a large volume of peer-reviewed research, summarized in the preceding paragraphs, indicating that such small fragments of habitat have substantially **reduced** potential to support viable populations of sedentary special-status bird species, such as the Coastal California Gnatcatcher. As such, the optimistic claim of a "positive benefit" resulting from the proposed actions lacks any foundation in the peer-reviewed, published research. 15

Page 6-15 of the PRDEIR continues:

> In addition, offsite purchase of existing CSS and riparian habitats that could include restoration or enhancement such that the Project would result in provision of functionally equivalent or better habitat as determined by CDFW in consultation with USFWS, USACE and RWQCB and would ensure that the Project's contribution to cumulative impacts is mitigated. Thus, the Project's contribution to a significant cumulative impact on special status species and coastal sage scrub habitats would not be cumulatively considerable.

This discussion could be relevant, but only if the off-site purchase area (a) was located in the West Coyote Hills, and (b) was of sufficient magnitude to substantially affect the overall cumulative impact analysis. Although the possibility of some form of off-site purchase in the West Coyote Hills is mentioned on page 3.5-87 of the PRDEIR, the document offers no indication that a purchase will actually take place. If such a purchase were to be made, the PRDEIR provides no indication of the magnitude of the purchase or its location within the existing open space matrix. Thus, the PRDEIR's analysis is much too vague and inconclusive to serve as evidence for its finding that implementing the proposed project, together with the West Coyote Hills project, would not result in cumulatively significant impacts to biological resources. Therefore, an unacknowledged significant impact would remain after mitigation. 16

Alternatives Analysis Lacks Figures, Specificity

Hamilton Biological's review of the 2018 DEIR noted that Chapter 7, Alternatives, failed to provide any figures depicting project alternatives, or any tables indicating differences in sensitive habitats that would be impacted by different project configurations. Since 17

this made evaluation of the DEIR's alternative analysis effectively impossible, I made the following request:

> The revised DEIR should provide figures showing each of the alternatives considered in the DEIR, so that the public and decision-makers can properly evaluate the different alternatives.

17

In their DEIR comment letter of May 11, 2018, the California Department of Fish and Wildlife (Department) made the same request on page 7:

> Without figures it is not possible for the Department to evaluate where and what type of habitat (including habitat currently under the deed restriction) would be impacted by these proposals. The recirculated EIR therefore should provide figures of the project alternatives.

Since the PRDEIR does not provide the required and requested figures, the PRDEIR is deficient as a CEQA document.

Conclusion

As detailed in this letter, impact analysis in the PRDEIR for the Rancho La Habra Specific Plan fails to acknowledge various important impacts to sensitive biological resources, and its mitigation measures are so vague that they cannot be evaluated at all. 18

The proposed on-site conservation area that the DEIR sets forth as a potential mitigation site would not only be subject to severe edge effects, but would occur within a very small "island" of natural and quasi-natural open space after the planned build-out of the West Coyote Hills Specific Plan. The DEIR fails to acknowledge the generally low viability of sensitive wildlife populations in such small, edge-impacted habitat fragments. 19

The DEIR's most important mitigation measures, addressing the proposed loss of large areas of sensitive habitats that were placed under conservation easements and deed-restrictions, lack necessary specificity. The measures are too vague to allow the public and decision-makers to evaluate whether they would effectively address the project's potentially significant impacts — or whether they could, or should, be implemented at all. 20

The alternatives analysis in the PRDEIR, like that in the DEIR, fails to provide figures depicting conceptual development footprints of the various alternatives. In this way, as well, the CEQA document deprives the public and decision-makers of any opportunity to make a good-faith, reasoned analysis of the different potential projects that the City has evaluated in the specific plan area. 21

Since the inadequacies in this partially recirculated CEQA document prevent the public from performing its vital review role, I recommend that its deficiencies be remedied and that an adequate DEIR be prepared and again recirculated for public review. 22

I appreciate the opportunity to evaluate the CEQA documentation for this important project. Please call me at 562-477-2181 if you have questions or wish to further discuss any matters; you may send e-mail to robb@hamiltonbiological.com.

Sincerely,

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

Attachments: Literature Cited
Curriculum Vitae

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Robert A. Hamilton

President, Hamilton Biological, Inc.

Expertise

Endangered Species Surveys
General Biological Surveys
CEQA Analysis
Population Monitoring
Vegetation Mapping
Construction Monitoring
Noise Monitoring
Open Space Planning
Natural Lands Management

Education

1988. Bachelor of Science degree in Biological Sciences, University of California, Irvine

Professional Experience

1994 to Present. Independent Biological Consultant, Hamilton Biological, Inc.

1988 to 1994. Biologist, LSA Associates, Inc.

Permits

Federal Permit No. TE-799557 to survey for the Coastal California Gnatcatcher and Southwestern Willow Flycatcher

MOUs with the California Dept. of Fish and Game to survey for Coastal California Gnatcatcher, Southwestern Willow Flycatcher, and Coastal Cactus Wren.

California Scientific Collecting Permit No. SC-001107

Robert A. Hamilton has been providing biological consulting services in southern California since 1988. He spent the formative years of his career at the firm of LSA Associates in Irvine, where he was a staff biologist and project manager. He has worked as an independent and on-call consultant since 1994, incorporating his business as Hamilton Biological, Inc., in 2009. The consultancy specializes in the practical application of environmental policies and regulations to land management and land use decisions in southern California.

A recognized authority on the status, distribution, and identification of birds in California, Mr. Hamilton is the lead author of two standard references describing aspects of the state's avifauna: *The Birds of Orange County: Status & Distribution* and *Rare Birds of California.* Mr. Hamilton has also conducted extensive studies in Baja California, and for seven years edited the Baja California Peninsula regional reports for the journal *North American Birds*. He served ten years on the editorial board of *Western Birds* and regularly publishes in peer-reviewed journals. He is a founding member of the Coastal Cactus Wren Working Group and in 2011 updated the Cactus Wren species account for *The Birds of North America Online*. Mr. Hamilton's expertise includes vegetation mapping. From 2007 to 2010 he worked as an on-call biological analyst for the County of Los Angeles Department of Regional Planning. From 2010 to present he has conducted construction monitoring and focused surveys for special-status bird species on the Tehachapi Renewable Transmission Project (TRTP). He is a former member of the Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC).

Mr. Hamilton conducts general and focused biological surveys of small and large properties as necessary to obtain various local, state, and federal permits, agreements, and clearances. He also conducts landscape-level surveys needed by land managers to monitor songbird populations. Mr. Hamilton holds the federal and state permits and MOUs listed to the left, and he is recognized by federal and state resource agencies as being highly qualified to survey for the Least Bell's Vireo. He also provides nest-monitoring services in compliance with the federal Migratory Bird Treaty Act and California Fish & Game Code Sections 3503, 3503.5 and 3513.

Board Memberships, Advisory Positions, Etc.

Friends of Colorado Lagoon, Board Member (2014–present)

Coastal Cactus Wren Working Group (2008–present)

Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC) (2010–2014)

American Birding Association: Baja Calif. Peninsula Regional Editor, North American Birds (2000–2006)

Western Field Ornithologists: Associate Editor of Western Birds (1999–2008)

California Bird Records Committee (1998–2001)

Nature Reserve of Orange County: Technical Advisory Committee (1996–2001)

California Native Plant Society, Orange County Chapter: Conservation Chair (1992–2003)

Professional Affiliations

American Ornithologists' Union

Cooper Ornithological Society

Institute for Bird Populations

California Native Plant Society

Southern California Academy of Sciences

Western Foundation of Vertebrate Zoology

Mr. Hamilton is an expert photographer, and typically provides photo-documentation and/or video documentation as part of his services.

Drawing upon a robust, multi-disciplinary understanding of the natural history and ecology of his home region, Mr. Hamilton works with private and public land owners, as well as governmental agencies and interested third parties, to apply the local, state, and federal land use policies and regulations applicable to each particular situation. Mr. Hamilton has amassed extensive experience in the preparation and independent review of CEQA documents, from relatively simple Negative Declarations to complex supplemental and recirculated Environmental Impact Reports. In addition to his knowledge of CEQA and its Guidelines, Mr. Hamilton understands how each Lead Agency brings its own interpretive variations to the CEQA review process.

Representative Project Experience

From 2008 to present, Mr. Hamilton has served as the main biological consultant for the Banning Ranch Conservancy, a local citizens' group that successfully defeated efforts to implement a large proposed residential and commercial project on the 400-acre Banning Ranch property in Newport Beach. Mr. Hamilton reviewed, analyzed, and responded to numerous biological reports prepared by the project proponent, and testified at multiple public hearings of the California Coastal Commission. In September 2016, the Commission denied the application for a Coastal Development Permit for the project, citing, in part, Mr. Hamilton's analysis of biological issues. In March 2017, the California Supreme Court issued a unanimous opinion (*Banning Ranch Conservancy v. City of Newport Beach*) holding that the EIR prepared by the City of Newport Beach improperly failed to identify areas of the site that might qualify as "environmentally sensitive habitat areas" under the California Coastal Act. In nullifying the certification of the EIR, the Court found that the City "ignored its obligation to integrate CEQA review with the requirements of the Coastal Act."

Insurance

$3,000,000 professional liability policy (Hanover Insurance Group)

$2,000,000 general liability policy (The Hartford)

$1,000,000 auto liability policy (State Farm)

Other Relevant Experience

Field Ornithologist, San Diego Natural History Museum Scientific Collecting Expedition to Central and Southern Baja California, October/November 1997 and November 2003.

Field Ornithologist, Island Conservation and Ecology Group Expedition to the Tres Marías Islands, Nayarit, Mexico, 23 January to 8 February 2002.

Field Ornithologist, Algalita Marine Research Foundation neustonic plastic research voyages in the Pacific Ocean, 15 August to 4 September 1999 and 14 to 28 July 2000.

Field Assistant, Bird Banding Study, Río Ñambí Reserve, Colombia, January to March 1997.

References

Provided upon request.

In 2014/2015, on behalf of Audubon California, Mr. Hamilton collaborated with Dan Cooper on *A Conservation Vision for the Los Cerritos Wetlands, Los Angeles County/Orange County, California*. The goals of this comprehensive review of ongoing conceptual restoration planning by the Los Cerritos Wetlands Authority were (a) to review the conceptual planning and the restoration work that had been completed to date, and (b) to set forth additional conservation priorities for the more intensive phases of restoration that were being contemplated.

From 2012 to 2014, Mr. Hamilton collaborated with Dan Cooper on *A Conservation Analysis for the Santa Monica Mountains "Coastal Zone" in Los Angeles County*, and worked with Mr. Cooper and the County of Los Angeles to secure a certified Local Coastal Program (LCP) for 52,000 acres of unincorporated County lands in the Santa Monica Mountains coastal zone. The work involved synthesizing large volumes of existing baseline information on the biological resources of the study area, evaluating existing land use policies, and developing new policies and guidelines for future development within this large, ecologically sensitive area. A coalition of environmental organizations headed by the Surfrider Foundation selected this project as the "Best 2014 California Coastal Commission Vote" (http://www.surfrider.org/images/uploads/2014CCC_Vote_Chart_FINAL.pdf).

In 2010, under contract to CAA Planning, Mr. Hamilton served as principal author of the *Conservation & Management Plan for Marina del Rey, Los Angeles County, California*. This comprehensive planning document has two overarching goals: (1) to promote the long-term conservation of all native species that exist in, or that may be expected to return to, Marina del Rey, and (2) to diminish the potential for conflicts between wildlife populations and both existing and planned human uses of Marina del Rey (to the benefit of humans and wildlife alike). After peer-review, the Plan was accepted by the Coastal Commission as an appropriate response to the varied challenges posed by colonial waterbirds and other biologically sensitive resources colonizing urban areas once thought to have little resource conservation value.

Contact Information

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Third Party Review of CEQA Documents

Under contract to cities, conservation groups, homeowners' associations, etc., Mr. Hamilton has reviewed EIRs and other project documentation for the following projects:

- Otay Village 13 (residential, County of San Diego)
- Otay Village 14, Planning Areas 16/19 (residential, County of San Diego)
- Western Snowy Plover Management Plan (resource management, City of Newport Beach)
- Sanderling Waldorf School (commercial, City of Encinitas)
- Open Space and Conservation Element, Diamond Bar General Plan (open space planning, City of Diamond Bar)
- UC San Diego Long-range Development Plan (institutional, UC Regents)
- El Monte Sand Mining Project (resource extraction, County of San Diego)
- Faria/Southwest Hills Annexation Project (residential, City of Pittsburg)
- Los Cerritos Oil Consolidation/Wetland Restoration Project (resource extraction/habitat restoration, City of Long Beach)
- Safari Highlands Ranch (residential, City of Escondido)
- Newland Sierra (residential, County of San Diego)
- Harmony Grove Village South (residential, County of San Diego)
- Vegetation Treatment Program (statewide fire management plan, California Department of Forestry and Fire Protection)
- Watermark Del Mar Specific Plan (residential, City of Del Mar)
- Newport Banning Ranch (residential/commercial, City of Newport Beach)
- Davidon/Scott Ranch (residential, City of Petaluma)
- Mission Trails Regional Park Master Plan Update (open space planning, City of San Diego)
- Esperanza Hills (residential, County of Orange)
- Warner Ranch (residential, County of San Diego)
- Dog Beach, Santa Ana River Mouth (open space planning, County of Orange)
- Gordon Mull subdivision (residential, City of Glendora)
- The Ranch at Laguna Beach (resort, City of Laguna Beach)
- Sunset Ridge Park (city park, City of Newport Beach)
- The Ranch Plan (residential/commercial, County of Orange)
- Southern Orange County Transportation Infrastructure Improvement Project (Foothill South Toll Road, County of Orange)
- Gregory Canyon Landfill Restoration Plan (proposed mitigation, County of San Diego)
- Montebello Hills Specific Plan EIR (residential, City of Montebello; 2009 and 2014 circulations)
- Cabrillo Mobile Home Park Violations (illegal wetland filling, City of Huntington Beach)
- Newport Hyatt Regency (timeshare conversion project, City of Newport Beach)
- Lower San Diego Creek "Emergency Repair Project" (flood control, County of Orange)
- Tonner Hills (residential, City of Brea)
- The Bridges at Santa Fe Units 6 and 7 (residential, County of San Diego)
- Villages of La Costa Master Plan (residential/commercial, City of Carlsbad)
- Whispering Hills (residential, City of San Juan Capistrano)
- Santiago Hills II (residential/commercial, City of Orange)
- Rancho Potrero Leadership Academy (youth detention facility/road, County of Orange)
- Saddle Creek/Saddle Crest (residential, County of Orange)
- Frank G. Bonelli Regional County Park Master Plan (County of Los Angeles)

2. Response to Comments from Hamilton Biological (1-16-2020)

HAMILTON-1 This comment provides an introduction to the Hamilton letter, describes Mr. Hamilton's purpose in reviewing the Partially Recirculated Draft EIR, and identifies the documents used in that review. This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

HAMILTON-2 This comment provides factual background material from Section 3.5, *Biological Resources*, of the Partially Recirculated Draft EIR and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

HAMILTON-3 Comment HAMILTON-3 asserts that mitigation should be required for "replacement of all 11.43 acres that had been required to be set aside as deed-restricted mitigation, along with any other non-deed-restricted area of sensitive habitat that would be impacted." As stated by the California Department of Fish and Wildlife (CDFW) in Comment CDFW-4, Lake and Streambed Agreement No. 5-465-94 was issued to Pacific Coast Homes in 1995 for:

> *impacts to three tributaries to Coyote Creek associated with Phase II of the La Habra Hills Specific Plan Project. Specifically, the project impacted 4.55 acres of mulefat scrub interspersed with other riparian and exotic species on the project site. To mitigate for the loss of 4.55 acres of riparian habitat, Agreement No. 5-465-94 required compensatory mitigation at a 2: 1 ratio, including creation of 9.1 acres of new habitat within and around the drainage courses on the site. Condition 11 of the Agreement required that either a wildlife conservation easement or deed restriction be recorded on the property to protect the fish and wildlife resources of the newly created mitigation sites in perpetuity. To fulfill this requirement, a deed restriction was recorded on November 25, 2009, over an 11.43-acre portion of the property, which included 9.1 acres of riparian habitat (3.52 acres of southern willow scrub, 1.40 acres of mulefat scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water) and 2.27 acres of coastal sage scrub.*

As stated in Response to Comment CDFW-7, the City of La Habra concurs with CDFW that the proposed Rancho La Habra Specific Plan would result in three distinct impacts, each of which require mitigation:

- Loss of mitigation for impacts to 4.55 acres of mulefat scrub that occurred during the original construction of the golf course.

  Such mitigation was previously provided in the form of deed restrictions on 11.43 acres in satisfaction of Conditions of Approval 5 and 11 of California Fish and Game Code Section 1603, Streambed Alteration Agreement ("Agreement Regarding Proposed Stream or Lake Alteration" No. 5-465-94) "to protect fish and wildlife in perpetuity." The location of these deed-restricted areas is shown in Partially Recirculated Draft EIR Figure 3.5-1. Existing vegetation and habitat types within on-site deed-restricted areas are shown in Partially Recirculated Draft EIR Figure 3.5-2.

- The Project would directly remove approximately 13.62 acres of existing vegetation included within the habitat alliances identified in Partially Recirculated Draft EIR Table 3.5-9, of which approximately 9.66 acres are located within CDFW deed-restricted areas.

- Impacts on 3.77 acres of jurisdictional waters of the United States and waters of the State identified in Partially Recirculated Draft EIR Table 3.5-10 are shown in Figures 3.5-9 through 3.5-12.

See revisions to biological resources mitigation measures, mitigation monitoring provisions, and conclusions following Response to Comment CDFW-17.

HAMILTON-4 General Plan Policy BR 1.1 reads in full as follows: "Biological Resource Protection. Conserve and protect wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course."

The Partially Recirculated Draft EIR did not determine any inconsistency with General Plan Policy BR 1.1 since the Project provides for natural resource conservation by retaining some of the existing habitat areas in place, relocating and enhancing others, and providing additional habitat off-site such that any loss of sensitive habitat on-site is compensated through on-site or off-site establishment/restoration/ enhancement and/or off-site purchase of functionally equivalent or better habitat.

In addition, Draft EIR Table 3.2-2 concludes that the Project is consistent with General Plan Policy BR 1.1, stating: "With the removal of the golf course, the proposed project provides for natural resource conservation by retaining some of the existing habitat areas in place, relocating and enhancing others and providing additional habitat off-site."

To correct the typographical error that Comment HAMILTON-1 erroneously attempts to build a narrative around, the second paragraph on page 3.5-104 of the Partially Recirculated Draft EIR is revised to read as follows:

> Notably, La Habra General Plan Policy BR 1.1 contemplates the ~~conversion~~ conservation and protection of "sensitive plant species areas within the Westridge Golf Course." Impacts on sensitive plant species within the Westridge Golf Course are addressed in Impacts BIO-1.1 and BIO-1.2, above.

HAMILTON-5 General Plan Policy BR 1.8 *encourages*, but does not *require*, preservation of those trees that are "suitable nesting and roosting habitat for resident and migratory bird species." Comment HAMILTON-5 does not acknowledge that the EIR determined that the proposed removal of trees providing nesting and roosting habitat would, in fact, conflict with General Plan Policy BR 1-8, that the EIR concludes that the Specific Plan would be inconsistent with this policy, that a significant impact would result (Impact BIO-5), and that specific mitigation for this inconsistency is required (Mitigation Measure BIO-5).

Mitigation Measure BIO-5 provides for replacement of landscaping lost during site development that would provide equivalent or better habitat suitable for bird nesting and roosting. See Response to Comment HAMILTON-6 for discussion of "functionally equivalent or better habitat." Compared to the habitat that would be removed during site grading, the habitat required by this mitigation measure would provide equivalent or better habitat suitable for bird nesting and roosting. The Partially Recirculated Draft EIR therefore concludes that the Project would be consistent with General Plan policies and goals with implementation of required mitigation. In addition, removal of trees within the grading footprint during nesting bird season would adversely affect nesting birds. However, Mitigation Measure BIO-1.1b prohibits removal of trees with an active nest and establishes a protective buffer area around such trees until after the nest becomes inactive.

The Project biologist has reviewed the landscape plan implementing Mitigation Measure BIO-5 and prepared a Memorandum dated February 24, 2020[7] that addresses the biological functions of the replacement plantings. As noted in the Memorandum, the Plant Palette and Detailed Landscape Plans include a substantial component of native trees and scrubs mixed with

[7] Glenn Lukos Associates, Review of Rancho La Habra Specific Plan Community Planting Plans, February 24, 2020.

ornamental species and, when compared with the predominately non-native ornamental vegetation currently associated with the golf course, there would be an increase of native vegetation within the development areas, adjacent slopes, parks, and trails such that potential avian roosting and nesting would be maintained and enhanced in the post-Project condition.

It is also important to note that existing non-native ornamental trees within the golf course are heavily maintained and as such exhibit limited value for wildlife and specifically avifauna. Avifauna that would use the ornamental vegetation include common urban-adapted species and/or non-native species such as European starlings. Replacement of the non-native ornamental trees with native trees as set forth in the Memorandum dated February 24, 2020 presented on the following page, would result in an increase in the function of the urban forest that would be established as a component of the Project.

Specifically, many of the native avifauna that use or could potentially use the site prefer native trees over non-natives because these species have adapted to the native trees and associated food sources (acorns, insect fauna, etc.) over millennia. Thus, increasing the habitat value for certain native species would have higher habitat value; for example, adding oak trees would invite such native birds as the acorn woodpecker or oak titmouse that would not otherwise use the site. For more generalist avifauna such as northern mockingbird or house finch, the native trees would also provide increased function due to the associated insect fauna with which these species have become adapted.

With implementation of Mitigation Measures BIO-1.1b and BIO-5, any potential impacts associated with the loss of trees would be reduced to less than significant.

HAMILTON-6 Comment HAMILTON-6 is incorrect in its assertion that biological resources mitigation is improperly deferred. EIR Mitigation Measures BIO-1.1a, BIO-1.2, and BIO-2c require compensation for loss of previously provided mitigation and loss of existing habitats within the Project site through provision of "functionally equivalent or better habitat" for three distinct impacts:

- Loss of mitigation for the loss of 4.55 acres of mulefat scrub that occurred during the original construction of the golf course.

MEMORANDUM

GLENN LUKOS ASSOCIATES
Regulatory Services

PROJECT NUMBER: 1086-5RLSP

TO: Craig Hoffman
cc: Art Homrighausen

FROM: Tony Bomkamp, Senior Biologist

DATE: February 24, 2020

SUBJECT: Review of Rancho La Habra Specific Plan Community Planting Plans

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The La Habra General Plan includes Policy BR 1.8, states the following: "Encourage the preservation of trees in existing and new development projects that are suitable nesting and roosting habitat for resident and migratory bird species."

I have reviewed the Rancho La Habra Specific Plan Community Planting Plans provided as Appendix A: Plant Palette and Detailed Landscape Plans of the Rancho La Habra Specific Plan to determine the suitability of the plant palette as habitat for nesting and roosting resident and migratory birds.

The plant palette provided in the above-referenced Plant Palette and Detailed Landscape Plans includes a substantial component of native trees and scrubs mixed with ornamental species. Native trees that will be included consist of coast live oak (*Quercus agrifolia*), western sycamore (*Platanus racemosa*), bay laurel (*Umbellularia californica*), and a number of native willow species, and Blue elderberry (*Sambucus nigra* ssp. *caerulea*). The Plant Palette and Detailed Landscape Plans also include a variety of native shrubs including laurel sumac (*Malosma laurina*), toyon (*Heteromeles arbutifolia*), sugar bush (*Rhus ovata), lemonade berry* (*Rhus integrifolia*) and a suite of coastal sage scrub species. Therefore, when compared with the predominately non-native ornamental vegetation currently associated with the golf course, there will be an increase of native vegetation within the development areas, adjacent slopes, parks, and trails such that potential avian roosting and nesting would be maintained and enhanced in the post-project condition.

It is important to note that the non-native ornamental vegetation that dominates the golf course (e.g., eucalyptus, non-native pines, etc.) provides reduced potential for avian breeding and roosting with the exception of highly common, urban adapted species, which will utilize native and non-native species. The increase in native trees and shrubs in the developed condition will result in increased nesting and roosting habitat.

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- Removal of approximately 13.62 acres of existing vegetation included within the habitat alliances identified in Partially Recirculated Draft EIR Table 3.5-9, of which approximately 9.66 acres are located within CDFW deed-restricted areas.
- Impacts on 3.77 acres of jurisdictional waters of the United States and waters of the State identified in Partially Recirculated Draft EIR Table 3.5-10 and Figure 3.5-9 through Figure 3.5-12.

Mitigation measures set forth in the EIR are Consistent with the requirements of CEQA Guidelines Section 15126.4(a)(1)(B) and the City has not deferred mitigation.

- The City is committed to implementation of Mitigation Measures BIO-1.1a, BIO-1.2, and BIO-2c as demonstrated in the Mitigation Monitoring and Reporting Program (MMRP) set forth in Chapter 4 of this document. As set forth in these MMRP requirements, the City would not approve a grading permit, nor would it approve a final subdivision map, until all of the specific implementation actions required for these mitigation measures have been completed.
- The City has incorporated a specific, and as described below measurable, performance standard in Mitigation Measures BIO-1.1a, BIO-1.2, and BIO-2c: provision of functionally equivalent or better habitat for each of the three impacts identified above.
- The City explicitly identifies the actions to be taken that would feasibly achieve the specified performance standard and that would be incorporated in the mitigation measure and required to be completed prior to approval of grading permit or a final subdivision map and prior to any ground disturbance within the Project site that could adversely affect existing biological resources. As outlined in the Mitigation Monitoring and Reporting Program, these actions include:
    - Identify the specific acreage, location(s), and requirements for on-site and off-site mitigation that would provide "functionally equivalent habitat or better" for review and approval by CDFW;
    - Implement mitigation requirements to the satisfaction of CDFW, including acquisition of sufficient habitat land such that the California Department of Fish and Wildlife verifies that a combination of on-site establishment/restoration/enhancement and/or off-site purchase of land will result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas and jurisdictional areas~~.~~;

  - Obtain a new Streambed Alteration Agreement from CDFW;
  - Have existing deed restrictions in favor of CDFW vacated; and
  - Submit documentation to the City that a new Streambed Alteration Agreement has been approved by CDFW and existing deed restrictions in favor of CDFW have been vacated.

  The MMRP requires these actions to be completed prior to issuance of a grading permit and recordation of a final map.

- In addition, the MMRP includes requirements for compliance with the following required regulatory approvals:
  - Approval from the CDFW in relation to the requested vacation of existing deed restrictions within the Project site and approval of a new Streambed Alteration Agreement for which the CDFW is a Responsible Agency.
  - A new Section 1602 Streambed Alteration Agreement, U.S. Army Corps of Engineers approval, and Section 401 Water Quality Certification related to impacts to riparian and wetland habitats.

  As discussed in Section 3.5, *Biological Resources*, the mitigation requirements for these regulatory approvals parallel those of the Rancho La Habra EIR. Thus, the MMRP would ensure that required regulatory approvals, including vacation of existing deed restrictions and approval of a new Streambed Alteration Agreement, have been secured prior to approval of grading permit or a final subdivision map and prior to any ground disturbance within the Project site that could adversely affect existing biological resources.

Comment HAMILTON-6 also incorrectly asserts that a performance standard requiring provision of "functionally equivalent or better habitat" cannot be measured. The February 24, 2020 Memorandum cited in Response to Comment HAMILTON-5 demonstrates that "functionally equivalent or better habitat" can, in fact, be measured. Based on a comparison of the predominately non-native ornamental vegetation within the golf course to the Project's proposed plant palette and landscape plan, Tony Bomkamp, a Senior Biologist with the firm of Glenn Lukos Associates, determined that the Project would provide "functionally equivalent or better" nesting and roosting habitat for resident and migratory bird species. Mr. Bomkamp based this conclusion on the "increase of native vegetation within the development areas, adjacent slopes, parks, and trails" with the result being that "potential avian roosting and nesting would be maintained and enhanced in the post-project condition."

In addition to replacement of avian roosting and nesting habitat, the Rancho La Habra EIR also uses the "functionally equivalent or better habitat" performance standard in relation to mitigation for:

- Loss of mitigation for impacts to 4.55 acres of mulefat scrub that occurred during the original construction of the golf course;
- Removal of approximately 13.62 acres of existing vegetation included within the habitat alliances identified in Partially Recirculated Draft EIR Table 3.5-9, of which approximately 9.66 acres are located within CDFW deed-restricted areas; and
- Impacts on 3.77 acres of jurisdictional waters of the United States and waters of the State identified in Partially Recirculated Draft EIR Table 3.5-10 and Figure 3.5-9 through Figure 3.5-12.

As stated in the MMRP, impacts on biological resources outside of existing deed-restricted areas and jurisdictional waters are to be mitigated at a minimum 1:1 ratio.

While the CDFW's January 6, 2020, comment letter (see Comments and Responses CDFW-1 through CDFW-17 below) expresses some concern with the provision of adequate mitigation in the absence of "distinct acreages and/or ratios for mitigation," the comment letter also acknowledges the "functionally equivalent or better" performance standard through statements such as:

- "It is the Applicant's responsibility and not the Department's to locate appropriate, functionally equivalent mitigation."
- "Since the issuance of comments on the draft EIR in May 2018, the Department has met with the City and Applicant several times in order to discuss potential appropriate, functionally equivalent off-site mitigation parcels."

To address the CDFW's comments on the Partially Recirculated Draft EIR, City staff along with its CEQA consultant and Project biologists met with CDFW staff via conference call on March 17, 2020.

On March 19, 2020, draft meeting notes were sent to Jennifer Turner (CDFW) and others who participated in the March 17 conference call, with a request that participants review the draft meeting notes, which included proposed revisions to EIR mitigation measures and the MMRP, and respond with any revisions that might be needed. As of this writing, none of the parties that

participated in the March 17 conference call have responded with proposed changes to the meeting notes or mitigation measure/MMRP revisions.

These meeting notes reflect the conclusions of the conference call, including the following:

- The Partially Recirculated Draft EIR's use of performance standards in the form of providing "functionally equivalent habitat or better" is both appropriate and necessary.
    - It is appropriate since the CDFW is a Responsible Agency in relation to the applicant's request for vacation of existing deed restrictions and approval of a new Streambed Alteration Agreement. Since the CDFW must determine the adequacy of mitigation for these actions, the City should not impose a specific mitigation ratio on the CDFW.
    - Use of a performance standard is necessary to ensure that mitigation is not deferred.
- The use of a "menu" approach to mitigation, outlining various feasible paths to provide mitigation for the impacts described above, is appropriate. Because approving a new Streambed Alteration Agreement and vacating existing deed restrictions require action by the CDFW, the specific acreage and location(s) for on-site and off-site mitigation must be acceptable to the CDFW. It would be inappropriate for the City to impose a specific mitigation ratio or specific off-site mitigation location(s) on the CDFW in the EIR.
    - The existing menu of potential mitigation sites set forth in the Partially Recirculated Draft EIR will be updated to reflect more recent information regarding availability of mitigation sites.
- While it is not appropriate for the City to require implementation of mitigation requirements prior to certification of the EIR or approval of the Project, the Final EIR should include a revised Mitigation Monitoring and Reporting Program (MMRP) that would require the following in relation to implementing biological resources mitigation measures related to impacts on existing deed-restricted areas should the Project be approved:
    - The City would not issue a grading permit, nor would it approve any final subdivision map, until the CDFW has approved a new Streambed Alteration Agreement and vacated existing on-site deed restrictions.
    - Should the Project be approved, mitigation for the Project's biological resources impacts and additional approvals would occur in the following order:

- The applicant identifies the specific acreage, location(s), and requirements for on-site and off-site mitigation to meet the "functionally equivalent habitat or better" performance standard for biological resources mitigation for review and approval by the CDFW;
- Mitigation requirements as approved by the CDFW are implemented to the satisfaction of CDFW, including acquisition of any needed off-site land;
- A new Streambed Alteration Agreement is approved by the CDFW;
- Existing deed restrictions in favor of the CDFW are vacated; and
- Upon receipt of documentation that a new Streambed Alteration Agreement has been approved by the CDFW and existing deed restrictions in favor of the CDFW have been vacated, the applicant requests City review and approvals of a final subdivision map and a grading plan permit.

The EIR mitigation and MMRP revisions discussed with the CDFW during the March 17, 2020, conference call have been incorporated into the Final EIR and are identified in the text following Response to Comment CDFW-17.

While not often explicitly used in biological resources mitigation measures, "functionally equivalent or better habitat" is the performance standard that underlies the prescriptive mitigation measures common to CEQA documents throughout the state.

For example, as stated by the CDFW in Comment CDFW-4, to mitigate for the loss of 4.55 acres of mulefat scrub interspersed with other riparian and exotic species within the site related to construction of the golf course, "Agreement No. 5-465-94 required compensatory mitigation at a 2:1 ratio, including creation of 9.1 acres of new habitat within and around the drainage courses on the site." Comment CDFW-4 further states, "To fulfill this requirement, a deed restriction was recorded on November 25, 2009, over an 11.43-acre portion of the property, which included 9.1 acres of riparian habitat (3.52 acres of southern willow scrub, 1.40 acres of mulefat scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water) and 2.27 acres of coastal sage scrub."

To determine in 1995 that a 2:1 mitigation ratio would compensate for the loss of 4.55 acres of mulefat scrub, or determine in 2009 that an 11.43-acre deed-restricted area comprised of 3.52 acres of southern willow scrub, 1.40

acres of mulefat scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water, and 2.27 acres of coastal sage scrub would fulfill the requirement for a 2:1 mitigation ratio, the CDFW had to consider:

- The habitat value of the area being impacted in comparison to the habitat value of the area that would be provided as mitigation; and
- Whether the habitat area that would be provided as mitigation would, in fact, "compensate" for the loss of the habitat that was lost as the result of construction of the Westridge Golf Course (i.e., whether the mitigation land would provide equivalent habitat functions and values as did the land impacted by golf course construction).

To determine whether mitigation for the proposed vacation of deed-restricted land within Rancho La Habra would meet the "functionally equivalent or better" performance standard, the CDFW would consider:

- The habitat value of the area proposed as mitigation in comparison to the habitat value of the area previously impacted by construction of the existing golf course **and** the existing habitat value of lands within deed-restricted areas within the Project site; and
- Whether the habitat values of the land(s) proposed as mitigation would, in fact, "compensate" for the loss of deed-restricted lands within Rancho La Habra that were provided as mitigation in perpetuity for the habitat that was lost as the result of construction of the Westridge Golf Course **and** the loss of existing habitat within those deed-restricted areas.

Thus, biological resources mitigation measures have not been improperly deferred and that the "functionally equivalent or better" performance standard is measurable, enforceable, and appropriate.

HAMILTON-7 The May 8, 2018, comment letter from the CDFW referred to in this comment addressed the CDFW's review of the 2018 Draft EIR. Subsequent to receipt of the CDFW's 2018 comment letter, Rancho La Habra's biological resources evaluation was updated, including additional biological resources studies requested by the CDFW. The updated biological resources evaluation was incorporated into the November 2019 Partially Recirculated Draft EIR, which supersedes the biological resources evaluation in the 2018 Draft EIR. In response to the Partially Recirculated Draft EIR, the CDFW has provided updated comments on the updated biological resources evaluation. See Comments and Responses CDFW-1 through CDFW-17.

HAMILTON-8 The Project site is located within the service area of the Los Angeles County Fire Department, which has determined that a fuel management plan is unnecessary since the Project site is not subject to wildland fire hazards. See Los Angeles County Fire Department email on the following page which states that "TTM 17845" (Rancho La Habra Specific Plan) "does not exist within the very high fire hazard zone and does not qualify for fuel modification plan review."

Draft EIR Appendix Q sets forth the Los Angeles County Fire Department's requirements for development of the Project site, all of which have been incorporated into the Project's conditions of approval.

The Project's landscaping plan does, however, provides for a variable width transition zone (with a minimum of 50-foot) between adjacent residential development and the site's coastal sage scrub conservation area (see Neighborhood 2 Conservation Area graphic following this response). This transition zone provides a minimum 50-foot buffer between areas of conserved coastal sage scrub habitat to protect habitat functions and values.

The proposed plant palette for this transition area was review by Tony Bomkamp of Glenn Lukos Associates. Mr. Bomkamp concluded that

> *Incorporation of barrier plantings will enhance the functions of the proposed buffer areas. Agave is not native to north Orange County or adjacent Los Angeles County and should be eliminated. Native* Opuntia littoralis *and/or* 0. Prolifera *are appropriate and could be used along with* Rhus ingrifolia *(lemonade berry), which form dense barriers and is already included in the proposed plant palette.*

HAMILTON-9 The proposed Rancho La Habra Specific Plan identifies seven "Planning Areas," which are referred to in the Specific Plan as PA-1 through PA-7. The identification of Planning Areas is an organizational construct developed by the applicant. Planning Area 6, as defined in the Specific Plan, encompasses the Project's open space uses, including open space for recreational purposes and open space for conservation purposes. Partially Recirculated Draft EIR Figure 2-5 shows the location of Planning Area 6 along with the boundaries of other Planning Areas within the Project site. The specific location of the proposed on-site 9.86-acre conservation area is illustrated in:

- Figure 2-11, which also illustrates the Project's proposed grading limits and the location of existing on-site deed-restricted areas;

8/21/2019 Firesafeplanning.com Mail - RE: Rancho La Habra TTM 17845 - City of La Habra - Memo Request for Hazard Severity Zone

Gmail by Google

David Oatis <david@firesafeplanning.com>

RE: Rancho La Habra TTM 17845 - City of La Habra - Memo Request for Hazard Severity Zone

1 message

Walton, Robert <Robert.Walton@fire.lacounty.gov> Wed, Oct 24, 2018 at 8:48 AM
To: David Oatis <david@firesafeplanning.com>
Cc: "Soiza, Claudia" <Claudia.Soiza@fire.lacounty.gov>, Andrew Han <Andrew.Han@lennar.com>, Jerry Canales <jerry@firesafeplanning.com>

Good Morning,

According to the maps this tract does not exist within the very high fire hazard zone and does not qualify for fuel modification plan review. See link below.

http://www.fire.ca.gov/fire_prevention/fhsz_maps_orange

Thank you,

Robert Walton

Fuel Modification Unit

Los Angeles County Fire Department

(626) 969-5205

Please visit our website for more information!

https://www.fire.lacounty.gov/forestry-division/forestry-fuel-modification/

From: David Oatis [mailto:david@firesafeplanning.com]
Sent: Tuesday, October 23, 2018 8:05 PM
To: Walton, Robert
Cc: Soiza, Claudia; Andrew Han; Jerry Canales
Subject: Rancho La Habra TTM 17845 - City of La Habra - Memo Request for Hazard Severity Zone

Hi Robert,

I trust this email finds you well.

https://mail.google.com/mail/u/1?ik=1d55a453dd&view=pt&search=all&permthid=thread-a%3Ar-2452595980035048631%7Cmsg-f%3A161522238320... 1/2

Attached you will find a PDF of Aerial image indicating the Boundary for Tentative Tract Map 17845 in the City of La Habra as well as the adopted Very High Fire Hazard Severity Zones (indicated in Red). I have also provided a link below to download a PDF of the Tentative Tract Map 17845.

I have met with Claudia Soiza, Acting SFPEA for the Fire Prevention Division in the City of Commerce two times to review our proposed Fire Master Plan for this project. Claudia has requested that we reach out to you and the Fuel Modification Unit to provide us with a Memo indicating that the development portion of the project is not within a Very High Fire Hazard Severity Zone (VHFHSZ) and is not required to comply with the Wildland Urban Interface Construction Requirements per the California Building Code Chapter 7A or the California Residential Code Section R337 so we can move forward with a formal submittal of the Fire Master Plan to the City of La Habra.

As you can see in the Aerial PDF, the VHFHSZ along the western side of the project site does encroach into the project boundary, however, only extends into the existing manufactured slopes which are NOT changing and is outside the proposed development area on the Tentative Tract Map provided in the link.

If you could please provide us with a Memo at your earliest convenience, we would greatly appreciate it. We will be including the Memo as part of our Fire Master Plan submittal so Claudia can include it in the project file.

Should you have any questions or need anything else from us please feel free to contact me on my cell at 949-521-0852.

Thank you in advance for all your help.

https://1drv.ms/f/s!ArbmFtAk3jF4hRB1V2MqshJUCYV-

Thanks, David

David Oatis

Principal/Fire Protection Planner

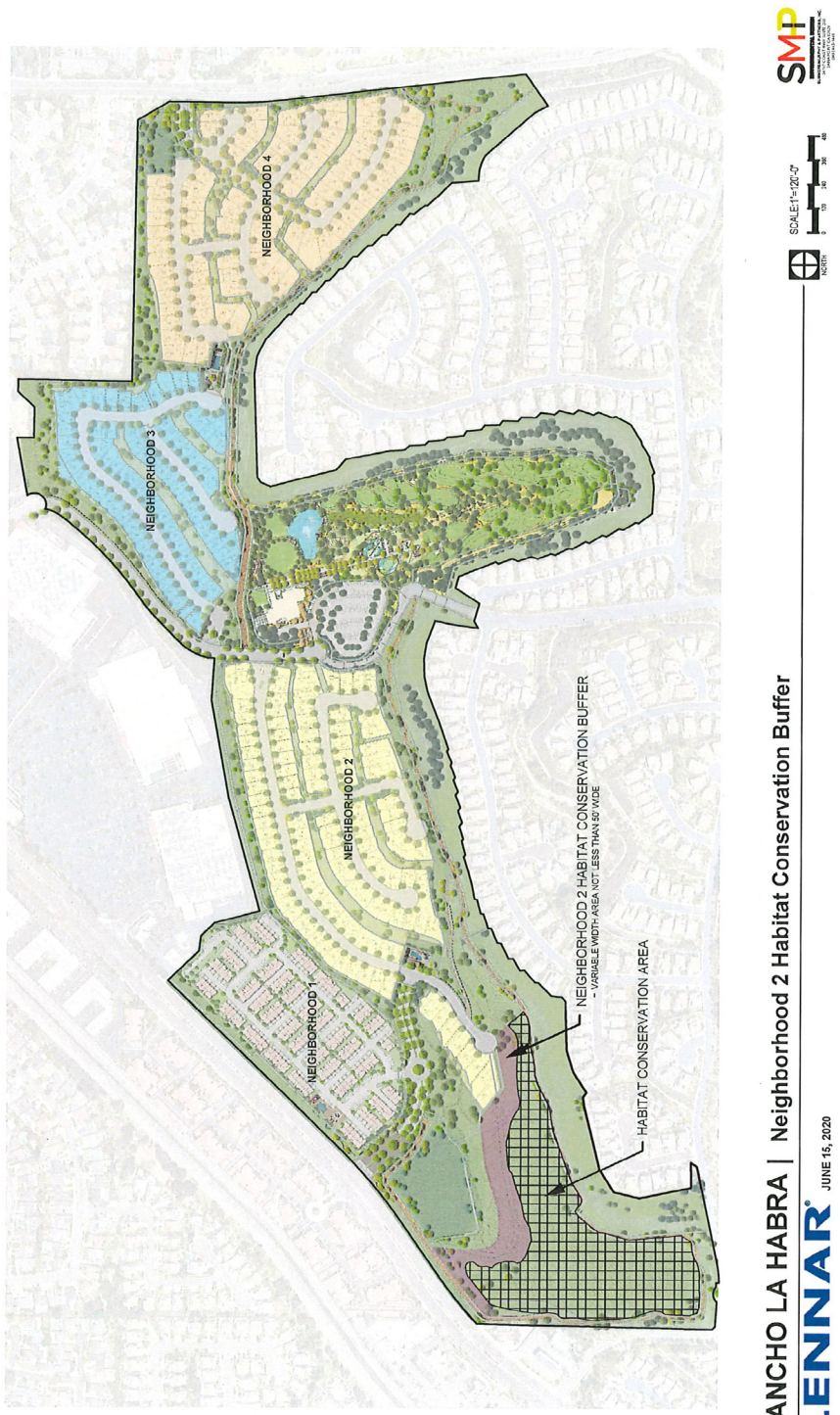
Firesafe Planning Solutions

302 N. El Camino Real, Suite 202

San Clemente, CA 92672

Cell: (949) 521-0852

Phone: (949) 240-5911


NEIGHBORHOOD 1
NEIGHBORHOOD 2
NEIGHBORHOOD 3
NEIGHBORHOOD 4
NEIGHBORHOOD 2 HABITAT CONSERVATION BUFFER
– VARIABLE WIDTH AREA NOT LESS THAN 50' WIDE
HABITAT CONSERVATION AREA
RANCHO LA HABRA | Neighborhood 2 Habitat Conservation Buffer
LENNAR
JUNE 15, 2020
NORTH
SCALE: 1"=120'-0"
SMP

- Figure 3.5-14, which also illustrates those portions of the conservation area that would be subject to preservation (4.05 acres) and those that would be subject to habitat restoration (5.81 acres).

HAMILTON-10 Comment HAMILTON-10 is incorrect in its assertion that Page ES-2 of the Partially Recirculated Draft EIR provided the only mention that the applicant had not submitted a Design Review application for Planning Area 6. Project Description Section 2.3.2, *Discretionary Actions and Approvals Required to Implement the Proposed Project*, of the Partially Recirculated Draft EIR specifically stated that the applicant had "proposed architectural design for each Planning Area (Specific Plan Design Reviews 18-01 through 18-05 for Planning Areas 1-4 and 6, respectively) and that design review for Planning Area 5 was "anticipated to be a future application."

It is important to note that:

- The applicant was under no obligation to submit architectural design plans for Planning Area 5 beyond the design guidelines that were included in the Specific Plan;
- The proposed development of Planning Area 5 was, in fact, described on Page 2-19 of the Partially Recirculated Draft EIR as follows.

  Planning Area 5 consists of 2.64 acres located along Beach Boulevard adjacent to the existing Westridge Plaza Shopping Center. The proposed Specific Plan provides the option for Planning Area 5 to be developed with either 20,000 square feet of commercial development (e.g., specialty grocery, restaurant, or general retail uses), or up to 46 multi-family dwelling units to a maximum density of 18 dwelling units per acre.

- The impacts of developing 20,000 square feet of commercial use were analyzed for each environmental topic throughout the Draft and Partially Recirculated Draft EIRs, as were the impacts of the Planning Area's alternative development with 46 dwelling units.
- The level of detail provided in the Rancho La Habra Specific Plan for development of Planning Area 5 was equivalent to that provided for each of the other Planning Areas within the Project.
- Comment HAMILTON-10 provides no evidence that the physical environmental impacts of Planning Area 5 development were not fully addressed as part of the analyses undertaken for the Draft EIR and Partially Recirculated Draft EIR.

As noted in Response to Comment HAMILTON-9, the identification of Planning Areas is an organizational construct developed by the applicant.

Planners and planning documents commonly refer to "open space" as a generic term encompassing four distinct types of open space use:

- Open space for recreation, including both public parks and privately owned and operated recreational uses.
- Open space for conservation purposes, including lands for the protection of biological, cultural scenic, and other resources.
- Open space for the managed production of resources (e.g., agriculture, groundwater recharge basins).
- Open space for public safety (e.g., steep hillsides, flood pains).

Thus, "open space" is a correct and commonly accepted generic term for both public parks and for habitat conservation areas.

To ensure clarity:

- Partially Recirculated Draft EIR Figure 2-5, which illustrates the boundaries of Planning Area 6, does not contain the word "conservation," describing Planning Area 6 as "Open Space/Parkland" and its land use as "Open Space."
- Partially Recirculated Draft EIR Table 2-1, which immediately follows Figure 2-5, clearly and specifically defines the types of open spaces uses within Planning Area 6 as:
    - Public Community Center/Parking: 3.30 acres
    - Public Open Space and Parkland: 28.86 acres
    - Habitat Conservation Area: 9.86 acres
- Partially Recirculated Draft EIR Figure 2-11 illustrates the Project's proposed conservation area in relation to its proposed grading limits and the location of existing on-site deed-restricted areas;
- Partially Recirculated Draft EIR Figure 3.5-14 illustrates post-development conditions, including the location of the proposed conservation area in relation to the Project's grading limits, and also identifies those portions of the conservation area that would be subject to preservation (4.05 acres) and those that would be subject to habitat restoration (5.81 acres).

Thus, the Partially Recirculated Draft EIR correctly uses the term "open space" and clearly identifies the specific location and actual size of the on-site

conservation area as being distinct from the Project's proposed recreational areas.

See Response to Comment HAMILTON-4 for discussion of General Plan Policy BR 1.1.

HAMILTON-11 Partially Recirculated Draft EIR Figure 6-3 (presented on the following page) has been revised to correctly indicate those portions of the Project site that would not be subject to grading. These include:

- The 9.86-acre conservation area; and
- The existing 19.38-acre slope separating the Project site from the existing Westridge residential community.

Both the revised and the original Partially Recirculated Draft EIR Figure 6-3 dramatically illustrate the extent to which the habitats located within the Project site have become physically separated from the habitats that occur within the West Coyote Hills when the existing Westridge residential community was developed. The post-Westridge development condition resulted in a single non-developed area of approximately 500 linear feet in width composed of vegetation affording connectivity (i.e., minimal physical impediments to prevent animal movement) between the expanse of the West Coyote Hills and the habitats at the Project site.

Nicklaus Avenue runs east to west, bifurcating this 500-foot-wide connection between Rancho La Habra and the West Coyote Hills. Nicklaus Avenue is a low traffic volume, private street with a private gated access serving the Westridge gated community. Currently a wrought-iron fence prevents pedestrians from entering the golf course at this location and also inhibits the use of the connection by large mammals, such as coyote and bobcat.

Both the original and the revised Partially Recirculated Draft EIR Figure 6-3 dramatically illustrate the extent to which the Rancho La Habra site that was part of a contiguous 915-acre habitat area comprising the former West Coyote Hills oil field has been isolated by construction of the Westridge residential community. The figures also dramatically illustrate the extent to which the already-approved West Coyote Hills development, once built, will further isolate the Rancho La Habra site from the habitat restoration/open space within and adjacent to the Robert E. Ward Nature Preserve established in the southeastern portion of the West Coyote Hills.

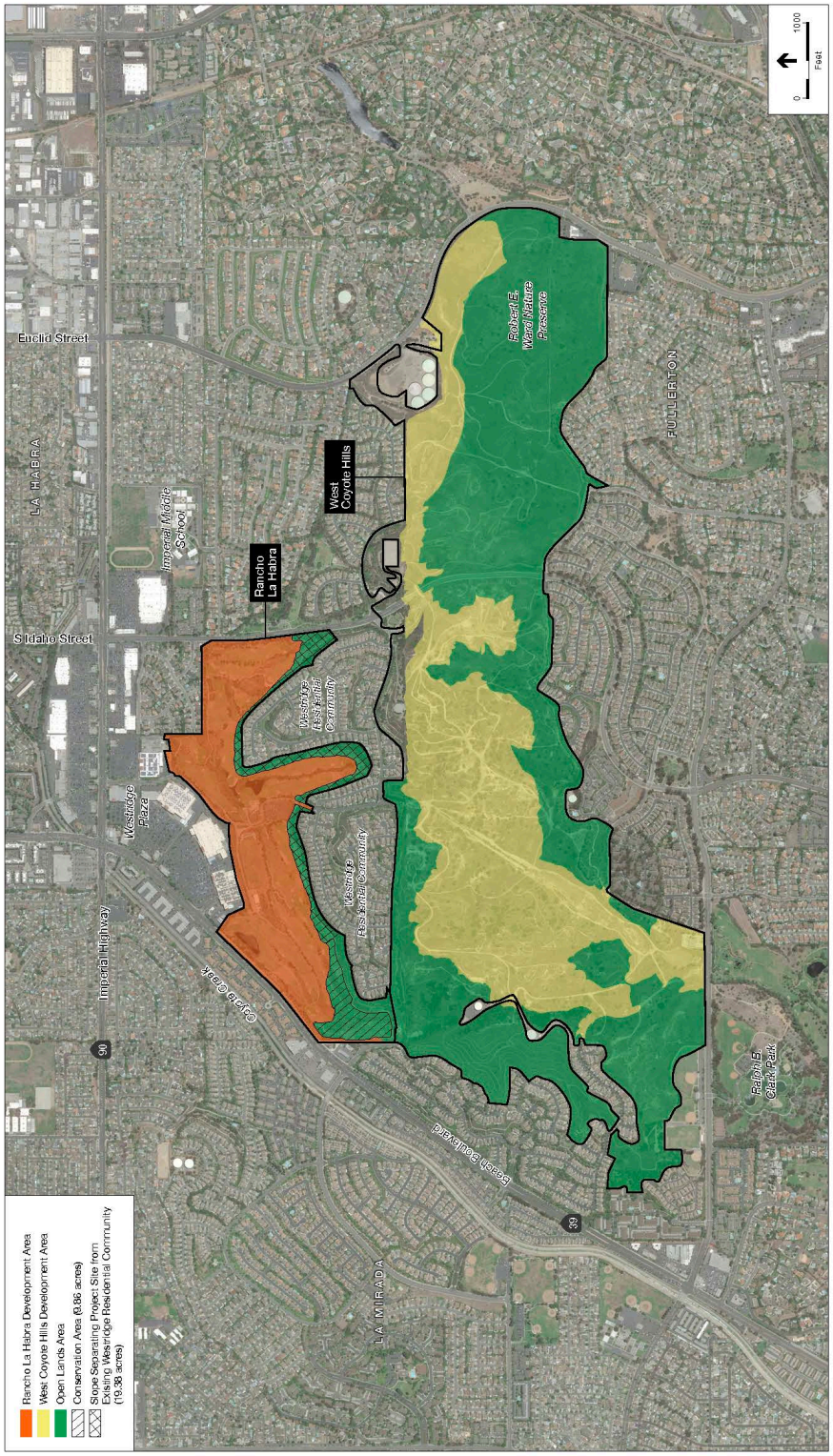


Figure 6-3: Rancho La Habra and West Coyote Hills Post-Development Cumulative Setting

Source: Hamilton Biological, Walden & Associates, Google Earth Pro, LSA

RANCHO LA HABRA SPECIFIC PLAN EIR

HAMILTON-12 This comment provides factual information taken from Partially Recirculated Draft EIR Chapter 6, *Cumulative Impacts*. No substantive environmental issues are raised regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

HAMILTON-13 Comment HAMILTON-13 provides an accurate summary of the theory of insular biogeography (MacArthur and Wilson 1967) and other experts referenced in the comment (e.g., Soule, Bolger, etc.) but does not address the Project site.

The remaining native habitat at the Project site consists of small habitat fragments within a matrix of golf course features that are in turn surrounded by suburban development. As discussed below and in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, because of these factors, the remaining habitat fragments within the site provide limited function for native wildlife, as they are scattered across the golf course. Restoration/enhancement and concentration of habitat in an on-site conservation area, and off-site mitigation purchased as part of a bank or some other Agency-approved conservation area would provide larger consolidated blocks of habitat with greater habitat heterogeneity and better able to support on-going species diversity and dispersal of young. The mitigation based on the Partially Recirculated Draft EIR's performance standards would result in expansion of existing blocks of habitat, including contributions to existing large and highly functional open space through expansion or enhancement by means of replacement of non-native habitats with native habitats, and would thereby reduce edge effects and fragmentation both at the Project site and from a regional perspective.

The Partially Recirculated Draft EIR documents the fact that many of the species referenced by the commenter such as Bell's sparrow (*Artemisiospiza belli*) have not been reported or observed on the site during surveys for the California gnatcatcher in 2013 by Glenn Lukos Associates, in 2014 by Cadre, or in 2016 by Kidd Biological, or during least Bell's vireo surveys conducted in 2018 by Glenn Lukos Associates. Thus, many of the effects noted in this comment have already occurred due to the existing condition (i.e., habitat fragmentation noted above for previously approved projects) and would not be impacts of the Project. Similarly, cactus wrens have not been recorded on the site going back to 2014.

Thus, the City concurs with the commenter's discussion and further recognizes that for the Project site, most of the stated environmental impacts have already occurred as a result of projects approved prior to initiation of

the Rancho La Habra Specific Plan. However, the habitat remaining supports special-status species such as the coastal California gnatcatcher. The majority of the coastal scrub habitat where gnatcatchers have been observed occurs at the western end of the golf course and would be consolidated and expanded in a manner that would support the on-going use of the habitat by California gnatcatcher and is physically positioned nearly adjacent to the 500-foot habitat connection leading to the adjacent West Coyote Hills and the restored habitat areas that would be maintained in perpetuity there. Other edge-sensitive species noted in the comment (e.g., Bell's sparrow, California thrasher, California quail) either do not occur on the site or have only been recorded infrequently, not nesting or rearing young, meaning that the Project would not result in significant impacts on these species.

The commenter continues by listing a number of potential edge effects that can occur with introduction of development into or adjacent to areas of open space, ignoring the current condition of the site, which is a fully functional golf course consisting of cart paths, daily human foot traffic or cart traffic, non-native turf, ornamental trees and shrubs with limited areas of disjunct native habitat and bounded by urban development on all sides with only the exception of a 500-foot-wide area in the southwestern portion of the site. Thus, the various edge effects, including introduction of invasive plants and animals and pets, and human foot traffic and disturbance, have already occurred within pre-existing ecosystems that were altered with construction of the golf course and adjacent residential uses going back to 1995. Changes in fire cycle have also been reduced due to the golf course uses. Thus, the theory of insular biogeography raised in Comment HAMILTON-13 is not applicable to the Project since the impacts raised in this comment have already occurred as a result of previously approved development. The Rancho La Habra Specific Plan includes concentrating restoration of native coastal sage scrub in the southwestern part of the site adjacent to the interface with West Coyote Hills, resulting in an improvement compared to existing conditions for avian species movement and exchange between local populations.

See Response to Comment CDFW-9 for discussion of potential impacts associated with trails.

HAMILTON-14 Comment HAMILTON-14 mischaracterizes the Rancho La Habra site as being within "an 849-acre 'island' of natural and quasi-natural open space surrounded by developed areas." As is obvious from both the revised and

the original Partially Recirculated Draft EIR Figure 6-3, the Project site consists of a fully developed and functioning golf course that is physically separated from the West Coyote Hills area to the south with the exception of a 500-foot open space area through which runs a private street.

Currently, a wrought-iron perimeter fence prevents pedestrians from entering the golf course from Nicklaus Drive in the southwestern portion of the Project site. However, the Project would remove the current fence and replace it with a split-rail style of fencing that would accommodate movement of large mammals. Coyote and bobcat would then not be deterred from crossing this low traffic volume road to move between the two open space areas. In addition, to enhance the connectivity for coastal California gnatcatcher, existing large trees such as the non-native Peruvian peppers planted on the slope would be removed and replaced with coastal sage scrub species.

Impacts on the native habitat distributed in discrete areas throughout the golf course would be partially mitigated on-site[8] within the conservation area through preservation, restoration, and long-term management of a consolidated block (core habitat) of 9.86 acres of coastal sage scrub habitat at the southwest corner of the Project. Most of this acreage is within the United States Fish and Wildlife Service (USFWS)-designated Critical Habitat for gnatcatchers. The quality of the preserved and restored habitat within the conservation area, which would be managed for the benefit of the species in perpetuity as described in the Habitat Mitigation and Monitoring Plan (HMMP), would exceed existing conditions. In addition to consolidating and improving the coastal sage scrub habitat on-site, the conservation area is positioned in the western portion of the Project site directly adjacent to the remaining 500-foot-wide area open space area west of the Westridge residential community, providing opportunities for wildlife to move between habitat areas in Rancho La Habra and West Coyote Hills. The West Coyote Hills Vesting Tentative Tract Map (VTTM) has a much larger contribution to cumulative effects with consideration of both habitat loss and introduction of additional recreational pressure.

HAMILTON-15 As explained in Response to Comment HAMILTON-13, the adverse effects of habitat fragmentation have already occurred. Consolidating habitat that became fragmented as a result of previously approved projects into one

[8] Full mitigation for impacts would be provided through a combination of an on-site conservation area and provision of off-site mitigation as required by Mitigation Measures BIO-1.1a, BIO-1.2, and BIO-2c.

portion of the Project Area and maintaining it in perpetuity does not create adverse effects and will provide benefits to resident and migratory avian species, as stated in Chapter 3 of the Final EIR.

HAMILTON-16 See Final EIR Chapter 3 for revisions to the discussion of cumulative impacts as discussed in Response to Comment HAMILTON-13 where it is noted that the fragmentation of habitat occurred prior to initiation of the La Habra Specific Plan, and is not an impact of the project.

HAMILTON-17 Following the close of the Draft EIR public review period, the City reviewed comments that were received and determined that the information needed to address certain comments would require recirculation of certain sections of the EIR, including Section 3.7, *Biological Resources*. Comments received from the California Department of Fish and Wildlife and Hamilton requesting graphics depicting the EIR alternatives were reviewed, and as described below, the City determined that preparation of land use maps for the alternatives would not be necessary since the area of impact to biological resources would be the same for all of the proposed alternatives.

CEQA (Public Resources Code Section 21002.1(a)) establishes the need to address alternatives in an EIR by stating that, in addition to determining a project's significant environmental impacts and indicating potential means of mitigating or avoiding those impacts, "the purpose of an environmental impact report is . . . to identify alternatives to the project" that would avoid or lessen the project's significant effects. Thus, CEQA Guidelines Section 15126.6(a), requires that an EIR must describe a reasonable range of alternatives to the proposed project or to the project's location that would feasibly avoid or lessen its significant environmental impacts while attaining most of the proposed project's objectives.

As stated in Draft EIR Chapter 7, *Alternatives*, alternatives to the Rancho La Habra project were selected consistent with CEQA Guidelines Section 15126.6 based on the following general factors:

- The extent to which the alternative would avoid or substantially lessen any of the identified significant environmental effects of the proposed Specific Plan.
- The ability of the alternative to meet the overarching project objective and purpose of the Specific Plan, along with the extent to which the alternative would accomplish other project objectives. Only alternatives that could achieve the overarching project objective and the majority of other project objectives were selected for further evaluation.

- The potential feasibility[9] of the alternative, taking into account site suitability, economic viability, availability of infrastructure, property control (ownership), and consistency with applicable plans and regulatory limitations.
- The extent to which the alternative contributes to a "reasonable range" of alternatives necessary to permit a reasoned choice between the proposed project and alternatives.
- The extent to which the environmental effects of an alternative could be reasonably identified.
- The extent to which implementation of the alternative would not be remote or speculative.
- The requirement to consider a "no project" alternative, including an alternative that provides for the likely outcome should the proposed project not be approved.

The "significant environmental effects" that project alternatives were designed to avoid or lessen were specified in Draft EIR Section 7.2.1 and included the significant unavoidable impacts that would result from the Rancho La Habra Specific Plan, including impacts related to:

- Land Use and Planning
- Population and Housing
- Aesthetic Resources
- Traffic and Circulation
- Air Quality
- Greenhouse Gas Emissions
- Noise

The Draft EIR and the Partially Recirculated Draft EIR determined that implementation of required mitigation measures would result in less than significant biological resources impacts. Nonetheless, the Draft EIR considered alternatives that would avoid or lessen biological resources

[9] CEQA Guidelines Section 15364 defines feasible as "capable of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors." CEQA Guidelines Section 15126.6(f)(1) states that "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"

impacts. Specifically, Alternative 3, Golf Course and Hotel, and Alternative 4, Residential/Nine-Hole Golf Course, involve smaller grading footprints that would further reduce the less than significant biological resources impacts of the Project.

Because both the Draft EIR and the Partially Recirculated Draft EIR determined that implementation of required mitigation measures would result in less than significant biological resources impacts, the alternatives addressed in the Draft EIR were not specifically designed to avoid or lessen biological resources impacts. Thus, the majority of the alternatives addressed in the Draft EIR were assumed to have the same grading footprint and the same less than significant biological resources impacts as the Project. Alternative 3, Golf Course and Hotel, and Alternative 4, Residential/Nine-Hole Golf Course involved smaller grading footprints that would further reduce the less than significant biological resources impacts of the Project.

The Golf Course and Hotel Alternative described in the Draft EIR would include a 114-room hotel north of the existing clubhouse and adjacent to the existing lower level parking lot to facilitate the creation of a "destination" golf course. This alternative would preserve the existing golf course in its present location. To clarify the reduced biological resources impacts of the Golf Course and Hotel Alternative, the discussion under "Biological Resources" in Draft EIR Section 7.4.3a is revised to read as follows.

> The addition of a hotel as part of the Golf Course and Hotel Alternative would avoid impacts on the most sensitive biological resources in the central and western portions of the project site, as would the proposed project. The Golf Course and Hotel Alternative would affect less habitat than the proposed project because it would require grading of a <u>substantially</u> smaller area.
>
> <u>This alternative would eliminate the grading footprint indicated in Figure 3.5-2 (Vegetation Alliances), with the exception of the existing clubhouse area and an approximately 5- to 10-acre area immediately to the north. Because the existing golf course and existing vegetative alliances within the balance of the Project site would remain in place, the Golf Course and Hotel Alternative would permit the existing deed restrictions to remain in place, and the loss of vegetative alliances within the site would be to a small area of Mixed Scrub Shrubland Alliance north of the existing clubhouse.</u>

As described in the Draft EIR, the limits of grading associated with the Residential/Nine-Hole Golf Course Alternative within the western portion of the site would be similar to the Project but would be reduced in the eastern portion of the Project site, resulting in reduced impacts compared to the Project. To clarify the reduced biological resources impacts of the Residential/Nine-Hole Golf Course Alternative, the discussion under "Biological Resources" in Draft EIR Section 7.4.4a is revised to read as follows.

> The limits of grading associated with the Residential/Nine-Hole Golf Course Alternative within the western portion of the site would be similar to the proposed project, resulting in similar impacts on sensitive biological resources within that area, such as coastal sage scrub. Both this alternative and the proposed project would avoid impacts on the central riparian drainage. This alternative would also avoid impacts on existing biological resources ~~within~~ throughout the eastern portion of the project site (area east of the existing clubhouse), resulting in reduced impacts compared to the proposed project. The Residential/Nine-Hole Golf Course Alternative would also permit the majority of deed-restricted areas identified in Figure 2-11 (Deed Restriction Boundaries) to remain in place. Under this alternative, only the two westernmost deed-restricted areas shown in Figure 2-11 would need to be vacated for the Residential/Nine-Hole Golf Course Alternative.

HAMILTON-18 This comment sets forth a conclusion to the Hamilton comment letter. See Responses to Comments HAMILTON-3 though HAMILTON-17.

HAMILTON-19 See Responses to Comments HAMILTON-13 through HAMILTON-15.

HAMILTON-20 See Responses to Comments CDFW-5, CDFW-6, and CDFW-7 for discussion of biological resources mitigation measures and their implementation.

HAMILTON-21 See Response to Comment HAMILTON-17.

HAMILTON-22 See Responses to Comments HAMILTON-3 though HAMILTON-17, CDFW-1 through CDFW-17, and USFWS-3 for discussion of biological resources impacts and mitigation measures.

As noted in Chapter 1, *Introduction*, of the Final EIR, the information presented in the comments and responses to comments on the Draft EIR as modified by the Partially Recirculated Draft EIR demonstrates that:

- The Project would not result in a new significant environmental impact or impacts other than those previously disclosed in the Draft EIR as it was modified by the Partially Recirculated Draft EIR;
- There would not be a substantial increase in the severity of any significant environmental impact previously disclosed in the Draft EIR as it was modified by the Partially Recirculated Draft EIR, and
- None of the other circumstances requiring recirculation of the Draft EIR described in Section 15088.5 of the CEQA Guidelines would occur.

COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

January 16, 2020
E5699

TO: Roy Ramsland
Planning Division
City of La Habra
201 E La Habra Boulevard
La Habra, CA 90631

SUBJECT: **Geologic and Geotechnical Third-Party Peer Review**
RE: Rancho La Habra Specific Plan Draft Environmental Impact Report (EIR)

We have completed a Geologic and Geotechnical third-party peer review of Appendix P, Geotechnical Study, of the Rancho La Habra Specific Plan Draft EIR using:

- Preliminary Geotechnical Report for Proposed Rancho La Habra Residential Development, VTTM 17845, City of La Habra, California, prepared by LGC Geotechnical, Inc. (LGC), and dated April 28, 2017;

- Response to Peer Review of Preliminary Geotechnical Report, Proposed Rancho La Habra Residential Development, VTTM 17845, City of La Habra, California, prepared by LGC Geotechnical, Inc., and dated February 24, 2017; and

- Limited Geotechnical Evaluation of Existing Distress and Proposed Repairs, Cook Residence, 2001 Mangrum Court, La Habra, California, prepared by Evans, Colbaugh & Assoc., Inc., dated May 24, 2011.

In addition, we have reviewed pertinent technical maps and documents from our office files.

DISCUSSION

On behalf of Save La Habra, Cotton, Shires and Associates, Inc. (CSA) performed a third-party geologic and geotechnical peer review. We understand that the proposed 151-acre development consists of converting the existing Westridge Golf Course into a residential and commercial (retail) development including 277 single-family and 145 1

multi-family residences. The development of the existing golf course began in 1997. Prior to the development of the golf course the property was reportedly an active oil field.

Significant portions of the proposed development are located either within a California Geological Survey (CGS) Liquefaction Seismic Hazard Zone, or a CGS Earthquake-Induced Landslide Hazard Zone. According to the State's Seismic Hazards Mapping Act, qualifying projects in these designated hazard zones must be supported by site-specific geologic and geotechnical investigations addressing the mapped hazards.

According to the Project Geotechnical Engineer (LGC), previous investigations at the site have identified existing landslides, and areas of undocumented/unsuitable fill as well as documented/older fill. Underlying these surficial materials LGC identifies Quaternary alluvium and San Pedro Formation bedrock. 1

The purpose of our geologic and geotechnical third-party peer review is to evaluate whether the referenced Preliminary Geotechnical Report of the Draft EIR adequately identifies, characterizes, analyzes, and recommends mitigation measures of the site geologic and geotechnical hazards.

CONCLUSIONS

Development of the subject property is constrained by many geologic and geotechnical hazards including surface fault rupture, liquefaction and lateral spreading, undocumented fill susceptible to compression/settlement and landsliding, reactivation of existing landslides, new landslides, and seismically induced landslides. 2

Our evaluation of the Preliminary Geotechnical Report of Draft EIR focused primarily on the site landslide hazard portion and the global slope stability analysis. Based on our review of the referenced Preliminary Geotechnical Report, it appears that proposed grading will remove significant portions of the existing landslides and the undocumented fill. However, in some of the engineering geologic cross sections, such as Sections 1-1′ and 2-2′, it appears that landslide debris will be left in-place. The referenced Preliminary Geotechnical Report states that "one on-site landslide at the western side of the site was stabilized with shear keyways and left in place." The landslide at the western side of the site referred to in this statement is the landslide shown in sections 1-1′ and 2′2′. The previous stabilization of this landslide does not address the stability of the landslide material left in place downslope of the shear keyways. 3

The process of removing and replacing existing landslides and undocumented fill materials will require that significant excavation be made resulting in temporary (during 4

construction) cut slopes. LGC has recommended that temporary cut slopes be a maximum of 1.6:1 (horizontal to vertical). The remedial grading shown on Section 2-2′ indicates that an approximately 30-foot tall, 1.6:1, temporary cut will be made downslope of the existing landslide. This cut will remove materials currently buttressing the "left-in-place" landslide downslope of the shear keyways. 4

LGC performed various static and pseudo-static slope stability of temporary and final slope configurations; however, it doesn't appear that LGC analyzed the temporary (during construction) slope condition of Section 2-2′. 5

LGC clarified in their report that the shear strength parameters used for the landslide rupture were based on the results of residual, torsional ring shear testing; however, a comprehensive explanation documenting the basis for the shear strength parameters selected for the other materials analyzed (Qsp {along and cross bedding}, compacted fill, landslide material, and alluvium) was not provided. 6

LGC has elected to evaluate the seismic stability of the slopes using pseudo-static slope stability analysis, a seismic coefficient of 0.15, and increased shear strengths. Special Publication 117A recommends that if a pseudo-static slope stability analysis is performed, a screen analysis procedure be used to derive the seismic coefficient. Special Publication 117A also indicates that peak values can be used for pseudo-static analysis under certain conditions. 7

The risk of not adequately analyzing slope stability and fully mitigating the landslide on the western portion of the project site could result in impacts to upslope properties. These potential impacts should be analyzed and mitigations recommended if conditions are found to be potentially unstable. 8

COMMENTS AND QUESTIONS THAT SHOULD BE ADDRESSED

In the following section, we have provided comments and questions related to LGS's landslide hazard characterization and analysis that should be satisfactorily addressed prior to concluding that the Draft EIR has adequately resolved the site geotechnical hazards: 9

1) LGC should more thoroughly characterize and document their understanding of the landslide geometry, including the pre-stabilization limits of the landslide and identify areas that were not stabilized during previous developments. 10

2) LGC should discuss the hazards associated with leaving landslide debris in-place, in Section 1-1′ and 2-2′, including the potential impacts to adjacent properties; 11

3) LGC should perform slope stability analysis on the temporary condition when the material downslope of the landslide debris has been removed, leaving the landslide debris unbuttressed; 12

4) LGC should provide a comprehensive discussion explaining the basis for each shear strength value selected (ϕ and C) for slope stability analysis. LGC should base their shear strength values on site-specific laboratory testing, back-calculation analysis, and published correlations with index testing (Atterberg Limits). Using typical shear strength values from CDMG published documents of similar materials is not appropriate, nor the intended use. LGC should consider that Stark, T.D., Choi H., and McCone S. (2005) recommend effective stress cohesion be assigned zero for fully softened shear strengths (as well as residual). 13

5) If LGC proposes to evaluate seismic stability using pseudo-static analysis, then the seismic coefficient should be calculated using the "screening analysis procedure" per SP117A. LGC references the 1991 County of Orange Grading Manual as justification for using a seismic coefficient of 0.15, and for not performing pseudo-static analysis on slopes less than 12 degrees. This is an outdated reference, and the current 2017 Orange County Grading Manual, does <u>not</u> stipulate a seismic coefficient or a minimum slope inclination to perform seismic stability analysis on. The current manual does indicate that "slope stability analysis should be performed in accordance with SP117A where applicable". 14

6) LGC has indicated that for their seismic stability analysis, "where applicable, soil shear strengths were increased (less than composite peak strength values)". LGC should provide a table documenting which values were increased, to what degree, and the threshold peak shear strength values. LGC should also prepare a detailed explanation regarding the basis for increasing the values for pseudo-static analysis along with all pertinent references. We realize that LGC has previously responded to a similar question, and that SP117A and the current 2017 Orange County Grading Manual include certain provisions; however, increasing shear strengths for pseudo-static analysis is not universally accepted and, if done, should be thoroughly documented. 15

We recommend that LGC address the above listed comments/questions and perform additional laboratory testing and slope stability analysis in order to confirm that the proposed grading and mitigation measures adequately address the slope stability hazards at the site. 16

LIMITATIONS

This geologic and geotechnical third-party peer review has been performed to provide an additional evaluation of the subject Draft EIR. Our services have been limited to review of the documents previously identified. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the geotechnical profession. This warranty is in lieu of all other warranties, either expressed or implied. 17

Respectfully submitted,
COTTON, SHIRES AND ASSOCIATES, INC.

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Principal Engineering Geologist
CEG 2560

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AM:DTS

3. Response to Comments from Cotton, Shires and Associates (1-16-2020)

Comments CSA-1 through CSA-12 address analyses of slope stability addressed in the Draft EIR Draft EIR (February 2018) that were not included in the Partially Recirculated Draft EIR (November 2019). Because no comments were received addressing the adequacy of geotechnical analyses of slope stability during the public review period for the Draft EIR, the information needed to respond to comments setting forth (1) anecdotal references by a homeowner regarding problems they faced with their home in the Westridge community, (2) issues regarding whether information provided in the Draft EIR's project description regarding landscaping of the existing slopes separating the Westridge community from Rancho La Habra, and (3) process questions as to how the City would protect Westridge from damage did not necessitate any "significant new information" that would require inclusion of the Geology, Soils, and Seismicity section in the Partially Recirculated Draft EIR (November 2019). In addition, none of the information provided in responses to comments on the Draft EIR or on the Partially Recirculated Draft EIR, including Responses to Comments CSA-1 through CSA-12, below, would require a second recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

The Draft EIR noted that the geotechnical analyses conducted for the Project indicated a "factor of safety greater than 1.5 and 1.1 for static and pseudo-static (seismic) loading conditions, respectively, which meet applicable safety requirements for slope stability and indicate that proposed manufactured slopes are anticipated to be both grossly and surficially stable as proposed."

The additional material included in the Final EIR regarding slope stability clarifies and amplifies existing information provided in the Draft EIR as it was modified by the Partially Recirculated Draft EIR. Final EIR responses addressing slope stability indicate:

- The Project would not result in a new significant unavoidable slope stability impact;
- Specific methods for staging of Project grading operations to ensure that the required factor of safety (greater than 1.5 and 1.1 for static and pseudo-static [seismic] loading conditions) would be maintained during the period that an existing buttress keyway stabilizing the slope would be temporarily removed to allow for remedial grading of a former landslide area;
- None of the other circumstances requiring a second recirculation of the EIR described in CEQA Guidelines Section 15088.5 would occur.

CSA-1 This comment provides an introduction to Cotton, Shires and Associates and the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CSA-2 Comment CSA-2 provides a general description of on-site geotechnical conditions and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CSA-3 This comment provides a conclusion upon which a recommendation is subsequently made. See Response to Comment CSA-11.

CSA-4 This comment provides a general description of proposed site grading and the Preliminary Geotechnical Report included in the Draft EIR Appendix P but does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CSA-5 This comment provides a conclusion upon which a recommendation is subsequently made. See Response to Comment CSA-12.

CSA-6 This comment provides a conclusion upon which a recommendation is subsequently made. See Response to Comment CSA-13.

CSA-7 This comment provides a conclusion upon which a recommendation is subsequently made. See Response to Comment CSA-14.

CSA-8 This comment provides a conclusion upon which a recommendation is subsequently made. See Response to Comment CSA-12.

CSA-9 Comment CSA-9 is an introductory comment that does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CSA-10 Sections 2.2.4 and 2.3 of the referenced report by LGC Geotechnical, Inc. (LGC), LGC's Geotechnical Map, and Cross-Sections 1 and 2 have thoroughly characterized the landslide complex within the western portion of the site. This characterization includes the landslide geometry, pre-stabilization limits, and portions of the landslide that were not stabilized previously. LGC also cited previous geotechnical reports by Goffman (1996) and GeoSoils (1997 and 1999) that they relied on for their understanding of the landslides current and previous limits. These reports detailed the means in which landslides were stabilized in-place with shear keyways as part of the remedial grading performed in the late 1990s for the golf course and residential development upslope. Lastly, there are no indications that any portions of the landslide complex were not stabilized during previous developments where necessary for the adjacent development.

CSA-11 The landsides in proximity to Cross-Sections 1-1′ and 2-2′ are an existing condition, and any associated hazards related to these features already exist and would not be a result of the Project.

Peer review of the geotechnical report by the firm of Albus-Keefe & Associates in response to this comment confirmed that LGC performed appropriate stability analyses to evaluate the conditions of this area after site development. From those analyses provided in Appendix E of the geotechnical report (Draft EIR Appendix P), Albus-Keefe determined that LGC adequately demonstrated appropriate factors of safety against slope failure in the final graded configuration. Further, the proposed remedial grading would improve the calculated factor of safety with regard to the existing landslide. In Section 3.0 of the geotechnical report, LGC states, "Based on the results of our evaluation and analysis provided herein, and provided our recommendations are properly implemented during construction, the proposed development of the site is not anticipated to significantly impact adjacent perimeter properties."

Geotechnical recommendations to ensure slope stability during site grading and construction have been incorporated into Mitigation Measure GEO-1.4a (see Response to Comment CSA-12). In addition, recommendations of the Preliminary Geotechnical Report have been incorporated into the Specific Plan as conditions of approval.

CSA-12 As requested, a temporary slope stability analysis was performed in accordance with the methods and soil shear strengths in the Rancho La Habra Geotechnical Report (Draft EIR Appendix P) to confirm the specific methods for staging of Project grading operations to ensure that the required factor of safety would be maintained through onsite grading activities. Additional slope stability analysis was performed on Cross-Sections 1-1′ and 2′-2′′ for the temporary condition during rough grading in the area of the existing localized landslide depicted on **Figure 3.14-3 –** Revised Portion of Geotechnical Map provided below.

Cross-Section 1-1′ slope stability analysis for the temporary grading condition is presented in the Slope Stability Analysis that follows Responses to Comments CSA-1 through CSA-17. The temporary condition indicates a sufficient factor of safety during rough grading of the back-cut for the area of Cross-Section 1-1′. No additional recommendations are needed for rough grading activities in this area.

Cross-Section 2′-2′′ slope stability analysis for the temporary grading condition is presented in the Slope Stability Analysis that follows Responses to Comments CSA-1 through CSA-17. Analysis of temporary slope stability involving reactivation of the landslide indicates a factor of safety of approximately 1.2. To

further reduce the potential for instability during grading, the entire existing landslide would not be exposed at any one time during rough grading. Rather, four sectioned removals (i.e., 80-foot-wide "slots") would be constructed for the landslide, as depicted in the attached **Figure 3.14-3** – Revised Portion of Cross-Section 2′-2″.

The landslide removal is anticipated to be at variable depths within the area of the removal; the landslide is anticipated to be shallower to the east and deeper to the west. However, to the west the existing buttress keyway constructed during original grading of the Westridge Golf Course provides an increasingly large buffer of safety against potential for temporary instability. At the location of Cross-Section 1-1′, temporary stability is not an issue as discussed above.

Draft EIR Impact GEO-1.4 is revised to read as follows:

> **Impact GEO-1.4:** The mechanically stabilized earth (MSE) wall below proposed Lots 241 through 245 would be at risk from landslide. In addition, site grading activities would result in removal of a buttress keyway in the southern portion of the site, requiring slope stabilization and remedial grading of an existing landslide. The impact related to risk of loss, injury, or death involving landslides would be *significant but mitigable*.

The second full paragraph on Draft EIR page 3.14-23 is revised to read as follows:

> ~~Proposed site grading would not cut into or otherwise modify existing perimeter slopes adjacent to the Westridge community. As stated earlier, these slopes were provided with buttress keyways and remedial grading when first constructed to ensure that stability.~~ During site grading, a buttress keyway in the southern portion of the site would be removed and an existing landslide would undergo remedial grading. Analysis of the temporary slope stability following removal of the buttress keyway indicates a factor of safety of approximately 1.2, which would require specific actions to be undertaken to ensure slope stability following removal of the buttress keyway. Based on the results and recommendations of the Geotechnical Report and supplemental analysis, proposed site development would not adversely affect adjacent perimeter properties.

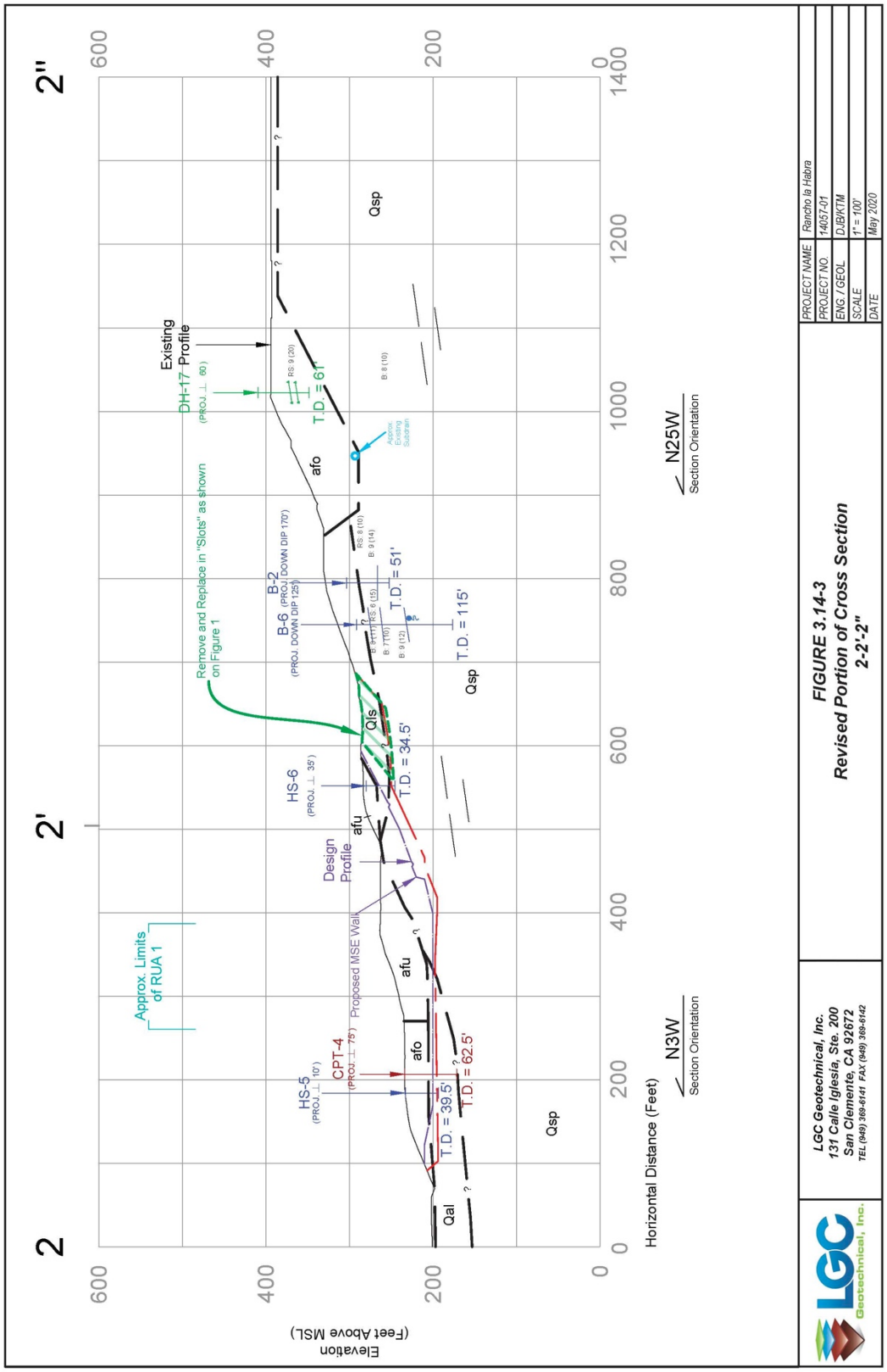
The significance conclusion for Impact GEO-1.4 on Draft EIR page 3.14-23 is revised to read as follows:

As indicated in the Geotechnical Report and supplemental analysis, slopes within the project site would be stable and structures would not be at risk from landslide with ~~one~~ two exceptions. Reinforcement is necessary in order to provide an adequate factor of safety for the proposed MSE walls located below Lots 241 through 245 of Vesting Tentative Tract Map 17845. In addition, removal of a buttress keyway in the southern portion of the site during grading activities would require slope stabilization and remedial grading of an existing landslide. As a result, a significant impact would result, requiring mitigation.

Mitigation Measure GEO-1.4 is revised and Mitigation Measure GEO-1.4b is added to read as follows:

Mitigation Measure GEO-1.4a: Additional geogrid reinforcement length beyond local stability requirements to be determined by the MSE wall designer and approved by the Chief Building Official shall be required to provide adequate global stability factors of safety (greater than 1.5 and 1.1 for static and pseudo-static [seismic] loading conditions, respectively, for the MSE wall located below Lots 241 through 245 of Vesting Tentative Tract Map 17845.[1]

Mitigation Measure GEO-1.4b: The planned landslide removal at Cross-Section 2-2′-2″shall be undertaken prior to excavation of the keyway back-cut slope north of the proposed landslide removal area as depicted on **Figure 3.14-3**, *Revised Portion of Cross-Section 2-2′-2″*. Additionally, the landslide removal shall be excavated in slots, or sections, where an area of landslide approximately 80 feet long (measured parallel to the slope face) is removed and replaced as compacted fill, prior to excavation of the adjacent 80-foot-wide section. A minimum of approximately 15 vertical feet of compacted fill shall be placed above the landslide rupture surface within each completed slot, prior to the next section of landslide removal. The landslide removal operation shall be performed so that no sections are left open (defined as lacking a minimum of 15 vertical feet in front of the landslide) over a weekend/holiday or when a significant rain event is predicted over the next three days. Full-time observation and testing shall be monitored by a qualified geotechnical expert during the landslide removal operation, and the expert shall provide supplemental recommendations based on observed field conditions.


2
2'
2"
Elevation (Feet Above MSL)
600
400
200
0
Horizontal Distance (Feet)
0
200
400
600
800
1000
1200
1400
N3W
Section Orientation
N25W
Section Orientation
Approx. Limits of RUA 1
Remove and Replace in "Slots" as shown on Figure 1
Existing Profile
DH-17
(PROJ. ⊥ 60')
HS-5
(PROJ. ⊥ 10')
CPT-4
(PROJ. ⊥ 75')
HS-6
(PROJ. ⊥ 39')
B-6
(PROJ. DOWN DIP 125')
B-2
(PROJ. DOWN DIP 170')
Design Profile
Proposed MSE Wall
Approx. Existing Subdrain
T.D. = 39.5'
T.D. = 62.5'
T.D. = 34.5'
T.D. = 115'
T.D. = 51'
T.D. = 61'
Qal
Qsp
Qls
afu
afo
FIGURE 3.14-3
Revised Portion of Cross Section
2-2'-2"
LGC Geotechnical, Inc.
131 Calle Iglesia, Ste. 200
San Clemente, CA 92672
TEL (949) 369-6141 FAX (949) 369-6142
PROJECT NAME Rancho la Habra
PROJECT NO. 14057-01
ENG. / GEOL. DJB/KTM
SCALE 1" = 100'
DATE May 2020

On Draft EIR page 3.14-24, the significance conclusion for Impact GEO-1.4 after implementation of mitigation measures is revised to read as follows:

> With the implementation of **Mitigation Measures GEO-1.4a and GEO-1.4b**, all slopes within the project site would have an adequate factor of safety both during and following site grading activities and would not pose a landslide risk, resulting in a less-than-significant impact.

CSA-13 A discussion on the basis of selected shear strength parameters is presented in Section 2.7 of the geotechnical report, which states that values were, in part, based on site-specific laboratory testing including torsional ring shear. Although not discussed in the report, correlations of friction angle to Atterberg Limits as proposed by Stark, T.D., Choi H., and McCone S. (2005) were provided to Albus-Keefe during preparation of the geotechnical report. These correlations confirmed the angle of 13 degrees used is less than the value obtained from the correlation. The use of back-calculation methods would only be useful if one could reasonably know the immediate post-failure configuration of the landslide area along with groundwater conditions at that time. Since neither of these factors can be reasonable defined, back-analysis methods are not useful. In addition, the values selected by LGC are consistent with values commonly used by other consultants working within the San Pedro Formation. Albus-Keefe peer review confirmed there is no need for further justification of the selected parameters.

CSA-14 The City of La Habra has substantially adopted the Orange County Grading and Excavation Code and the Grading Manual by reference. The Grading Manual does require analysis of slope stability in accordance with SP117A. Final design will be required to meet all aspects of the Grading Code and Grading Manual. For the purpose of establishing feasibility of site development at the preliminary design stage, which is the basic requirement for preparation of an EIR addressing a Specific Plan for which no grading permit has yet been requested, consideration can be made of a number of factors in establishing feasibility.

Factors considered in Albus-Keefe's peer review of the LGC geotechnical report included allowance for having conservatively assumed direct out-of-slope bedding and the limitations on pseudo-static methods on failure planes that are relatively flat (i.e., less than 12 degrees). Bedding in proximity to Cross-Sections 1-1′ and 2-2′ is significantly oblique to the line of section. LGC used a two-dimensional method that is conservative by ignoring the side shear effects that would come into play. No consideration was given by LGC for the non-linearity (waviness) of bedding. The friction factor could have been increased to account

for this condition. Lastly, pseudo-static analyses have limitations but particularly in cases where failure planes are at low angles. In consideration of these factors along with the relatively high factors of safety obtained from static conditions, Albus-Keefe concluded that LGC adequately established feasibility of the Project with respect to slope stability and options for remedial grading measures.

CSA-15 A table as requested is not necessary in the EIR or geotechnical report. The necessary information is provided in Appendix E of the LGC geotechnical report. Albus-Keefe in their peer review noted that many consultants make use of greater values for seismic cases and this is considered commonplace in the current practice in Southern California. This practice need not be "universally" accepted as many other methods and procedures in the profession of geotechnical engineering are also not universally accepted but nonetheless are commonly used. The values selected by LGC do not exceed the peak strengths obtained by laboratory testing. Albus-Keefe specifically reviewed the basis for the values selected and found them to be acceptable.

CSA-16 See Responses to Comments CSA-10 through CSA-15.

CSA-17 This comment sets forth a general statement regarding the opinions and conclusions of the CSA comment letter and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

Supplemental Geotechnical Analysis

LGC Geotechnical, Inc.

May 1, 2020

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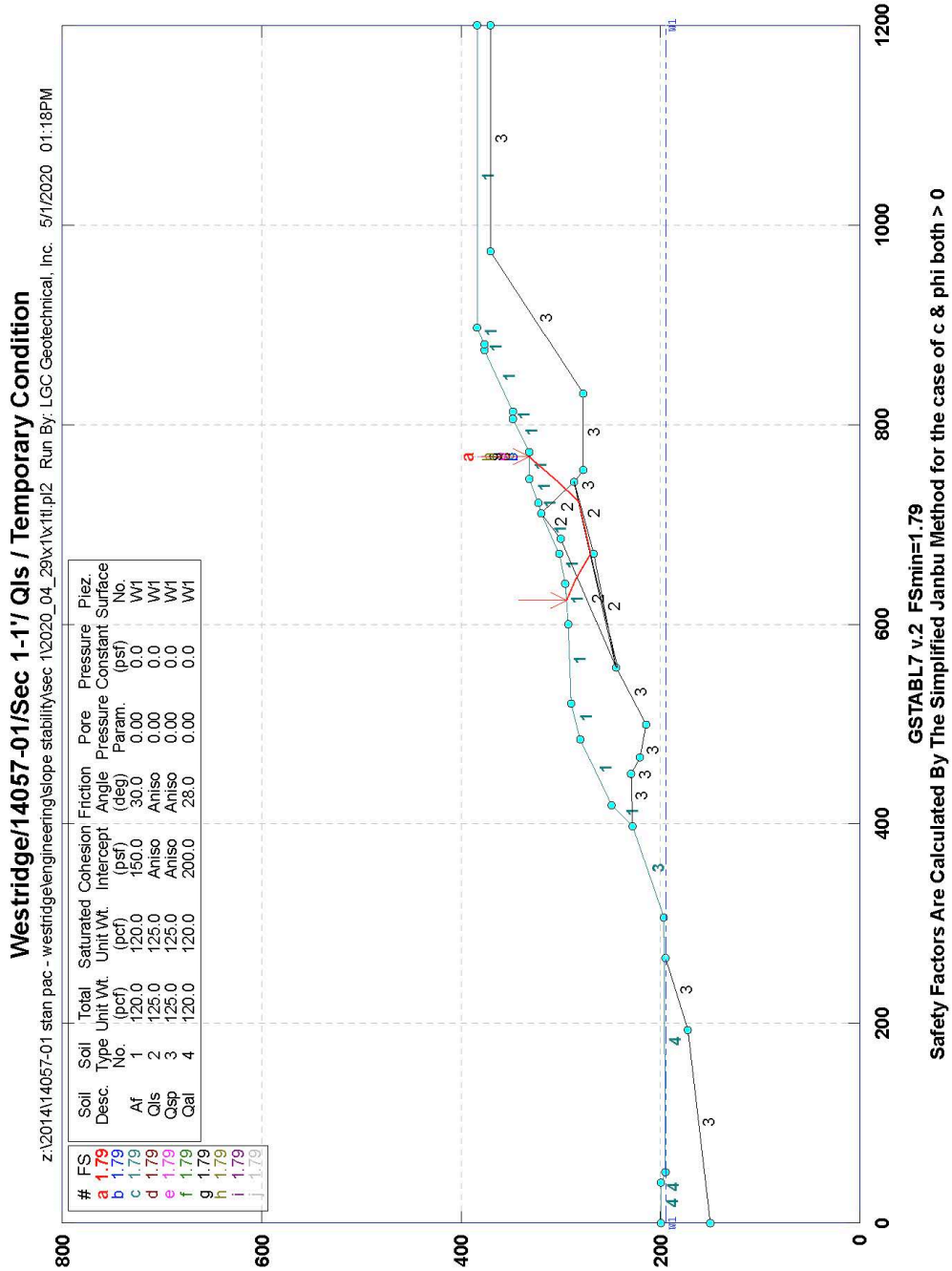
Summary of Slope Stability Analysis

Cross-Section	File Name	Factor of Safety	Description
1-1"	x1tl	1.79	Landslide Temporary Condition
2-2"	x2tlx2	1.17	Landslide Temporary Condition

Project No. 14057-01 *May, 2020*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FS
a 1.79
b 1.79
c 1.79
d 1.79
e 1.79
f 1.79
g 1.79
h 1.79
i 1.79
j 1.79
Soil Desc. | Soil Type No. | Total Unit Wt. (pcf) | Saturated Unit Wt. (pcf) | Cohesion Intercept (psf) | Friction Angle (deg) | Pore Pressure Param. | Pressure Constant (psf) | Piez. Surface No.
Af 1 120.0 120.0 150.0 30.0 0.00 0.0 W1
Qls 2 125.0 125.0 Aniso Aniso 0.00 0.0 W1
Qsp 3 125.0 125.0 Aniso Aniso 0.00 0.0 W1
Qal 4 120.0 120.0 200.0 28.0 0.00 0.0 W1
800
600
400
200
0
0
200
400
600
800
1000
1200
GSTABL7 v.2 FSmin=1.79
Safety Factors Are Calculated By The Simplified Janbu Method for the case of c & phi both > 0

```
                    ***  GSTABL7  ***

          ** GSTABL7 by Dr. Garry H. Gregory, Ph.D.,P.E.,D.GE **

  ** Original Version 1.0, January 1996; Current Ver. 2.005.3, Feb. 2013 **
             (All Rights Reserved-Unauthorized Use Prohibited)

*******************************************************************************
                  SLOPE STABILITY ANALYSIS SYSTEM
      Modified Bishop, Simplified Janbu, or GLE Method of Slices.
      (Includes Spencer & Morgenstern-Price Type Analysis)
      Including Pier/Pile, Reinforcement, Soil Nail, Tieback,
      Nonlinear Undrained Shear Strength, Curved Phi Envelope,
      Anisotropic Soil, Fiber-Reinforced Soil, Boundary Loads, Water
      Surfaces, Pseudo-Static & Newmark Earthquake, and Applied Forces.
*******************************************************************************


Analysis Run Date:        5/1/2020
Time of Run:              01:18PM
Run By:                   LGC Geotechnical,
Inc.


Input Data Filename:      Z:\2014\14057-01 Stan Pac - Westridge\Engineering\Slope
Stability\Sec
1\2020 04 29\x1\x1tl.in


Output Filename:          Z:\2014\14057-01 Stan Pac - Westridge\Engineering\Slope
Stability\Sec
1\2020_04_29\x1\x1tl.OUT


Unit System:              English

Plotted Output Filename:  Z:\2014\14057-01 Stan Pac - Westridge\Engineering\Slope
Stability\Sec
1\2020_04_29\x1\x1tl.PLT




PROBLEM DESCRIPTION:  Westridge/14057-01/Sec 1-1'/ Qls
                      / Temporary Condition



BOUNDARY COORDINATES

   20 Top   Boundaries
   35 Total Boundaries


Boundary     X-Left     Y-Left    X-Right    Y-Right    Soil Type
   No.        (ft)       (ft)       (ft)       (ft)     Below Bnd

    1          0.00     200.00      40.00     200.00        4
    2         40.00     200.00      51.00     195.00        4
    3         51.00     195.00     306.00     196.00        4
    4        306.00     196.00     397.00     228.00        3
    5        397.00     228.00     418.00     249.00        1
    6        418.00     249.00     485.00     281.00        1
    7        485.00     281.00     520.00     290.00        1
    8        520.00     290.00     600.00     292.00        1
    9        600.00     292.00     641.00     295.00        1
   10        641.00     295.00     671.00     302.00        1
   11        671.00     302.00     711.00     320.00        1
   12        711.00     320.00     721.00     323.00        1
   13        721.00     323.00     746.00     332.00        1
   14        746.00     332.00     772.00     332.00        1
   15        772.00     332.00     805.00     348.00        1
   16        805.00     348.00     813.00     348.00        1
   17        813.00     348.00     874.00     376.00        1
   18        874.00     376.00     880.00     376.00        1
   19        880.00     376.00     897.00     384.00        1
   20        897.00     384.00    1200.00     384.00        1
   21        397.00     228.00     450.00     229.00        3
   22        450.00     229.00     466.00     220.00        3
   23        466.00     220.00     500.00     214.00        3
   24        500.00     214.00     556.00     244.00        3
   25        556.00     244.00     686.00     300.00        2
   26        686.00     300.00     711.00     320.00        2
   27        711.00     320.00     743.00     287.00        2
   28        743.00     287.00     754.00     277.00        3
   29        754.00     277.00     831.00     277.00        3
   30        831.00     277.00     974.00     371.00        3
   31        974.00     371.00    1200.00     371.00        3
   32        556.00     244.00     670.00     267.00        2
   33        670.00     267.00     743.00     287.00        2
   34          0.00     150.00     193.00     173.00        3
   35        193.00     173.00     265.00     195.00        3

 Default Y-Origin = 0.00(ft)

 Default X-Plus Value = 0.00(ft)

 Default Y-Plus Value = 0.00(ft)
1


ISOTROPIC SOIL PARAMETERS


  4 Type(s) of Soil


 Soil  Total  Saturated  Cohesion Friction   Pore   Pressure   Piez.
 Type Unit Wt. Unit Wt. Intercept  Angle  Pressure Constant Surface
  No.  (pcf)    (pcf)     (psf)     (deg)    Param.   (psf)     No.

   1   120.0    120.0     150.0     30.0    0.00       0.0      1
   2   125.0    125.0     200.0     24.0    0.00       0.0      1
   3   125.0    125.0     300.0     32.0    0.00       0.0      1
   4   120.0    120.0     200.0     28.0    0.00       0.0      1


ANISOTROPIC STRENGTH PARAMETERS
     2 soil type(s)


 Soil Type  2 Is Anisotropic

 Number Of Direction Ranges Specified =  3
```

Direction Range No.	Counterclockwise Direction Limit (deg)	Cohesion Intercept (psf)	Friction Angle (deg)
1	5.0	200.00	24.00
2	15.0	0.00	13.00
3	90.0	200.00	24.00

Soil Type 3 Is Anisotropic

Number Of Direction Ranges Specified = 3

Direction Range No.	Counterclockwise Direction Limit (deg)	Cohesion Intercept (psf)	Friction Angle (deg)
1	7.0	300.00	32.00
2	12.0	200.00	27.00
3	90.0	300.00	32.00

ANISOTROPIC SOIL NOTES:
(1) An input value of 0.01 for C and/or Phi will cause Aniso C and/or Phi to be ignored in that range.
(2) An input value of 0.02 for Phi will set both Phi and C equal to zero, with no water weight in the tension crack.
(3) An input value of 0.03 for Phi will set both Phi and C equal to zero, with water weight in the tension crack.

1

1 PIEZOMETRIC SURFACE(S) SPECIFIED

Unit Weight of Water = 62.40 (pcf)

Piezometric Surface No. 1 Specified by 2 Coordinate Points
Pore Pressure Inclination Factor = 0.50

Point No.	X-Water (ft)	Y-Water (ft)
1	0.00	195.00
2	1200.00	195.00

Janbus Empirical Coef is being used for the case of c & phi both > 0

1

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Sliding Block Surfaces, Has Been Specified.

5000 Trial Surfaces Have Been Generated.

2 Boxes Specified For Generation Of Central Block Base

Length Of Line Segments For Active And Passive Portions Of Sliding Block Is 30.0

Box No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Height (ft)
1	556.00	244.00	700.00	277.20	0.50
2	700.10	277.20	743.10	287.00	0.50

Following Are Displayed The Ten Most Critical Of The Trial Failure Surfaces Evaluated. They Are Ordered - Most Critical First.

* * Safety Factors Are Calculated By The Simplified Janbu Method * *

Total Number of Trial Surfaces Attempted = 5000

Number of Trial Surfaces With Valid FS = 5000

Statistical Data On All Valid FS Values:
FS Max = 10.248 FS Min = 1.788 FS Ave = 2.699
Standard Deviation = 0.887 Coefficient of Variation = 32.86 %

Failure Surface Specified By 7 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	624.498	293.793
2	644.785	285.308
3	670.706	270.205
4	722.574	282.355
5	743.322	304.023
6	763.230	326.465
7	768.160	332.000

Factor of Safety
*** 1.788 ***

Individual data on the 14 slices

Slice No.	Width (ft)	Weight (lbs)	Water Force Top (lbs)	Water Force Bot (lbs)	Tie Force Norm (lbs)	Tie Force Tan (lbs)	Earthquake Force Hor (lbs)	Earthquake Force Ver (lbs)	Surcharge Load (lbs)
1	16.5	8028.6	0.0	0.0	0.	0.	0.0	0.0	0.0
2	3.8	4243.3	0.0	0.0	0.	0.	0.0	0.0	0.0
3	3.0	4281.6	0.0	0.0	0.	0.	0.0	0.0	0.0
4	22.9	62836.0	0.0	0.0	0.	0.	0.0	0.0	0.0
5	0.3	1153.2	0.0	0.0	0.	0.	0.0	0.0	0.0
6	15.0	61875.3	0.0	0.0	0.	0.	0.0	0.0	0.0
7	25.0	117138.7	0.0	0.0	0.	0.	0.0	0.0	0.0

8	10.0	50523.5	0.0	0.0	0.	0.	0.0	0.0	0.0
9	1.6	7973.9	0.0	0.0	0.	0.	0.0	0.0	0.0
10	12.4	55753.1	0.0	0.0	0.	0.	0.0	0.0	0.0
11	8.4	29974.3	0.0	0.0	0.	0.	0.0	0.0	0.0
12	2.7	8351.4	0.0	0.0	0.	0.	0.0	0.0	0.0
13	17.2	31523.6	0.0	0.0	0.	0.	0.0	0.0	0.0
14	4.9	1637.0	0.0	0.0	0.	0.	0.0	0.0	0.0

Failure Surface Specified By 7 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	624.498	293.793
2	644.785	285.308
3	670.706	270.205
4	722.574	282.355
5	743.322	304.023
6	763.230	326.465
7	768.160	332.000

Factor of Safety
*** 1.788 ***

1

Failure Surface Specified By 7 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	624.498	293.793
2	644.785	285.308
3	670.706	270.205
4	722.574	282.355
5	743.322	304.023
6	763.230	326.465
7	768.160	332.000

Factor of Safety
*** 1.788 ***

Failure Surface Specified By 7 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	624.498	293.793
2	644.785	285.308
3	670.706	270.205
4	722.574	282.355
5	743.322	304.023
6	763.230	326.465
7	768.160	332.000

Factor of Safety
*** 1.788 ***

1

Failure Surface Specified By 7 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	624.498	293.793
2	644.785	285.308
3	670.706	270.205
4	722.574	282.355
5	743.322	304.023
6	763.230	326.465
7	768.160	332.000

Factor of Safety
*** 1.788 ***

Failure Surface Specified By 7 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	624.498	293.793
2	644.785	285.308
3	670.706	270.205
4	722.574	282.355
5	743.322	304.023
6	763.230	326.465
7	768.160	332.000

Factor of Safety
*** 1.788 ***

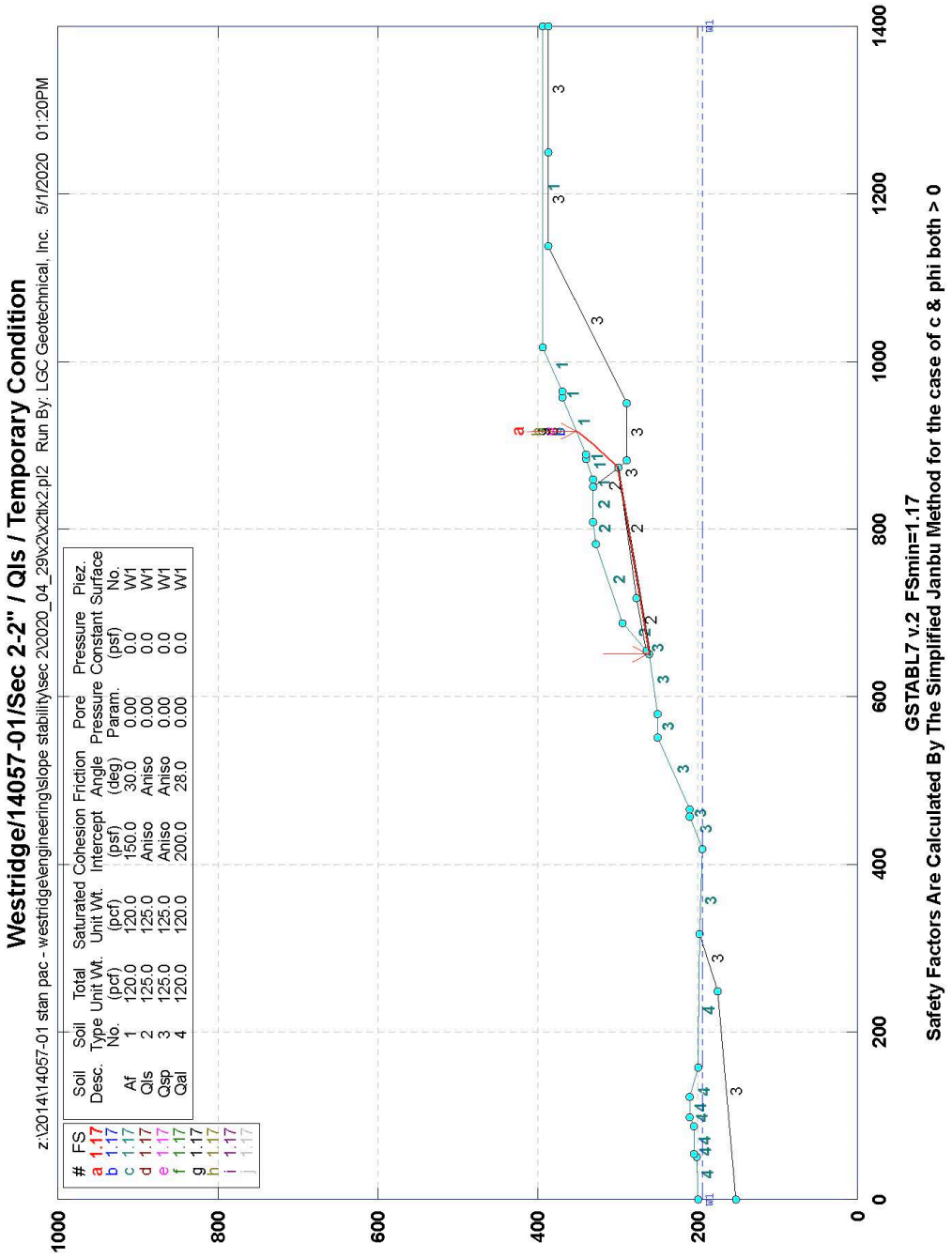
Failure Surface Specified By 7 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	624.498	293.793
2	644.785	285.308
3	670.706	270.205
4	722.574	282.355
5	743.322	304.023
6	763.230	326.465
7	768.160	332.000

Factor of Safety

```
        ***    1.788   ***


Failure Surface Specified By  7 Coordinate Points

  Point      X-Surf      Y-Surf
   No.        (ft)        (ft)

    1        624.498      293.793
    2        644.785      285.308
    3        670.706      270.205
    4        722.574      282.355
    5        743.322      304.023
    6        763.230      326.465
    7        768.160      332.000

     Factor of Safety
    ***    1.788   ***


1

Failure Surface Specified By  7 Coordinate Points

  Point      X-Surf      Y-Surf
   No.        (ft)        (ft)

    1        624.498      293.793
    2        644.785      285.308
    3        670.706      270.205
    4        722.574      282.355
    5        743.322      304.023
    6        763.230      326.465
    7        768.160      332.000

     Factor of Safety
    ***    1.788   ***


Failure Surface Specified By  7 Coordinate Points

  Point      X-Surf      Y-Surf
   No.        (ft)        (ft)

    1        624.498      293.793
    2        644.785      285.308
    3        670.706      270.205
    4        722.574      282.355
    5        743.322      304.023
    6        763.230      326.465
    7        768.160      332.000

     Factor of Safety
    ***    1.788   ***
```

```
**** END OF GSTABL7 OUTPUT ****
```


Westridge/14057-01/Sec 2-2" / Qls / Temporary Condition
z:\2014\14057-01 stan pac - westridge\engineering\slope stability\sec 2\2020_04_29\x2\x2tbx2.pl2 Run By: LGC Geotechnical, Inc. 5/1/2020 01:20PM
FS
a 1.17
b 1.17
c 1.17
d 1.17
e 1.17
f 1.17
g 1.17
h 1.17
i 1.17
j 1.17
Soil Desc. | Soil Type No. | Total Unit Wt. (pcf) | Saturated Unit Wt. (pcf) | Cohesion Intercept (psf) | Friction Angle (deg) | Pore Pressure Param. | Pressure Constant (psf) | Piez. Surface No.
Af 1 120.0 120.0 150.0 30.0 0.00 0.0 W1
Qls 2 125.0 125.0 Aniso Aniso 0.00 0.0 W1
Qsp 3 125.0 125.0 Aniso Aniso 0.00 0.0 W1
Qal 4 120.0 120.0 200.0 28.0 0.00 0.0 W1
GSTABL7 v.2 FSmin=1.17
Safety Factors Are Calculated By The Simplified Janbu Method for the case of c & phi both > 0

```
                    ***  GSTABL7  ***

          ** GSTABL7 by Dr. Garry H. Gregory, Ph.D.,P.E.,D.GE **

  ** Original Version 1.0, January 1996; Current Ver. 2.005.3, Feb. 2013 **
             (All Rights Reserved-Unauthorized Use Prohibited)

*******************************************************************************
                  SLOPE STABILITY ANALYSIS SYSTEM
      Modified Bishop, Simplified Janbu, or GLE Method of Slices.
      (Includes Spencer & Morgenstern-Price Type Analysis)
      Including Pier/Pile, Reinforcement, Soil Nail, Tieback,
      Nonlinear Undrained Shear Strength, Curved Phi Envelope,
      Anisotropic Soil, Fiber-Reinforced Soil, Boundary Loads, Water
      Surfaces, Pseudo-Static & Newmark Earthquake, and Applied Forces.
*******************************************************************************


Analysis Run Date:        5/1/2020
Time of Run:              01:20PM
Run By:                   LGC Geotechnical,
Inc.


Input Data Filename:      Z:\2014\14057-01 Stan Pac - Westridge\Engineering\Slope
Stability\Sec
2\2020 04 29\x2\x2tlx2.in


Output Filename:          Z:\2014\14057-01 Stan Pac - Westridge\Engineering\Slope
Stability\Sec
2\2020_04_29\x2\x2tlx2.OUT


Unit System:              English

Plotted Output Filename:  Z:\2014\14057-01 Stan Pac - Westridge\Engineering\Slope
Stability\Sec
2\2020_04_29\x2\x2tlx2.PLT




PROBLEM DESCRIPTION:  Westridge/14057-01/Sec 2-2" / Qls
                      / Temporary Condition



BOUNDARY COORDINATES

   25 Top   Boundaries
   35 Total Boundaries


Boundary     X-Left     Y-Left    X-Right    Y-Right    Soil Type
   No.        (ft)       (ft)       (ft)       (ft)     Below Bnd

    1          0.00     200.00      51.00     202.00        4
    2         51.00     202.00      55.00     205.00        4
    3         55.00     205.00      87.00     204.00        4
    4         87.00     204.00      98.00     210.00        4
    5         98.00     210.00     122.00     210.00        4
    6        122.00     210.00     157.00     200.00        4
    7        157.00     200.00     317.00     198.00        4
    8        317.00     198.00     419.00     195.00        3
    9        419.00     195.00     456.00     210.00        3
   10        456.00     210.00     466.00     210.00        3
   11        466.00     210.00     552.00     250.00        3
   12        552.00     250.00     580.00     250.00        3
   13        580.00     250.00     651.00     261.00        3
   14        651.00     261.00     654.00     264.00        3
   15        654.00     264.00     688.00     294.00        2
   16        688.00     294.00     783.00     327.00        2
   17        783.00     327.00     809.00     331.00        2
   18        809.00     331.00     850.00     330.00        2
   19        850.00     330.00     860.00     330.00        1
   20        860.00     330.00     883.00     339.00        1
   21        883.00     339.00     889.00     339.00        1
   22        889.00     339.00     957.00     370.00        1
   23        957.00     370.00     965.00     370.00        1
   24        965.00     370.00    1017.00     394.00        1
   25       1017.00     394.00    1400.00     394.00        1
   26          0.00     153.00     249.00     175.00        3
   27        249.00     175.00     317.00     198.00        3
   28        850.00     330.00     874.00     300.00        2
   29        874.00     300.00     882.00     289.00        3
   30        882.00     289.00     951.00     289.00        3
   31        951.00     289.00    1138.00     386.00        3
   32       1138.00     386.00    1250.00     386.00        3
   33       1250.00     386.00    1400.00     386.00        3
   34        654.00     264.00     718.00     277.00        2
   35        718.00     277.00     874.00     300.00        2

 Default Y-Origin = 0.00(ft)

 Default X-Plus Value = 0.00(ft)

 Default Y-Plus Value = 0.00(ft)
1


ISOTROPIC SOIL PARAMETERS


  4 Type(s) of Soil


 Soil  Total  Saturated  Cohesion Friction   Pore   Pressure   Piez.
 Type Unit Wt. Unit Wt. Intercept   Angle  Pressure Constant Surface
  No.  (pcf)    (pcf)     (psf)     (deg)    Param.   (psf)     No.

   1   120.0    120.0     150.0     30.0    0.00       0.0      1
   2   125.0    125.0     200.0     24.0    0.00       0.0      1
   3   125.0    125.0     300.0     32.0    0.00       0.0      1
   4   120.0    120.0     200.0     28.0    0.00       0.0      1


ANISOTROPIC STRENGTH PARAMETERS
     2 soil type(s)


 Soil Type  2 Is Anisotropic

 Number Of Direction Ranges Specified =  3
```

Direction Range No.	Counterclockwise Direction Limit (deg)	Cohesion Intercept (psf)	Friction Angle (deg)
1	0.0	200.00	24.00
2	15.0	0.00	13.00
3	90.0	200.00	24.00

Soil Type 3 Is Anisotropic

Number Of Direction Ranges Specified = 3

Direction Range No.	Counterclockwise Direction Limit (deg)	Cohesion Intercept (psf)	Friction Angle (deg)
1	7.0	300.00	32.00
2	12.0	200.00	27.00
3	90.0	300.00	32.00

ANISOTROPIC SOIL NOTES:
(1) An input value of 0.01 for C and/or Phi will cause Aniso C and/or Phi to be ignored in that range.
(2) An input value of 0.02 for Phi will set both Phi and C equal to zero, with no water weight in the tension crack.
(3) An input value of 0.03 for Phi will set both Phi and C equal to zero, with water weight in the tension crack.

1

1 PIEZOMETRIC SURFACE(S) SPECIFIED

Unit Weight of Water = 62.40 (pcf)

Piezometric Surface No. 1 Specified by 2 Coordinate Points
Pore Pressure Inclination Factor = 0.50

Point No.	X-Water (ft)	Y-Water (ft)
1	0.00	195.00
2	1400.00	195.00

Janbus Empirical Coef is being used for the case of c & phi both > 0

1

A Critical Failure Surface Searching Method, Using A Random Technique For Generating Sliding Block Surfaces, Has Been Specified.

5000 Trial Surfaces Have Been Generated.

3 Boxes Specified For Generation Of Central Block Base

Length Of Line Segments For Active And Passive Portions Of Sliding Block Is 20.0

Box No.	X-Left (ft)	Y-Left (ft)	X-Right (ft)	Y-Right (ft)	Height (ft)
1	650.00	260.00	730.00	274.10	1.00
2	730.10	274.10	875.00	300.00	1.00
3	875.10	300.00	875.10	300.00	1.00

Following Are Displayed The Ten Most Critical Of The Trial Failure Surfaces Evaluated. They Are Ordered - Most Critical First.

* * Safety Factors Are Calculated By The Simplified Janbu Method * *

Total Number of Trial Surfaces Attempted = 5000

Number of Trial Surfaces With Valid FS = 5000

Statistical Data On All Valid FS Values:
FS Max = 2.439 FS Min = 1.174 FS Ave = 1.598
Standard Deviation = 0.320 Coefficient of Variation = 20.00 %

Failure Surface Specified By 8 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	651.771	261.771
2	653.237	260.501
3	844.285	294.455
4	875.100	300.347
5	887.778	315.815
6	901.920	329.958
7	913.799	346.048
8	917.380	351.938

Factor of Safety
*** 1.174 ***

Individual data on the 18 slices

Slice No.	Width (ft)	Weight (lbs)	Water Force Top (lbs)	Water Force Bot (lbs)	Tie Force Norm (lbs)	Tie Force Tan (lbs)	Earthquake Force Hor (lbs)	Earthquake Force Ver (lbs)	Surcharge Load (lbs)
1	1.5	250.9	0.0	0.0	0.	0.	0.0	0.0	0.0
2	0.8	290.8	0.0	0.0	0.	0.	0.0	0.0	0.0
3	34.0	65204.1	0.0	0.0	0.	0.	0.0	0.0	0.0
4	30.0	111995.2	0.0	0.0	0.	0.	0.0	0.0	0.0
5	65.0	308127.1	0.0	0.0	0.	0.	0.0	0.0	0.0

6	26.0	140160.1	0.0	0.0	0.	0.	0.0	0.0	0.0
7	35.3	173115.5	0.0	0.0	0.	0.	0.0	0.0	0.0
8	5.7	25052.6	0.0	0.0	0.	0.	0.0	0.0	0.0
9	10.0	41557.3	0.0	0.0	0.	0.	0.0	0.0	0.0
10	10.9	44523.6	0.0	0.0	0.	0.	0.0	0.0	0.0
11	3.0	12789.9	0.0	0.0	0.	0.	0.0	0.0	0.0
12	1.2	5082.6	0.0	0.0	0.	0.	0.0	0.0	0.0
13	7.9	30608.9	0.0	0.0	0.	0.	0.0	0.0	0.0
14	4.8	14965.0	0.0	0.0	0.	0.	0.0	0.0	0.0
15	1.2	3309.7	0.0	0.0	0.	0.	0.0	0.0	0.0
16	12.9	28599.9	0.0	0.0	0.	0.	0.0	0.0	0.0
17	11.9	13676.1	0.0	0.0	0.	0.	0.0	0.0	0.0
18	3.6	914.7	0.0	0.0	0.	0.	0.0	0.0	0.0

Failure Surface Specified By 8 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	651.771	261.771
2	653.237	260.501
3	844.285	294.455
4	875.100	300.347
5	887.778	315.815
6	901.920	329.958
7	913.799	346.048
8	917.380	351.938

Factor of Safety
*** 1.174 ***

1

Failure Surface Specified By 8 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	651.771	261.771
2	653.237	260.501
3	844.285	294.455
4	875.100	300.347
5	887.778	315.815
6	901.920	329.958
7	913.799	346.048
8	917.380	351.938

Factor of Safety
*** 1.174 ***

Failure Surface Specified By 8 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	651.771	261.771
2	653.237	260.501
3	844.285	294.455
4	875.100	300.347
5	887.778	315.815
6	901.920	329.958
7	913.799	346.048
8	917.380	351.938

Factor of Safety
*** 1.174 ***

1

Failure Surface Specified By 8 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	651.771	261.771
2	653.237	260.501
3	844.285	294.455
4	875.100	300.347
5	887.778	315.815
6	901.920	329.958
7	913.799	346.048
8	917.380	351.938

Factor of Safety
*** 1.174 ***

Failure Surface Specified By 8 Coordinate Points

Point No.	X-Surf (ft)	Y-Surf (ft)
1	651.771	261.771
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Factor of Safety
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5	887.778	315.815
6	901.920	329.958
7	913.799	346.048
8	917.380	351.938

Factor of Safety
*** 1.174 ***

**** END OF GSTABL7 OUTPUT ****

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2.1.4 RESPONSES TO COMMENTS FROM LOCAL PUBLIC AGENCIES AND UTILITIES

Comments and responses to the four (4) comment letters and emails that were received from local public agencies and utilities are provided on the following pages.

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SCG-1

SoCalGas

A Sempra Energy utility

Transmission Technical
Services Department

9400 Oakdale Ave
Chatsworth, CA 91311
SC9314

December 31, 2019

Andrew Ho
City of La Habra
andrewh@lahabraca.gov

Subject: **Report SCH# 2015111045**

DCF: **2397-19NC**

The Transmission Department of SoCalGas does not operate any facilities within your proposed improvement. However, the Distribution Department of SoCalGas may maintain and operate facilities within your project scope.

To assure no conflict with the Distribution's pipeline system, please e-mail them at:

AtlasRequests/WillServeAnaheim@semprautilities.com

1

Best Regards,

Mike Campisi
Pipeline Planning Assistant
SoCalGas Transmission Technical Services
SoCalGasTransmissionUtilityRequest@semprautilities.com

1. Response to Comments from SoCalGas (12-31-2019)

SCG-1-1 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

SoCalGas
A Sempra Energy utility

Karen Kwan
Principal Environmental Specialist

Southern California Gas Company
555 W. Fifth Street
Mail Location: GT02A
Los Angeles, CA 90013
Tel: 213.248.7335

January 15, 2020

Mr. Andrew Ho, Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra, CA 90631
andrewh@lahabraca.gov

RE: Notice of Availability for Partially Recirculated Draft Environmental Impact Report (DEIR) for the Rancho La Habra Specific Plan (Project)

Dear Mr. Ho:

Southern California Gas Company (SoCalGas) appreciates the opportunity to review and respond to the Project's Notice of Availability for the Partially Recirculated DEIR for the above state project. We respectfully request that the following comments be incorporated into the document.

- The DIER appropriately identifies SoCalGas as the provider of natural gas utility to the Project. However, the document does not evaluate or discuss the potential need for new natural gas utility facilities to be constructed for the proposed Project. SoCalGas requests that a discussion regarding the need for new natural gas service be included. 1

- Should it be determined that the Project may require SoCalGas to extend new natural gas service, SoCalGas respectfully requests that Project proponent coordinate with us by calling (800) 427-2000 to follow-up on this matter or submit a "Request for New Gas Services" application. 2

- Should it be determined that the proposed Project may require SoCalGas to abandon and/or relocate or otherwise modify any portion of its existing natural gas lines, SoCalGas respectfully requests that the City and/or the Project proponent coordinate with SoCalGas by calling (714) 634-5067. 3

Once again, we appreciate the opportunity to comment on the Project's Partially Recirculated Draft EIR. If you have any questions, please feel free to contact SoCalGas Environmental Review at Envreview@semprautilities.com.

Sincerely,

Karen Kwan

Karen Kwan
Principal Environmental Specialist
Southern California Gas Company

2. Response to Comments from SoCalGas (1-15-2020)

SCG-2-1 Project demand for natural gas service is evaluated in Section 3.10, *Energy Resources*, of the Partially Recirculated Draft EIR. As noted in that section, the Southern California Gas Company provides natural gas service to the Project site and maintains medium-pressure facilities in nearly every street in La Habra. Currently, natural gas is used on a daily basis for the golf course clubhouse.

New natural gas infrastructure would be constructed as part of site development, including provision of new natural gas pipelines within street rights-of-way serving single family development. Environmental impacts associated with the construction of natural gas infrastructure have been addressed in each of the analyses of site grading and construction impacts contained in the Draft EIR, as it was modified by the Partially Recirculated Draft EIR.

Greenhouse gas mitigation measures set forth in the Partially Recirculated Draft EIR would minimize the combustion of natural gas within the Project site and the need for natural gas infrastructure. These mitigation measures include:

- **Mitigation Measure GHG-1b**, which requires that all new multi-family dwelling units be "all electric, meaning that electricity is the only permanent source of energy for water heating, mechanical powering, space heating and cooling (i.e., heating, ventilation, and air conditioning [HVAC]), cooking, and clothes drying and there is no gas meter connection…."
- **Mitigation Measures GHG-1a** and **GHG-1d**, which require that solar water heaters or other efficiency technology be provided within all single-family dwelling units and all non-residential structures, respectively, unless the installation is impracticable as determined by the City. Other efficiency technology would include "installation of a renewable energy technology system that uses renewable energy as the primary energy source for water heating."

These mitigation measures would minimize the Project's demand for natural gas along with the need for natural gas infrastructure within the site. Environmental impacts associated with the use of natural gas have been addressed in Partially Recirculated Draft EIR Sections 3.8, *Air Quality*, 3.9, *Greenhouse Gas Emissions*, and 3.10, *Energy Resources*.

SCG-2-2 Please refer to Response to Comment SCG-2-1. This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

SCG-2-3 Please refer to Response to Comment SCG-2-1. This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

OCTA

AFFILIATED AGENCIES

Orange County Transit District

Local Transportation Authority

Service Authority for Freeway Emergencies

Consolidated Transportation Service Agency

Congestion Management Agency

January 15, 2020

Mr. Andrew Ho
Community Development Director
City of La Habra
110 East L Habra Boulevard
La Habra, CA 90631

Subject: **Partially Recirculated Draft Environmental Impact Report (SCH# 201511045) for the Rancho La Habra Specific Plan**

Dear Mr. Ho:

The Orange County Transportation Authority (OCTA) appreciates the opportunity to provide input on the City of La Habra's (Agency) Draft Environmental Impact Report (DEIR) for the Rancho La Habra Specific Plan (Project). The following comments are provided for your consideration:

- The Partially Recirculated Draft Environmental Impact Report, Section 3.7 Traffic and Circulation, page 3.7-16 describes La Habra Hills Drive as a two-lane, divided roadway. La Habra Hills Drive is generally an undivided roadway, except near Imperial Highway. Please revise as needed. 1

Throughout the development of this project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714) 560-5907 or at dphu@octa.net. 2

Sincerely,

Dan Phu
Manager, Environmental Programs

3. Response to Comments from the Orange County Transportation Authority (1-15-2020)

OCTA-1 The description of La Habra Hills Drive on page 3.7-16 of the Partially Recirculated Draft EIR is revised to read as follows:

> **La Habra Hills Drive** is generally a two-lane, divided roadway oriented in a north-south direction from Imperial Highway south to the existing cul-de-sac, at which point it becomes a two-lane undivided private roadway. Parking is not permitted along this roadway in the vicinity of the Project site. The *prima facie* speed limit on La Habra Hills Drive is 25 mph. A traffic signal controls the study intersection of La Habra Hills Drive at Imperial Highway.

OCTA-2 This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Appropriate coordination will be maintained with OCTA as requested.

PHPPA

Puente Hills
Habitat Preservation Authority
Endowment Provided by the Puente Hills Landfill

January 16, 2020

Mr. Andrew Ho
Community Development Director
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631
andrewh@lahabraca.gov

Re: Comments Rancho La Habra Specific Plan, Partially Recirculated Draft EIR, Sch No. 2015111045

Dear Mr. Ho:

The Puente Hills Habitat Preservation Authority (Habitat Authority) submits the following comments on the above-mentioned project:

The Habitat Authority is a 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 Hacienda Heights Improvement Association. 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.

On page 3.5-87 of the Draft EIR, mention is made of an executed Memorandum of Understanding with the Habitat Authority regarding mitigation for project impacts. We would like to clarify that this document has not been executed. Discussions have taken place between the Habitat Authority and Westridge Golf Club/O2 Sky, Inc. regarding accommodation of mitigation measures should the project receive its necessary approvals by the various lead and regulatory agencies. 1

Feel free to contact me at (562) 945-9003 or agullo@habitatauthority.org for further clarification. Also, please maintain our agency on the contact list for this planning process.

Sincerely,

Andrea Gullo
Executive Director

copy: Board of Directors

4. Response to Comments from the Puente Hills Habitat Preservation Authority (1-16-2020)

PHHPA-1 The bullet point on page 3.5-87 of the Partially Recirculated Draft EIR is revised to read as follows:

- **Puente Hills Habitat Preservation Authority.** This option would include off-site establishment or acquisition and preservation of habitat that is desired by the Puente Hills Habitat Preservation Authority (Authority). The Authority currently manages over 3,870 acres of preserved public open space, with a goal of assembly of a reserve with over 4,000 acres. The overall goal of the Authority is to manage habitat and preserve biological diversity throughout this large area. An integral aspect of this goal is to preserve and enhance opportunities for wildlife movement through the Puente Hills with connections to the Chino Hills (i.e., movement at a much larger scale than currently occurs on the existing Westridge Golf Club site). The applicant has been working with the Authority, which is in the process of identifying specific projects that would provide mitigation opportunities for Rancho La Habra. These opportunities include acquisition of several habitat linkage parcels that would be added to the Authority lands as well as restoration of lands currently within the Authority's control ~~and has executed a Memorandum of Understanding wherein the applicant would fund acquisition or establishment of CSS habitat. The Authority's priority is acquisition of lands that have been determined to have high value for establishing a wildlife corridor/linkage. Should acquisition not be immediately available due to the unwillingness of the sellers, the payment provided could then be used by the Authority for future acquisition or restoration (or combination thereof) at the Authority's discretion~~. Any restoration would be completed in accordance with the Authority's adopted Resource Management Plan. The terms and requirements of such an in-lieu-fee arrangement would need to be acceptable to the CDFW and USFWS in order to satisfy their mitigation requirements sufficiently to authorize the Project.

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2.1.5 RESPONSES TO COMMENTS FROM STATE AGENCIES, FEDERAL AGENCIES, AND TRIBAL AUTHORITIES

Comments and responses to the five (5) letters from federal agencies, state agencies, and tribal authorities are provided on the following pages.

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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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

January 6, 2020

Mr. Andrew Ho
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631
andrewh@lahabraca.gov

Subject: Comments on the Recirculated Draft Environmental Impact Report for the Rancho La Habra Specific Plan Project, La Habra, CA (SCH# 2015111045)

Dear Mr. Ho:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced recirculated draft Environmental Impact Report (EIR) for the Rancho La Habra Specific Plan, dated November 2019. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines §15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code (FGC) section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning program, a California regional habitat conservation planning program.

The Rancho La Habra Specific Plan (project) would remove 151 acres from the existing La Habra Hills Specific Plan (SCH# 1992101743) for the purpose of developing three new residential neighborhoods with 402 total homes, linked via trails through open space, in addition to community and commercial use elements. The project site is currently occupied by Westridge Golf Course, at 1400 South La Habra Hills Drive, in the City of La Habra (City). The project site is located southeast of Beach Boulevard, west of South Idaho Street, and north of West Coyote Hills. Westridge Golf Course currently contains an 11.43-acre mitigation site that was conserved in perpetuity, via deed restriction, to compensate for impacts associated with permits for Phase II of the La Habra Hills Specific Plan; this deed restriction would have to be terminated in order for the project to proceed as described in the draft EIR. Approximately 500 linear feet of undeveloped vegetated area in the southwestern portion of the site provide an interface to the undeveloped lands of West Coyote Hills to the south. 1

The 18-hole golf course includes turf grass fairways, cart paths, access roads, parking, amenity buildings, ornamental landscaped areas, and three human-made ponds (referred to as open water; 1.15 acres). Existing natural habitats observed on the site, according to the Biological Resources section of the EIR, include coastal sage scrub (11.60 acres), riparian woodland (2.83 acres), riparian scrub (2.28 acres), and emergent wetland (0.39 acre) that has established along the outer edges of the human-made ponds. The proposed project would impact 7.55 acres of coastal sage scrub, 2.83 acres of riparian woodland, 1.70 acres of riparian scrub, and 0.39 acre of emergent wetland. The project would also impact 1.15 acres of the open water/human-made ponds. Out of a total of 13.62 acres of on-site vegetation alliances which will be impacted, 9.66 acres of them are within deed-restricted areas.

The project's Biological Resources section was amended to include the following new assessments: vegetation mapping, special-status plants, tree inventory, jurisdictional delineation, general wildlife, bats, coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher; Endangered Species Act [ESA] listed - threatened), least Bell's vireo (*Vireo bellii pusillus*; vireo; CESA - and ESA - listed endangered), and western pond turtle (*Emys marmorata* ssp. *pallida*; California Species of Special Concern [SSC]). Observations of yellow warbler (*Setophaga petechia*; SSC), Cooper's hawk (*Accipiter cooperii*), gnatcatcher, and one migrant vireo were also included in the reevaluation of the project's environmental baseline. Other species with moderate potential to occur within the project area, that were not observed, are southern California rufous-crowned sparrow (*Aimophila ruficeps canescens) and* coast horned lizard (*Phrynosoma blainvillii*; SSC). 1

The Department's issuance of a Lake and Streambed Alteration (LSA) Agreement (Agreement) will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the City's EIR for the project. To minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. 2

The Department provided comments on the Notice of Preparation for the project in a letter dated December 16, 2015, and on a previous public review draft EIR in a letter dated May 11, 2018. In the latter, the Department's concerns focused on the prior Lake and Streambed Agreement (LSA) obligations, the Department's role in vacating the deed restriction, evaluation of the baseline conditions, proposed use of mitigation outside the deed-restricted area, project configuration, alternatives, and cumulative impacts. In evaluating the recirculated EIR, our concerns include further clarification of the Department's role in vacating the existing deed restriction, insufficiency and lack of specificity surrounding the amount and location of mitigation associated with the deed restriction, and compensatory mitigation for cumulative impacts. We offer the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources. 3

1. <u>The Department's Role in Vacating the Deed Restriction</u>
   The Department issued LSA Agreement No. 5-465-94 to Pacific Coast Homes in 1995 for impacts to three tributaries to Coyote Creek associated with Phase II of the La Habra Hills Specific Plan Project. Specifically, the project impacted 4.55 acres of mulefat scrub interspersed with other riparian and exotic species on the project site. To mitigate for the loss of 4.55 acres of riparian habitat, Agreement No. 5-465-94 required compensatory mitigation at a 2:1 ratio, including creation of 9.1 acres of new habitat within and around the drainage courses on the site. Condition 11 of the Agreement required that either a wildlife conservation easement or deed restriction be recorded on the property to protect the fish and wildlife resources of the newly created mitigation sites in perpetuity. To fulfill this requirement, a deed restriction was recorded on November 25, 2009, over an 11.43-acre portion of the property, which included 9.1 acres of riparian habitat (3.52 acres of southern willow scrub, 1.40 acres of mulefat scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water) and 2.27 acres of coastal sage scrub. 4

On November 21, 2014, the Department received LSA Notification (Notification) No. 1600-2014-0232-R5 from Standard Pacific Homes, Southern California Coastal (Applicant) for the Westridge Residential Development Project. According to the Notification, the project would grade and fill two drainages and five basins in the eastern portion of the project site and fill the pond on the western portion for construction of residential pads. Portions of the impacted areas are within the deed restriction area. Habitat types to be impacted included mulefat scrub, riparian woodland, and open water. The Department subsequently conducted a site visit with the Applicant at the Westridge Golf Course on January 20, 2015, and held a meeting in August 2015, to discuss potential removal of the deed restriction. Additional meetings were held in January and March of 2016. At that time, the Department conditionally agreed to *consider* relocation of the conserved mitigation areas (i.e., riparian areas within the deed restriction) if in-kind mitigation, at a ratio of no less than 5:1, was provided to compensate for the loss of the mitigation lands. Since the deed restriction was a requirement of Agreement No. 5-465-94, the relocated mitigation site(s) would need to be identified, approved by the Department, and acquired (if applicable) *prior* to the Applicant terminating the current deed restriction. 4

It is the Applicant's responsibility and not the Department's to locate appropriate, functionally equivalent mitigation. The riparian mitigation site(s) should be identified, approved by CDFW, and acquired <u>prior</u> to the Applicant terminating the current deed restriction and prior to the City certifying the project EIR. We also expect the relocated riparian sites to be protected in perpetuity via a conservation easement. 5

Impact analysis discusses three off-site mitigation options: a mitigation bank, acquisition in West Coyote Hills, and acquisition within the scope of the Puente Hills Habitat Authority (3.5-87). Since the issuance of comments on the draft EIR in May 2018, the Department has met with the City and Applicant several times in order to discuss potential appropriate, functionally equivalent off-site mitigation parcels, managed by the Puente Hills Habitat Preservation Authority (e.g., Buddhist Temple, Ferrero, and Serafi). While we appreciate the good-faith effort made by the City and Applicant to find viable off-site options for mitigation, the use of a mitigation bank was not scoped or approved by the Department during those meetings. The only certified, Department-approved mitigation bank whose service area extends to the project site is Soquel Canyon Mitigation Bank. Currently, this bank does not have the creation credits necessary to accommodate the mitigation required. Furthermore, while we appreciate that smaller, in-kind mitigation parcels may be available off-site at West Coyote Hills (e.g., Neighborhoods 1 and 3), this option has not been vetted with the Department, nor has any documentation of coordination with other relevant agencies been identified in the EIR; therefore, we continue to disagree that the EIR has fully demonstrated that it can replace the habitat values of the deed restricted area according to BIO-1.1a, as it was written in the EIR. 6

2. <u>Mitigation Outside the Deed Restriction</u> 7

The recirculated EIR states that,

"[i]t is recognized, however, that a single mitigation program consisting of on-site establishment/restoration/enhancement and/or off-site

purchase/restoration/enhancement could be established to provide compensation of loss of (1) previous mitigation resulting from vacating existing deed restrictions, (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas, and (3) loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters" (3.5-83)

The Department disagrees with this assessment. As stated in our previous letter, we request that mitigation for impacts to areas within the deed restriction should be considered distinct from, and in addition to, compensation for other biological resources impacted within the project site and associated with the project. Without acreages and/or ratios of compensatory mitigation specifically disclosed, it cannot be determined whether mitigation for project impacts within deed restricted areas, outside restricted areas, or for significant cumulative impacts (see Comment 3 below) will be adequate to bring impacts of the project below a significant level. 7

3. Cumulative Impacts

The Department appreciates that the City has reclassified the cumulative biological resources effects of Rancho La Habra and West Coyote Hills (6-09 through 6-15) as significant. We consider West Coyote Hills, located south of the project site, to be a refugia for many species, including but not limited to: vireo, gnatcatcher, burrowing owl (*Athene cunicularia;* SCC), coastal cactus wren (*Campylorhynchus brunneicapillus*), loggerhead shrike (*Lanius ludovicianus*; SSC), northern harrier (*Circus cyaneus*; SSC), tricolored blackbird (*Agelaius tricolor*, CESA listed-threatened), and coastal western whiptail (*Aspidoscelis tigris stejnegeri*; SSC). A variety of sensitive habitat types, such as coastal sage scrub and cactus scrub, and plants such as San Bernardino aster (*Symphyotrichum defoliatum*), are also present.

The West Coyote Hills Vesting Tentative Tract Map application No. 17609 (VTTM; SCH# 1997051056) describes the development of up to 757 residential units, plus commercial and circulation elements on 208.6 acres of the 510-acre West Coyote Hills property. Significant cumulative impacts of the project are discussed in relationship to West Coyote Hills: 8

" ...offsite purchase of existing CSS and riparian habitats that could include restoration or enhancement such that the [p]roject would result in provision of functionally equivalent or better habitat as determined by [the Department] in consultation with [regulatory agencies] and would ensure that the [p]roject's contribution to cumulative impacts is mitigated. Thus, the Rancho La Habra Specific Plan EIR Project's contribution to a significant cumulative impact on special status species and coastal sage scrub habitats would not be cumulatively considerable." (6-15 through 6-16)

It is unclear how mitigation as described in BIO-1.1a will compensate for significant cumulative impacts, since no distinct acreages and/or ratios for mitigation are disclosed in the EIR, nor are significant cumulative impacts addressed specifically in this mitigation measure. Furthermore, off-site parcel acquisition, when it was presented by the City to the Department, was not considered in relationship to significant cumulative impacts.

Mitigation measures "...must be fully enforceable through permit conditions, agreements, or other legally binding instruments" (CEQA Guidelines §15126.4(2)). Without a firm, specific, written commitment to participation, planning, and/or the execution of a financial instrument to develop and remediate habitat types, the Department concludes that this mitigation measure does not bring cumulative impacts below a significant level. 8

While the EIR addresses the impacts of decreased open space, it does not address how the large increase in recreation and trail use will impact biological resources in the remaining natural and "open space" habitats. The West Coyote Hills VTTM and the Rancho La Habra Specific Plan combined will create over 1,100 new residences, which will result in a dramatic increase in recreational activities. Impacts to wildlife as a result of recreation include wildlife fleeing in response to recreationists, including those that lawfully, passively use trails. This can result in energetic and physiological costs, temporal and/or spatial displacement from preferred environments or otherwise suitable habitats, reductions in reproduction rates and population levels, and ultimately an alteration in species composition and diversity (Hammitt et al. 2015). The impact of passive trail use and recreation will be further exacerbated in that the amount of open space available to existing wildlife resources will be decreased by approximately 300 acres between the two projects. 9

Cumulatively, remaining open space within the proposed project area and the West Coyote Hills contains the largest concentration of gnatcatchers in northern Orange and Southern Los Angeles counties. The majority of this area is within designated critical habitat for the gnatcatcher (Unit 9, 72 FR 72010). Unit 9 includes lands containing core gnatcatcher populations and areas important for connectivity in the Montebello, Chino/Puente Hills, and Coyote Hills area. A total of 13.6 acres of native vegetation, including a minimum of 5.9 acres of coastal sage scrub, was restored within the Westridge Golf Course to contribute towards maintaining a core gnatcatcher population in this area (U.S. Fish and Wildlife Service 1995). 10

Again, the EIR should include an in-depth discussion of this effort in the Biological Resources section. A mitigation measure should also be included, and it should describe in as much detail as possible specific, enforceable actions and commitments to the creation/restoration of coastal sage scrub habitat at a specific on-site location (i.e., figures, coordination with the Department, a Habitat Mitigation and Monitoring Plan, etc.). The upland conservation areas should be designed to limit fragmentation between the proposed project site and West Coyote Hills to the extent possible by eliminating trails and associated lighting that bisect these areas.

To further reduce cumulative impacts, we continue to recommend improving the corridor for mammal movement (e.g., coyotes) between the proposed project site and West Coyote Hills by installing a wildlife crossing under the road (Nicklaus Avenue) that bisects the two properties. Larger predators, in particular, play an important role in maintaining the ecological integrity of remaining open space areas in southern California (Soulé et al. 1988, Crooks and Soulé 1999). The presence of coyotes and bobcats has been shown to be negatively associated with the distribution and abundance of smaller predators (e.g., raccoons and feral cats) that often prey upon songbirds (Crooks and Soulé 1999). 11

Given the large anticipated increase in recreational trail users, the Department still concludes that cumulative impacts of the project on biological resources are cumulatively considerable (CEQA Guidelines §15065(a)(3)), and recommend that the EIR be amended to include analysis of the increase in open space recreation. 12

4. Indirect Impacts to Adjacent Open Space

As currently proposed, mitigation measures intended to protect conservation areas are not adequate to ensure sensitive species, including the gnatcatcher, will continue to be supported within the project site. For example, mitigation measure BIO-1.1c provides a 50-foot buffer between coastal sage scrub (breeding habitat for the gnatcatcher) and park features (i.e., viewing areas, benches, and an amphitheater). Noise generated by an amphitheater located 50 feet from coastal sage scrub has the potential to disrupt nesting birds, depending on the location and timing of use of the amphitheater. We recommend that the EIR include a thorough discussion of the following project elements to clarify the quality and extent of habitat for sensitive species that will be supported in the proposed conservation areas: 13

a. Recreational Facilities. Please clarify the location and intended use of all recreational facilities, with consideration of proposed Mitigation Measures. Given proposed recreational facilities, identify what portions of the conservation areas are anticipated to support sensitive species; 14
b. Fuel Modification Zones. A Fire Management Plan is not included with the recirculated EIR for public review. With respect to defensible space, the EIR should fully describe and identify the location, acreage, and composition of defensible space within the proposed project footprint. The City, through its planning processes, should ensure that defensible space is provided and accounted for within proposed development areas, and not included in conservation areas. Impacts to native vegetation communities to create defensible space should be treated as permanent impacts and mitigated as such. The regular disturbance associated with thinning vegetation in fuel modification zones increases the extent of non-native weedy species and has the potential to result in the spread of weedy species to conservation areas. Therefore, we recommend that fuel modification zones be planted and maintained with native vegetation that is on Orange County Fire Authority's list of approved species for fuel modification zones[1] and that maintenance be restricted to removing non-native species and species that pose an unacceptable fire risk; and, 15
c. Night Lighting. Illuminated habitats should not be considered as conserved opened space, but rather included in the calculation of permanent impacts associated with the project. As currently proposed, lighting will be directed away from sensitive habitats, but will be installed in conservation areas where, "it cannot be avoided" (Mitigation Measure BIO-1.1c). Night lighting may increase predation risk to gnatcatchers and other sensitive avian species by increasing visibility for predators. Increased nighttime light levels also may disrupt the daily behavioral patterns and 16

1 http://www.ocfa.org/_uploads/pdf/guidec05.pdf (see Attachment 8, species with Code o: native to Orange County)

energy budgets of species located within the setback areas; therefore, night lighting should be excluded from areas intended to provide habitat for wildlife, including the gnatcatcher. Please clarify the change in ambient light conditions that are expected given proposed measures to minimize night lighting. The EIR should include a discussion of how it calculated conserved open space and permanent impacts, specifically with regard to night lighting. 16

The Department is available to assist the City in addressing our concerns. We request an opportunity to review and comment on any response that the City has to our comments and to receive notification of the forthcoming hearing date for the project (CEQA Guidelines; §15073(e)). If you have any questions regarding these comments, please contact Jennifer Turner of the Department at (858) 467-2717. 17

Sincerely,

Gail K. Sevrens
Environmental Program Manager
South Coast Region

ec: Christine Medak, U.S. Fish and Wildlife Service

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1. Response to Comments from California Department of Fish and Wildlife (1-6-2020)

Comments CDFW-1 through CDFW-17 address biological resources issues and request revisions to several mitigation measures to clarify the role of the California Department of Fish and Wildlife (CDFW) as a Responsible Agency for the Rancho La Habra project. As noted in CDWF's comments and the Introduction to the Partially Recirculated Draft EIR (see Final EIR Volume 2), following receipt of comments on the Draft EIR (February 2018), the City determined that a thorough response to the comments received by the City during the public review period necessitated the inclusion of significant new information requiring a partial recirculation of the Draft EIR. In relation to biological resources, this new information included:

- **Modifications to the Project Description** that were proposed by the applicant subsequent to the close of the public review period for the Draft EIR that modified the design of the proposed community center and adjacent park, requiring revisions to the Project's biological resources impact analysis. An updated Project Description was therefore provided in the Partially Recirculated Draft EIR (November 2019).
- **New biological resources surveys, updated mapping and impact analysis, and an updated mitigation program** that were prepared to address CDFW's comments on the Draft EIR, along with an updated impact analysis addressing the modified design of the proposed community center and adjacent park. The updated biological resources analysis also included updating the mapping of vegetation communities to characterize vegetation alliances in accordance with *The Manual of California Vegetation*, Second Edition (Sawyer et al. 2009). Updated technical reports and an updated EIR Biological Resources section was therefore provided in the Partially Recirculated Draft EIR (November 2019).

The EIR revisions and additional material included in the Final EIR in response to comments from the California Department of Fish and Wildlife (CDFW-1 through CDFW-17, US Fish and Wildlife Services (USFWS-1-1 through USFWS-1-7) and Hamilton Biological HAMILTON-1 through HAMILTON-22) clarify and amplify existing information provided in the Partially Recirculated Draft EIR. Final EIR responses addressing biological resources issues:

- Do not modify any of the significance conclusions of the Partially Recirculated Draft EIR;
    - All Biological Resources impacts identified in the Draft EIR as being less than significant remain less than significant; and
    - All Biological Resources impacts identified in the Draft EIR as being significant but mitigable remain significant mitigable;
- Clarify the specific impacts associated with vacation of existing onsite deed restriction and loss of existing habitat alliances within the Project site for which mitigation measures are required;

- Clarify the role of the Department of Fish and Wildlife as a Responsible Agency;
- Specify in greater detail the roles and responsibilities of the Department of Fish and Wildlife and City of La Habra for oversight of mitigation measure implementation;
- Recognizing that the availability of off-site mitigation land is subject to a dynamic marketplace that is continually changing as developments are approved by local agencies and conservation projects are approved and implemented by conservation and resource agencies, provide an updated listing of offsite mitigation sites;
- Clarify the order in which mitigation actions are to be undertaken prior to subsequent approvals by CDFW and the City;
- Expand on the substantiation for some significance conclusions set forth in the Partially Recirculated Draft EIR.

Thus, none of the circumstances requiring a second recirculation of the EIR described in CEQA Guidelines Section 15088.5 would occur.

CDFW-1 Comment CDFW-1 summarizes the Project as well as biological resources information provided in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*. This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CDFW-2 Comment CDFW-2 notes that the Department's issuance of a Lake and Streambed Alteration (LSA) Agreement (Agreement) will require CEQA compliance actions by the Department as a Responsible Agency and that as a Responsible Agency, the Department may consider the City's EIR. This comment also includes a general request that the EIR fully identify the impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments. See Responses to Comments CDFW-4 through CDFW-16 for discussion as to how and why the Rancho La Habra EIR provides the required impact analyses and mitigation measures.

CDFW-3 Comment CDFW-3 refers to the Department's submittal of comments on the Notice of Preparation on December 16, 2015, and on the previous Draft EIR on May 11, 2018.

The Partially Recirculated Draft EIR addresses previous CDFW comments and describes how vacating existing deed restrictions could occur, the impacts that would result, and the mitigation measures that would be required. The Partially Recirculated Draft EIR also presents baseline information in which habitat type mapping and terminology were updated to be consistent with CDFW preferred terms and classifications, and described the means the Department may use to

substantiate replacement of lost habitats and functions and values as part of the LSA agreement. Project configuration, alternatives, and cumulative impacts were also been updated per CDFW comments

See Responses to Comments CDFW-4 through CDFW-16 for additional discussion of:

- The Department's role in vacating the existing deed restriction;
- Impacts related to impacts associated with the applicant's request for vacation of the existing deed restriction; and
- Mitigation requirements for vacation of the existing deed restriction and other biological resources impacts.

CDFW-4 The City concurs that appropriate off-site mitigation location(s) or "relocation mitigation sites" must be identified, approved by the CDFW, and either acquired or shown to have been purchased from an accepted mitigation bank prior to (1) approval by the CDFW of a Streambed Alteration Agreement, and (2) any action by to vacate the current deed restriction. See Response to Comment CDFW-5 for more detailed discussion regarding the process for implementing mitigation involving a new Streambed Alteration Agreement and termination of the current deed restriction.

To reflect the information provided in the first portion of Comment CDFW-4, the first paragraph in Section 3.5.2d of the Partially Recirculated Draft EIR is revised to read as follows:

> Construction of the Westridge Golf Club pursuant to the 1992 La Habra Hills Specific Plan involved impacts on biological resources resulting in the need to provide mitigation. Mitigation was provided as part of a Lake and Streambed Alteration Agreement (LSA Agreement No. 5-465-94) dated February 23, 1995 for impacts on 4.55 acres of mulefat scrub interspersed with other riparian and exotic species on the Project site. To mitigate for the loss of 4.55 acres of riparian habitat, Agreement No. 5-465-94 required compensatory mitigation at a 2: 1 ratio, including creation of 9.1 acres of new habitat within and around the drainage courses on the site.
>
> ~~in the form of~~ To fulfill this requirement, a deed restriction was recorded on November 25, 2009, over an 11.43-acre portion of ~~granted by~~ the golf course property ~~owner~~ in favor of the California Department of Fish and Game (now the CDFW). This portion of the property included 9.1 acres of riparian habitat (3.52 acres of southern willow scrub, 1.40 acres of mulefat

scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water) and 2.27 acres of coastal sage scrub ~~that was recorded on November 9, 2009~~. The original acreage requirement for the deed restriction was 11.43 acres in satisfaction of Conditions of Approval 5 and 11 of California Fish and Game Code Section 1603, Streambed Alteration Agreement ("Agreement Regarding Proposed Stream or Lake Alteration" No. 5-465-94) "to protect fish and wildlife in perpetuity." A total of 10.97 acres were actually included in the legal description for the various parcels located throughout the golf course as part of the recorded documentation.

CDFW-5 The City concurs that it is the applicant's responsibility and not the CDFW's to locate appropriate, functionally equivalent or better mitigation. The City also concurs that riparian mitigation site(s) must be identified, approved by the CDFW, and acquired prior to approval by the CDFW of a Streambed Alteration Agreement and prior to action by the CDFW to vacate the current deed restriction. In addition, because the CDFW and not the City is the beneficiary of the existing deed restrictions and has the regulatory authority to approved a new Streambed Alteration Agreement to replace the existing deed restrictions, the City would not issue a grading permit, nor would it approve any final subdivision map, until the CDFW has approved a new Streambed Alteration Agreement and vacated existing on-site deed restrictions.

The City does not concur, however, that mitigation measures set forth in the EIR need to be implemented "prior to the City certifying the project EIR." Until such time as the EIR has been certified as meeting the requirements of CEQA and the City Council has adopted a Mitigation Monitoring and Reporting Program pursuant to CEQA Guidelines Section 15097, it would be inappropriate for the City to require an applicant to implement mitigation requirements for a project that has not yet been approved by the City.

Thus, following certification of the EIR and adoption of a Mitigation Monitoring and Reporting Program, should the Project be approved, mitigation for the Project's biological resources impacts and additional approvals would occur in the following order:

1. The applicant identifies the specific acreage and location(s), for on-site and off-site mitigation that meet the "functionally equivalent habitat or better" performance standard for biological resources mitigation and obtains approval from the CDFW;

2. Mitigation requirements as approved by the CDFW are implemented to the satisfaction of the CDFW, including acquisition of any needed off-site land or credits at an approved mitigation bank;
3. A new Streambed Alteration Agreement is approved by the CDFW pursuant to Fish and Game Code Section 1600;
4. Existing deed restrictions in favor of the CDFW are vacated;
5. Upon receipt of approval of a new Streambed Alteration Agreement by the CDFW and vacation of existing deed restrictions, the applicant may request City review and approvals of a final subdivision map and a grading plan permit.

Relevant revisions to the Partially Recirculated Draft EIR's biological resources mitigation measures and Mitigation Monitoring and Reporting Program are presented following Response to Comment CDFW-17.

CDFW-6 The availability of off-site mitigation land is subject to a dynamic marketplace that is continually changing as developments are approved by local agencies and conservation projects are approved and implemented by conservation and resource agencies. Multiple options for acquisition of off-site habitat for mitigation as described in the Partially Recirculated Draft EIR have been revised as presented below and in Volume, Chapter 3 of the Final EIR. The combination of on-site and off-site mitigation must provide functionally equivalent or greater habitat values than those impacted by the Project, including replacement of mitigation previously provided for loss of 4.55 acres of mulefat scrub that occurred during the original construction of the existing golf course as well as loss of onsite habitat due to Project development. Functionally equivalent or greater habitat value, the performance standard established in the Partially Recirculated Draft EIR, is subject to the jurisdictional authority of CDFW and the Department's determination that the specific location(s), acreage(s), and quality of on- and off-site mitigation offered by the applicant does, in fact, provide functionally equivalent or better habitat values than the habitat areas impacted by the Project.

To document off-site mitigation acquisition efforts that the applicant has pursued or has discussed with the CDFW, the "Significance Conclusion for Impact BIO-1.1 with Implementation of Mitigation Measures" on Recirculated Draft EIR page 3.5-86 is revised to read as follows:

> With implementation of Mitigation Measures BIO-1a through BIO-1c, the Project's impact on special-status species with the potential to occur in the

development footprint would be reduced to a less-than-significant level for the following reasons:

- Mitigation Measure BIO-1a requires compensation for loss of any coastal sage scrub, riparian woodland, or riparian scrub habitat within the Project site through on-site establishment/ restoration/enhancement and or off-site purchase of functionally equivalent or better habitat.
- On-site establishment of 5.81 acres of CSS habitat would be provided through restoration (see **Figure 3.5-14**).
- Off-site acquisition of functionally equivalent or better habitat to compensate for Project impacts (vacation of deed-restricted areas and loss of on-site habitat) would be required subject to the approval of CDFW in consultation with USFWS. Off-site ~~options~~ opportunities to provide for functionally equivalent habitat or better include but are not limited to the following options:
    - ~~**Mitigation Bank.** This option would include the purchase of Ephemeral Riparian Enhancement and/or of Oak Woodland Enhancement at the Soquel Canyon Mitigation Bank or an equivalent mitigation bank.~~
    - ~~**West Coyote Hills Property.** This option would include the purchase of functionally equivalent or better habitat on the West Coyote Hills property located south of the Project site in Fullerton. The City of Fullerton and the State of California have made preservation of a portion of the West Coyote Hills property a high priority, and purchase of mitigation on this site would help the state achieve its goals. As part of this option, the applicant would work with the State of California and the City of Fullerton to identify the specific property that would be appropriate to purchase independent of the specific habitat type of such property or a requirement for in-kind purchase.~~

      ~~The biological resource importance of preserving the West Coyote Hills outweighs the need to purchase similar habitat types as those existing within the deed-restricted areas of the Project site because (1) the West Coyote Hills site has higher local and regional biological importance, including suitable habitat for CAGN and least Bell's vireo; and (2) the existing vegetation within the deed-restricted areas is underperforming and unsustainable, and lacks long-term maintenance or management. The purchase of off-site credits on the West Coyote Hills property includes long-term management of the property as established by the City of Fullerton prior to development.~~

- **Puente Hills Habitat Preservation Authority.** This option would include off-site establishment or acquisition and preservation of habitat that is desired by the Puente Hills Habitat Preservation Authority (Authority). The Authority currently manages over 3,870 acres of preserved public open space, with a goal of assembly of a reserve with over 4,000 acres. The overall goal of the Authority is to manage habitat and preserve biological diversity throughout this large area. An integral aspect of this goal is to preserve and enhance opportunities for wildlife movement through the Puente Hills with connections to the Chino Hills (i.e., movement at a much larger scale than currently occurs on the existing Westridge Golf Club site). The applicant has been working with the Authority, which is in the process of identifying specific projects that would provide mitigation opportunities for Rancho La Habra. These opportunities include acquisition of several habitat linkage parcels that would be added to the Authority lands as well as restoration of lands currently within the Authority's control~~ and has executed a Memorandum of Understanding wherein the applicant would fund acquisition or establishment of CSS habitat. The Authority's priority is acquisition of lands that have been determined to have high value for establishing a wildlife corridor/linkage. Should acquisition not be immediately available due to the unwillingness of the sellers, the payment provided could then be used by the Authority for future acquisition or restoration (or combination thereof) at the Authority's discretion~~. Any restoration would be completed in accordance with the Authority's adopted Resource Management Plan. The terms and requirements of such an in-lieu-fee arrangement would need to be acceptable to the CDFW and USFWS in order to satisfy their mitigation requirements sufficiently to authorize the Project.
- **Cajon Creek Conservation Bank**. This U.S. Army Corps of Engineers-, CDFW-, and USFWS-approved mitigation bank with more than 24 listed or other special-status species has a service area that encompasses the Rancho La Habra Specific Plan area. The bank, with more than 1,200 acres, has over 1,000 credits presently available and could provide mitigation for waters of the state and U.S. as well as for the coastal California gnatcatcher.
- **Los Cerritos Wetlands Mitigation Bank.** While the Rancho La Habra Specific Plan is technically outside the service area of this mitigation bank, which is located in Long Beach, the bank is expected to have credits for sale in the next 12 months. Use of this bank as mitigation

for projects outside of its service area can be permitted on a project-by-project basis.

- The identification of multiple mitigation options as described above demonstrates that acquisition of sufficient mitigation to compensate for impacts ~~on~~ to on-site resources is feasible.

Given the Project's location within a highly developed/urbanized portion of the Southern California region, it is appropriate to consider potential off-site mitigation opportunities that may ~~benefit~~ represent higher-value habitats and ~~associated~~ result in benefits to special-status species in the region. Also, it is appropriate for the CDFW and USFWS to be the arbiters for determining whether the specific selection of mitigation options constitutes "functionally equivalent or better" habitat to compensate for loss of CSS habitat within existing deed-restricted areas, as well as all riparian woodland and riparian scrub habitats, given the special attention focused on these resources by these agencies and the fact that (1) the CDFW has sole authority related to vacating existing deed restrictions and approving a Streambed Alteration Agreement to compensate for the habitat lost within the existing deed-restricted areas, (2) these agencies have approval authority for Project impacts on jurisdictional waters, and (3) both agencies have responsibilities under the federal and California Endangered Species Acts. The City would remain responsible for determining the adequacy of compensation for loss of CSS habitat outside of existing deed-restricted areas, recognizing that the combination of on-site and off-site mitigation approved by the CDFW and USFWS to compensate for impacts related to vacating existing deed restrictions and impacts on jurisdictional waters may also mitigate impacts on CSS habitat outside of existing deed-restricted areas.

Moreover, the ultimate mitigation approved by Responsible Agencies with jurisdictional authority over biological resources could consist of some combination of various amounts of on-site and off-site options that taken together represent functionally equivalent or greater habitat values than would be impacted by the Project.

CDFW-7 The proposed Rancho La Habra Specific Plan would result in three distinct impacts, each of which require mitigation:

- Loss of mitigation for impacts to 4.55 acres of mulefat scrub that occurred during the construction of the golf course.

  Such mitigation was previously provided in the form of deed restrictions on 11.43 acres in satisfaction of Conditions of Approval 5 and 11 of California

Fish and Game Code Section 1603, Streambed Alteration Agreement ("Agreement Regarding Proposed Stream or Lake Alteration" No. 5-465-94) "to protect fish and wildlife in perpetuity." The location of these deed-restricted areas is shown in Partially Recirculated Draft EIR Figure 3.5-1. Existing vegetation and habitat types within on-site deed-restricted areas are shown in Partially Recirculated Draft EIR Figure 3.5-2.

- Direct removal of approximately 13.62 acres of existing vegetation included within the habitat alliances identified in Table 3.5-9, of which approximately 9.66 acres are located within CDFW deed-restricted areas.
- Impacts to 3.77 acres of jurisdictional waters of the United States and waters of the State identified in Partially Recirculated Draft EIR **Table 3.5-10** and **Figure 3.5-9** through **Figure 3.5-12**.

The City recognizes that loss of previously provided mitigation for impacts associated with approval of the La Habra Hills Specific Plan and construction of the Westridge Golf Club is distinct from loss of coastal sage scrub habitat both within and outside of deed-restricted areas and loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters. However, the City also recognizes and the Partially Recirculated Draft EIR states that a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to mitigate each of the three impacts identified above. To clarify this concept, revisions to the Partially Recirculated Draft EIR's biological resources mitigation measures and Mitigation Monitoring and Reporting Program are presented following Response to Comment CDFW-17.

CDFW-8 As noted in CEQA Guidelines Section 15130, a cumulative impact consists of "an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts." Comment CDFW-8 correctly notes that Partially Recirculated Draft EIR Section 6.3.1, *Biological Resources*, determined that the combination of the proposed Rancho La Habra project and the approved West Coyote Hills project would result in a significant cumulative impact. The determination that a significant cumulative impact would result, considered the mitigation measures adopted for the West Coyote Hills project, as well as the mitigation measures proposed for Rancho La Habra.

Consistent with CEQA Guidelines Section 15130(a)(3), having identified a significant cumulative impact, the Partially Recirculated Draft EIR analyzed whether the Project's contribution to that significant cumulative impact would be

cumulatively considerable.[10] As required by CEQA Guidelines Section 15130, the Partially Recirculated Draft EIR evaluated the Project's impacts, as well as proposed mitigation measures, and identified the facts and analysis supporting its conclusion that EIR mitigation measures would reduce the Project's contribution to significant cumulative biological resources impacts to less than cumulatively considerable.

Because the determination that a significant cumulative impact would result had already considered the mitigation measures adopted for the West Coyote Hills project, as well as the mitigation measures proposed for Rancho La Habra, the Partially Recirculated Draft EIR subsequently only addressed the project's cumulative contribution to the significant cumulative impact. As the result of biological resources mitigation measures set forth in the Partially Recirculated Draft EIR, the City determined that Rancho La Habra's contribution to the significant cumulative impact would be less than cumulatively considerable.

To address the CDFW's comments on the Partially Recirculated Draft EIR, City staff along with its CEQA consultant and Project biologists met with CDFW staff via conference call on March 17, 2020.

On March 19, 2020, draft meeting notes were sent to Jennifer Turner (CDFW) and others who participated in the March 17 conference call, with a request that participants review the draft meeting notes, which included proposed revisions to EIR mitigation measures and the MMRP, and respond with any revisions that might be needed. As of this writing, none of the parties that participated in the March 17 conference call have responded with proposed changes to the meeting notes or mitigation measure/MMRP revisions.

These meeting notes reflect the conclusions of the conference call, including the following:

- The Partially Recirculated Draft EIR's use of performance standards in the form of providing "functionally equivalent habitat or better" is both appropriate and necessary.
    - It is appropriate since the CDFW is a Responsible Agency in relation to the applicant's request for vacation of existing deed restrictions and approval of a new Streambed Alteration Agreement. Since the CDFW

[10] CEQA Guidelines Section 15065(a)(3) defines "cumulatively considerable" as meaning that the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

must determine the adequacy of mitigation for these actions, the City should not impose a specific mitigation ratio on the CDFW.

  - Use of a performance standard is necessary to ensure that mitigation is not deferred.

- The use of a "menu" approach to mitigation, outlining various feasible paths to provide mitigation for the impacts described above, is appropriate. Because approving a new Streambed Alteration Agreement and vacating existing deed restrictions require action by the CDFW, the specific acreage and location(s) for on-site and off-site mitigation must be acceptable to the CDFW. It would be inappropriate for the City to impose a specific mitigation ratio or specific off-site mitigation location(s) on the CDFW in the EIR.
  - The existing menu of potential mitigation sites set forth in the Partially Recirculated Draft EIR will be updated to reflect more recent information regarding availability of mitigation sites.
- While it is not appropriate for the City to require implementation of mitigation requirements prior to certification of the EIR or approval of the Project, the Final EIR should include a revised Mitigation Monitoring and Reporting Program (MMRP) that would require the following in relation to implementing biological resources mitigation measures related to impacts on existing deed-restricted areas should the Project be approved:
  - The City would not issue a grading permit, nor would it approve any final subdivision map, until the CDFW has approved a new Streambed Alteration Agreement and vacated existing on-site deed restrictions.
  - Should the Project be approved, mitigation for the Project's biological resources impacts and additional approvals would occur in the following order:
    - The applicant identifies the specific acreage, location(s), and requirements for on-site and off-site mitigation to meet the "functionally equivalent habitat or better" performance standard for biological resources mitigation for review and approval by the CDFW;
    - Mitigation requirements as approved by the CDFW are implemented to the satisfaction of CDFW, including acquisition of any needed off-site land;
    - A new Streambed Alteration Agreement is approved by the CDFW;
    - Existing deed restrictions in favor of the CDFW are vacated; and
    - Upon receipt of documentation that a new Streambed Alteration Agreement has been approved by the CDFW and existing deed

restrictions in favor of the CDFW have been vacated, the applicant requests City review and approvals of a final subdivision map and a grading plan permit.

The EIR mitigation and MMRP revisions discussed with the CDFW during the March 17, 2020, conference call have been incorporated into the Final EIR and are identified in the text following Response to Comment CDFW-17.

While not often explicitly used in biological resources mitigation measures, "functionally equivalent or better habitat" is the performance standard that underlies the prescriptive mitigation measures common to CEQA documents throughout the state.

For example, as stated by the CDFW in Comment CDFW-4, to mitigate for the loss of 4.55 acres of mulefat scrub interspersed with other riparian and exotic species within the site related to construction of the golf course, "Agreement No. 5-465-94 required compensatory mitigation at a 2:1 ratio, including creation of 9.1 acres of new habitat within and around the drainage courses on the site." Comment CDFW-4 further states, "To fulfill this requirement, a deed restriction was recorded on November 25, 2009, over an 11.43-acre portion of the property, which included 9.1 acres of riparian habitat (3.52 acres of southern willow scrub, 1.40 acres of mulefat scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water) and 2.27 acres of coastal sage scrub."

To determine in 1995 that a 2:1 mitigation ratio would compensate for the loss of 4.55 acres of mulefat scrub, or determine in 2009 that an 11.43-acre deed-restricted area comprised of 3.52 acres of southern willow scrub, 1.40 acres of mulefat scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water, and 2.27 acres of coastal sage scrub would fulfill the requirement for a 2:1 mitigation ratio, the CDFW had to consider:

- The habitat value of the area being impacted in comparison to the habitat value of the area that would be provided as mitigation; and
- Whether the habitat area that would be provided as mitigation would, in fact, "compensate" for the loss of the habitat that was lost as the result of construction of the Westridge Golf Course (i.e., whether the mitigation land would provide equivalent habitat functions and values as did the land impacted by golf course construction).

To determine whether mitigation for the proposed vacation of deed-restricted land within Rancho La Habra would meet the "functionally equivalent or better" performance standard, the CDFW would consider:

- The habitat value of the area proposed as mitigation in comparison to the habitat value of the area previously impacted by construction of the existing golf course **and** the existing habitat value of lands within deed- restricted areas within the Project site; and
- Whether the habitat values of the land(s) proposed as mitigation would, in fact, "compensate" for the loss of deed-restricted lands within Rancho La Habra that were provided as mitigation in perpetuity for the habitat that was lost as the result of construction of the Westridge Golf Course **and** the loss of existing habitat within those deed-restricted areas.

Thus, the City of La Habra believes that biological resources mitigation measures have not been improperly deferred and that the "functionally equivalent or better" performance standard is measurable, enforceable, and appropriate.

See Responses to Comments CDFW-5 through CDFW-7 for additional discussion of Project-related mitigation and how the Project's contribution to significant cumulative biological resources impacts would be reduced to less than cumulatively considerable.

CDFW-9 The analysis of cumulative biological resources impacts undertaken for the Rancho La Habra Partially Recirculated Draft EIR considered both direct impacts associated with loss of habitat due to site grading and development, as well as each project's recreational trails. The Rancho La Habra applicant has agreed that the proposed trail extending around the perimeter of the Project's development area would be moved so that it would extend around the outer edge of the development footprint within the western and southwestern portion of the Project site, between the development area and the conservation area, thereby eliminating trail use through the habitat conservation area.

Development of the West Coyote Hills Vesting Tentative Tract Map (VTTM) and the Rancho La Habra Specific Plan would create opportunities for increased passive recreational use. The existing special-status species habitat within the Rancho La Habra Specific Plan area consists of isolated patches of habitats such as coastal sage scrub, riparian areas, and artificial wetlands scattered throughout an existing golf course between fairways, cart paths, and numerous other golf club facilities. Habitats that occur within the golf course are surrounded by golf course turf and associated ornamental vegetation, which in turn is surrounded by adjacent residential development with a narrow (500-foot-wide) connection to adjacent habitats that occurs at the southwest corner of the golf course. The outcome is an island effect in which habitat occurs as isolated features within a golf course that is in turn isolated within an expanse of long-standing urban development and uses.

It should also be noted that due to the limited amount of native habitat that currently exists within the site, the Rancho La Habra Specific Plan's contribution to cumulative impacts would be much smaller than that of West Coyote Hills VTTM and the loss of habitat associated with that already-approved development. Because of the isolated condition of existing habitat areas, Rancho La Habra supports avifauna that consists almost entirely of species that are common, have no special status, and are already adapted to the urban landscape (see species list on page 5 of GLA's August 15, 2018 Least Bell's Vireo report). With the exception of the California gnatcatcher addressed below, wildlife species present on-site include avifauna, common mammals, and reptiles that are adapted to the regular human activity since this area has sustained routine golf course use and the various activities within adjacent residential landscaping by homeowners.

Passive recreational use on the trails may result in some flushing of wildlife commonly found at the golf course due to human activity along the designated trail. However, such impacts resulting from passive trail use would likely result in less disturbance to wildlife than the existing golf course use since trail users would stay on the designated trail compared to the steady flow of golfers meandering on the fairways and golfers looking for errant balls within habitat areas. Effects on common wildlife species identified within the existing habitat are not considered to be a significant physical environmental affect since CEQA Guidelines Appendix G address only sensitive species and habitat types.

Given the adaptability of the species that currently coexist with the golf course and adjacent residential areas, there would not be a substantial temporal and spatial displacement of wildlife that would result in energetic and physiological costs that would in turn result in a substantial reduction in reproduction rates, population levels, and ultimately in species composition and diversity, Thus, for the common urban-adapted species that occupy the site, the contribution to these effects from the Rancho La Habra Specific Plan would be less than the existing golf course land use. Except for the California gnatcatcher addressed below, the future recreational uses do not exhibit the potential to create a significant Project impact based on the applicable CEQA Guidelines significance criterion:

(a) Have a substantial adverse effect, 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 or U.S. Fish and Wildlife Service.

Impacts to the coastal California gnatcatcher are addressed in the following mitigation measures in the Partially Recirculated Draft EIR:

- Mitigation Measure BIO-1.1a, Compensatory Replacement of Special-Status Species Habitat;
- Mitigation Measure BIO-1.1b, Construction Avoidance of Active Bird Nests;
- Mitigation Measure BIO-1.1c, Setbacks and Erosion Protection for Coastal Sage Scrub;
- Mitigation Measure BIO-1.2, Compensatory Replacement of Previously Provided Mitigation within On-Site Deed-Restricted Areas;
- Mitigation Measure BIO-2a, Preventing Degradation of Natural Communities;
- Mitigation Measure BIO-2b, Conservation and Protection of Sensitive Habitats Avoided by Specific Plan Grading;
- Mitigation Measure BIO-2c, Compensatory Mitigation for Loss of Riparian and Wetland Habitat;
- Mitigation Measure BIO-4a, Locations of Structures and Trail Features; and
- Mitigation Measure BIO-4b, Maintenance of Vegetative Cover along Wildlife Movement Interface.

In addition to these mitigation measures, site development would be subject Section 7 consultation with the USFWS.

The mitigation program contains measurable performance standards and criteria including but not limited to the overall amount or percent of cover and species diversity for restoration or enhancement in the Specific Plan development footprint that must meet state and federal regulatory resources agency approval and must be documented for City review at the end of the five-year monitoring period. Off-site mitigation would ensure that carrying capacity for the California gnatcatcher is maintained within Critical Habitat Unit 9 and would include a combination of preservation, enhancement, and/or establishment within or adjacent to Critical Habitat Unit 9.

As part of the Rancho La Habra Specific Plan, impacts to the small patches of native habitat currently used by the California gnatcatcher would be partially mitigated on-site in the conservation area by preserving and restoring a consolidated block (core habitat) of 9.86 acres of coastal sage scrub habitat at the southwest portion of the Project, most of which is anticipated to be within designated Critical Habitat. The habitat quality within the conservation area would be of higher value than many of the habitat fragments currently found on-

site, due to the methods of restoration and long-term maintenance of the conservation area described in the Habitat Mitigation and Monitoring Plan (HMMP) dated October 2019 that has been prepared for the Project by Glenn Lukos Associates. The conservation area and designated Critical Habitat area are directly adjacent to the West Coyote Hills VTTM that would provide a connective linkage for wildlife to move between habitat areas. The West Coyote Hills VTTM has a much larger contribution to cumulative effects with consideration of both habitat loss and introduction of additional recreational pressure.

In addition, the Rancho La Habra Specific Plan's expected contribution to habitat preservation and improvement in one or more of the potential mitigation areas described in Response to Comment CDFW-6 would improve conditions in larger and more stable conservation areas and would ensure carrying capacity for the California gnatcatcher within the region (i.e., Critical Habitat Unit 9) (pending approval by the USFWS and CDFW). This would also provide adequate mitigation for the Project's contribution to cumulative impacts.

CDFW-10 See Response to Comment CDFW-8 for discussion of the use of performance standards and a menu of on- and off-site options for mitigation sites that are described in the Partially Recirculated Draft EIR.

The existing coastal sage scrub habitat on-site partly consists of a number of small isolated patches scattered throughout the golf course and bisected by golf course fairways, cart paths, and numerous other golf club facilities. The Project would result in the consolidation of 9.86 acres of coastal sage scrub habitat in the southwest portion of the site, which is also located partially within designated critical habitat for gnatcatcher. The HMMP, prepared by Glenn Lukos Associates and dated October 2019, describes the on-site mitigation in more detail; the mitigation would consist of the preservation of 4.05 acres of coastal sage scrub and the restoration of 5.81 acres of coastal sage scrub. Additional mitigation would be provided off-site that would contribute to a larger and more stable conservation area, with higher regional value, as noted in Response to Comment CDFW-6.

The Project would limit fragmentation between the Rancho La Habra Specific Plan and West Coyote Hills project because the on-site mitigation provided within Rancho La Habra would be provided in the southwest corner of the site directly adjacent to the West Coyote Hills, thus enhancing the existing linkage.

The multi-use trail that has been proposed as part of the Project design since its inception would provide an important public benefit by allowing users the

opportunity to enjoy a passive recreational amenity that is unique to the City of La Habra. The applicant has agreed that the proposed trail extending around the perimeter of the Project's development area would be moved so that it would extend around the outer edge of the development footprint within the western and southwestern portion of the Project site, between the development area and the conservation area (see revised Specific Plan Figure 6 following Comment CDFW-17).

In addition to the trail being moved, the following bullet point is added to the mitigation requirements for proposed lighting within 150 feet of the upland or riparian conservation areas set forth in Mitigation Measure BIO-2b:

(3) Light spillage from on-site development or trails shall not exceed 0.05 foot-candles within upland or riparian conservation areas.

Proposed lighting of the trail would also be in accordance with the Rancho La Habra Specific Plan Lighting Plan (Specific Plan Figure 23) and restricted to pedestrian-level lighting standards, providing nighttime safety lighting during City Park operating hours or as required by local law enforcement.

CDFW-11 Nicklaus Avenue runs east to west between the Rancho La Habra and West Coyote Hills projects and is a low traffic volume, private residential road with a private gated access only serving the Westridge gated community. Currently a wrought-iron fence prevents pedestrians from entering the golf course at this location; however, with elimination of golf course uses, the current fence would be removed and replaced with a split-rail style of fencing. Larger mammals such as coyote and bobcat would then not be deterred from crossing this low traffic volume road to move between protected habitats at Rancho La Habra and the protected habitats in the West Coyote Hills. The above-ground road crossing across a low traffic volume street may be preferred to an enclosed underground culvert because of the buffering effect to the slope and existing vertical separations on both sides of the roadway. Mitigation Measures BIO-4a and BIO-4b would protect the functionality of this existing at-grade 500-foot wide vegetative interface.

In order to enhance use of the area by coastal California gnatcatcher and other avian species, the Project proposed to remove existing large trees such as the non-native Peruvian peppers that currently occur on the slope replace them with coastal sage scrub and native shrub species.

CDFW-12 See Responses to Comments CDFW-8 through CDFW-10.

CDFW-13 The coastal sage scrub being restored and preserved in the referenced conservation area would exclude adjacent park features where passive recreation users could congregate, such as viewing areas and benches. Normal conversation sound levels between humans is commonly known to be between 50 to 65 dBA at a typical distance of 5 feet between people in communication. Taking the high end of this range (i.e., 65 dBA sound level) and projecting it to a 50-ft distance, would result in a 45-dBA sound level (based on a distance attenuation rate of 6-dB per doubling of distance). Such levels would be near the same background noise levels in the project area in terms of the L90, which is the level exceeded 90% of the time, according to field noise measurements in the noise analysis report. This means that at a 50-ft distance, normal conversation sounds should blend with and be masked by background noise in the area.

The 50-foot buffer between coastal sage scrub habitat and passive park features is sufficient because noise generated by pedestrians using the benches and viewing area would be attenuated over that distance and thereby protect breeding and nesting birds from disruption.

No amphitheater is proposed to be located in proximity to the conservation area.

CDFW-14 Rancho La Habra Specific Plan (Partially Recirculated Draft EIR Appendix C), Section 4.1, *Open Space/Recreation Plan*, provides descriptions and locations of all proposed public recreational amenities within the community. This information is further supplemented in Appendix A & B of the Specific Plan that provides a plant palette and detailed Landscape Plans for all improvements in Planning Area 6. The 9.86-acre conservation area located in the southwest corner of the Project site would provide long-term, managed suitable habitat for coastal California gnatcatcher, and the location of passive use trails has been designed to avoid the coastal sage scrub conservation area.

CDFW-15 The Los Angeles County Fire Department has determined that a fuel management plan is unnecessary since the Project site is not subject to wildland fire hazards (see Response to Comment HAMILTON-8). Draft EIR Appendix Q sets forth the Los Angeles County Fire Department's requirements for development of the Project site, all of which have been incorporated into the Project's conditions of approval.

The Project's landscaping plan does, however, provide for a variable width transition zone (with a minimum of 50-foot) between adjacent residential development and the site's coastal sage scrub conservation area (see Neighborhood 2 Conservation Area graphic following this response). This

transition zone provides a minimum 50-foot buffer between areas of conserved coastal sage scrub habitat to protect habitat functions and values.

The proposed plant palette for this transition area was review by Tony Bomkamp of Glenn Lukos Associates. Mr. Bomkamp concluded that

> *Incorporation of barrier plantings will enhance the functions of the proposed buffer areas. Agave is not native to north Orange County or adjacent Los Angeles County and should be eliminated. Native* Opuntia littoralis *and/or* 0. Prolifera *are appropriate and could be used along with* Rhus ingrifolia *(lemonade berry), which form dense barriers and is already included in the proposed plant palette.*

CDFW-16 Mitigation Measure BIO-2b includes the following requirements:

> The following shall apply to any proposed lighting within 150 feet of the upland or riparian conservation areas:
>
> - Low-intensity streetlamps and low-elevation lighting poles shall be provided.
> - Internal silvering of the globe or external opaque reflectors shall be provided to direct light away from sensitive natural habitats.
> - Private sources of illumination around homes shall also be directed and/or shaded to minimize glare into sensitive habitats.
>
> Common area lighting plans shall be reviewed by the City for conformance with these measures prior to installation. Private lighting restrictions shall be enforced by the property owners' association as described below.

To further reduce potential night lighting impacts on conservation areas, the proposed trail extending around the perimeter of the Project's development area will be moved so that it would extend around the outer edge of the development footprint within the western and southwestern portion of the Project site, between the development area and the conservation area, thereby eliminating the potential for night lighting to trespass into habitat areas. Accordingly, Mitigation Measure BIO-1.1c previously included in the Draft EIR no longer applies and has been removed (see Final EIR Chapter 3, for the revised Specific Plan Figure 6 following Comment CDFW-17).

In addition, the following bullet point is added to the mitigation requirements for proposed lighting within 150 feet of the upland or riparian conservation areas set forth in Mitigation Measure BIO-2b:

(4) Light spillage from on-site development or trails shall not exceed 0.05 foot-candles within upland or riparian conservation areas.

Thus, since the trail route has been modified to avoid conservation areas and night lighting would not trespass into conservation areas, acreage calculations of conservation areas within the Project site do not include areas affected by night lighting from trails or on-site development.

CDFW-17 City staff met via conference call with CDFW staff on March 17, 2020, to discuss issues raised in the CDFW's comment letter. In addition, the City's proposed responses to the CDFW's comments were shared with CDFW staff and revised based on the CDFW's review of those responses prior to publication of the Final EIR.

In response to Comments CDFW-4 through CDFW-16, the following portions of the Partially Recirculated Draft EIR are revised to read as presented in the following pages:

- Mitigation Measures BIO-1.1a., BIO-1.2, BIO-2b, and BIO-2c;
- Mitigation Monitoring and Reporting Program provisions for Mitigation Measures BIO-1.1a., BIO-1.2, BIO-2b, and BIO-2c;
- Significance Conclusion for Impact BIO-1.1 with Implementation of Mitigation Measures;
- Significance Conclusion for Impact BIO-1.2; and
- Significance Conclusion for Impact BIO-1.2 with Implementation of Mitigation Measures.

Table 8-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Biological Resources			
Mitigation Measure BIO-1.1a: Compensatory Replacement of Special-Status Species Habitat. The loss of coastal sage scrub, riparian woodland, and riparian scrub alliances with the potential to support special-status species within the Project site as detailed in Table 3.5-9 shall be compensated through on-site or off-site establishment/restoration/ enhancement and/or off-site purchase of functionally equivalent or better habitat. Included in the establishment/restoration/enhancement of on-site functionally equivalent or better habitat shall be a minimum of 9.86 acres of open space for preservation and enhancement of ons-ite coastal sage scrub wildlife habitat (preservation of 4.05 acres of existing on-site coastal sage scrub and the replacement of existing golf course greens and fairways with an additional 5.81 acres of coastal sage scrub habitat). Such on-site habitat establishment/restoration/enhancement shall be in conformance with a Habitat Mitigation and Monitoring Plan approved by the California Department of Fish and Wildlife. The determination of functional equivalency of on-site establishment/ restoration/enhancement and/or off-site purchase shall be made by the California Department of Fish and Wildlife for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted and jurisdictional areas and by the City of La Habra for mitigation of loss of these habitats that occur outside ~~of~~ existing deed-restricted areas and jurisdictional areas. It is recognized, however, that while Impact BIO-1.1a addressing upland habitats within existing deed-restricted areas is distinct from Impact BIO-1.2 and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/ restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1a), and (3) loss of riparian woodland and riparian scrub	Prior to issuance by the City of a grading permit or approval of a final subdivision map, the applicant shall: • Identify the specific acreage, location(s), and requirements for on-site and off-site mitigation that would provide "functionally equivalent habitat or better" for review and approval by CDFW; • Implement mitigation requirements to the satisfaction of CDFW, including acquisition of ~~S~~sufficient habitat land ~~shall be acquired~~ such that the California Department of Fish and Wildlife verifies that a combination of on-site establishment/restoration/enhancement and/or off-site purchase of land will result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas and jurisdictional areas~~.~~; • Provide for permanent reservation and establishment of a minimum of 9.86 acres of open space for preservation and enhancement of onsite coastal sage scrub wildlife habitat; • Obtain a new Streambed Alteration Agreement from CDFW; • Have existing deed restrictions in favor of CDFW vacated; and • Submit documentation to the City that a new Streambed Alteration Agreement has been approved by CDFW and existing deed restrictions in favor of CDFW have been vacated.	Prior to issuance of a grading permit or approval of a final subdivision map.	Director of Community and Economic Development or his/her designee.

Table 8-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance

alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c).
Compensation for lost on-site habitat with functionally equivalent or better habitat shall be detailed on an acreage-specific basis in a Habitat Mitigation and Monitoring Plan (HMMP), which shall be developed in coordination and compliance with State of California and federal regulatory agency requirements. Evidence in the form of permit approvals ~~and associated mitigation and monitoring plans that meet agencies' standards~~ shall be provided to the City of La Habra ~~for review and approval~~ prior to initiation of site grading. At a minimum, the HMMP shall include:
• Baseline information, including the findings and conclusions of a Biological Assessment demonstrating that:
  ○ Off-site compensatory mitigation lands are functionally equivalent or better than the habitats lost on-site; and
  ○ On-site establishment of coastal sage scrub through restoration will result in functionally equivalent or better habitat than that lost on-site~~.~~;
• Anticipated habitat enhancement goals to be achieved through compensatory actions, including mitigation site location (on-site enhancement, restoration, or off-site habitat acquisition, creation, or enhancement); and
• Measurable performance standards and criteria, including but not limited to the overall amount or percent of cover and species diversity for restoration or enhancement in the Specific Plan development footprint that must meet state and federal regulatory resources agency approval and must be documented for City review at the end of the five-year monitoring period. Should the restoration or enhancement fail to meet success criteria as defined in the HMMP, implementation of remedial restoration shall be required.
• Contingency funds (including but not limited to financial guarantee instruments such s Surety Bonds or Letters of Credit) shall be established and deposited in escrow account(s) to ensure successful implementation of the HMMP, such funds to be refunded to the applicant at the time the HMMP performance criteria are met.
	Should ~~such~~ the combination of on-site establishment/restoration/ enhancement and/or off-site purchase of land as mitigation for impacts to deed-restricted and jurisdictional areas not also result in functionally equivalent or better habitat than the 1.89 acres of coastal sage scrub~~, riparian woodland, and riparian scrub alliances~~ that would be lost outside of existing deed-restricted areas and jurisdictional areas, either (1) mitigation credits shall be acquired by the Project sponsor within an agency-approved mitigation bank or (2) additional coastal sage scrub shall be provided onsite at a 1:1 ratio for any such shortfall.		

Table 8-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
○ One account in an amount to be determined by the California Department of Fish and Wildlife (CDFW) to be held by CDFW for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas. ○ Should the HMMP being overseen by the California Department of Fish and Wildlife not be adequate to address mitigation of loss of coastal sage scrub habitat outside of existing deed-restricted areas, a second escrow account is to be established with the City of La Habra in an amount to be determined by the City.			
Mitigation Measure BIO-1.1b: Construction Avoidance of Active Bird Nests. ***Coastal Sage Scrub.*** If grading or soil disturbance of any kind is proposed within 50 feet of coastal sage scrub, or if upland conservation enhancement or restoration activities are proposed between March 1 and August 15, a qualified biologist shall conduct pre-construction nesting California gnatcatcher surveys. Surveys shall be conducted using USFWS focused survey protocol methods and shall be conducted during the spring breeding season during the year construction occurs. Where an active bird nest is located, a 500-foot radius surrounding the active nest shall not be disturbed until after the nest becomes inactive and the family group can be confirmed, by a qualified biologist familiar with the species, to have left the nest territory. Prior to initiating vegetation clearing of coastal sage scrub, a qualified biologist shall walk ahead of the clearing activities to flush any birds from the habitat to be cleared. ***Riparian Woodland.*** Proposed removal of riparian woodland within the development footprint shall be scheduled to occur during the non-breeding season for birds, which is between August 15 and January 31 and outside of the priod during which least Bell's vireo could be present onsite, which is October 1 through March 15. If removal is scheduled to occur between February 1 and ~~August~~ March 15, pre-construction breeding bird surveys shall be performed by a qualified biologist familiar with local bird species no later than 14 days prior to start of construction. If active nests are found during preconstruction surveys, a buffer of 250 feet shall be established and temporary fencing shall be placed to prevent encroachment into the buffer area by construction equipment or workers.	The applicant shall retain a qualified biologist acceptable to the City to conduct pre-construction nesting bird surveys as described in **Mitigation Measure BIO-1.1b** at the appropriate period and consistent with protocol and agency survey guidelines current at the time of construction. Any required setbacks shall be defined by the qualified biologist undertaking pre-construction surveys and shall be maintained during grading and construction.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.

Mitigation Measure BIO-1.2: Compensatory Replacement of Previously Provided Mitigation within On-site Deed Restricted Areas. The loss of previously provided mitigation within on-site deed-restricted areas ~~within the Project site~~ for impacts to 4.55 acres of mulefat scrub occurring during construction of the Westridge Golf Club shall be compensated through on-site establishment/ restoration/enhancement and/or off-site purchase/ restoration/enhancement of functionally equivalent or better habitat. The determination of functional equivalency of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/ enhancement shall be made by the California Department of Fish and Wildlife. It is recognized, however, that while Impact BIO-1.1a addressing replacement of previously provided mitigation for impacts that occurred during construction of the Westridge Golf Club is distinct from Impact BIO-1.1a and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1a), and (3) loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c). Compensation for loss of on-site deed-restricted areas with functionally equivalent or better habitat shall be detailed as set forth in Mitigation Measure BIO-1.1a	Prior to application to the City for a grading permit or approval of a final subdivision map, the applicant shall: • Identify the specific acreage, location(s), and requirements for on-site and off-site mitigation that would provide "functionally equivalent habitat or better" and obtain approval by CDFW; • Implement mitigation requirements to the satisfaction of CDFW, including acquisition of ~~S~~ sufficient habitat land ~~shall be acquired~~ such that the California Department of Fish and Wildlife verifies that a combination of on-site establishment/restoration/enhancement and/or off-site purchase of land will result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas and jurisdictional areas~~.~~; • Obtain a new Streambed Alteration Agreement from CDFW; • Have existing deed restrictions in favor of CDFW vacated; and • Submit documentation to the City that a new Streambed Alteration Agreement has been approved by CDFW and existing deed restrictions in favor of CDFW have been vacated. ~~Should such on-site establishment/restoration/ enhancement and/or off-site purchase of land not also result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances that would be lost outside of existing deed-restricted areas and jurisdictional areas, mitigation credits shall be acquired by the Project sponsor within an agency-approved mitigation bank at a 1:1 ratio for any such shortfall.~~	Prior to issuance of a grading permit or approval of a final subdivision map.	Director of Community and Economic Development or his/her designee.

Table 8-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure BIO-2b: Conservation and Protection of Sensitive Habitats Avoided by Specific Plan Grading. For on-going conservation and protection of sensitive habitats that the Specific Plan proposes to avoid, the following requirements shall apply: • A habitat conservation and protection plan for proposed upland conservation areas adjacent to the development footprint shall be prepared by a qualified biologist with implementation approved by the City of La Habra Community Development Director prior to approval of City grading permits. The habitat conservation and protection plan shall, at a minimum, include the following components to minimize the effect of night lighting on upland conservation area habitats adjacent to the development footprint. • The following shall apply to any proposed lighting within 150 feet of the upland or riparian conservation areas: o Low-intensity streetlamps and low-elevation lighting poles shall be provided. o Internal silvering of the globe or external opaque reflectors shall be provided to direct light away from sensitive natural habitats. o Private sources of illumination around homes shall also be directed and/or shaded to minimize glare into sensitive habitats. o Light spillage from on-site development or trails shall not exceed 0.05 foot-candles within upland or riparian conservation areas. Common area lighting plans shall be reviewed by the City for conformance with these measures prior to installation. Private lighting restrictions shall be enforced by the property owners' association as described below. • CC&Rs, as well as residential and commercial leases within the Project site shall prohibit building occupants from creating outdoor feeding stations for feral cats to prevent feral cat colonies from establishing and to prevent the attraction of other predatory wildlife such as coyotes, red fox, raccoon, and opossums. Such restrictions shall be monitored by a property owners' association that shall have the right to impose fines for violation of this requirement.	Proof that in-kind replacement at a minimum 1:1 ratio of sensitive natural communities has occurred may include a City-approved on-site re-planting or habitat restoration plan that includes direction and funding of monitoring and maintenance in perpetuity at no cost to the City, and could also include In-kind replacement at a minimum 1:1 ratio of sensitive natural communities off site at an agency-approved mitigation bank. In addition, the City shall review the agreement(s) the applicant enters into to verify that establishment has been made to provide for on-going management and maintenance (at no cost to the City) in perpetuity for maintenance of on-site replacement ~~of~~ sensitive natural communities, and shall require demonstration that management is consistent with the terms included in **Mitigation Measure BIO-2a**.	Prior to issuance of a grading permit	Director of Community and Economic Development or his/her designee

Table 8-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
• As part of Community Center and Project trail improvements, interpretive signage regarding the sensitive habitats and the dangers of unleashed domestic animals shall be provided to the satisfaction of the City. Such information shall be provided in the vicinity of the Community Center, along trails, and at wildlife viewing areas where public access is provided. In addition, information materials shall be prepared by the applicant for review and approval by the City regarding the sensitive habitats and the dangers of unleashed domestic animals within the Project site. Such materials shall be provided to each initial homeowner by the home builder(s), to successive homeowners by the property owners' association, and to renters of for-rent multi-family dwellings by the building owner. The property owners' association shall establish and enforce a pet policy prohibiting unleashed domestic animals outside of fully enclosed yard areas and have the right and obligation to impose fines for violation of the pet policy.			
Mitigation Measure BIO-2c: Compensatory Mitigation for Loss of Riparian and Wetland Habitat. Loss of riparian and wetland habitat that cannot be avoided during site development as detailed in Table 3.5-9 shall be compensated with provision of functionally equivalent or better habitat, which may be provided as part of Mitigation Measure BIO-1.1a. The applicant shall prepare and implement a maintenance program as approved by the City that includes maintenance of water quality pollution-control features such as swales, sediment traps, or other passive applications of pollution prevention measures required as part of National Pollutant Discharge Elimination System (NPDES) permitting. The maintenance program shall address the management of lands adjacent to off-site coastal sage scrub habitat areas and, at minimum, shall include the following requirements, to be performed to the satisfaction of the City: • Install temporary silt fencing or vegetative plantings between development and adjacent sensitive natural communities, specifically off-site coastal sage scrub.	Prior to issuance by the City of a grading permit or approval of a final subdivision map, the ~~The~~ applicant shall secure regulatory approvals, including an authorized Section 1602 Streambed Alteration Agreement, U.S. Army Corps of Engineers Permit and Section 7 Consultation, and a Section 401 Water Quality Certification for the Specific Plan, that demonstrate in-kind replacement of jurisdictional resources with resources of equal or greater habitat values ~~including their functions and values~~. The City shall confirm that proposed grading conforms to the terms and conditions of these federal and state agreements and permits, and that requirements for post-construction monitoring and reporting will be met.	Prior to issuance of a grading permit or approval of a final subdivision map.	Director of Community and Economic Development or his/her designee

Table 8-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
• Locate fueling stations or vehicle or equipment storage and maintenance away from potentially jurisdictional areas and features, and otherwise isolate construction work areas from any identified jurisdictional features including California Fish and Game Code, U.S. Army Corps of Engineers, and Regional Water Quality Control Board jurisdictional areas. • Ensure on-going maintenance and management in perpetuity at no expense to the City for the preserved upland areas adjacent to the development footprint, along with provisions permitting the City to enforce management and maintenance requirements and recoup costs for enforcement should such enforcement be necessary. On-going maintenance and management of upland conservation areas shall be implemented in a manner consistent with the City of La Habra's NPDES storm water discharge permit and Regional MS4 Permit, and evidence of compliance with such permit conditions shall be provided to the City Engineer on a quarterly basis. • Provide trash receptacles at appropriate locations and provide for regular litter removal. • Maintain all improvements within the parks, trails, and Community Center in a safe and working condition.			

Revisions to Significance Conclusion for Impact BIO-1.1 with Implementation of Mitigation Measures

With implementation of Mitigation Measures BIO-1.1a through BIO-1.1c, the Project's impact on special-status species with the potential to occur in the development footprint would be reduced to a less-than-significant level for the following reasons:

- Mitigation Measure BIO-1.1a requires compensation for loss of any coastal sage scrub, riparian woodland, or riparian scrub habitat within the Project site through on-site establishment/restoration/enhancement and or off-site purchase of functionally equivalent or better habitat.
- On-site establishment of 5.81 acres of CSS habitat would be provided through restoration (see **Figure 3.5-14**).
- Off-site acquisition of functionally equivalent or better habitat to compensate for Project impacts (vacation of deed-restricted areas and loss of on-site habitat) would be required subject to the approval of CDFW in consultation with USFWS. Off-site ~~options for~~ opportunities to provide functionally equivalent habitat or better include but are not limited to the following options:
    - ~~**Mitigation Bank.** This option would include the purchase of Ephemeral Riparian Enhancement and/or of Oak Woodland Enhancement at the Soquel Canyon Mitigation Bank or an equivalent mitigation bank.~~
    - ~~**West Coyote Hills Property.** This option would include the purchase of functionally equivalent or better habitat on the West Coyote Hills property located south of the Project site in Fullerton. The City of Fullerton and the State of California have made preservation of a portion of the West Coyote Hills property a high priority, and purchase of mitigation on this site would help the state achieve its goals. As part of this option, the applicant would work with the State of California and the City of Fullerton to identify the specific property that would be appropriate to purchase independent of the specific habitat type of such property or a requirement for in-kind purchase.~~
    - ~~The biological resource importance of preserving the West Coyote Hills outweighs the need to purchase similar habitat types as those existing within the deed-restricted areas of the Project site because (1) the West Coyote Hills site has higher local and regional biological importance, including suitable habitat for CAGN and least Bell's vireo; and (2) the existing vegetation within the deed-restricted areas~~

~~is underperforming and unsustainable, and lacks long-term maintenance or management. The purchase of off-site credits on the West Coyote Hills property includes long-term management of the property as established by the City of Fullerton prior to development.~~

- **Puente Hills Habitat Preservation Authority.** This option would include off-site establishment or acquisition and preservation of habitat that is desired by the Puente Hills Habitat Preservation Authority (Authority). The Authority currently manages over 3,870 acres of preserved public open space, with a goal of assembly of a reserve with over 4,000 acres. The overall goal of the Authority is to manage habitat and preserve biological diversity throughout this large area. An integral aspect of this goal is to preserve and enhance opportunities for wildlife movement through the Puente Hills with connections to the Chino Hills (i.e., movement at a much larger scale than currently occurs on the existing Westridge Golf Club site). The applicant has been working with the Authority, which is in the process of identifying specific projects that would provide mitigation opportunities for Rancho La Habra. These opportunities include acquisition of several habitat linkage parcels that would be added to the Authority lands as well as restoration of lands currently within the Authority's control ~~and has executed a Memorandum of Understanding wherein the applicant would fund acquisition or establishment of CSS habitat. The Authority's priority is acquisition of lands that have been determined to have high value for establishing a wildlife corridor/linkage. Should acquisition not be immediately available due to the unwillingness of the sellers, the payment provided could then be used by the Authority for future acquisition or restoration (or combination thereof) at the Authority's discretion~~. Any restoration would be completed in accordance with the Authority's adopted Resource Management Plan. The terms and requirements of such an in-lieu-fee arrangement would need to be acceptable to the CDFW and USFWS in order to satisfy their mitigation requirements sufficiently to authorize the Project.
- **Cajon Creek Conservation Bank**. This U.S. Army Corps of Engineers-, CDFW-, and USFWS-approved mitigation bank with more than 24 listed or other special-status species has a service area that encompasses the Rancho La Habra Specific Plan area. The bank, with more than 1,200 acres, has over 1,000 credits presently available and could provide mitigation for waters of the state and U.S. as well as for the coastal California gnatcatcher.

- **Los Cerritos Wetlands Mitigation Bank.** While the Rancho La Habra Specific Plan is technically outside the service area of this mitigation bank, which is located in Long Beach, the bank is expected to have credits for sale in the next 12 months. Use of this bank as mitigation for projects outside of its service area can be permitted on a project-by-project basis.

- The identification of multiple mitigation options as described above demonstrates that acquisition of sufficient mitigation to compensate for impacts ~~on~~ to on-site resources is feasible.

Given the Project's location within a highly developed/urbanized portion of the Southern California region, it is appropriate to consider potential off-site mitigation opportunities that may ~~benefit~~ represent higher-value habitats and result in benefits to special-status ~~associated~~ species in the region. Also, it is appropriate for the CDFW and USFWS to be the arbiters for determining whether the specific selection of mitigation options constitutes "functionally equivalent or better" habitat to compensate for loss of CSS habitat within existing deed-restricted areas, as well as all riparian woodland and riparian scrub habitats, given the special attention focused on these resources by these agencies and the fact that (1) the CDFW has sole authority related to vacating existing deed restrictions and approving a Streambed Alteration Agreement to compensate for the habitat lost within the existing deed-restricted areas, (2) these agencies have approval authority for Project impacts on jurisdictional waters, and (3) both agencies have responsibilities under the federal and California Endangered Species Acts. The City would remain responsible for determining the adequacy of compensation for loss of CSS habitat outside of existing deed-restricted areas, recognizing that the combination of on-site and off-site mitigation approved by the CDFW and USFWS to compensate for impacts related to vacating existing deed restrictions and impacts on jurisdictional waters may also mitigate impacts on CSS habitat outside of existing deed-restricted areas.

Moreover, the ultimate mitigation approved by Responsible Agencies with jurisdictional authority over biological resources could consist of some combination of various amounts of on-site and off-site options that taken together represent functionally equivalent or greater habitat values than what would be impacted by the Project.

Revisions to Significance Conclusion for Impact BIO-1.2

The Project would ~~eliminate~~ remove existing deed restrictions within the Project site and thereby eliminate mitigation for the loss of 4.55 acres of riparian habitat that had been provided in perpetuity by Lake and Streambed Alteration Agreement No. 5-465-94 in 1995 and the recordation of deed restrictions over an 11.43-acre portion of the site in 2009. The Project would also directly remove approximately 9.66 acres of habitat suitable for special-status species within current CDFW deed-restricted areas. Vacating existing deed restrictions along with such grading and development would constitute a significant impact for which mitigation would be required.

Revisions to Significance Conclusion for Impact BIO-1.2 with Implementation of Mitigation Measures

Because Mitigation Measure BIO-1.2 requires compensation for the loss of previously provided mitigation within on-site deed-restricted areas for impacts to 4.55 acres of mulefat scrub that occurred during construction of the Westridge Golf Club through the provision of ~~with~~ equivalent or better habitat ~~for the loss of previously provided mitigation within on-site deed-restricted areas~~, impacts would be reduced to less than significant.

Figure 6: Planning Area Map
Source: SMP (09/17/2019).

Revised Specific Plan Figure 6

From: Snyder, Jonathan <jonathan_d_snyder@fws.gov>
Sent: Tuesday, January 7, 2020 10:51 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: Turner, Jennifer@Wildlife <Jennifer.Turner@wildlife.ca.gov>; Christine Medak <christine_medak@fws.gov>
Subject: Rancho La Habra Specific Plan RDEIR

In Reply Refer To:
95B0011-20CPA0088

Mr. Ho,

We, the Carlsbad Office of the U.S. Fish and Wildlife Service, have reviewed the biological resources section of the Recirculated Draft Environmental Impact Report (RDEIR) for the Rancho La Habra Specific Plan. Although we understand that the public comment period for this project closed on January 6, 2020, we were not able to complete our review within the requested period due to limited staff resources. We would appreciate your consideration of our comments. 1

We previously provided comments on the DEIR for this project in a letter dated May 11, 2018 (attached). We continue to recommend preservation of a larger block of contiguous habitat within the project site and the removal of obstructions to wildlife movement between the project site and West Coyote Hills to expand the live-in habitat and provide connectivity between the project site and West Coyote Hills for the federally threatened coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher). In addition, we have the following comments and recommendations regarding potential effects to the gnatcatcher and endangered least Bell's vireo (*Vireo bellii pusillus*; vireo): 2

1) The RDEIR references the observation of a migratory vireo during the 2018 breeding season. We recommend additional protocol surveys are conducted in 2020 to clarify the status of vireo within the project site. 3

2) The RDEIR identifies a total of 11.37 acres of designated critical habitat for the gnatcatcher, including 1.28 acres of vegetation containing the physical and biological features (PBF) of designated critical habitat for the gnatcatcher. PBFs of designated critical habitat for the gnatcatcher include: dynamic and successional coastal sage scrub habitats that provide space for individual and population growth, normal behavior, breeding, reproduction, nesting, dispersal and foraging (PBF 1); and non-sage scrub habitats in proximity to coastal sage scrub that provide space for dispersal, foraging and nesting (PBF 2). At this location the coastal sage scrub vegetation provides PBF 1, and remaining open space (excluding buildings, paved areas, and other structures) provides dispersal opportunities for gnatcatcher and should be mapped as PBF 2 in the Final EIR. 4

3) The vegetation mapping includes 1.32 acres of native landscaping. Please clarify the vegetation that occurs within the native landscaping and whether it has the potential to support the gnatcatcher or vireo. 5

4) It appears that areas identified to be preserved and restored for the gnatcatcher (Figure 3.5-14) may also include trails (Figure 2-10). Please clarify the extent of coastal sage scrub that is anticipated to be restored and preserved onsite (excluding trails and other infrastructure). 6

5) An existing fuel modification zone occurs to the east of proposed restored and preserved habitat for the gnatcatcher. We recommend this fuel modification zone is replanted with native scrub that is approved for use by the Orange County Fire Authority. This would expand foraging opportunities for gnatcatchers adjacent to preserved habitats. 7

We appreciate the opportunity to comment on the RDEIR. Should you have any questions regarding these comments, please contact Christine Medak of my staff at (760) 431-9440, extension 298.

Sincerely,
Jonathan Snyder

--

Jonathan Snyder, Division Chief
U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, CA 92008
(760) 431-9440 x307
jonathan_d_snyder@fws.gov

2. Response to Comments from U.S. Fish and Wildlife Service (1-7-2020)

USFWS-1 The public review period for the Partially Recirculated Draft EIR closed on January 17, 2020. The USFWS comment letter was therefore submitted to the City in a timely manner. Specific responses to specific comments are presented below.

USFWS-2 See Responses to Comments CDFW-4 through CDFW-16 for revisions to EIR mitigation measures and conclusions that address this comment. Also noted in the Partially Recirculated Draft EIR cumulative impacts analysis, consolidation of habitat areas through restoration and enhancement of CSS in the western portion of the Project site adjacent to the interface with West Coyote Hills would have a positive benefit to special status avian species that utilize CSS habitat and move between the Rancho La Habra and West Coyote Hills habitats. Responses to the U.S. Fish and Wildlife Service May 11, 2018 comment letter are provided in Section 2.2.4-5 of this document.

USFWS-3 Protocol surveys consisting of eight surveys in 2019 did not find breeding least Bell's vireo on the site. The migrant least Bell's vireo referenced in the Partially Recirculated Draft EIR was reported as a late season migrant that was observed on the final survey of the 2019 season. Glen Lukos Associates (GLA) returned to the site the following day and could not relocate the individual. As stated by GLA, Loren Hayes of the USFWS in a 2001 email to GLA addressing the same circumstance on a different site that is nevertheless applicable to Rancho La Habra:

> *Although it is certainly possible that the bird you observed was unpaired, my experience has been that unpaired males often abandon sites (by mid-July) if they were unable to attract mates by that time. Who knows where they go, but we have not often turned up adult (1+ year-old) males in late July or August in locales where a territory was not occupied during the breeding season. When we have detected males in late July, August or September at "new" sites (not previously occupied nesting locale or territory), they are often juveniles (which were identified by their plumages and/or imperfect songs)...*[11]

As requested in Comment USFWS-3, GLA biologists undertook least Bell's vireo surveys in early spring of 2020 using USFWS-approved protocol methodology and covering all suitable habitat for the species. No least Bell's vireos were detected.

[11] Loren Hayes, USFWS, email transmitted to Jeff Ahrens, GLA, August 9, 2001.

The USFWS-approved protocol methods starting in the early spring season were determined to be sufficient as a means of confirming the lack of breeding use of the site by the species, as previously determined. In addition, early- and late-season surveys have the highest probability of detecting migrants that do not use suitable habitat for more than a brief stopover.

USFWS-4 See Response to Comments CDFW-4 through CDFW-16, which describe gnat-catcher use of the project site including movement between conservation areas and West Coyote Hills habitat.

USFWS-5 The area designated as native landscaping consists of drought-tolerant landscaping dominated by a sparse mix of native shrubs including coastal sage scrub species such as California buckwheat with a substantial component of non-native grasses and forbs. The area abuts the golf course maintenance facility and is ringed with non-native pine and other ornamental trees, is situated between Fairways 9 and 11, and does not support suitable habitat for the California gnatcatcher or least Bell's vireo.

USFWS-6 The proposed trail extending around the perimeter of the Project's development area will be moved to avoid habitat areas, which means that it would extend around the outer edge of the development area within the western and southwestern portion of the Project site, between the development area and the conservation area (see Final EIR Chapter 3, for the revised Specific Plan Figure 6 following Comment CDFW-17).

USFWS-7 The Los Angeles County Fire Department has determined that a fuel management plan is unnecessary since the Project site is not subject to wildland fire hazards (see Response to Comment HAMILTON-8). Draft EIR Appendix Q sets forth the Los Angeles County Fire Department's requirements for development of the Project site, all of which have been incorporated into the Project's conditions of approval.

The Project's landscaping plan does, however, provides for a variable width transition zone (with a minimum of 50-foot) between adjacent residential development and the site's coastal sage scrub conservation area (see Neighborhood 2 Conservation Area graphic following this response). This transition zone provides a minimum 50-foot buffer between areas of conserved coastal sage scrub habitat to protect habitat functions and values.

The proposed plant palette for this transition area was review by Tony Bomkamp of Glenn Lukos Associates. Mr. Bomkamp concluded that:

> *Incorporation of barrier plantings will enhance the functions of the proposed buffer areas. Agave is not native to north Orange County or adjacent Los Angeles County and should be eliminated. Native* Opuntia littoralis *and/or* 0. Prolifera *are appropriate and could be used along with* Rhus ingrifolia *(lemonade berry), which form dense barriers and is already included in the proposed plant palette.*

California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
David Shabazian, Director

January 7, 2020

VIA EMAIL

Andrew Ho, Community Development Director
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631
Email: andrewh@lahabraca.gov

Dear Mr. Ho:

NOTICE OF AVAILABILITY
PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT
RANCHO LA HABRA SPECIFIC PLAN
CITY OF LA HABRA, COMMUNITY DEVELOPMENT
SCH: NO. 2015111045

The Department of Conservation's Geologic Energy Management Division (Division) has reviewed the above-referenced project for impacts with Division jurisdictional authority. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Division offers the following comments for your consideration.

The project area is in Orange County and lies within the Coyote, West oil field. Division records indicate the presence of many plugged oil and gas wells within the proposed project boundary. Division information can be found at: www.conservation.ca.gov. Individual well records are also available on the Division's web site, or by emailing dogdist1@conservation.ca.gov. 1

The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code, and administrative regulations under Title 14, Division 2, Chapters 2, 3 and 4 of the California Code of Regulations.

If any wells, including any plugged, abandoned or unrecorded wells, are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements and approval to perform remedial operations. 2

DOC-GEMD

The possibility for future problems from oil and gas wells that have been plugged and abandoned, or reabandoned, to the Division's current specifications are remote. However, the Division recommends that a diligent effort be made to avoid building over any plugged and abandoned well. 3

Questions regarding the Division's Construction Site Well Review Program can be addressed to the local Division's office in Long Beach by emailing CalGEMSouthern@conservation.ca.gov or by calling (562) 637-4400.

Sincerely,

Curtis M. Welty, PG
Associate Oil and Gas Engineer

cc: The State Clearinghouse in the Office of Planning and Research
Email: state.clearinghouse@opr.ca.gov

Christine Hansen, DOC OGER
Email: Christine.Hansen@conservation.ca.gov

Vanessa Adame, DOC OGER
Email: Vanessa.Adame@conservation.ca.gov

Naveen Habib, DOC OGER
Email: Naveen.Habib@conservation.ca.gov

Jan Perez, DOGGR CEQA Unit
Email: Jan.Perez@conservation.ca.gov

Environmental CEQA File

3. Response to Comments from the California Department of Conservation, Geologic Energy Management Division (1-7-2020)

DOC-GEMD-1 This comment describes the Project setting and outlines the jurisdictional authority of the commenting agency. The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

DOC-GEMD-2 The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Should damage occur to any of the former wells on-site, the Division's district office would be contacted as requested.

DOC-GEMD-3 The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JUANENO

From: **Joyce Perry** kaamalam@gmail.com
Subject: Fwd: Draft EIR for Rancho La Habra Specific Plan
Date: January 14, 2020 at 1:38 PM
To: Andrew Ho /O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP /CN=RECIPIENTS/CN=Andrew Hoaa0

Good Afternoon Mr. Ho,

On behalf of the Juaneño Band of Mission Indians, Acjachemen Nation-Belardes, we are responding to your letter regarding the above project. After reviewing the draft EIR, it is important to note that this is also our tribal territory, and we want to participate in any monitoring. We are in agreement with the conditions of approval. I can be reached at (949) 293-8522. 1

Húu'uni 'óomaqati yáamaqati.
Teach peace
Joyce Stanfield Perry
Payomkawichum Kaamalam - President

Juane ñ o Band of Mission Indians, Acjachemen Nation

Tribal Manager, Cultural Resource Director

4. Response to Comments from the Juaneño Band of Mission Indians (1-14-2020)

JUANEÑO-1 The original request for consultation was distributed as part of the EIR Notice of Preparation on November 13, 2015. The only request for consultation received by the City in response to this request was from the Gabrieleño Band of Mission Indians – Kizh Nation. The requested consultation occurred during an August 27, 2019 telephone conference between Mr. Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians – Kizh Nation, and Mr. Roy Ramsland, City of La Habra Planning Manager. The result of this consultation was that Draft EIR Mitigation Measures CUL-2a and CUL-2b were determined to have provided the mitigation measures requested by the Kizh Nation and that no further action was needed. For copies of correspondence between the City of La Habra and the Gabrieleño Band of Mission Indians – Kizh Nation, see Response to Comment GABRIEL-1 in Section 2.2.4-6 of this document.

Comment JUANEÑO-1 indicates agreement with the requirements set forth in the EIR and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analysis and conclusions. The request in this comment that the Juaneño Band of Mission Indians participate in any monitoring will be considered at such time as any site monitoring pursuant to EIR Mitigation Measures CUL-2a and CUL-2b occurs.

DEPARTMENT OF TRANSPORTATION
DISTRICT 12
1750 EAST FOURTH STREET, SUITE 100
SANTA ANA, CA 92705
PHONE (657) 328-6268
FAX (657) 328-6510
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

January 17, 2020

Andrew Ho
City of La Habra
110 East La Habra Blvd.
La Habra, CA 90631

File: IGR/CEQA
SCH: #2015111045
12-ORA-2018-01274
SR 39; PM 18.612

Dear Mr. Ho,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Partially Recirculated Draft Environmental Impact Report (DEIR) for the proposed Rancho La Habra Specific Plan which borders Beach Boulevard, otherwise known as State Route 39 (SR 39). The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability.

The project site is the current site of the Westridge Golf Club, which is adjacent to SR 39 and the existing Westridge Plaza shopping center. The Westridge Golf Club was developed along with the Westridge Residential Community to the south, pursuant to the adopted La Habra Hills Specific Plan. The proposed Rancho La Habra Specific Plan would remove the 151-acre project site from the La Habra Hills Specific Plan and develop the existing golf course with 402 residential dwelling units, including 277 single-family homes and 125 multi-family residences, along with either 20,000 square feet of commercial development (e.g., specialty grocery, restaurant, or general retail uses) or an additional 46 multi-family dwelling units. Also proposed in the plan is open space areas that would include public parks and private recreational areas, a community center, small amphitheater, habitat conservation areas, passive recreational uses including trails, wildlife viewing, picnic areas and tot lots. 1

Along with the proposed Specific Plan, there is a proposed General Plan Amendment. The amendment to the approved La Habra Hills Specific Plan includes: zone change, design review, development agreement, and Mello

Roos district formation. The City requests vacation of existing deed restriction granted to California Department of Fish & Wildlife as mitigation for the original golf course & La Habra Hills Specific Plan development. This is a partially recirculated Draft EIR. The original public review was February 26, 2018 to May 10, 2018. Included in the recirculated EIR are Biological Resources, Traffic, Air Quality, GHG, and Energy Resources. 1

The approximately 151-acre Specific Plan area (project site) is located at 1400 South La Habra Hills Drive. The project site borders SR 39 to the west and is south of Imperial Highway (SR 90). State Route 39 is overseen by Caltrans. Caltrans is the responsible agency and has the following comments:

System Planning Comments:

1. It is noted that the city would be collecting a traffic impact fee at various Caltrans intersections for SR 39 and 90. Please identify which projects and improvements these funds would be going to. 2

2. Infill and mixed-use development offer an opportunity to encourage multi-modal travel and a reduction in VMT. Short local car trips can potentially be replaced with walking, bicycling, and transit trips. Given the project site's proximity to restaurant and retail businesses along SR 39 and SR 90, Caltrans encourages the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. 3

3. There is an existing Class I multi-use trail along Coyote Creek, just west of the proposed project site. Coyote Creek is part of the OC Loop, and the 2015 OCTA 70/30 Plan outlines some potential routes to complete Segment T of the OC Loop. As this project is developed, keep in mind these plans while also considering opportunities to facilitate completion of portions of Segment T. There are also Class II bike lanes along Idaho Street, adjacent to the east side of the project site. As part of state goals to increase active transportation and improve health and safety, Caltrans encourages the inclusion of safe and comfortable connections to these existing bike facilities. 4

4. Coordinate with Caltrans on potential bicycle and pedestrian improvements along SR 39 and SR 90. 5

5. Caltrans recommends the inclusion of secure and functional short- and long-term bike parking. Short-term bike parking at public/commercial locations should be placed in visible areas that are close to main entrances and should be installed at least 24" away from walls and other objects (e.g. trash cans, plants, etc.). Long-term bike storage for multi-family residential units should be provided indoors and on the ground floor. Both short- and long-term bike parking should be designed to accommodate different types of bikes (e.g. cargo bike, bike with trailer). 6

6. For additional guidance on providing functional bike parking, see the attached "Essentials of Bike Parking" guidance created by the Association of Pedestrian and Bicycle Professionals (link to online PDF: https://www.apbp.org/Publications). 7

Project Management:

1. There is currently a planned Caltrans' project EA 0R360 (Construction Cost is $20.5M) to remove and replace AC pavement tentatively scheduled to begin construction on 11/01/27. Coordination with Caltrans is required to avoid or minimize project conflicts. 8

Traffic Operations:

1. Please provide verification of the delay per vehicle at the intersection of Walnut Street and Imperial Highway. 9

Designated Freight Delivery Area

1. Please consider incorporating designated areas/parking for freight delivery, package, and transportation network companies pickup and drop-off. 10

Permits:

1. Any project work proposed in the vicinity of the State right of way will require an encroachment permit, and all environmental concerns must be adequately addressed. Please coordinate with Caltrans in order to meet the requirements for any work within or near State Right-of-Way. A 11

fee may apply. If the cost of work within the State right of way is below one Million Dollars, the Encroachment Permit process will be handled by our Permits Branch; otherwise the permit should be authorized through the Caltrans's Project Development Department. When applying for Encroachment Permit, please incorporate all Environmental Documentation, SWPPP/ WPCP, NPDES, Hydraulic Calculations, R/W certification and all relevant design details including design exception approvals. For specific details for Encroachment Permits procedure, please refer to the Caltrans's Encroachment Permits Manual. The latest edition of the Manual is available on the web site: http://www.dot.ca.gov/hq/traffops/developserv/permits/ 11

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Julie Lugaro at 657-328-6368 or Julie.lugaro@dot.ca.gov. 12

Sincerely,

SCOTT SHELLEY
Branch Chief, Regional-IGR-Transit Planning
District 12

5. Response to Comments from California Department of Transportation (1-17-2020)

CALTRANS-1 Comment CALTRANS-1 describes the Project and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CALTRANS-2 The mitigation measures from Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, that are identified below provide for fair share payments to Caltrans for Project impacts on state highways.

Mitigation Measure TRA-1.2: The applicant shall pay city-wide traffic improvement fees.

Mitigation Measure TRA-1.2 includes City traffic impact fees being collected pursuant to La Habra Municipal Code Section 10.48, Traffic Improvement Fee, and Section 10.52, Traffic Phasing Plan.

Mitigation Measure TRA-1.3. The applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts at the following intersections:

- Beach Boulevard at Artesia Boulevard (within Buena Park)
- Hacienda Road at Whittier Boulevard (within La Habra)

At the intersection of Beach Boulevard and Artesia Boulevard, Mitigation Measure TRA-1.3 provides for:

- Widening and/or restriping the southbound approach of Beach Boulevard by up to 12 feet to provide an exclusive right-turn lane.
- Modifying the existing traffic signal as necessary and install a westbound right-turn overlap phase.
- Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of these improvements is subject to the approval of Caltrans and the City of Buena Park.

At the intersection of Hacienda Road at Whittier Boulevard, Mitigation Measure TRA-1.3 provides for:

- Widening and/or restriping the northbound approach of Hacienda Road to provide an exclusive left-turn lane.

- Widening and/or restriping the southbound approach of Hacienda Road to provide an exclusive left-turn lane, a shared left/through lane, and dual right-turn lanes.
- Modifying the existing traffic signal for split-phase operation in the north-south directions.

The installation of these improvements, which are planned by the City of La Habra/Caltrans as part of the Hacienda Road/Whittier Boulevard Intersection Improvement Project, are subject to the approval of Caltrans and the City of La Habra.

Mitigation Measure TRA-1.5a: The applicant shall pay fair share fees to the City of La Habra to be distributed to the City of La Mirada for Project-related impacts at the following intersection:

- Beach Boulevard at Rosecrans Avenue

Mitigation Measure TRA-1.5a provides for:

- Widening and/or restriping the northbound approach of Beach Boulevard by up to 12 feet to provide a fourth northbound through lane.
- Widening and/or restriping the southbound approach of Beach Boulevard by up to 12 feet to provide a fourth southbound through lane.
- Widening and/or restriping the westbound approach of Rosecrans Avenue by up to 12 feet to provide an exclusive right-turn lane.
- Modifying the existing traffic signal as necessary.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of these improvements is subject to the approval of Caltrans and the City of La Mirada.

Mitigation Measure TRA-1.5b: The applicant shall pay fair share fees to the City of La Habra to be distributed to the City of Buena Park for Project-related impacts at the following intersection:

- Beach Boulevard at La Mirada Boulevard/Malvern Avenue

Mitigation Measure TRA-1.5b provides for:

- Widening and/or restriping the northbound approach of Beach Boulevard by up to 12 feet to provide a fourth northbound through lane.
- Widening and/or restriping the southbound approach of Beach Boulevard by up to 12 feet to provide a fourth southbound through lane.

- Modifying the existing traffic signal as necessary.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of Buena Park.

Mitigation Measure TRA-1.6: The Applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts at the following intersections:

- Beach Boulevard and La Mirada Boulevard-Malvern Avenue
- Hacienda Road at Whittier Boulevard
- Beach Boulevard at Artesia Boulevard

At the intersection of Beach Boulevard at La Mirada Boulevard/Malvern Avenue, Mitigation Measure TRA-1.6 provides for:

- Widening and/or restriping the southbound approach of Beach Boulevard by up to 12 feet to provide a fourth southbound through lane.
- Modifying the existing traffic signal as necessary.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of Buena Park.

At the intersection of Beach Boulevard at Artesia Boulevard, Mitigation Measure TRA-1.6 provides for:

- Widening and/or restriping the southbound approach of Beach Boulevard by up to 12 feet to provide an exclusive right-turn lane.
- Modifying the existing traffic signal as necessary and installing a westbound right-turn overlap phase.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of these improvements is subject to the approval of Caltrans and the City of Buena Park.

At the intersection of Hacienda Road at Whittier Boulevard, Mitigation Measure TRA-1.6 provides for:

- Widening and/or restriping the northbound approach of Hacienda Road to provide an exclusive left-turn lane.

- Widening and/or restriping the southbound approach of Hacienda Road to provide an exclusive left-turn lane, a shared left/through lane, and dual right-turn lanes.
- Modifying the existing traffic signal for split-phase operation in the north-south directions.

Mitigation Measure TRA-1.8a: The applicant shall pay city-wide traffic improvement fees as well as fair share impact fees at the following intersection:

- Euclid Street at Imperial Highway

At the intersection of Euclid Street at Imperial Highway, Mitigation Measure TRA-1.8a provides for:

- Widening and/or restriping the southbound approach of Imperial Highway by up to 12 feet to provide an exclusive southbound right-turn lane.
- Modifying the existing traffic signal.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of La Habra.

Mitigation Measure TRA-1.8b: The applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts at the intersection of:

- Beach Boulevard at Lambert Road

At the intersection of Beach Boulevard at Lambert Road, Mitigation Measure TRA-1.8b provides for:

- Widening and/or restriping the eastbound approach of Lambert Road by up to 12 feet to provide an exclusive right-turn lane.
- Modifying the existing traffic signal as necessary.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of La Habra.

Mitigation Measure TRA-1.9: The applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts at the following intersections:

- Euclid Street and Imperial Highway
- Beach Boulevard and Lambert Road

At the intersection of Euclid Street and Imperial Highway, Mitigation Measure TRA-1.9 provides for:

- Widening and/or restriping the southbound approach of Imperial Highway by up to 12 feet to provide an exclusive southbound right-turn lane.
- Modifying the existing traffic signal.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of La Habra.

At the intersection of Beach Boulevard and Lambert Road, Mitigation Measure TRA-1.9 provides for:

- Widening and/or restriping the eastbound approach of Lambert Road by up to 12 feet to provide an exclusive right-turn lane.
- Modifying the existing traffic signal as necessary.

Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of La Habra.

Mitigation Measure TRA-1.10a: The applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts along the following roadway segment:

- Imperial Highway between Euclid Street and Harbor Boulevard

Mitigation Measure TRA-1.10a provides for:

- Widening and/or restriping of Imperial Highway to provide a fourth eastbound through lane and a fourth westbound through lane.

The installation of these improvements would require additional right-of-way and may be further constrained due to the existing channel located south of Imperial Highway that runs parallel to Imperial Highway, from west of Euclid Avenue, east to Village Drive. In addition, this improvement is subject to the approval of Caltrans and the City of La Habra.

Mitigation Measure TRA-1.10b: The applicant shall pay fair share fees to the City of La Habra to be distributed to the City of Buena Park for Project-related impacts along the following roadway segment:

- Beach Boulevard between Rosecrans Avenue and La Mirada Boulevard

Mitigation Measure TRA-1.10b provides for:

- Widening and/or restriping of Beach Boulevard to provide a fourth northbound through lane and a fourth southbound through lane.

The installation of these improvements would require additional right-of-way and is subject to the approval of Caltrans and the City of Buena Park.

Mitigation Measure TRA-1.11: The applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts along the following freeway mainline segment:

- SR-57 southbound lanes south of Imperial Highway

Mitigation Measure TRA-1.13: The applicant shall pay to the City of La Habra the cost of reallocating additional green time to the westbound left-turn lanes at the intersection of Beach Boulevard at Imperial Highway to be distributed to Caltrans for Project-related queueing impacts at that intersection.

CALTRANS-3 This comment sets forth a recommendation for Project design and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CALTRANS-4 In the vicinity of Rancho La Habra, the existing Coyote Creek Bikeway, which is located across Beach Boulevard from the Project site, approximately 330 feet northwest of the roadway right-of-way, serves as the OC Loop regional trail. While the Project would provide a trail connection from Idaho Street to Beach Boulevard and would not preclude any improvements to the OC Loop, Rancho La Habra would not provide an offsite trail connection through the existing apartment complex separating Beach Boulevard from the existing Coyote Creek Bikeway.

CALTRANS-5 This comment sets forth a recommendation that the City coordinate with Caltrans in relation to potential bicycle and pedestrian improvements along Beach Boulevard and Imperial Highway. The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CALTRANS-6 This comment sets forth Caltrans' recommendation regarding the provision of secure bicycle parking within the Project site and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. Pursuant to General Plan Policy AT 2.8, a percentage of parking spaces would be set aside in the non-residential land uses to accommodate secure bicycle parking (as noted in Partially Recirculated Draft EIR Section 3.9, *Greenhouse Gas Emissions*).

CALTRANS-7 This comment refers the City to Caltrans's guidance on bicycle parking and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CALTRANS-8 Comment CALTRANS-8 refers to a planned Caltrans improvement project that is tentatively scheduled to begin in November 2027 and requests coordination between the City and Caltrans regarding that project. This comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CALTRANS-9 The level of service calculations for the intersection of Walnut Street at Imperial Highway are based on the Highway Capacity Manual 6 (HCM 6) methodology, which is consistent with Caltrans level of service methodologies and requirements. The delay reported in the level of service summary tables is reported in seconds per vehicle and is for the southbound vehicles exiting Walnut Street and entering Imperial Highway during the AM and PM peak hours. Based on the large amount of peak hour eastbound and westbound through traffic on Imperial Highway and the volume of vehicles making an eastbound left turn from Imperial Highway to Walnut Street, the delay reported in the Traffic Impact Analysis level of service summary tables for the intersection of Walnut Street/Imperial Highway is reasonable and accurate.

It should be noted that the Traffic Impact Analysis (Partially Recirculated Draft EIR Appendix H) recommends the installation of a traffic signal at the intersection of Walnut Street at Imperial Highway to offset the cumulative impacts of the Project. As stated in the Traffic Impact Analysis, the installation of a traffic signal at this location is consistent with the City of La Habra General Plan and is currently planned by Caltrans. As shown in the Traffic Impact Analysis level of service tables, the intersection of Walnut Street at Imperial Highway is forecast to operate at an acceptable level of service during the AM and PM peak hours with implementation of improvements.

CALTRANS-10 This comment requests that the City "consider incorporating areas/parking for freight delivery, package, and transportation network companies pickup and drop-off." The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CALTRANS-11 The Project Description contained in the Partially Recirculated Draft EIR explicitly includes "encroachment permits and improvements within Caltrans rights-of-way" among the permits and approvals needed to implement the Project. The comment does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

CALTRANS-12 Comment CALTRANS-12 requests coordination with Caltrans for future developments that might affect state transportation facilities and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

2.2 RESPONSES TO COMMENTS ON THE DRAFT EIR

A total of one hundred and forty-one (141) comment letters or emails providing comments on the Draft EIR were received by the City on the Draft EIR (February 2018), with one hundred and twenty-four (124) letters and emails from private individuals; four (4) letters from representatives of the Westridge Community Association; six (6) letters from local public agencies; and six (6) letters from federal agencies, state agencies, and tribal authorities. Responses to all comments that address substantive environmental concerns in each of these letters and emails are provided in this section of the Final EIR.

The persons, organizations, and public agencies that submitted comments regarding the Draft EIR are listed below in **Table 2-2**. Responses to the comments in each of these letters and emails are provided in this section of the Final EIR.

Table 2-2
Comments Received on the Rancho La Habra Draft EIR

Comment Letter	Commenter	Date	Number of Comments
Comments from Members of the Public			
ROR	Jesse Rorabaugh	February 26, 2018	10
MONT	Michael Montgomery	March 2, 2018	3
WOOD	Ron Woodward	March 14, 2018	2
HETRICK	Randi Hetrick	March 14, 2018	6
STRAM	Sharon Stramler	March 16, 2018	1
CARMEN2	Carmen Simba	March 16, 2018	1
CWONG-1	Carol Wong	March 19, 2018	1
CWONG-2	Carol Wong	March 25, 2018	3
LIPA	Charles LI	March 20, 2018	6
DO	Peter Do	March 20, 2018	5
JCHOI	Joshua Choi	March 21, 2018	4
GARCIA	Gabriela Garcia	March 22, 2018	7
HAM	Sue Ham	March 23, 2018	1
COOK	Karla Cook	March 23, 2018	4
SANDERS	Bill and Kay Sanders	March 23, 2018	3
HCHOI	Hee Chang Choi	March 22, 2018	4
PATEL	Hasu Patel	March 23, 2018	4
LEE-1	Hae Yeong Lee	March 24, 2018	1
LEE-2	Hae Yeong Lee	March 24, 2018	2

Comment Letter	Commenter	Date	Number of Comments
BCHOI	Byung D. Choi	March 24, 2018	7
BAEK	Edgar Baek	March 26, 2018	1
YOSHIDA	Mark Yoshida	March 26, 2018	4
JIAO	Katherine Jiao	March 26, 2018	3
JANG	Billy Jang	March 27, 2018	3
DCHIANG	Doris Chiang	March 27, 2018	8
PYUN	Youn Pyun	March 27, 2018	1
BAE	Andrew Bae	March 27, 2018	1
PARK	Maria Park	March 27, 2018	1
JIHYUN	Jih Yun	March 27, 2018	1
BBYUN	Sylvia Byun	March 31, 2018	1
JCHUNG	Jiho Chung	March 29, 2018	4
MAHE	Saumil Maheshvari	April 2, 2018	7
LIM	Velina Lim	April 2, 2018	8
FOUST-1	Joe Foust	April 2, 2018	2
FOUST-2	Joe Foust	April 2, 2018	58
LONG	Men Long	April 2, 2018	1
VAUGHAN	Kathleen Vaughan	April 3, 2018	1
RIVERA	Josephine Rivera	April 3, 2018	1
CHUN-PARK	Youngil Chun and Ryong Park	April 3, 2018	4
AVICH	Chris and Jonisa Avichouser	April 3, 2018	1
GUER	Juan Guerrero	April 3, 2018	4
YUN	Sun Yun	April 3, 2018	1
LLIM	Lalaine Lim	April 4, 2018	1
PINZON	Christopher Pinzon	April 4, 2018	2
MIRAM	Frank Miramontes	April 4, 2018	4
AMIN	Yogi Amin	April 4, 2018	1
EKIM	Elizabeth Kim	April 4, 2018	1
GREEN	Anne Green	April 5, 2018	1
MEDECK	Bruce Medeck	April 5, 2018	8
A-RIVERA	Adriana Rivera	April 5, 2018	1
SWAIN	Glen and Peggy Swain	April 5, 2018	1
MILLER	Susan Miller	April 6, 2018	4
CABRAL	RaeAnn Cabral	April 7, 2018	1
ELIZ	Mary Elizabeth	April 8, 2018	4

Comment Letter	Commenter	Date	Number of Comments
JOCELYN	Jocelyn S.	April 8, 2018	1
SUN	Sun	April 5, 2018	1
JAFFRAY	Jocelyn Jaffray	April 8, 2018	2
GARRITY	Terry Garrity	April 8, 2018	1
EDEN	Jean Eden	April 8, 2018	1
RHEE	Addie Rhee	April 9, 2018	1
BDCHOI	Dong and Byung D. Choi	April 9, 2018	8
EAST	Judith Easterly	April 9, 2018	1
YAN	Yu Yan	April 9, 2018	3
MATAM	Cathy Matamoros	April 11, 2018	7
GAINER	Jill Gainer	April 11, 2018	1
IBISCO	Cecilia Ibisco	April 11, 2018	1
LYDCH	John Tschombor	April 11, 2018	1
DELGADO	Cynthia Delgado	April 11, 2018	5
BONDUS	Eric Bondus	April 11, 2018	7
HAYS	Emily Hays	April 17, 2018	4
DAVIDSON	Laura and John Davidson	April 17, 2018	2
FID	Jennifer Fidelman	April 18, 2018	4
DAVIS	Karen Davis	April 22, 2018	4
SHIN	Julie Shin	April 23, 2018	4
JENNIFER	Jennifer Brenbo	April 23, 2018	1
SMIDE	Michael Smide	April 24, 2018	4
CHAVEZ	Jennifer O'Brien Chavez	April 24, 2018	2
CERV	Anakaren Cervantes	April 29, 2018	4
BARNETT	Karen Barnett	April 30, 2018	6
JYOUNG	Julia Young	May 1, 2018	4
JCHIN	Joe and Young Chin	May 1, 2018	1
RICHARD	Richardmup RichardmupYR	May 4, 2018	4
YKCHUN	Young K. Chun	May 6, 2018	5
JLEE	Jerome Lee	May 7, 2018	3
S-HAM 2	Sue Ham	May 7, 2018	28
MDAVIS	Mary Davis	May 7, 2018	4
YOON	John Yoon	May 7, 2018	4
MATAM1	Jose and Catherine Matamoros	May 7, 2018	5
JKIM	Jongtae Kim	May 7, 2018	2

Comment Letter	Commenter	Date	Number of Comments
YI	Patricia Yi	May 7, 2018	2
FELIX	Edward Felix	May 7, 2018	2
CHRISTIE	Gary Christie	May 7, 2018	2
DESAI	Ramesh and Pratibha Desai	May 7, 2018	4
CCHAVEZ	Carmen Chavez	May 7, 2018	1
STEVENS	Gretchen Stevens	May 7, 2018	2
DRINKER	Anne Drinker	May 7, 2018	3
HECHEN	Holger Erchah Chen	May 7, 2018	3
HYOON	Helen Yoon	May 7, 2018	2
JUNG	Daniel Jung	May 7, 2018	4
DOBKIN	Dobkin	May 7, 2018	3
HEALEY	Alan Healey	May 7, 2018	4
COOK	Christine Cook	May 8, 2018	17
H-DESAI	Hiral Desai	May 8, 2018	4
LEES	James Lees	May 9, 2018	5
RGAG	RobertGag RobertGagTL, Tirgu Mures	May 9, 2018	4
PARKER	Faith Parker	May 9, 2018	4
HERNAN	Xavi Hernandez	May 11, 2018	1
JHUNG	Joseph Jhung	May 10, 2018	13
KLEE	Kum Ja Lee	May 11, 2018	3
MAGPAYO	Darna Magpayo	May 11, 2018	19
LOPEZ	Maribelle Lopez	May 11, 2018	3
JDLEE	Jhong D. Lee	May 11, 2018	1
S-HAM	Sue Ham	May 11, 2018	1
COSATO	Paul Cosato	May 11, 2018	1
KGARCIA	Kelley Garcia	May 11, 2018	2
KUHN	Jim Kuhn	May 11, 2018	1
NLOPEZ	Nathan Lopez	May 11, 2018	2
JACKSON	Stacy Jackson	May 10, 2018	2
MIGUEL	James San Miguel	May 12, 2018	4
SHELDON	Michael Sheldon	May 12, 2018	4
C-HETRICK	Cassandra Hetrick	May 11, 2018	2
MEDA	Sophia Meda	May 11, 2018	7
RRIVERA	Randall Rivera	May 11, 2018	1
JSHIN	Julie Shin	May 14, 2018	1

Comment Letter	Commenter	Date	Number of Comments
Comments from Representatives of the Westridge Community Association			
SMW	Shute, Mihaly & Weinberger LLP	May 9, 2018	119
HAMILTON	Hamilton Biological	April 2, 2018	52
GCTC	Griffin Cove Transportation Consulting, PLLC	March 27, 2018	28
OCON	O'Connell Landscape Maintenance	July 27, 2016	1
Comments from Local Public Agencies and Utilities			
OCPW	Orange County Public Works Department	April 5, 2018	4
OCTA	Orange County Transportation Authority	April 10, 2018	1
FULLERTON	City of Fullerton	April 18, 2018	2
LJSD	Lowell Joint School District	May 8, 2018	1
FJUHSD	Fullerton Joint Union High School District	May 7, 2018	1
SCG	Southern California Gas Company	April 3, 2018	1
Comments from State Agencies, Federal Agencies, and Tribal Authorities			
DTSC	California Department of Toxic Substances Control	April 2, 2018	6
CALTRANS	California Department of Transportation	April 9, 2018	6
CDFW (4-4)	California Department of Fish and Wildlife	April 4, 2018	1
CDFW	California Department of Fish and Wildlife	May 11, 2018	36
USFWS	United States Fish and Wildlife Service	May 11, 2018	7
GABRIEL	Gabrieleño Band of Mission Indians – Kizh Nation	April 12, 2018	1

Aside from the courtesy statements, summaries of the EIR project description, introductions and closings, individual comments within the body of each comment letter and email have been identified and numbered. A copy of each comment letter and the City's responses to comments on the Draft EIR are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the left margin of each letter or email. Responses to each comment identified are included on the page(s) following each comment letter.

Pursuant to the provisions of California Environmental Quality Act (CEQA) Guidelines Section 15088.5(a), the City determined that a thorough response to the comments received by the City during the public review period for the Draft EIR necessitated the inclusion of significant new information, including:

- **Modifications to the Project Description** that were proposed by the applicant subsequent to the close of the public review period for the Draft EIR that modified the design of the proposed community center and adjacent park, requiring revisions to the Draft EIR's biological resources impact analysis.

- **New biological resources surveys, updated mapping and impact analysis, and an updated mitigation program** that were prepared to address California Department of Fish and Wildlife (CDFW) comments on the Draft EIR, along with an updated impact analysis addressing the modified design of the proposed Community Center and adjacent park. The updated biological resources analysis also included updating the mapping of vegetation communities to characterize vegetation alliances in accordance with *The Manual of California Vegetation*, Second Edition.
- **An updated traffic impact analysis**, which indicated that the Project would generate a substantially greater net increase in daily traffic than was originally disclosed in the Draft EIR and that new significant unavoidable impacts would occur at intersections in addition to those disclosed in the Draft EIR. The updated traffic impact analysis was based on updated traffic counts and updated traffic generation based on the 10th Edition of Trip Generation, published by the Institute of Transportation Engineers (ITE).
- **Updated air quality, greenhouse gas (GHG), energy, and noise analyses** that were prepared to reflect the increase in daily traffic generation indicated in the updated traffic impact analysis. The updated air quality and GHG analyses used the most recent California Emissions Estimator Model™ (CalEEMod) v2016.3.2 and the 2017 version of the Emission Factor model (EMFAC) developed by the California Air Resources Board (CARB), both of which became available subsequent to preparation of air quality and GHG studies for the Draft EIR. The updated air quality, GHG, energy, and noise analyses also reflect slight revisions to construction scheduling proposed by the applicant subsequent to the close of the Draft EIR public review period.

Thus, many of the comments received on the Draft EIR were addressed through revisions to the Project Description, Biological Resources, Traffic and Circulation, Air Quality, Greenhouse Gas Emissions, and Energy Resources sections, and these revisions were presented in the Partially Recirculated Draft EIR. Responses to such comments refer the reader to the appropriate section of the Partially Recirculated Draft EIR.

Many other comments received on the Draft EIR raised planning issues or provided background information and did not identify any substantive environmental issue or address the adequacy of the Draft EIR or its analyses and conclusions. Such comments did not require a response. While the City, as the CEQA lead agency, acknowledges their receipt, only limited responses are provided to comments that do not address substantive environmental issues or address the adequacy of the Draft EIR, its analyses and conclusions.

Where a response to a comment requires revisions to the text of the Draft EIR, such revisions are shown in underline for additions and ~~strikethrough~~ for deletions. Chapter 3 of the Final EIR contains a consolidated set of all changes made to the Draft EIR that resulted from (1) changes made in response to the comments received on the Draft EIR, or (2) City staff-initiated changes to clarify information presented in the Draft EIR.

In the process of responding to some comments not addressed by the Partially Recirculated Draft EIR, minor revisions were made to the text of the EIR. None of these comments or responses constitutes "significant new information" (CEQA Guidelines Section 15073.5) that would require additional recirculation of the Draft EIR.

Sections 2.2.1 through 2.2.4 include responses to each individual comment, although a response may sometimes refer to another response. The responses to the individual comment letters in Sections 2.2.1 through 2.2.4 are organized as follows:

2.2.1 Responses to Comments from Members of the Public

2.2.2 Responses to Comments from Representatives of the Westridge Community Association

2.2.3 Responses to Comments from Local Public Agencies and Utilities

2.2.4 Responses to Comments from State Agencies, Federal Agencies, and Tribal Authorities

2.2.1 RESPONSES TO COMMENTS FROM MEMBERS OF THE PUBLIC

Comments and responses to the one hundred and twenty-four (124) comment letters and emails that were received from private individuals are provided on the following pages.

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Comments on the Draft EIR for the Rancho La Habra Specific Plan

ROR-1 The draft environmental impact report for the Rancho La Habra Specific Plan largely fails to see the big picture of the environmental impact from development of this housing. The project is blamed for a great many problems which are either not environmental problems, or will not actually be impacted by this project. A more reasonable analysis of the impact of this project would find that the actual lowest

ROR-2 environmental impact of this project could be obtained by dramatically increasing the density of housing development, perhaps to the level of other recent projects along Beach Boulevard.

ROR-3 The environmental impact report blames the project for increasing population and states that this is a significant unavoidable impact. The project will do no such thing. The people who will live in the development are already born and there is no reason to think that the project will lead to increased birth rates in the future. The project will not increase the population. It will only increase the number of those people who live in La Habra. The significant environmental question is, would the environmental

ROR-4 impact of this population be reduced or increased if these people move to La Habra? The answer is a very clear reduction. If this project is not constructed these people will find housing elsewhere. This housing will almost certainly have a higher environmental impact than this development due to the mild climate, minimal disturbance of wildlife habitat and central location of this project which will reduce environmental impacts when compared to exurban developments in the inland empire.

ROR-5 Elsewhere the EIR repeatedly mentions increases in traffic as an unavoidable environmental problem. This is quite simply not an environmental problem. The environmental problem is cars, not traffic. If

ROR-6 there is an environmental impact relating to transit which should be considered it is from the fact that this development will never support decent public transportation. Were the density to be tripled or quadrupled, it would plausibly be a high enough density urban area to support reasonable public transit service. As it is, the development is simply too low density to ever support good public transit. Unlike

ROR-7 increased traffic from this project, this is a serious environmental impact. Also, the design could reduce driving by providing easier walking access to neighboring businesses, making these distances as short as practical and removing gates which are likely to reduce the number of people who walk.

ROR-8 Again greenhouse gas emissions are over-stated because of a failure to understand what would happen were this development is not constructed. These people will live somewhere. The average resident will

ROR-9 certainly be closer to their worksite if this development is constructed, reducing miles driven. The average resident will certainly be using less heating and cooling if this development is constructed, again reducing energy use and greenhouse gas emissions.

ROR-10 None of the evaluated alternatives properly account of the reduced environmental impacts which could be realized by increasing density. The amount of preserved habitat, viability of public transit, walkability, total greenhouse gas emissions, and even total revenue to the developer could all be improved by reducing the amount of land developed while increasing the total number of housing units installed. This is a dramatically superior option to all six alternatives considered in the draft EIR.

Jesse Rorabaugh

1. Response to Comments from Jesse Rorabaugh (2-26-2018)

ROR-1 This comment provides a general summary of the issues discussed in greater detail in subsequent comments. See Response to Comments ROR-3 through ROR-10 for responses to the issues raised in this comment.

ROR-2 This comment sets forth a general opinion as to how the environmental impacts that would result from the Rancho La Habra Specific Plan might be reduced. See Response to Comments ROR-3 through ROR-10 for responses to the issues raised in this comment.

ROR-3 The analysis in Draft EIR Section 3.3, *Population and Housing*, evaluates the extent to which the Project would induce substantial population growth within the City of La Habra. The methodology used to determine whether the Project would have a significant impact is set forth starting on page 3.3-12 and states that if the Project would "exceed applicable growth projections, the resulting growth would be considered 'substantial,' and a significant impact would result." Based on an evaluation of regional growth forecasts for the City of La Habra, the EIR determined that the Project would exceed growth forecasts for the City of La Habra and a significant impact would result. Thus, the EIR correctly concludes that the Project would increase population within the City of La Habra.

ROR-4 The comment's conclusion that the impacts identified in the EIR would be greater if the Project were not constructed in La Habra is based on a speculative conclusion that the 402 households[12] that might otherwise move to Rancho La Habra would choose instead to move to exurban locations, presumably within the Inland Empire (Riverside and San Bernardino counties. The comment's conclusion is based on a series of unsupported assumptions that the households that might otherwise move to Rancho La Habra (1) are not already located in the Inland Empire, (2) would choose to move within or to the Inland Empire rather than to another location within Orange County that might be closer to major employment and existing transit in the absence of Rancho La Habra, and (3) would move to a site having greater impacts on biological resources than would Rancho La Habra.

The comment's conclusion is also based an incorrect assertion that CEQA requires an EIR to address the impacts of development at an alternative site, even if such site is not controlled by the applicant and is not part of the same market

[12] The Rancho La Habra Specific Plan also proposes 20,000 square feet of commercial development and provides the option for the commercial area to be developed with 46 multi-family dwelling units in lieu of the proposed commercial use.

area as the Project site. Such analysis would entail speculatively selecting a location, and then reporting impacts as the difference between the actual proposed project and its "avatar" in some other location. Such analysis can be easily manipulated by selecting an alternative site in a distant, suburban location (such as the Inland Empire), which would place the Project in a positive light.

While CEQA requires the alternatives section of an EIR to analyze alternative locations, CEQA Guidelines Section 15126.6(f)(2)(A) also states that the key question and first step in such an analysis is "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only *locations that would avoid or substantially lessen any of the significant effects of the project* need be considered for inclusion in the EIR." (emphasis added) The comment letter sets forth the argument that the alternative location would have a *greater* impact than the Project. CEQA does not require analysis of sites that would have greater impacts than the Project.

Thus, there is no basis in CEQA for the assertion that the EIR should have analyzed an alternative location for the project within the Inland Empire. Further, any such analysis would be highly speculative.

ROR-5 The Recirculated Draft EIR correctly analyzed Project-related traffic impacts. See Section 2.1.2-15, Response to Comment FOUST-1, for discussion of Senate Bill (SB) 743 and revisions to CEQA Guidelines. In the absence of additional information as to what is meant by "the environmental problem is cars, not traffic," a more detailed response is not possible.

ROR-6 This comment asserts that doubling, tripling, or quadrupling the number of dwelling units within the Project site "would plausibly be a high enough density urban area to support reasonable public transit service." The comment, however, provides no evidence to support whether adding 400, 800, or even 1,200 dwelling units or more to the 402 dwelling units that are currently proposed[13] would actually cause a transit agency to modify its current bus schedules to provide sufficiently improved service to the site so as to have a measurable effect on vehicular trip generation within the Rancho La Habra site.

Because the City of La Habra is not a transit provider, transit improvements would be the responsibility of an outside agency. In the absence of substantial evidence that an area transit provider would, in fact, provide substantially

[13] The Rancho La Habra Specific Plan also proposes 20,000 square feet of commercial development and provides the option for the commercial area to be developed with 46 multi-family dwelling units in lieu of the proposed commercial use.

improved transit service to the Project site should development density be doubled, tripled, or quadrupled, the City cannot assume in an EIR that such transit improvements would be made.

Even if substantial transit improvements were to become available to the site, doubling, tripling, or quadrupling the number of dwelling units would actually result in more automobile traffic than would be generated by the Project unless 50 to 75 percent or more of peak hour trips would occur via transit. Even if the Project could achieve transit usage rates as high as New York City (56 percent), doubling the number of dwelling units would result in only a 12 percent reduction in vehicular trip generation as compared to the Project. Tripling or quadrupling the number of dwelling units proposed by the Specific Plan would result in a substantial increase in vehicular trip generation as compared to the Project (32 to 76 percent), even if transit usage rates equaled those of New York City. Thus, increasing density to facilitate transit usage would not reduce vehicular trip generation from the Project site, even if transit services to the site were substantially improved.

ROR-7 The degree to which future residents within a proposed project might use transit is a planning issue to be considered and represents an input to the Project's air quality and greenhouse gas (GHG) emissions analyses. Transit use is not itself a physical environmental impact, however.

While the proposed design of Rancho La Habra might not facilitate walking to the adjacent commercial center, several factors work against substantial pedestrian activity between the Project site and the adjacent commercial center. First, because no pedestrian access between the existing golf course and the commercial center was contemplated during the design of the adjacent Westridge commercial center, the center was designed and constructed to front onto Imperial Highway, present its back to the golf course, and not provide pedestrian access to store entrances from the golf course property. The large difference in elevations between the stores in the commercial center and proposed residential uses within Rancho La Habra also limits the potential for pedestrian access to retail businesses even if the roadway system within Rancho La Habra were to be modified.

ROR-8 The GHG emissions analysis undertaken for Rancho La Habra was updated for the Partially Recirculated Draft EIR. The updated GHG analysis correctly estimates GHG emissions from the Project using the appropriate modeling tools and assumptions recommended by the South Coast Air Quality Management District and the California Air Resources Board. The Partially Recirculated Draft EIR and its GHG impact analysis do not engage in speculation about where 402

households[14] that might relocate to the Project site would otherwise reside in the absence of Rancho La Habra; such speculation is not appropriate under CEQA and is also unnecessary. See Response to Comment ROR-4.

ROR-9 Comment ROR-9 sets forth an unsubstantiated conclusion that the average resident would be using less heating and cooling if Rancho La Habra were to be approved than if it were not. Such a conclusion is based on the speculative assumptions regarding locational factors discussed in Response to Comment ROR-4, along with additional speculation regarding the size of dwelling units future Rancho La Habra residents might leave to move to the Project site.

ROR-10 As discussed in Response to Comment ROR-4, the notion that impacts could be reduced by increasing residential density and the number of dwelling units within the Project site is based on a series of speculative assumptions and is not consistent with CEQA requirements that the EIR address the physical changes in the environment that would result from project approval. While the EIR analyzes alternatives that would reduce the amount of land to be graded and developed within the site, there is no basis other than speculation that increasing the residential density and the number of dwelling units within the Project site would somehow reduce impacts.

[14] The Rancho La Habra Specific Plan also proposes 20,000 square feet of commercial development and provides the option for the commercial area to be developed with 46 multi-family dwelling units in lieu of the proposed commercial use.

Roy Ramsland

From: michael montgomery <mmontg498@sbcglobal.net>
Sent: Friday, March 02, 2018 1:00 PM
To: Roy Ramsland
Subject: Proposed Rancho La Habra development

Attention Andrew Ho;

I have received the letter regarding the community meeting to be held on Thursday, March 22, 2018. Unfortunately My wife and I will be unable to attend.

MONT-1 We live at 3020 S. Augusta Ct, La Habra and are indirectly affected by this proposed development. I am mostly concerned over what is right and what is wrong and not so much for the money the developers are planing to spend or make on this project.

MONT-2 When we moved into our residence in June, 1994, we were one of the first 13 families to move to the La Habra West Hills development. We were told a golf course and homes were planned for the other side of Idaho, which was undeveloped at the time. In 1998 when West Ridge began to take shape we noticed an increase in home values, mostly because of the golf course. I think it is grossly unfair to the homeowners of West Ridge who paid lot premiums to their developer for home sites that overlooked the golf course to now look forward to losing their view and privacy to more neighboring homes and increased traffic and noise. Not only do I think it is grossly unfair to these La Habra homeowners it is just plain wrong.

MONT-3 I grew up in Fullerton and lived there my entire life until my wife and I moved to La Habra in June, 1994. I was a Fullerton Police Officer for 29 years and am currently employed by the Orange County District Attorney's Office. The only reason I mention this is because I have a sense of commitment to the city I live in and serve. I have seen over the years how Fullerton has allowed developers to gobble up almost all of the city's vacant land. The increased traffic and crime has allowed Fullerton's quality of life to deteriorate over the years. I do not want to see our city of La Habra follow that path. I would prefer to see the golf course land developed into a city park, similar to the park that was developed by West Hills. This would help protect the interest of homeowners who paid top dollar to purchase homes on a golf course that is now being taken away.

This land affords the city to further set La Habra apart from other neighboring cities by developing a first class park that can be enjoyed by all members of the city and future generations.

Respectfully submitted,

Michael Montgomery
(714) 501-3687

2. Response to Comments from Michael Montgomery (3-2-2018)

MONT-1 This comment expresses the commenter's general concern and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MONT-2 This comment addresses fiscal issues regarding potential changes in home values and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Changes in views that would occur should the Project be approved are addressed in Draft EIR Section 3.4, *Aesthetic Resources*. Starting on Draft EIR page 3.4-21 is an evaluation of whether the Project would substantially degrade the existing visual character of the site and surrounding area. The Draft EIR, on page 3.4-25, concludes that the "substantial change in the visual character of the site that would result from replacing the existing Westridge Golf Club with the proposed Rancho La Habra residential community would constitute a significant impact due to the loss of open space, change of character as demonstrated by the visual prominence of housing within the site." The Draft EIR further concludes that this impact would be significant and unavoidable should Rancho La Habra be approved.

MONT-3 Comment MONT-3 expresses the commenter's preferred land use for the site and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

3/14/18

HI ANDREW,

WOOD-1 PLEASE BE ADVISED THAT I AM OPPOSED TO THE RANCHO LA BRA.

WOOD-2 PLEASE PUT ME ON THE MAILING LIST FOR ALL RANCHO LA HRA COMMUNIGATIONS.

THANK YOU

Ron Woodward

3. Response to Comments from Ron Woodward (3-14-2018)

WOOD-1 Comment WOOD-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

WOOD-2 Comment WOOD-2 does not raise any substantive environmental issue regarding the adequacy of the Draft EIR or its analyses and conclusions. To the extent the commenter has provided needed contact information, they will be placed on the City's mailing list for all future Project-related notices.

Miranda Cole-Corona

From: Randi Hetrick <livelihood@msn.com>
Sent: Wednesday, March 14, 2018 4:03 PM
To: Miranda Cole-Corona
Subject: I need additional information on ...

HETRICK-1 what my options are as a long term resident to discourage any more residential building in La Habra and if I can do anything to express my outrage at the development plans for the WestRidge golf course, what does it take in resident anger and disgust to have any effect on what happens next, to date, I have never been aware of the putting the brakes on anything but massage licenses.

HETRICK-2 If I need to send a letter every day to someone I need to know who and how, I currently feel completely victimized by the surge of building and density of population in this city.

HETRICK-3 I might add, really, where is the dog park, the splash pad, attractive walking/biking paths, public swimming pool, performing arts venue (not a parking lot) (concrete examples of what I am talking about).

HETRICK-4 I want to puke every time I see another fast food restaurant going up. I have lived here 24 years and with the exception of the community center, it is pretty sad situation of actual improvement in quality of living for La Habra residents. I get it every city needs revenue streams but it would be a refreshing change of pace to actually want to live in this city. We are surrounded by cities that have more cultural offerings, educational facilities, parks and other amenities for the residents. Even the new art gallery/women's club/scout building is disappointing and less than the buildings it replaced bartering away more La Habra city property.

HETRICK-5 I am willing to concede I have not been adequately vigilant in city affairs but I have a new and better attitude on civic engagement. In the last year I have not talked with one home owner who is not unhappy about excessive building and growing traffic issues. We are done and we want it to STOP NOW.

HETRICK-6 I look forward to a response that will give me the information I need to more formally protest the current plans for additional housing in La Habra.

Sincerely,

Randi Hetrick
Property owner

4. Response to Comments from Randi Hetrick (3-14-2018)

HETRICK-1 Comment HETRICK-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HETRICK-2 Comment HETRICK-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HETRICK-3 Comment HETRICK-3 expresses the commenter's opinion regarding desired public amenities for the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HETRICK-4 Comment HETRICK-4 expresses the commenter's opinion regarding existing cultural offerings within the City of La Habra and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The Project site, which is the existing Westridge Golf Club, is privately owned and operated. It is not the City of La Habra's property.

HETRICK-5 Comment HETRICK-5 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HETRICK-6 The Final EIR provides responses to all comments on the Draft EIR and Partially Recirculated Draft EIR that were received by the City during the public review periods for those documents. Public hearings will be held before the Planning Commission and City Council to solicit public opinion before any action is taken on the proposed Rancho La Habra Specific Plan.

Thursday, May 17, 2018 at 2:42:37 PM Pacific Daylight Time

Subject: Fwd: Rancho La Habra
Date: Friday, March 16, 2018 at 8:37:41 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, williamk@ka-mg.com, ggiovinco@rwglaw.com, Christine Kelly

FYI

Sent from my iPhone

Begin forwarded message:

From: Sharon Stramler <mrs.momof3@gmail.com>
Date: March 16, 2018 at 8:33:19 AM PDT
To: <andrewh@lahabraca.gov>
Subject: Rancho La Habra

STRAM-1 I am a resident of Westridge. I am very opposed to the building if 400 homes in the golf course! We are original owners and the traffic has become so bad in recent months due to apartments, not to mention Hawks point was built after our development. I can't imagine how horrible and unbearable the traffic would if Rancho La Habra were to build 400 more homes. Keep the golf course! No homes!!
Sharon

5. Response to Comments from Sharon Stramler (3-16-2018)

STRAM-1 Comment STRAM-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in the Draft EIR was updated and is presented in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

Andrew Ho

From: carmensimba@aol.com
Sent: Friday, March 16, 2018 9:25 AM
To: Andrew Ho
Subject: Opposed to building on the Westridge Golf Course

To City Officials,

CARMEN-1 I'm opposed to building on the Westridge Golf course, there is no open space left in the city of La Habra. If built on the city of La Habra will have no golf course. Traffic is very bad already, building 400 more homes will be very congested and an event of an emergency it may hazard.

The Westridge Golf course is the **ONLY gem** left in the City of La Habra, so I'm strongly opposed to homes being built on.

Thank you,
Carmen

6. Response to Comments from Carmen Simba (3-16-2018)

CARMEN-1 Comment CARMEN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in the Draft EIR was updated and is presented in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

Thursday, May 17, 2018 at 2:44:52 PM Pacific Daylight Time

Subject: Fwd: RANCHO LA HABRA-EIR REPORT
Date: Monday, March 19, 2018 at 1:43:28 PM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, williamk@ka-mg.com, Lloyd Zola, ggiovinco@rwglaw.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Carol Wong <carol_r_wong@hotmail.com>
Date: March 19, 2018 at 12:24:23 PM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Subject: RANCHO LA HABRA-EIR REPORT

Hi Andrew,

CWONG-1-1 After I reviewed EIR Report of Rancho La Habra, I support approval of Rancho La Habra because of the many benefits it offers to La Habra, including new parks, trails, community center, retail space, City revenues and new home opportunities it will bring.

Sincerely,

Carol Wong
Direct Phone: 626-827-0389
Direct Fax: 951-278-9888
Email: carol_r_wong@hotmail.com

7. Response to Comments from Carol Wong (3-19-2018)

CWONG-1-1 Comment CWONG-1-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 2:47:50 PM Pacific Daylight Time

Subject: Fwd: RANCHO LA HABRA
Date: Thursday, March 29, 2018 at 8:21:38 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Carol Wong <carol_r_wong@hotmail.com>
Date: March 25, 2018 at 12:14:12 PM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Subject: RANCHO LA HABRA

Hi Andrew,

CWONG-2-1 My name is Carol Wong. I currently live in Eastvale, but I would like very much to become a La Habra resident in the near future. I've found La Habra to be a friendly place with all the services I need, that's also close to where I work. Unfortunately, there just aren't a lot of new single-family home neighborhoods here to choose from.

CWONG-2-2 That's why I ask you to approve the Rancho La Habra plan when it comes before you. Rancho La Habra's four proposed new neighborhoods will offer a mix of homes that will appeal to a wide variety of people who are looking for an energy-efficient, water-efficient home with all the latest design features.

CWONG-2-3 I studied the Rancho La Habra plan carefully on their website and appreciate its sensitive design and the many ways it will help to make La Habra an even better community. I hope that you will approve Rancho La Habra when it comes before you, so that I too will be able to call La Habra home.

Sincerely,

Carol Wong

Direct Phone: 626-827-0389
Direct Fax: 951-278-9888
Email: carol_r_wong@hotmail.com

8. Response to Comments from Carol Wong (3-25-2018)

CWONG-2-1 Comment CWONG-2-1 expresses the commenter's desire to live in La Habra along with an opinion regarding the availability of housing in the City. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CWONG-2-2 Comment CWONG-2-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CWONG-2-3 Comment CWONG-2-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 2:49:04 PM Pacific Daylight Time

Subject: FW: La Habra over development ; Westridge golf course
Date: Tuesday, March 20, 2018 at 2:31:37 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, Roy Ramsland, ggiovinco@rwglaw.com, 'William Kelly'
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Lipaoen, Charles A <CALipaoe@lasd.org>
Sent: Tuesday, March 20, 2018 8:11 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: La Habra over development ; Westridge golf course

LIPA-1 I have lived in La Habra for 18 years and I have seen the evolution of this City. Being a resident, I used to enjoy some of the openness in the areas where residents could enjoy some of the parks in this small but quaint city. So much to my delight when the Westridge Golf Club was erected because as a golfer myself, I enjoy the view of having to see a golf course in my own city and pleasantness of seeing a nice open area with greens and trees .

LIPA-2 Recently though there are a lot of real state developments in all areas of this small city. The multiple housing units built in Whittier Blvd/Harbor Blvd. ; The multi. Apartment complex in Beach/ Imperial Hwy., just to name a few; The multiple industrial structures being built along Harbor blvd and Imperial Hwy.

LIPA-3 All of these developments are causing congestion of traffic along Imperial hwy., Beach blvd., Whittier blvd. Pollution has dramatically increased due to more cars, Trucks from all these Industrial structures and the increasing number of residents equals to congestion in such a small land area of this city. There are No New roads being build but rather just modifying the existing ones will not solve the traffic issues. Not to mention

LIPA-4 building 400 homes to replace Westridge golf club equals 400 families with kids.. The La Habra school district is crowded as it , How will the city address this issue?
I don't see any new schools being built , need to consider the child to teacher ratio to provide a good education

LIPA-5 The bottom line is I don't agree with this over development that happening in this city. Allowing these "greedy" real state developers to build over the only open area left in La Habra is a big mistake.

LIPA-6 I hope the City Council will not be blind about the overall bad effects housing development over westridge and not allow the few people who benefit financially from these and causing a lot to loose.

Sincerely,
Charles Li
La Habra Resident

9. Response to Comments from Charles Lipaoen (3-20-2018)

LIPA-1 This comment provides an introduction to the comment letter and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

LIPA-2 This comment discusses recent development within the City of La Habra and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

LIPA-3 Comment LIPA-3 identifies worsening traffic in La Habra due to recent developments as a concern and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in the Draft EIR was updated and is presented in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

LIPA-4 Analysis of impacts on schools is provided in Draft EIR Section 3.15, *Public Services and Facilities*. As indicated in Draft EIR Table 3.15-2, the La Habra City School District has a total enrollment capacity of 2,834 students with an estimated enrollment of 2,039 students, with capacity for both new elementary and intermediate school students. As indicated in Draft EIR Table 3.15-4, the Project would generate 79 to 86 students within grades K through 5 and an additional 41 to 44 intermediate school (grades 6 through 8) students for the La Habra City School District. These enrollment levels are well within the District's capacity of 325 additional elementary school and 470 intermediate school students.

As discussed on Draft EIR page 3.15-2, the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50) requires all new residential development projects to pay school impact fees that are considered "full and complete mitigation" under CEQA for any impacts on school capacity. School impact fees, such as those that would be collected from Rancho La Habra, are to be used by local districts to offset capital cost impacts associated with new developments. The Leroy F. Greene School Facilities Act prohibits cities from requiring additional mitigation for any school impacts and also prohibits cities from denying any project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) may be inadequate.

Thus, the school impact fees that are to be paid by the Project would constitute mitigation in full for the increased number of students within the La Habra City School District.

LIPA-5 Comment LIPA-6 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

LIPA-6 Comment LIPA-5 expresses the commenter's opinion regarding the proposed Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 2:50:10 PM Pacific Daylight Time

Subject: Fwd: Impact on Rancho La Habra Project
Date: Tuesday, March 20, 2018 at 9:47:28 PM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, ggiovinco@rwglaw.com, Lloyd Zola, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Peter Do <ptr_do@yahoo.com>
Date: March 20, 2018 at 9:41:17 PM PDT
To: <andrewh@lahabraca.gov>
Subject: Impact on Rancho La Habra Project

Hi Andrew,

DO-1 I am one of the original owner that is still living in Westridge Community. To be honest I am not too concern about my home value will depreciate once the golf court is removed for new home development. I do know that study has shown that golf courses still drive up home values.

DO-2 I am more concern about the traffic we will be dealing with especially at the Imperial Hwy and Beach Blvd. Our location are more of a pathway where people will drive through to get to the Freeway to go to work. In addition we are at

DO-3 centralized area for shopping such as Costco, Sam'club, Super Walmart, Target, Movie theatre, which already draw people not only from this area but from other area too. At the intersection of Imperial Hwy and Beach Blvd going west bound on

DO-4 Imperial Hwy there are two large left turn lanes that were added about a year ago to help ease the traffic. This does help relief the traffic during business hours but not by much.

DO-5 The other minor concern which I have by adding more homes below we are creating a pathway where coyotes. Coyotes will walk through the existing Westridge homes to the new homes to look for food. Please keep in mind the new homes will expand to right at the border of the shopping area such Sam's club, Walmart, Lowe's, etc. Basically there will be increase in chance where these coyotes will be much closer to come in contact with people.

Regards,
Peter Do

Sent from my iPad

10. Response to Comments from Peter Do (3-20-2018)

DO-1 Comment DO-1 addresses potential fiscal effects on home values and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DO-2 The traffic impact analysis set forth in the Draft EIR was updated and is presented in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*. The analysis describes existing and future traffic conditions both with and without the Project.

DO-3 The traffic impact analysis set forth in the Draft EIR was updated and is presented in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*. The analysis includes existing and future traffic generated at the commercial centers referenced in this comment.

DO-4 Section 10.48 of the La Habra Municipal Code (Traffic Improvement Fee) is intended to implement the La Habra General Plan, and to mitigate the traffic impacts caused by new development within the City through the construction of certain traffic improvements. As a development traffic mitigation measure, future developments are required to incorporate fair share participation in the cost of maintaining level of service standards throughout the City, and to develop future transportation systems.

Section 10.52 of the La Habra Municipal Code (Traffic Phasing Plan) is intended to ensure that major development be adequately accommodated by the existing transportation system, and permitted to proceed only if deficient areas are being addressed through new facilities, impacts on the system are being mitigated in conjunction with the development, other trip generation reduction measures are adopted that will alleviate traffic impacts, and/or the project is being phased to eliminate any significant impacts.

Together, these two programs provide for improvements to roadways necessitated by existing uses, as well as by future development. EIR Mitigation Measure TRA-1.2 requires the Rancho La Habra applicant to pay citywide traffic improvement fees as well as fair share impact fees for the intersection of Beach Boulevard at Imperial Highway.

DO-5 It is highly unlikely that coyotes would traverse through an existing residential neighborhood in search of another neighborhood or that development of the existing golf course for residential use would cause a substantial increase in coyote intrusion into the existing Westridge neighborhood. The far more likely scenario would be that coyotes might traverse into the new residential

neighborhoods within Rancho La Habra through the undeveloped open space area interface with the West Coyote Hills located along the west side of the Project site since that area would provide far fewer impediments to travel than would the Westridge neighborhood.

Thursday, May 17, 2018 at 2:51:14 PM Pacific Daylight Time

Subject: Fwd: Support for Rancho La Habra
Date: Wednesday, March 21, 2018 at 12:01:24 PM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, ggiovinco@rwglaw.com, Lloyd Zola, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Joshua Choi <joshuachoi1@sbcglobal.net>
Date: March 21, 2018 at 9:24:17 AM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Cc: "rancholahabra@gmail.com" <rancholahabra@gmail.com>
Subject: RE: Support for Rancho La Habra
Reply-To: Joshua Choi <joshuachoi1@sbcglobal.net>

Dear Mr. Ho,

JCHOI-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

JCHOI-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use. It is not environmentally friendly to

JCHOI-3 use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes, in a variety of sizes and prices near large employment centers, shopping and entertainment.

JCHOI-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,
Joshua Choi
1828 West Willow Ave.
Anaheim CA, 92804

11. Response to Comments from Joshua Choi (3-21-2018)

JCHOI-1 Comment JCHOI-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JCHOI-2 Comment JCHOI-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JCHOI-3 Comment JCHOI-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JCHOI-4 Comment JCHOI-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Roy Ramsland

From: Gabriela B. Garcia <gabriela.b.garcia@gmail.com>
Sent: Thursday, March 22, 2018 10:48 AM
To: Roy Ramsland
Subject: Comments re: Rancho La Habra Specific Plan

To Mr. Andrew Ho,

GARCIA-1 I'm writing to express my concerns with the plan to replace the Westridge Golf Club with 402-448 residential dwelling units. After reviewing the Draft Environmental Impact Report, I am appalled by the potential negative impacts this development will have on our city.

GARCIA-2 Over the last few years I have seen a significant increase in the development of housing within the city. It is understandable that at a time when housing is in short supply, more housing would be built. However the rate of growth seems unsustainable and the long-term impacts these additional homes have on our aging infrastructure don't appear to be addressed. The draft report sites a negative impact to air quality due to increased Greenhouse Gases, impacts to traffic circulation and general aesthetics such as loss of open space.

GARCIA-3 The state of California has set aggressive goals to reduce GHG emissions by 40% from 1990 levels by 2030 and 80% by 2050. This development is in direct contrast to those goals. If these homes will be built, why not focus on building efficient homes that will not increase our GHG? We need to take action to make these changes for the good of our environment and the future of our children.

GARCIA-4 The traffic on our streets is already becoming unbearable, even for the shortest of errands such as picking up/dropping off kids at school. Most of the major streets are overcrowded and traffic is diverted to residential streets where you can frequently see cars maneuvering above the speed limit to cut across. I'm frequently waiting on Whittier Blvd and Harbor Blvd for light after light while traffic crawls just to be able to turn onto my residential street. I believe this is caused by the new housing development that replaced the car dealers. Going to the shopping center near Beach Blvd and Imperial is a nightmare because of all the increased traffic from the very large apartment complex built there recently as well. I find myself more often going to Whittier or Brea to shop simply to avoid the headache.

GARCIA-5 And then there is the impact to aesthetics that shouldn't be ignored. It may not be a measurable impact, but it is a psychological one to the residents in the city. To see such a beautiful open space packed in with more over-priced housing makes use question if there is greed in our city government. Where are the improvements to parks and public use facilities that can be enjoyed by residents? Who is building the open spaces where families can gather for an afternoon? Where is the spirit of community in La Habra?

GARCIA-6 Finally, I can't imagine there is not also an impact to schools as more kids are brought in to our school system where there is frequently a 30+ to 1 student-teacher ratio, an impact to our water supplies as there is higher demand and lower supply and to all our city provided services that now have to serve more people. I don't think I'd be exaggerating to say in the last 2-3 years an additional 500-1,000 dwellings have been built in the city, for a total of perhaps 2,000-4,000 more people plus 1,000 more cars and yet I have not seen improvements to support this increase.

GARCIA-7 Because of this I am strongly opposed to this development and I urge the city government to slow down and consider the long-term impacts this continuing influx of housing and people will have on the quality of life of existing residents.

Thank you,
Gabriela Garcia

12. Response to Comments from Gabriela Garcia (3-22-2018)

GARCIA-1 Comment GARCIA-1 expresses concern with the extent of impact that would result from the Project but does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

GARCIA-2 This comment expresses the commenter's opinion regarding housing supply and the City's rate of growth. In accordance with CEQA Guidelines, the Rancho La Habra EIR addresses the physical environmental effects of infrastructure construction necessitated by the Project. Long-term maintenance, while an important planning consideration, is not an environmental issue under CEQA.

The comment mentions the EIR's conclusions regarding impacts in relation to aesthetics, traffic, air quality, and greenhouse gas emissions. The EIR determined that significant unavoidable impacts would result in relation to the following:

- **Aesthetics**
  - **Impact AES-3:** Implementation of the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource. While the proposed project would be well planned and designed, the substantial loss of open space that would result from the proposed development would degrade the existing visual character of the site.
- **Traffic and Circulation**
  - **Impact TRA-1.3, 1.5, 1.6, 1.8, 1.10, 1.11, 1.12, and 1.13:** With respect to mitigation at intersections under the jurisdiction of the cities of Fullerton, Buena Park, and La Mirada, and Caltrans, under CEQA, a fair share monetary contribution is considered to be adequate mitigation if the fee is tied to a reasonable plan that the relevant agency is committed to implementing. However, these cities and Caltrans do not have mitigation fund programs in place for improvements to which the proposed project can contribute. Therefore, because the City has no authority to implement the recommended traffic improvements, impacts remain *significant and unavoidable*. Partially Recirculated Draft EIR **Table ES-3** includes a summary of significant traffic impacts at specific intersections.
- **Air Quality**
  - **Impact AQ-1:** Although the proposed Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, proposed housing and population growth would be inconsistent with the Air Quality Management Plan for the South Coast Air Basin.

- **Greenhouse Gas Emissions**
  - **Impact GHG-1:** The proposed Rancho La Habra Specific Plan would result in a net increase in GHG emissions of 7,554.69 $MTCO_2e$ per year, which would exceed the SCAQMD's screening threshold of 3,000 $MTCO_2e$ per year even with implementation of Although Mitigation Measures GHG-1a, GHG-1b, GHG-1c, GHG-1d, GHG-1g, and GHG-1h, and GHG-1i. In addition, because the Project would introduce increased housing in an area without major transit and increase reliance on the use of automobile travel, it would ~~and~~ therefore be inconsistent with three goals and one policy of the regional RTP/SCS.
  - **Greenhouse Gas Emissions Impact GHG-2:** Although Mitigation Measures GHG-1a, GHG-1b, GHG-1c, GHG-1d, GHG-1g, GHG-1h, and GHG-1i would achieve consistency with the City's Climate Action Plan and the CARB 2017 Scoping Plan, the Project would introduce increased housing in an area without major transit and increase reliance on the use of automobile travel and therefore be inconsistent with three goals and one policy of the regional RTP/SCS.

GARCIA-3 GHG emissions are evaluated in Partially Recirculated Draft EIR Section 3.9, *Greenhouse Gas Emissions*, which concludes that the proposed Rancho La Habra Specific Plan would result in a net increase in GHG emissions well in excess of the South Coast Air Quality Management District (SCAQMD) screening threshold of 3,000 metric tons of carbon dioxide equivalents ($MTCO_2e$) per year. The EIR therefore requires implementation of mitigation measures to reduce GHG emissions from on-site development, including all applicable GHG reduction measures set forth in the City's Climate Action Plan. Included in these measures are provisions for increasing the energy efficiency of proposed residential development. See Partially Recirculated Draft EIR Section 3.9, *Greenhouse Gas Emissions*, for an updated GHG analysis.

GARCIA-4 Comment GARCIA-4 expresses the commenter's opinion regarding area traffic and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The updated traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

GARCIA-5 Changes in views that would occur should the Project be approved are addressed in Draft EIR Section 3.4, *Aesthetic Resources*. Starting on Draft EIR page 3.4-21 is an evaluation of whether the Project would substantially degrade the existing visual character of the site and surrounding area. The Draft EIR, on page 3.4-25, concludes that the "substantial change in the visual character of the site

that would result from replacing the existing Westridge Golf Club with the proposed Rancho La Habra residential community would constitute a significant impact due to the loss of open space, change of character as demonstrated by the visual prominence of housing within the site." The Draft EIR further concludes that this impact would be significant and unavoidable should the Project be approved.

As discussed in Partially Recirculated Draft EIR Chapter 2, *Project Description*, while the Project would involve closure of the existing Westridge Golf Club, the Rancho La Habra Specific Plan provides for a variety of public park, recreation, and open space amenities, as well as habitat conservation totaling 38.72 acres within Planning Area 6 as follows:

- Public Community Center – 3.30 acres
  - Approximately 22,500-square-foot structure providing indoor banquet, dining, kitchen, meeting, and office facilities in the existing Westridge Golf Club clubhouse
  - Outdoor banquet, dining, and gathering space
  - Play areas, open turf
  - Event lawn
  - Parking for daily use and special events
- Public Park and Picnic Area – 12.79 acres
  - A southerly extension of the Community Center and Park facility
  - Terraced multi-purpose play areas
  - Picnic areas, including benches and tables, with shade trees and views of the San Gabriel Mountains
- Public Linear Park – 12.77 acres
  - 2.6 miles of trails proposed to traverse throughout the community, with connections to Idaho Street and Beach Boulevard
  - Benches, shade trees, viewing overlooks, and exercise equipment
- Conservation Area – 9.86 acres
  - Preservation, restoration, and enhancement of locally rare native coastal sage habitat

In addition to public open space and recreational areas, 28.86 acres of private parkland and recreational amenities are proposed, including the following:

- Planning Area 1:
  - Pool and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Area 2:
  - Pool, wading pool, and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Areas 3/4:
  - Lap pool and spa
  - Restrooms and showers
  - Shade structure
- Multiple Planning Areas:
  - Passive turf play areas
  - Shade trees
  - Bench seating
  - Children's play structures
  - Trail connections

The Rancho La Habra Specific Plan also preserves the existing 19.38-acre slope separating the Project site from the Westridge residential neighborhood to the south.

GARCIA-6 Analysis of impacts on schools is provided in Draft EIR Section 3.15, *Public Services and Facilities*. The Project site lies within the boundaries of three public school districts: the La Habra City School District (LHCSD) and Lowell Joint School District (LJSD), both of which serve students in grades Kindergarten (K) through 8; and the Fullerton Joint Union High School District (FJUHSD), which serves students in grades 9 through 12. As discussed in Draft EIR Section 3.15, each of these districts has existing physical capacity to accommodate students from the Project.

As discussed on Draft EIR page 3.15-2, the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50) requires all new residential development projects to pay school impact fees that are considered "full and complete mitigation" for any impacts on school capacity. School impact fees, such as those that would be collected from Rancho La Habra, are to be used by local districts to offset capital cost impacts associated with new developments. As such, cities are prohibited from requiring additional mitigation for any school impacts and are also prohibited from denying any project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) may be inadequate.

Thus, the school impact fees that are to be paid by the Project to each school district would be would constitute mitigation in full for the increased number of students within the LHCSD, LJSD, and FJUHSD.

GARCIA-7 Comment GARCIA-7 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

3/23/18

City of La Habra
c/o Andrew Ho
110 E. La Habra Blvd. La Habra, Ca 90631

Re: Request for Rancho La Habra EIR due date extension and multi-language DEIR

Dear Andrew Ho

HAM-1 As a resident of Westridge community, I am requesting an extension for the DEIR reply due date from April 11, 2018 to 30days after a Korean translated DEIR is provided.
Over 65% of residents at Westridge community is Korean.
Though we would like to respond with our concerns and questions, we don't quite understand this English version. Without an extension of dead line, and a Korean version available, city will not get a true representation of the voice of the community.
Being English is not our mother language, things like this take longer to comprehend.

Thank you very much for your considerations.

Respectively,

Sue Ham
1520 S Runyan St La Habra Ca 90631

13. Response to Comments from Sue Ham (3-23-2018)

HAM-1 The public review period for the Draft EIR was, in fact, extended for an additional 30 days and closed on May 10, 2018. City policy is to provide all official documents in English and not to attempt to translate CEQA documents, such as environmental impact reports, into other languages.

Karla Gary Cook
2001 S Mangrum Ct
La Habra Ca 90631

City of La Habra
Andrew Ho
201 E La Habra Blvd
La Habra CA 90631

March 23, 2018

Dear Mr. Andrew Ho

COOK-1 Last night, 3/22/18, I attended the Public Workshop for the Overview of the Draft Environmental Impact Report for the Proposed Rancho La Habra Specific Plan. I really expected to see a large crowd. You even had a large ballroom set up with numerous chairs. Although my only knowledge about this workshop was you verbally announcing it at a city council meeting on March 5, 2018. As a resident of La Habra and Westridge my household **DID NOT** receive a letter nor announcement of this meeting. Also we looked at the City of La Habra website many times and could not find the announcement.

COOK-2 **As a resident of La Habra I request that La Habra extend the public comment period for the Draft EIR review.**

COOK-3 The public workshop was held 25 days into the 45 day comment period. This is very late notice. I don't know any of my neighbors in Westridge nor the surrounding areas that were notified. This is evident by the very small number of attendees. Some of those attendees were my friends that I asked to come attend.

COOK-4 Another equally important problem is the language issues associated with a very large population of Korean speaking residents of La Habra and especially in Westridge. Arguably the City should have translated the EIR so the Korean Community has a full understanding in their native language of the important environmental considerations of the Project. But even short of that, the City should have allowed sufficient time for other community members to help with the translation so the Korean Community can be fully informed Now, this can't happen without an extension due to the late date and inadequate notice of the public workshop.

Please take into consideration my request.

Thank you,

Karla Gary Cook
Concerned Resident of La Habra

14. Response to Comments from Karla Cook (3-23-2018)

COOK-1 The meeting referred to in this comment was an informational workshop conducted by the City and not a public hearing. The meeting was advertised on the City's website and via notices mailed along with the Notice of Availability for the Rancho La Habra Draft EIR to property owners within 300 feet of the Project boundary and to anyone who had asked to be placed on the list for notice involving the Project.

COOK-2 The public review period for the Draft EIR was, in fact, extended for an additional 30 days to May 10, 2018.

COOK-3 As discussed during the March 22, 2018 community workshop, conducting the workshop toward the middle of the public review period gave the public the opportunity to undertake an initial review of the Draft EIR and ask any questions they might have about what they read. Had the workshop been held at the beginning of or very early during the Draft EIR public review period, the City would have rightfully been criticized for not giving the public an opportunity to review the Draft EIR before the workshop and ask questions based on their initial review. The workshop was scheduled not only to give participants a chance to review the Draft EIR before the workshop, but also to provide them with ample time to submit comments on the Draft EIR after the workshop. To facilitate the opportunity for the public to comment on the Draft EIR, the Draft EIR public review period was extended for an additional 30 days to May 10, 2018, giving the public 50 days following the workshop to provide comments on the Draft EIR.

COOK-4 City policy is to provide all official documents in English and not to attempt to translate CEQA documents, such as environmental impact reports, into other languages.

The Draft EIR public review period was, in fact, extended for an additional 30 days to May 10, 2018.

Andrew Ho

From: Bill Sanders Sr. <bill@ecsocal.com>
Sent: Friday, March 23, 2018 3:06 PM
To: Andrew Ho
Cc: everprop@gmail.com
Subject: Save Westridge Golf Course

Hi Andrew,

SANDERS-1 My name is Bill Sanders and I reside in the Westridge Community in the City of La Habra. I was at last night meeting on the EIR and it was educational and interesting. I have a question pertaining to your upcoming Community Development Department Open House at City Hall. We (Save Westridge) would like to be able to place a table, couple of chairs at this event, with our petition and flyers. It appears this will be a huge **SALES** opportunity for Lennar to sell their Golf Course tear down, 400+ home, at least 1000 new cars added to the already packed streets, etc, etc. . Your flyer states that the future of La Habra is bright and their developers will be promoting their plans to wipe out the golf course and further ENRICH the community, really???.

SANDERS-2 So in all fairness we feel we should have a table at this party showing how this development will negatively impact our community in so many, many ways.

SANDERS-3 Please let me know that we are allowed to have one table at this Open House. This will allow us to show the City Of La Habra residents the truth about this proposed development.

Thank you for your time Andrew,
Bill Sanders

BILL and KAY SANDERS
1821 S. Hagen Street, La Habra, CA 90631
bill@ecsocal.com

ENVIRONMENT CONTROL BUILDING SERVICES, INC. | *SANDERS MAINTENANCE SERVICES, INC.*
www.environmentcontrol.com www.Sandersms.com
My Cell # 626-665-6428
(EC) 714-529-5600, (SMS) 714-990-3800
Fax # 714-529-5442
bill@ecsocal.com

15. Response to Comments from Bill and Kay Sanders (3-23-2018)

SANDERS-1 This comment addresses an open house held by the La Habra Community Development Department and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SANDERS-2 This comment addresses an open house held by the La Habra Community Development Department and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SANDERS-3 This comment addresses an open house held by the La Habra Community Development Department and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 2:52:25 PM Pacific Daylight Time

Subject: Fwd: Support for Rancho La Habra
Date: Thursday, March 29, 2018 at 8:16:55 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: "Mr. & Mrs. Choi" <hchoi3288@sbcglobal.net>
Date: March 22, 2018 at 9:39:53 PM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Cc: "rancholahabra@gmail.com" <rancholahabra@gmail.com>
Subject: Support for Rancho La Habra
Reply-To: "Mr. & Mrs. Choi" <hchoi3288@sbcglobal.net>

Dear Mr. Ho,

HCHOI-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

HCHOI-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use. It is not environmentally friendly to use

HCHOI-3 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes, in a variety of sizes and prices near large employment centers, shopping and entertainment.

HCHOI-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Hee Chang Choi

408 S. Beach Blvd., Ste. 208

Anaheim CA, 92804

16. Response to Comments from Hee Chang Choi (3-22-2018)

HCHOI-1 Comment HCHOI-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HCHOI-2 Comment HCHOI-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HCHOI-3 Comment HCHOI-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HCHOI-4 Comment HCHOI-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 2:53:19 PM Pacific Daylight Time

Subject: Fwd: Support for Rancho La Habra
Date: Thursday, March 29, 2018 at 8:17:49 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Hasu Patel <hasupatel1@hotmail.com>
Date: March 23, 2018 at 7:42:36 PM PDT
To: <andrewh@lahabraca.gov>
Cc: <hasupatel1@hotmail.com>
Subject: Support for Rancho La Habra
Reply-To: Hasu Patel <hasupatel1@hotmail.com>

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

PATEL-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

PATEL-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

PATEL-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

PATEL-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Hasu Patel

17. Response to Comments from Hasu Patel (3-23-2018)

PATEL-1 Comment PATEL-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

PATEL-2 Comment PATEL-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

PATEL-3 Comment PATEL-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

PATEL-4 Comment PATEL-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Subject: Fwd: Save Westridge golf course
Date: Thursday, March 29, 2018 at 8:20:27 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, williamk@ka-mg.com, ggiovinco@rwglaw.com, Lloyd Zola

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Hannah Lee <haeyeonglee@gmail.com>
> **Date:** March 24, 2018 at 2:39:54 PM PDT
> **To:** <andrewh@lahabraca.gov>
> **Subject: Fwd: Save Westridge golf course**

Begin forwarded message:

> **From:** Hannah Lee <haeyeonglee@gmail.com>
> **Date:** March 24, 2018 at 2:37:52 PM PDT
> **To:** andrewh@lahabraca.org
> **Subject: Save Westridge golf course**

LEE-1-1 My name is haeyeong lee.
I moved to 1431 w boros court last year.
I am very concerned with a proposal to convert golf course to housing /stores.

18. Response to Comments from Hae Yeong Lee (3-24-2018)

LEE-1-1 Comment LEE-1-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 2:55:27 PM Pacific Daylight Time

Subject: Fwd: Change in EIR responce due date
Date: Thursday, March 29, 2018 at 8:20:45 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Hannah Lee <haeyeonglee@gmail.com>
Date: March 24, 2018 at 8:00:41 PM PDT
To: <andrewh@lahabraca.gov>
Subject: Change in EIR responce due date

To;Andrew Ho

LEE-2-1 900 pages of environmental report is impossible for me to understand even after attending a meeting on 3-22-2018.
I request summary of it and in korean also.

LEE-2-2 Also request extention of EIR responce due date from 4-11-2018 to may
Thank you for your concern.

Sincerely,
Haeyeong Lee
1431 W Boros Ct
La Habra,CA 90631

19. Response to Comments from Hae Yeong Lee (3-24-2018)

LEE-2-1 The Draft EIR includes an Executive Summary at the beginning of the document.

City policy is to provide all official documents in English and not to attempt to translate CEQA documents, such as environmental impact reports, into other languages.

LEE-2-2 The Draft EIR public review period was, in fact, extended for an additional 30 days to May 10, 2018.

Thursday, May 17, 2018 at 2:57:01 PM Pacific Daylight Time

Subject: Fwd: Comments to Rancho La Habra golf course development project
Date: Thursday, March 29, 2018 at 8:21:14 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: betty choi <gongjubetty@gmail.com>
Date: March 24, 2018 at 8:46:53 PM PDT
To: <andrewh@lahabraca.gov>
Subject: Comments to Rancho La Habra golf course development project

Dear Mr. Ho,

BCHOI-1 My husband and I attended the Public Workshop for the Rancho La Habra Environmental Impact Report on March 22nd, 2018. What we learned is that the many previously known issues still exist.

BCHOI-2 The decision to make our home in Westridge Golf Course was based primarily on the beauty, aesthetics and health benefits of the golf course itself, these being the heavily promoted key features of the location. Building four hundred homes on this course would decimate the character that was and is an essential part of this community as well as causing a devastating impact to our property values.

BCHOI-3 The build of the entire site is anticipated to take six years, during which Westridge Community home owners would suffer noise, pollution, increased traffic, adverse impact to health as well as other negative biological results in the community and surrounding area.

BCHOI-4 Traffic on Beach Boulevard and Imperial Highway are already at excessive levels. The traffic impact report findings were doubtful and there are no plans to make improvements of the 32 surrounding intersections. Many of the intersections are outside of La Habra so mitigation measures wouldn't be required, nor would they even be inclusive of the Westridge Community.

BCHOI-5 Additionally, noise from Beach Boulevard is already highly audible. Construction noise levels are to be in excess of 60 decibels, for which noise barriers will then have to be constructed. These will be unsightly and also create noise from their very build.

BCHOI-6 Perhaps most importantly, site construction would unleash large volumes of pollutants, odor emissions, and greenhouse gas emissions, all of which could create very serious health risks such as allergies and even cancer. How will Lennar mitigate the degradation of Westridge home owners' health and well-being? If our families ultimately develop debilitating diseases or become victims of resulting increased crime, would Lennar be liable?

BCHOI-7 We remain strongly opposed to this Rancho La Habra golf course development project.

I am also sending a hard copy of this message to you by mail.

Thank you.

Sincerely,

Byung D. Choi
2131 W. Snead St.
La Habra, CA 90631

20. Response to Comments from Byung D. Choi (3-24-2018)

BCHOI-1 It is unclear from this comment what specific issues are of concern. Without additional information, it is not possible to provide a specific response to Comment BCHOI-1.

BCHOI-2 Comment BCHOI-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BCHOI-3 Comment BCHOI-3 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Construction-related noise impacts are addressed in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*, in relation to Threshold NOI-4.

Construction-related air quality impacts are addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, in relation to Thresholds AQ-2, AQ-3, and AQ-4.

Construction-related traffic impacts are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, in relation to Threshold TRA-1.

Construction-related health impacts are addressed in relation to Thresholds AQ-2 and AQ-4 in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, as well as Thresholds HAZ-2, HAZ-3, and HAZ-7 in Draft EIR Section 3.12, *Hazards and Hazardous Materials*.

Construction-related biological resources impacts are addressed in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, in relation to Thresholds BIO-1 through BIO-6.

BCHOI-4 Comment BCHOI-4 asserts that the results of the traffic impact analysis prepared for the EIR are "doubtful," but provides no specifics or evidence as to what aspects of the report are being referred to or why. The criteria by which significant impacts were determined to occur and thereby require mitigation are explicitly set forth for each impact analyzed in the EIR.

The Rancho La Habra traffic impact analysis was prepared by a professional traffic consulting firm using methodologies approved by the City of La Habra and Caltrans and was peer-reviewed by the City traffic engineer and the City's traffic consulting firm before being used in the EIR. See Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation* for the updated traffic impact analysis.

Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, sets forth the results of the traffic impact analysis. Information regarding traffic along both Beach Boulevard and Imperial Highway is provided for existing and projected future conditions both with and without the Project for intersections and roadway links in the area.

Mitigation in the form of payment of fair share fees is, in fact, required for intersections outside of the City of La Habra. Where such fair share impact mitigation fees are required, they are to be paid to the City of La Habra for distribution to the agency with jurisdiction over the intersection (e.g., City of La Mirada, Caltrans, etc.). Because the City of La Habra cannot require outside agencies to accept fair share impact mitigation fees, these other agencies have the right to refuse to implement the physical improvements for which fair share impact mitigation fees are intended. Only if an outside agency refuses to permit the physical improvements for which fair share impact mitigation fees are intended would mitigation not be provided.

BCHOI-5 An updated noise assessment is provided in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*. The EIR recognizes that Project-related demolition and crushing, site grading, and infrastructure and building construction would temporarily expose persons to noise levels substantially in excess of existing conditions.

BCHOI-6 A series of requirements would be placed on the Project to mitigate construction impacts. As explained in Section 3.8, *Air Quality*, of the Partially Recirculated Draft EIR, these requirements would include the following:

- The South Coast Air Quality Management District (SCAQMD) would enforce the following rules for Rancho La Habra construction:
  - **Rule 401 – Visible Emissions.** This rule states that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.
  - **Rule 402 – Nuisance.** This rule states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.

- **Rule 403 – Fugitive Dust.** Rule 403 requires project applicants to control fugitive dust using the Best Available Control Measures (BACMs) such that dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating an off-site nuisance. Applicable Rule 403 dust suppression (and PM_{10} generation) techniques to reduce impacts on nearby sensitive receptors may include, but are not limited to, the following:
  - Apply non-toxic chemical soil stabilizers according to manufacturers' specifications to all previously graded areas inactive for 10 days or more.
  - Water active sites at least three times daily. Locations where grading is to occur are to be thoroughly watered prior to earth-moving.
  - Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 meters (2 feet) of freeboard in accordance with the requirements of California Vehicle Code Section 23114.
  - Reduce traffic speeds on unpaved roads to 15 miles per hour or less.
  - Suspend grading activities when wind speeds (including instantaneous wind gusts) exceed 25 miles per hour.
  - Provide bumper strips or similar best management practices where vehicles enter and exit the construction site onto paved roads, or wash off trucks and any equipment leaving the site each trip.
  - Replant disturbed areas as soon as practical.
  - Sweep on-site streets (and off-site streets if silt is carried to adjacent public thoroughfares) to reduce the amount of particulate matter on public streets. All sweepers shall be compliant with SCAQMD Rule 1186.1, Less Polluting Sweepers.
- **Rule 1186 – Fugitive Dust.** This rule limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, county, agency, or special district such as water, air, sanitation, transit, or school district.
- **Rule 1401 – New Source Review of Toxic Air Contaminants.** This rule specifies limits for maximum individual cancer risk, cancer burden, and non-cancer acute and chronic hazard index from new permit units, relocations, or modifications to existing permit units, which emit toxic air contaminants.

- **Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities.** This rule provides work practice requirements to limit asbestos emissions from demolition and renovation activities and associated disturbance of asbestos-containing materials.

- In addition, the City of La Habra would require implementation of the mitigation measures set forth in the Partially Recirculated Draft EIR.

BCHOI-7 Comment BCHOI-7 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 2:59:16 PM Pacific Daylight Time

Subject: Fwd: No for Westridge Project
Date: Thursday, March 29, 2018 at 8:31:50 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Edgar Baek <edgar.baek@gmail.com>
Date: March 26, 2018 at 5:30:56 PM PDT
To: <andrewh@lahabraca.gov>
Subject: No for Westridge Project

Mr. Ho,

BAEK-1 I write to you to express my no vote for the proposed Lennar project in the Westridge golf course. I live in the Hawks Pointe community and can't imagine the added traffic the new development would add to the already congested flow we face on Beach Blvd. Having another 400 homes will only add to the traffic problems and a decrease in the quality of life in our community. Increasing density in our suburban community is not appropriate.

Kindly yours,

Edgar Baek
13825 Francisco Dr.
La Mirada, CA 90638

21. Response to Comments from Edgar Baek (3-26-2018)

BAEK-1 Comment BAEK-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 2:59:53 PM Pacific Daylight Time

Subject: Fwd: Westridge Golf Course
Date: Thursday, March 29, 2018 at 8:32:08 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Mark Yoshida <fireflytowingco@gmail.com>
Date: March 26, 2018 at 6:52:13 PM PDT
To: <andrewh@lahabraca.gov>
Subject: Westridge Golf Course

Hi Mr. Ho.

YOSHIDA-1 My wife and I live in La Mirada in the Hawks Pointe neighborhood adjacent to Westridge Golf Course. We heard that the golf course is being considered for conversion to a housing development. We are against this concept. Our area (La Mirada/La Habra) is already suffering from significant traffic and crowding that are negatively impacting our communities.

YOSHIDA-2

YOSHIDA-3 We do not necessarily agree with arguments based on property values and exclusivity -- we chose to live in this area (nearly 15 years ago) because of its relative safety and its open, friendly, and respectful character. However, we see threats to Coyote Hills and now Westridge that will cause considerable damage to the values we cherish. And we think many of our neighbors share these same values. As such, we urge the City of La Habra to resist efforts to create more housing in this area and instead to consider options that will preserve the beauty, function, and resources of La Habra and surrounding areas.

YOSHIDA-4

Thank you. m.

--
Mark Yoshida
FireflyTowingCo@gmail.com

22. Response to Comments from Mark Yoshida (3-26-2018)

YOSHIDA-1 Comment YOSHIDA-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YOSHIDA-2 Comment YOSHIDA-2 expresses the commenter's opinion regarding area traffic and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

YOSHIDA-3 Comment YOSHIDA-1 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YOSHIDA-4 Comment YOSHIDA-4 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:00:38 PM Pacific Daylight Time

Subject: Fwd: RANCHO LA HABRA
Date: Thursday, March 29, 2018 at 8:32:26 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Katherine Jiao <katjiao@yahoo.com>
Date: March 26, 2018 at 8:59:32 PM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Subject: RANCHO LA HABRA

Hi Andrew,

JIAO-1 My name is Kat Jiao. I currently live in Chino Hills, but I would like very much to become a La Habra resident in the near future. I've found La Habra to be a friendly place with all the services I need, that's also close to where I work. Unfortunately, there just aren't a lot of new single-family home neighborhoods here to choose from.

JIAO-2 That's why I ask you to approve the Rancho La Habra plan when it comes before you. Rancho La Habra's four proposed new neighborhoods will offer a mix of homes that will appeal to a wide variety of people who are looking for an energy-efficient, water-efficient home with all the latest design features.

JIAO-3 I studied the Rancho La Habra plan carefully on their website and appreciate its sensitive design and the many ways it will help to make La Habra an even better community. I hope that you will approve Rancho La Habra when it comes before you, so that I too will be able to call La Habra home.

Sincerely,

Kat Jiao

626-988-3875

23. Response to Comments from Katherine Jiao (3-26-2018)

JIAO-1 Comment JIAO-1 expresses the commenter's desire to live in La Habra along with an opinion regarding the availability of housing in the City. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JIAO-2 Comment JIAO-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JIAO-3 Comment JIAO-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:01:18 PM Pacific Daylight Time

Subject: Fwd: about Westridge golf course
Date: Thursday, March 29, 2018 at 8:32:56 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Billy Jang <bjrave1@gmail.com>
Date: March 27, 2018 at 8:14:39 AM PDT
To: <andrewh@lahabraca.gov>
Subject: about Westridge golf course

Hello,

JANG-1 my name is Jang and live inside Hawks Pointe complex.

I believe that if Westride golf course is replace with 400+ new homes,

Our community will be having many problems including traffic nightmares,

Still nowdays, we have long traffic wait on Beach blvd during morning and late

afternoon. But if there are more homes, Beach blvd will be parking area....

JANG-2 and I love to play golf at Westrige golf course that I believe only green area that

I can see when I travel on Beach blvd.

JANG-3 please help by saying NO to new homes at Westridge golf couse..

Let us keep our suberban life style.

Please Help,

thank you

Virus-free. www.avast.com

24. Response to Comments from Billy Jang (3-27-2018)

JANG-1 Comment JANG-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

JANG-2 Comment JANG-2 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JANG-3 Comment JANG-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:01:58 PM Pacific Daylight Time

Subject: Fwd: Rancho La Habra development project
Date: Thursday, March 29, 2018 at 8:35:47 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: doris chiang <dorischiang@hotmail.com>
Date: March 27, 2018 at 12:02:37 PM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Subject: Rancho La Habra development project

Hi, Andrew:

DCHIANG-1 My name is Doris Chiang. We have lived at Westridge Community since 2001. I want to express my concern regarding the Westridge golf course. Our house at Mangrum Ct. was the last developed phase.

We opposed the development for the following reasons:

DCHIANG-2 1. We paid extra $100K for the golf course view. Our property tax has been going up ever since. If the golf course is going to be replaced with more housing, I believe the city will need to adjust our property tax bill accordingly. Or repay us back the &100K we paid previously. It's called misrepresentation or simply lying.

DCHIANG-3 2. Our house have been the victim of poor grading by the builder. The city of La Habra has done NOTHING to help that from happening. We had to go through painful legal process to get the compensation plus the long and grueling process of house renovations. It all shows in the record of the city permit. Since there is not much of the backyard at our property, I don't trust all the drilling and bulldozing will not do anything to the land stability. Who is going to pay for the damage this time when that happens?

DCHIANG-4 3. I have not heard of La Habra before I moved here. Honestly, I associated it with a city that has a lot of low-end housing with majority Latino population. With the presence of the golf course, I am slowly convinced it otherwise. With all the shopping centers around us and the traffic generated, the city is considering more shopping centers and residents. There is no decent parks or greenland in the city. The gold course provides that and It's a mistake to let it go.

DCHIANG-5 4. With the nearby Coyote Hills and newly approved development cases, I don't imagine the traffic that is going to be a nightmare who live here. It's so sad that the city council is profit oriented. Do you know
DCHIANG-6 that the kids lived in Westridge mostly go to private school because the school standard is so bad. The parents don't believe this school district. With the revenue generated so far, the city is not doing
DCHIANG-7 anything to improve that. Don't tell me those money are going to the education system. I don't believe a word of it.

DCHIANG-8 The development project is a total lie and breach of trust to the residents at Westridge. We hope you will reconsider the development project.

Sincerely,

Doris Chiang
Jen-Shu Chinag
2021 S. Mangrum Ct..
La Habra CA 90631

25. Response to Comments from Doris Chiang (3-27-2018)

CHIANG-1 Comment CHIANG-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CHIANG-2 This comment raises fiscal issues regarding potential changes in home values and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CHIANG-3 Site grading and construction activities would be required to implement the requirements of the Geotechnical Report approved by the City of La Habra Chief Building Official and all applicable code requirements to ensure safety of slopes within and adjacent to the Project site. The City would review the proposed grading plan in relation to required geotechnical studies and requirements, and require appropriate revisions prior to authorizing commencement of grading. See Responses to Comments CSA-1 through CSA-17 in Section 2.1.3-3 for further discussion of slope safety

CHIANG-4 Comment CHIANG-4 expresses the commenter's opinion regarding parks and open spaces within the City, as well as regarding the Project. This comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CHIANG-5 Comment CHIANG-5 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

CHIANG-6 As noted in Draft EIR Section 3.15, *Public Services and Facilities*, the Project site lies within the boundaries of three public school districts: the La Habra City School District (LHCSD) and Lowell Joint School District (LJSD), both of which serve students from Kindergarten through grade 8; and the Fullerton Joint Union High School District (FJUHSD), which serves students in grades 9 through 12. These districts have the exclusive legal authority to operate public schools within the City of La Habra, and the City has no legal authority to exercise any oversight over the educational activities or business operations of these districts.

CHIANG-7 The three school districts operating within the City of La Habra are separate governmental entities from the City. Each of these districts and the City are funded separately from each other and from the City.

CHIANG-8 Comment CHIANG-8 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:02:32 PM Pacific Daylight Time

Subject: Fwd: WE NEED TO PROTECT OUR COMMUNITY AND PROPERTY VALUES
Date: Thursday, March 29, 2018 at 8:36:50 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Youn Pyun <pyuns@verizon.net>
Date: March 27, 2018 at 4:41:03 PM PDT
To: <ANDREWH@LAHABRACA.GOV>
Subject: WE NEED TO PROTECT OUR COMMUNITY AND PROPERTY VALUES

Dear Mr.Ho.

We leave in Hawks Pointe community for over 15 years.

PYUN-1 Please stop the developer to replace the Westridge Golf course with 400+ homes!
Beach Blvd is already too crowed due to the new apartment buildings are built near by including Imperial/Beach and soon another one on Beach/Artesia. The community did an outstanding job to stop developing Coyote hill for the same reasons.

Thank you for the hard work to protect our city, Fullerton.

Youn Pyun

26. Response to Comment from Youn Pyun (3-27-2018)

PYUN-1 Comment PYUN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. It is the City of La Habra's understanding that the West Coyote Hills Specific Plan and Vesting Tentative Tract Map (VTTM) No. 17609 were approved by the City of Fullerton[15] for development of up to 760 residences, a small commercial center, and funding of public benefits outlined in the VTTM including, but not limited to, permanently dedicating over 60 percent of the 510-acre site to restored habitat/open space.

[15] The West Coyote Hills project has undergone extensive litigation (Friends of Coyote Hills v. City of Fullerton, culminating on February 27, 2019, when the California Supreme Court refused to hear an appeal from an open space preservation group, ending a three-year legal battle. The California Fourth Appellate District Court of Appeal sided with the City of Fullerton and affirmed the City's actions approving the West Coyote Hills development on December 6, 2018.

Subject: Fwd: Savewestridge
Date: Thursday, March 29, 2018 at 8:37:30 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Andrew Bae <andrewbae88@gmail.com>
Date: March 27, 2018 at 10:21:02 PM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Subject: Savewestridge

BAE-1 I would like to sign the petition refusing to have 400 houses built at Westridge golf course. Thank you very much please contact me if you need anymore infomation. Andrew
--
Andrew Bae

27. Response to Comments from Andrew Bae (3-27-2018)

BAE-1 Comment BAE-1 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The petition referred to in this comment was not sponsored or circulated by the City in any way.

Thursday, May 17, 2018 at 3:03:49 PM Pacific Daylight Time

Subject: Fwd: Save westridge
Date: Thursday, March 29, 2018 at 8:37:16 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Maria Park <p-maria@hanmail.net>
Date: March 27, 2018 at 10:17:29 PM PDT
To: <andrewh@lahabraca.gov>
Subject: Save westridge

PARK-1 I live in Westridge and I did receive the letter. The reason we moved into this area was because of the golf course and a quiet neighborhood I'm pretty sure if you build 400 houses it'll impact everybody living in this community.I'd like to sign the petition that says not to build the houses in the golf course. Thank you

나의 iPhone에서 보냄

28. Response to Comments from Maria Park (3-27-2018)

PARK-1 It is unclear from this comment what letter was received by the commenter. Comment PARK-1 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The petition referred to in this comment was not sponsored or circulated by the City in any way.

Thursday, May 17, 2018 at 3:04:16 PM Pacific Daylight Time

Subject: Fwd: Save westridge
Date: Thursday, March 29, 2018 at 8:37:42 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** 319kjh <jihyun.in.spring@gmail.com>
> **Date:** March 27, 2018 at 10:21:12 PM PDT
> **To:** <andrewh@lahabraca.gov>
> **Subject: Save westridge**
>
> Hello.
>
> JIHYUN-1 I would like to sign a petition to save westridge. Please let me know if you need further information.
>
> Thank you.
>
> Sent from my iPhone

29. Response to Comments from Jih Yun (3-27-2018)

JIHYUN-1 Comment JIHYUN-1 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The petition referred to in this comment was not sponsored or circulated by the City in any way.

Thursday, May 17, 2018 at 3:07:07 PM Pacific Daylight Time

Subject: Fwd: Petition: Save Westridge Please
Date: Monday, April 2, 2018 at 9:12:08 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, ggiovinco@rwglaw.com, Lloyd Zola, williamk@ka-mg.com, christinek@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Boon Byun <bunsoon@gmail.com>
Date: March 31, 2018 at 10:14:33 AM PDT
To: <andrewh@lahabraca.gov>
Subject: Petition: Save Westridge Please

BBYUN-1 Hello. This is Boon Byun who lives in Hawks Pointe and I would like to give you a petition for SAVE WESTRIDGE. We do not want to ruin our living environment by the incautious development in our neighborhood. This development plan has a high potential to increase a lot of problems such as heavy traffic, over crowded school and area. We do have right to protect our healthy living condition for our family. Please take a deep consideration on our petition.

Thank you so much.

Dr. Sylvia B. Byun
Executive Director
BBS EDUCATION
11976 Artesia Blvd
Artesia, CA 90701
562-229-9449

30. Response to Comments from Sylvia Byun (3-31-2018)

BBYUN-1 Comment BBYUN-1 refers to a "SAVE WESTRIDGE" petition. However, no petition was attached to the comment letter when it was received by the City. Any petition submitted to the City will become part of the public record and will be considered by City decision-makers as part of the Project review process.

Subject: Fwd: Support for Rancho La Habra
Date: Thursday, March 29, 2018 at 4:36:21 PM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, williamk@ka-mg.com, christinek@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: JIHO CHUNG <jiho0101@gmail.com>
Date: March 29, 2018 at 2:40:13 PM PDT
To: <andrewh@lahabraca.gov>
Cc: <jiho0101@gmail.com>
Subject: Support for Rancho La Habra
Reply-To: JIHO CHUNG <jiho0101@gmail.com>

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

JCHUNG-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

JCHUNG-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

JCHUNG-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

JCHUNG-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

JIHO CHUNG
14121 VISIONS DR.

31. Response to Comments from Jiho Chung (3-29-2018)

JCHUNG-1 Comment JCHUNG-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JCHUNG-2 Comment JCHUNG-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JCHUNG-3 Comment JCHUNG-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JCHUNG-4 Comment JCHUNG-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Subject: FW: In regard to Rancho La Habra project
Date: Monday, April 2, 2018 at 8:47:31 PM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, William Kelly, christinek@ka-mg.com, ggiovinco@rwglaw.com, Lloyd Zola
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Saumil Maheshvari <s.maheshvari@gmail.com>
Sent: Monday, April 2, 2018 5:03 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: In regard to Rancho La Habra project

Hello Mr. Andrew,

First, I'd like to thank you for serving the La Habra city and community in the Community & Economic Development team.

MAHE-1 I am writing today to voice my unequivocal opposition to the proposed Rancho development project in the area that is La Habra city's only golf course. I know I am not the only resident of La Habra that is opposed to this project. Please allow me a few minutes to share my reasoning.

MAHE-2 A golf course is in many ways a city's "status symbol," offering golfers and non-golfers scenic views and open areas. Many cities around the world vie for a golf course. La Habra fortunately enjoys not only a picturesque golf course, but prestigious neighborhoods and communities that attract high property values and high earning individuals - all who live in and better La Habra's communities and school systems.

MAHE-3 I think replacing the golf course with residential buildings would be a travesty. It would create traffic in an already congested area (if you have seen the intersection of Beach Blvd and Imperial Hwy during rush hour, you will know how bad it has gotten - especially with the new Valencia apartment complex on Beach Blvd). It would create noise, light, and air pollution for existing residents and passerby's.

MAHE-4 Perhaps most importantly, it would rob La Habra of its small Orange County city charm. The charm that distinguishes La Habra from other Orange County cities, yet very much makes it a part of the exclusive and picturesque club of Orange County, California cities.

MAHE-5 I fear that removing green open areas and overpopulating this city will cause high earners to move away to other Orange County cities like Brea or Irvine.

MAHE-6 Mr. Andrew - La Habra is an extremely fortunate Orange County city. There are alrady commercial shops in this city that other nearby cities would love to bid for - Costco, Sam's Club, Walmart, Target, Home Depot, Vons, Aldi, Smart & Final, Sprouts, etc. All within La Habra city limits, paying taxes to

MAHE-6 (CONT) La Habra. Not to mention huge commercial distribution centers, and other small and large businesses. The way Starbucks's and Chipotle's are sprinkled throughout the city give a great overview to the socioeconomic status that La Habra enjoys.

MAHE-7 I will take your leave with this one parting question: Is it really wise and in the interest of our future generations to destroy the prestigious and picturesque bit of green and open area left in this city, just for some more residential buildings and a few more shops?

I hope the city makes the right decision, and votes to keep the golf course in place.

Thank you for your time,
Saumil

32. Response to Comments from Saumil Maheshvari (4-2-2018)

MAHE-1 Comment MAHE-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MAHE-2 Comment MAHE-2 expresses the commenter's opinion regarding the Westridge Golf Club and the La Habra community. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MAHE-3 Comment MAHE-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Noise issues are addressed in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*. Lighting issues are addressed as part of Impact AES-4 within Draft EIR Section 3.4, *Aesthetic Resources*. Analysis of air quality impacts is provided in Partially Recirculated Draft EIR Section 3.8, *Air Quality*.

MAHE-4 Comment MAHE-4 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MAHE-5 Comment MAHE-5 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MAHE-6 Comment MAHE-6 expresses the commenter's opinion regarding the La Habra community and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MAHE-7 Comment MAHE-7 expresses the commenter's opinion regarding the La Habra community and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:10:26 PM Pacific Daylight Time

Subject: FW: save the westridge golf course
Date: Monday, April 2, 2018 at 8:51:55 PM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, William Kelly, christinek@ka-mg.com, ggiovinco@rwglaw.com, Lloyd Zola
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Eunjoo Lim <velinakje@gmail.com>
Sent: Monday, April 2, 2018 9:43 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: save the westridge golf course

Dear Mr. Ho:

Good morning!

LIM-1 I am Velina who is living in Hawkspointe Community nearby Westridge golf course.
I would like to tell you my comments regarding to developing **the Westridge Golf Course**.

If a developer replaces the Westridge Golf Course with homes, it must be a disaster to all residents and community. I can tell many reasons as follow:

LIM-2 1. overcrowding of schools : it means terrible education system for our precious kids

LIM-3 2. traffic nightmares : As everybody knows the BEACH Blv tracffic is already heavy and terrible.

LIM-4 3. environmental harm: heavy traffic causes environmental harm including air pollution, noisy and so on.

LIM-5 4. loss of enjoying nature: our community has to be protected and maintained as a nice residential area.

LIM-6 5. greedy developer and tardy owner : They don't care the nature and community. They just only think about their pockets and piggy banks.

LIM-7 There are many other reasons why we must protect the Westridge Golf Course from the greedy people.

LIM-8 I hope you have same idea with me.
Thank you very much for sharing your time.

Sincerely,

Velina E.J. Lim

33. Response to Comments from Velina Lim (4-2-2018)

LIM-1 Comment LIM-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

LIM-2 Analysis of impacts on schools is provided in Draft EIR Section 3.15, *Public Services and Facilities*. The Project site lies within the boundaries of three public school districts: the La Habra City School District (LHCSD) and Lowell Joint School District (LJSD), both of which serve students in grades Kindergarten (K) through 8; and the Fullerton Joint Union High School District (FJUHSD), which serves students in grades 9 through 12. As discussed in Draft EIR Section 3.15, each of these districts has existing capacity to accommodate students from the Project.

As discussed on Draft EIR page 3.15-2, the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50) requires all new residential development projects to pay school impact fees that are considered "full and complete mitigation" for any impacts on school capacity. School impact fees, such as those that would be collected from Rancho La Habra, are to be used by local districts to offset capital cost impacts associated with new developments. As such, cities are prohibited from requiring additional mitigation for any school impacts and are also prohibited from denying any project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) may be inadequate.

Thus, the school impact fees that are to be paid by the Project to each school district would constitute mitigation in full under CEQA for the increased number of students within the La Habra City School District, Lowell , and Fullerton Union High School District.

LIM-3 Comment LIM-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

LIM-4 Comment LIM-4 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Analysis of air quality impacts is provided in Partially Recirculated Draft EIR Section 3.8, *Air Quality*. Noise issues are addressed in Section 3.11, *Noise and Vibration*, of the Partially Recirculated Draft EIR.

LIM-5 Comment LIM-5 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

LIM-6 Comment LIM-6 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

LIM-7 Comment LIM-7 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

LIM-8 Comment LIM-8 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

April 2, 2018

Joe E. Foust
601 Sandlewood Ave.
La Habra, CA 90631

City of La Habra
City Hall
La Habra, CA 90631

Dear Sir:

SUBJECT: Rancho La Habra—Comments to draft EIR

FOUST-1-1 I am a professional Traffic/Civil Engineer in the State of California and a 47 year resident of the City of La Habra. CalAtlantic has prepared a draft EIR for their proposed 448 unit Rancho La Habra and I have reviewed the traffic portion of that document. I should point out, however, that the draft EIR consists of 9000 pages and I have reviewed in considerable detail only the Traffic Study part of the EIR. Even that alone totals more than 2000 pages.

FOUST-1-2 Attached my comments which I request you enter into the public record. These comments are, for the most part, highly technical in nature. As a result my intention is to present a summary of this extensive review at the upcoming EIR public hearings. It is my intent to present this information in a brief and understandable manner which is consistent with my recommendation that the draft EIR also be condensed to a readable and understandable summary.

Thank you for the opportunity to comment on this critical proposal and I will see you at the public hearings. I am available beforehand if you wish to contact me.

Sincerely,

Joe E. Foust P.E.

34. Response to Comments from Joe Foust (4-2-2018)

FOUST-1-1 The Rancho La Habra Environmental Impact Report was prepared by the City of La Habra using a consultant team retained by the City. The information, analyses, and conclusions set forth in the Draft EIR reflect the independent judgment of the City. Approximately 90 percent of the 9,000 pages of text referenced in the comment consists of technical studies and printouts of model runs from various traffic, noise, air quality, and greenhouse gas technical studies. The large majority of the 2,000 pages of the traffic impact report for Rancho La Habra also consists of model run tables.

The Draft EIR includes an executive summary that summarizes the analyses for each of the impact statements analyzed for Rancho La Habra. The Draft EIR was also organized by environmental issues. The Draft EIR's table of contents provides readers with easy access to environmental issues of interest.

FOUST-1-2 The letter referenced in this comment is included as part of the public record. See Response to Comment FOUST-1-1 and Responses to Comments FOUST-2-1 through FOUST-2-58.

Mr Joe E. Foust
601 Sandlewood Ave
La Habra, CA 90631

April 2, 2018

City Council
City of La Habra

Dear Honorable Mayor and City Council:

Subject: Professional Engineer's Comments of Rancho La Habra EIR Traffic Study

FOUST-2-1 My name is Joe Foust. I am a registered professional civil and traffic engineer in the State of California with over 50 years of experience in the preparation of EIR type traffic and circulation impact studies. This experience includes organizations at the Federal, State (Caltrans) and local city levels including the City of La Habra. I am regarded as an Expert Witness in matters involving traffic. In addition, I am a 47 year resident of Sandlewood Ave, the street upon which the developer proposes a new project's access. As such my presentation contained here in should be regarded as professional opinion and not just that of a concerned resident. In fact, I will be commenting only in regards to traffic and circulation impacts of the project.

FOUST-2-2 I have a number of comments to make but I am going to start with what may be the most significant. The EIR traffic study, prepared by LL&G, a firm with which I am quite familiar, is incorporated
as Appendix H, will be referenced hereafter as the Traffic Study or TS.

FOUST-2-3 The TS identifies 14 intersections where significant impacts are expected to occur. The responsibility for all of these locations is shared with the City of La Habra by neighboring cities and/or Caltrans. The TS identifies suitable and practical traffic improvements (ie

FOUST-2-4 mitigation) but then goes on to put the responsibility directly on the City of La Habra's Director of Public Works to work out a suitable agreement with these individual jurisdictions. I have never heard of such a shifting of mitigation responsibility. More importantly, it places the city in a difficult position of negotiating on behalf of the developer. The City alone could be on the hook to implement these costly mitigation measures. The EIR simply dismisses these

FOUST-2-5 impacts by requiring the development to pay fair share fees but which must be refunded if the City fails to reach agreement with the neighboring jurisdictions. Do not put the City in this position.

FOUST-2-6 Simply require the development to achieve this agreement themselves. Yes, it may cost them a lot more, perhaps as much as 100 percent of the improvement cost, since there is nobody else to share the cost with. But the City is not on the hook for a multi-million dollar project mitigation cost. This is the development's responsibility.

FOUST-2-7 Secondly, the TS follows the classical approach of utilizing roadway capacity, measured in terms of Level of Service (LOS) to analyze traffic impacts. However State law, Senate Bill 743, signed in September 2013, requires an entirely new approach be undertaken. This analytical method involves VMT (vehicle miles of travel) instead of simple trip generation. The EIR may claim that they are exempt from applying this new methodology because it has not yet

FOUST-2-7 (CONT) had its guidelines completed. The Final Guidelines were released in January 2018 and public hearings held mid March, 2018. However, regardless of whether or not the EIR is legally mandated to use VMT, the city has the right, or may I say the responsibility, to require

FOUST-2-8 such an analysis based upon the General Plan Amendment and Zone Change the development is seeking from the City. To make the necessary findings for the GPA/Zone Change the City must have the best information available and that best information from a transportation stand-point is based on VMT. From a legally defensible position. The City Council has the obligation to seek the best

FOUST-2-9 information possible if they are going to consider approving a zone change particularly when the change in land use involves trading a golf course, which is an allowable use for open space for a residential use.

FOUST-2-10 In addition, aside from the need to analyze the impacts based on VMT, the TS must fully evaluate potential impacts to:

Complete Streets
Safe Routes to Schools (there are two public schools off Sandlewood Ave)
Sustainable Communities
Green House Gases and Green Streets

Very little information regarding these essential items is contained in the EIR.

FOUST-2-11 The TS, included as Appendix H of the EIR, includes over 2000 pages, 1300 of which is data and another 800 of analytical discussion. The EIR itself summarizes the TS with over 100 pages. I could not even begin to review the total page count of all the appendixes but it is a monumental task to read and understand all of this. As a result I can't imagine the City Council has the time nor the inclination to read and comprehend all this massive data. If you are going to allow a zone change, as required for project to proceed, you must have this enormous report condensed to something you can get your arms around. Unless you can do this just leave the Master Plan as is. The City spent years and

FOUST-2-12 thousands of dollars to update it only a couple of years ago. Furthermore, there is an existing specific plan for the existing Westridge Development that allow 700 homes to be built on 370 acres contingent on 145 acres being developed as a golf course.

FOUST-2-13 The complete EIR and its appendixes (A thru T) is comprised of nearly 9000 (actual 8950) pages which means nobody is going to fully comprehend the impacts of this project. The EIR's Executive Summary is itself a full 60 pages. The TS alone is over 1700 pages, 117 of which are in the main EIR document itself. With such an extensive amount of information to read and understand I can't imagine the City Council will have time to read even a small fraction of this material. I am only dealing with the traffic impacts of

FOUST-2-14 this GPA /Zone Change and that has consumed over a solid work week (50+ hours) of intense study. As a result there needs to be a clear and concise summary if the Council is to understand the trade-offs involved if they are to approve the GPA/Zone Change required by this development. Such a summary has to be no more than one page so that it can

FOUST-2-15 be read and fully understood. The GPA/Zone Change cannot be considered without a full understanding. Nobody can expect the Council (and the Planning Commission) to

FOUST-2-16 read anywhere near the full 9000 page EIR document. Likewise the citizens of La Habra as well as the residents of the surrounding housing tracts cannot be expected to read 9000 pages of material. As a result the Council and Planning Commission must rely to a very large extent on what the citizens say in their comments since none of the residents are going

FOUST-2-16 (CONT) to understand the full extent of this development and the GPA/Zone Change it creates.

FOUST-2-17 The TS study seems to have little understanding of the local circulation system surrounding the project area. For example, Patwood Ave, Parkwood Ave, and Montwood Ave all provide critical local circulation in addition to Sandlewood Ave in the adjacent residential area east of Idaho St. These streets are critical to the circulation to/from two schools on Schoolwood Ave in the heart of this residential neighborhood. Patwood,

FOUST-2-18 Almondwood and Dorwood are all used by the 2 schools and are critical to the school's access yet they are shown as cul-de-sacs in the TS. Nothing could be further from the truth.

FOUST-2-19 Traffic backs up on Sandlewood each morning and afternoon as parents drop off their children. The residents of County Hills West and the adjacent neighborhood avoid Sandlewood and Almondwood by going to Euclid St instead. Further the TS completely ignores three entrances on

FOUST-2-20 Euclid St, Parkwood Ave, Montwood Ave and Country Hills Dr. Two of these are signalized intersections which are used by residents to avoid delays encountered when turning left onto Euclid St from the neighborhood, Residents and school parents both use these streets to avoid congestion. There are a number of school children who also walk to/from the two schools (yes some schools still have walkers) and the impact to these students is completely missed in the TS.

FOUST-2-21 Aside from these critical but missing streets in the neighborhood, as a resident of Sandlewood Ave I have additional concerns. First, the TS indicates the daily traffic on Sandlewood Ave is 1140 vehicles per day. That is far off the mark. I have lived on Sandlewood Ave 47 years and historically the volume has been in the range of 2500 to over 4000 ADT. I could not find an actual count of Sandlewood Ave in the data but the TS itself reports 1140 ADT. Sandlewood Ave has always had a four-way stop control at three of the four intersections between Idaho and Euclid which are needed to control the traffic. These stops would not be needed it the volume were only 1140 ADT. A simple review of the existing traffic counts at Idaho and Sandlewood reveals over 600 cars enter and exit in one hour. So the ADT has to be a lot higher that 1140 ADT.

FOUST-2-22 Finally the TS shows Sandlewood Ave to be a “Commuter” street with a capacity of 12500 ADT. Again this shows a complete lack of understanding of the local circulation system. Sandlewood Ave is purely a residential street with private homes facing the street. There is nothing commuter about it except it is the only way in and out of the neighborhood from the west and currently there is no traffic issues on Sandlewood Ave. Opening up access to Rancho La Habra directly onto Sandlewood Ave is sure to create one.

FOUST-2-23 Sandlewood Ave provides the only connection between Idaho and Euclid from Rosecrans to Imperial Hwy. As such it used as a cut-through routing for the Fire Dept (located on Idaho) and residents who are familiar with the local street system. Nevertheless, Sandlewood Ave is a local residential street not a Commuter as indicated.

FOUST-2-24 The TS also fails to recognize the street connections between Euclid St and Harbor Blvd from Imperial Hwy to Bastenchury. The TS shows no connections in this area. In reality there are three— Sandlewood east of Euclid (called Don Guillermo), Country Hills Dr. Laguna Lake and Laguna Rd. These streets are routinely used by residents who want to avoid congestion on Imperial Hwy The TS needs to evaluate the impact of opening up a direct new connection onto Sandlewood Ave. The existing Specific Plan, that allowed 700 units to be developed on the property,

FOUST-2-25 and does not allow any access on Idaho St except for the new signalized intersection at Resner Way. The proposed access violates the existing Specific Plan as well as previous 'promises' by the City to never open up Sandlewood Ave.

FOUST-2-26 I am also concerned regarding the timeliness of the TS. I understand this project has been in discussion for some time but this is the first I am hearing of it. Most of the traffic count data

FOUST-2-27 was collected in 2014 to 2016 well beyond the one or at most two year customary limitation of suitable data for EIR purposes. The TS has a Sept 2017 date but the original data seems to still be used .In addition, the mailing list used for notification

FOUST-2-28 purposes included only 3 houses on Sandlewood Ave. The three addresses at the west end at Idaho St.

FOUST-2-29 PA 4 appears to have only one access, the signalized intersection of Idaho and Sandlewood What is the provision for emergency access? Is there a connection to PA 3? How will it be designed to prevent a future opening. Note: please don't think this could not happen. I lived on

FOUST-2-30 Sandlewood before it was opened to Idaho, In fact Idaho did not exit other than a driveway to a drive-in theater. Likewise the project is opening up Sandlewood Ave which was never intended by previous city planning.

FOUST-2-31 The TS estimates the project will generate roughly 6500 daily trips but applies a credit of 2500 ADT for elimination of the golf course. This 2500 trip credit appears quite high. ITE's Trip Generation indicates one could expect about 75 peak hour trips for a 150 acre golf course. Using a typical peak hour factor of 10 percent suggests the total daily trip count would be on the order of 750 trips, substantially less than the 2500 credit. I have a suspicion that the driveway counts conducted could have 'double counted' if road tubes were used at the parking lot entrance driveways. Furthermore if the golf course is generating 2500 trips

FOUST-2-32 per day it would not be considered all that unsuccessful. I listened to the 2015 Council meeting minutes where the existing general manager, Mr Jamie McCance, told the City Council and Planning Commission the course was doing 80,000 round per year. That would be equivalent to 220 rounds per day. If everybody drives alone that would generate less that 500 trips per day well below the 2500 credit claimed. The ITE trip rate for golf courses is 35.74 trips per hole which is equivalent to 643 ADT. Consequently it appears the trip credit for the existing golf course is substantially overstated in the TS and the actual project trip generation may be about 50 percent higher than was analyzed. This would exacerbate all the traffic impacts and potentially identify additional ones.

FOUST-2-33 The existing golf course is itself the source of mitigation for the Westridge residential and shopping center development. To ensure that that mitigation would be maintained in perpetuity, there are deed restrictions on about 15 acres of habitat area that prevent any other development on the land.

FOUST-2-34 The entire project area is included as open space in the City General Plan. If the City Council is inclined to rezone this open space to residential, as is required by the development, then they must be convinced that not only does the project's benefits include a finding of overriding concerns with respect the numerous traffic impacts (as well as those included under any other EIR impacts), it must also find and defend the lose of the Westridge Development Specific Plan's mitigation and the loss of a major portion of the General Plan's open space and its replacement with housing is justified. It appears doubtful the existing Specific Plan with its 700 dwelling units and a golf

FOUST-2-35 course would have been approved if it had included another 448 residential units (a total of 1148 on the site) and no golf course. In effect that is the current proposal—eliminate the golf course and build 4248 units in its place. That would seem to be a difficult argument to make and perhaps have to legally defend. Just look at the history of the West Coyote Hills development

FOUST-2-36 immediately adjacent to Westridge to the south. That highly controversial project includes 760 dwellings on 510 acres with 60 percent of that committed to open space. Can the City of La Habra

FOUST-2-36 (CONT) realistically expect to approve a total of 1148 units on only370 acres and elimination of the existing open space/golf course?

FOUST-2-37 Lennar, in one of their mailers sent to residents makes the statement:

> "The question about the future of the Westridge Golf Club site isn't whether it can continue as a golf course. The question is, what will be built there instead"

FOUST-2-38 This is misleading to the residents as the property is zoned open space and without a GPA/ Zone Change (approved by the city council) very little can be built there and nothing in the deed restricted areas. The justification for this zone change is that golf, in general, is on the decline and Westridge itself uses too much water. Very little information on the existing golf course is presented. The general manager, Mr Jamie McCance indicated that the golf course was doing about 80,000 rounds per year in testimony before the City Council/Planning Commission meeting where Lennar introduced this project some 2 to 3 years ago. The 80,000 rounds per year would not seem to suggest that the course is failing. In fact the general manager indicated "golf is booming at Westridge."

FOUST-2-39 Research into the history of the golf course indicates it sold in 2015 for about $12 M. If the City changes the General Plan and Zoning to allow 448 residential units to be built there, the value of the 151 acres will increase substantially. An assessment of land values prepared by Hagler & Assoc for the West Coyote Hills estimated the value of the Westridge Golf Course (if rezoned to permit other uses) at $75 million. There is a effort in Fullerton to

FOUST-2-40 purchase all or part of Chevron's remaining 509 acres and dedicate it to a park and open space. In fact the City's final approval of West Coyote Hills VTTM No 17609 makes provision for the the land to be purchased by the City if sufficient funding is available. The City of La Habra

FOUST-2-41 could follow a similar path but approving the GPA/Zone Change would dramatically increase the cost to do so. Consequently the City must understand the magnitude of Lennar's

FOUST-2-42 financial incentive to seek such a zone change. The 151 acres are as a golf course worth somewhere in the vicinity of $12 million. As a housing tract its worth over six times that amount, somewhere in the neighborhood of $75 million. If litigation were to result from any GPA/Zone Change

FOUST-2-43 replacing the open space/golf course allowed use with housing, the City could face a similar long term and costly legal challenge. Look at what occurred with the West Coyote Hills and that property abuts this one.

FOUST-2-44 The City's current Traffic Fee Program is not expected to generate anywhere near enough funding to implement the Circulation Element of the existing General Plan let alone the increased needs created by this proposed zone change and intensification of the existing residential development . The current fee program will generate only about a third

FOUST-2-45 of the total funding required. The remaining two thirds is expected to come from some form of local matching funds such as OCTA, Federal and State transportation sources.

FOUST-2-46 This development is forecast to create substantial and significant impacts at 14 nearby intersections and has identified the necessary improvements required to fully mitigate these conditions. At 7 of these locations the improvements are forced totally on the development for its own purposes (like create new access entries) or are simple and inexpensive to accomplish (such as signal overlaps and re-striping). Since implementation of the existing General Plan Circulation

FOUST-2-47 Element is going to require substantial public funding, this project, which intensifies that funding need

FOUST-2-47 (CONT) should have the responsibility for any additional transportation improvements it causes. That leaves the remaining seven intersections, which are admittedly more difficult to complete (such as requiring right of way) to also be the development's responsibility. If any project is going to seek a change in the General Plan it must be responsible for the increased costs associated with that change. The development can not be 'excused' from this responsibility merely by the fact the requirements fall under another jurisdiction's purview and certainly not merely by a finding that the City best effort failed to produce an agreement with that agency. The EIR would simply allow that improvement to be dismissed and any developer

FOUST-2-48 funding attached there to be returned. As a worst case the development's contribution which should amount to the full cost of implementation (including right of way) would be designated to be used to complete some other element of the City's Circulation Element. The City's role would be limited to determining the full cost of completion of these 7 'difficult' improvements and working to achieve a mutual agreement with the other responsible agencies. Failing that the fees collected from this project would be eligible for any other Circulation Element improvement. And yes, it is acknowledged that these 7 improvements will be costly but that is the price of a zone change and its increased intensity use.

FOUST-2-49 It is understood that this approach does not ensure that the other responsible agencies will agree to the implementation of the identified mitigation measures at these 7 intersections. If they are not necessarily forced to come up with the funding themselves, there is a much better chance of an agreement particularly if they realize the City can then opt to use the funds elsewhere. This makes any negotiation by the City a relatively simple matter. It also does not provide the development a ';free pass' to avoid the cost of all the impacts the project has on surrounding locations.

FOUST-2-50 I conducted a cursory examination of these 14 intersection traffic mitigation measures and for the seven 'difficult ones' I conclude that they are reasonably implementable although the right of way for a couple of them involves existing buildings on out parcels. This may increase the cost but does not eliminate the feasibility of the improvement.

FOUST-2-51 In a separate but related matter, the EIR indicates the need for relocation of about 18 acres of habitat for endangered species is not a significant impact. This existing protected area is part of the mitigation for the existing La Habra Hills Specific Plan. The resulting deed restrictions are very specific about what is permitted and the building of a housing tract is not allowed. The failure to obtain the approval of the State Department of Fish and Wildlife to relocate the existing protected habitat would impact the project substantially and perhaps preclude it altogether. Since the protected habitat is scattered throughout the entire 151 acre golf

FOUST-2-52 course this would severely impact the project itself and perhaps the two 9 hole golf course alternatives as well. How this cannot be considered a significant impact is discussed but not substantiated in the EIR. These deed restrictions must be considered a 'deal killer' unless Fish and Wildlife approve a change. Any such approval is outside the City's jurisdiction. Consequently this certainly has to be considered a significant impact.

FOUST-2-53 The TS examines the project and alternatives along with 51 other cumulative projects. These 51 cumulative projects are forecast to generate 92,670 daily trips with over 6500 trips in the AM peak hour as well about 8100 additional trips in the PM peak hour. The TS shows no mitigation for this 92,000 daily trip increase. It does not appear feasible that none of these 51 cumulative are required to provide any traffic mitigation.

FOUST-2-54 There appears to be a problem with regards the TS's impact evaluation methodology. The TS indicates the City of Fullerton's traffic impact analytical guidelines identify a significant impact at any intersection that the LOS deteriorates from a LOS D or better to LOS E or F. Such a criteria is very generous to some projects and painful to any future development that follows. For example, if an intersection were to be at the high end of the LOS D range (call it a D+) then the project could use up a full 10 percent of the intersection's existing capacity without triggering a significant impact. This concept is sometimes referred to "Capacity Grab" in that the first project in can use up all the remaining existing capacity whereas any that follow must make up for the full impact including that of any earlier project's impact on this location. A better methodology is required to identify the full extent of any project's own impact at such locations and which prevents any project for 'using up all the remaining capacity without providing suitable mitigation to fully offset its own impacts. No project should be allowed to avoid a traffic impact simply by being first in line.

FOUST-2-55 The use of the VMT metric as now required by CEQA and discussed earlier herein addresses this failure of the LOS methodology.

FOUST-2-56 This concludes my professional analytical review of the draft EIR. I have limited my comments to areas where I possess at least some expertise. Now I would like to make my views on the project from a nearby resident's standpoint.

FOUST-2-57 Simply stated, I don't think the sought after 448 additional units would have ever been approved if they had been included with the originally approved La Habra Hills Specific Plan and certainly not if the golf course had not been a key element of that proposal. This entire process resembles the classic "Bait and Switch" scheme. The LHHSP gets approved with a lot of open space including a quality golf course, then later on the golf course is rezoned to allow 448 more homes and the open space/golf course just simply eliminated to make room for the homes. If I am a home buyer in Westridge, I expect Chevron (under the name Pacific Coast Homes) and any subsequent land owner to respect the original LHHSP and abide by its conditions. Lastly, I certainly do not want

FOUST-2-58 to see the City tied up in any litigation regarding this matter or involved in any adverse judgment that may result there from. West Coyote Hills shows this could happen.

Prepared By:

Joe E. Foust, RCE 202258/TE 854 State of California

35. Response to Comments from Joe Foust (4-2-2018)

FOUST-2-1 This comment provides an introduction to the comment letter and the commenter. It raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FOUST-2-2 Comment FOUST-2-2 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FOUST-2-3 The traffic impact analysis for Rancho La Habra was updated and can be found in Partially Recirculated Draft EIR Appendix H and Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*.

FOUST-2-4 Comment FOUST-2-4 is incorrect in its assertion that traffic mitigation measures shift mitigation responsibility or place the City in the position of negotiating with other agencies on behalf of the developer. Where impacts occur at intersections outside of the City of La Habra, responsibility for mitigation is clearly placed on the applicant. For example, Mitigation Measure TRA-1.5a, which addresses impacts at the intersection of Beach Boulevard at Rosecrans Avenue states that the "Applicant shall pay fair share fees to the City of La Habra to be distributed to the City of La Mirada." In this manner, the City of La Habra can be ensured that the fees would actually be paid by the applicant. Under no circumstances could the City become responsible for payment of fair share fees.

Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines require public agencies "to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." Pursuant to the state law and CEQA Guidelines, the City of La Habra, as lead agency, must ensure that EIR mitigation measures are, in fact, implemented.

Because many of the Project's traffic impacts would occur outside of La Habra, the EIR's Mitigation Monitoring and Reporting Program includes a process to ensure that fair share mitigation payments would actually be used by the other agency to provide needed roadway and freeway improvements. As stated in the EIR's Mitigation Monitoring and Reporting Program, where mitigation for traffic impacts outside of the City is required, following collection of fees from the applicant, the La Habra Director of Public Works would confirm that:

- The other agency has included improvements to the intersection for which fair share fees are to be paid in its Capital Improvements Program; or

- If the other agency has not included improvements to the intersection for which fair share fees are to be paid in its Capital Improvements Program, both the applicant and the City of La Habra have made their best good faith effort to work cooperatively with the other agency to do so.

Should the other agency not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant would be returned to the applicant.

This process is not a "negotiation by the City on behalf of the applicant," but is intended to ensure that the fair mitigation fees required as mitigation measures in the City's EIR would, in fact, be used to mitigate Project-related impacts. This is important for several reasons:

- It is the City's desire that the physical improvements needed to mitigate Project-related impacts are actually undertaken;
- Fair share mitigation fees that are not used to make the physical improvements called for in EIR mitigation measures do not constitute mitigation under CEQA;
- The City of La Habra cannot require or compel other agencies to undertake physical improvements under the other agency's jurisdiction;
- Without the City's involvement in discussions with the other agency, La Habra cannot ensure that the applicant truly did make a good faith effort at convincing the other agency to make the needed improvement if the applicant reports back that the other agency will not permit the improvement.

FOUST-2-5 As discussed in Section 2.1.2, Responses to Comments from Members of the Public, Response to Comment FOUST-3, the extent of EIR mitigation measures must be "roughly proportional" to the impacts created by a project. The City of La Habra does not have the legal authority to require a development applicant to pay the entire cost of mitigation measures or to provide the entire improvement where a project's impacts are cumulative in nature, as they are for traffic. Also, once fair share mitigation fees are paid, they cannot by law be held forever without making the improvements for which the fees were required. If the mitigation fees paid by the applicant for improvements outside of the City of La Habra are not used to make actual improvements within a reasonable time frame as determined by the City of La Habra, such fees must by law be returned to the applicant. This is necessary to ensure that mitigation fees are actually used for

their intended purposes. Otherwise, outside agencies could take mitigation fees and use them for purposes unrelated to the Project's impacts.

FOUST-2-6 As noted above, pursuant to state law, the extent of EIR mitigation measures must be "roughly proportional" to the impacts created by a project. The City does not have the legal authority to require a development applicant to pay the entire cost of mitigation measures or to provide the entire improvement where a project's impacts are cumulative in nature, as they are for traffic.

FOUST-2-7 As discussed in Section 2.1.2-15, Response to Comment FOUST-1, CEQA Guidelines Section 15064.3 permits lead agencies to choose whether or not to undertake analysis of vehicle miles traveled (VMT) in CEQA documents distributed for public review prior to July 1, 2020. For the Rancho La Habra EIR, the City of La Habra chose not to undertake analysis of VMT as a separate environmental impact because (1) the physical effects of the Project's increased VMT were already being addressed in the Partially Recirculated Draft EIR's analysis of mobile source air quality, greenhouse gas (GHG), and energy impacts; and (2) methodologies, analytical tools, and thresholds for the analysis of VMT impacts were still under consideration by the City of La Habra and other northern Orange County communities.

FOUST-2-8 See Section 2.1.2-15, Response to Comment FOUST-1.

FOUST-2-9 VMT analysis measures a different metric (vehicle miles traveled) from the LOS analysis undertaken for the Draft EIR and Partially Recirculated Draft EIR. Whereas VMT addresses the total length of vehicular travel from a project and is a useful tool to reduce trip generation, air pollutant/GHG emissions, and energy consumption, it is not helpful in addressing traffic congestion, which is measured with delay-based metrics such as level of service (LOS).

Neither metric is inherently "better" that the other. Because VMT analysis is largely tied to vehicular emissions of GHGs and criteria air pollutants as well as energy consumption, VMT effects were considered in those analyses.

FOUST-2-10 "Complete streets" refers to a General Plan requirement pursuant to Assembly Bill (AB) 1358 that added the following to the California Government Code. (Section 65302(b)(2)(A) and (B)):

(A) Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

(B) For the purposes of this paragraph, "users of streets, roads, and highways" means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

Page 1-12 of the La Habra General Plan acknowledges changes in state law that necessitated updating the General Plan, and specifically acknowledges the Complete Streets Act of 2008. General Plan Chapter 3, *Mobility/Circulation*, states:

> *A complete and balanced multi-modal transportation system is critical to meeting the needs of all users of the city's streets, roads, and highways. This concept, outlined in Assembly Bill 1358 (The California Complete Streets Act) and known as "complete streets," is an integral part of the Mobility/Circulation Element. The complete streets concept ensures that the needs of motorists, commercial goods users, bicyclists, transit users, pedestrians, and the disabled are met by accommodating all roadway users with a range of transportation choices.*

Thus, the adopted La Habra General Plan addresses complete streets requirements. See Draft EIR Table 3.2-2 for an analysis of the Project's consistency with General Plan policies.

Safe routes to school, while an important issue, is a planning consideration that is not addressed in CEQA Guidelines, nor is it included in the environmental effects outlined in Appendix G. Because safe routes to school is not part of a CEQA threshold, it is not addressed in the EIR.

Commencing on Draft EIR page 3.2-8, the Draft EIR does, in fact analyze consistency with the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). In that analysis, the Draft EIR concludes that the Project would be inconsistent with a goal and several policies of the Southern California Association of Governments (SCAG) 2016 RTP/SCS. Since these inconsistencies are reflected in significant unavoidable air quality, GHG (total annual emissions), and traffic impacts, impacts related to inconsistencies with the 2016 RTP/SCS were determined to be significant and unavoidable.

GHG emissions are evaluated in Partially Recirculated Draft EIR Section 3.9.

"Green streets" is not part of a CEQA threshold and is therefore not addressed in the EIR except in relation to consistency with General Plan policies.

FOUST-2-11 As required by CEQA Guidelines, the Draft EIR and the Partially Recirculated Draft EIR both contain an Executive Summary (Chapter ES).

FOUST-2-12 Comment FOUST-2-12 notes the existence of the adopted La Habra Hills Specific Plan from which the applicant proposes to remove the Rancho La Habra Specific

Plan area. This comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FOUST-2-13 Both the Draft EIR and the Partially Recirculated Draft EIR include an executive summary that summarizes the analyses for each of the impact statements analyzed for Rancho La Habra. Both the Draft EIR and the Partially Recirculated Draft EIR are also organized by environmental issues. The tables of contents in both of these documents provide readers with easy access to environmental issues of interest.

Approximately 90 percent of the 9,000 pages of text referenced in the comment consists of technical studies and printouts of model runs from various traffic, noise, air quality, greenhouse gas technical studies. The large majority of the 2,000 pages of the traffic impact report for Rancho La Habra also consists of model run tables. The full traffic study, exclusive of appendices, included in Appendix H of the Partially Recirculated Draft EIR runs 346 pages.

FOUST-2-14 A one-page summary of the full Draft EIR would be rightfully criticized for not providing an adequate description of the Project or its impacts and mitigation measures. The Draft EIR includes an executive summary that summarizes the analyses for each of the impact statements analyzed for Rancho La Habra and includes all required mitigation measures. The Draft EIR is also organized by environmental issue. The Draft EIR's table of contents provides readers with easy access to environmental issues of interest.

FOUST-2-15 As noted above, approximately 90 percent of the 9,000 pages of text referenced in the comment consists of technical studies and printouts of model runs from various traffic, noise, air quality, and GHG technical studies. A full understanding of the Project and its environmental effects can be gained from review of the Draft EIR as modified by the Partially Recirculated Draft EIR.

FOUST-2-16 The Draft EIR and the Partially Recirculated Draft EIR include an executive summary that summarizes the analyses for each of the impact statements analyzed for Rancho La Habra and includes all required mitigation measures. The Draft EIR and the Partially Recirculated Draft EIR are also organized by environmental issue. The Draft EIR's table of contents provides readers with easy access to environmental issues of interest. A full understanding of the Project and its environmental effects can be gained from review of the Draft EIR as modified by the Partially Recirculated Draft EIR.

FOUST-2-17 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-18 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-19 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-20 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-21 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-22 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-23 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-24 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-25 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-26 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-27 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-28 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-29 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-30 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-31 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-32 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-33 In 2009, as part of the regulatory approval process for construction of the existing golf course, a deed restriction was recorded that covered approximately 11.43 acres of "Conservation Area" distributed in various locations within the golf course property (see Partially Recirculated Draft EIR Figure 2-11) to provide mitigation in perpetuity for impacts on 4.55 acres of mulefat scrub habitat caused by construction of the Westridge community and golf course pursuant to the La Habra Hills Specific Plan. The applicant for the proposed Rancho La Habra Specific Plan is requesting that the California Department of Fish and Wildlife vacate existing deed restrictions that were previously established on the Project site and approve a new Streambed Alteration Agreement.

FOUST-2-34 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 effects when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" (CEQA Guidelines Section 15093). CEQA requires that, when a lead agency approves a project that will result in the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency must state in writing the specific reason to support its actions based on the Final EIR and/or other information in the record. The statement of

overriding considerations is required to be supported by substantial evidence in the record.

Following completion of the City's planning and environmental review process, including completion of public hearings, should the City Council wish to consider approval of the Project or approval with modifications to the Project, it would be required to:

- Adopt a "statement of overriding considerations" that recognizes these significant unavoidable impacts and balances the benefits of the Project against its significant and unavoidable impacts; and
- Determine that the Rancho La Habra Specific Plan and the La Habra Hills Specific Plan as it is proposed to be amended are consistent with the City of La Habra General Plan as it is proposed to be amended.

FOUST-2-35 This comment questions whether the City Council would have approved the original La Habra Hills project had that project included the currently proposed Rancho La Habra residential development rather than the golf course. Conjecture as to what a past City Council might have done with a different development proposal than the original La Habra Hills project raises no substantive environmental issues regarding the adequacy of the Rancho La Habra Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-36 This comment uses the history of the West Coyote Hills project in the City of Fullerton to question whether the City of La Habra could or should approve Rancho La Habra. Such conjecture raises no substantive environmental issues regarding the adequacy of the Rancho La Habra Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-37 Statements made by the applicant in a mailer regarding the continued operation of the existing golf course or what might occur in the future raise no substantive environmental issues regarding the adequacy of the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-38 The purpose of the EIR is to evaluate the physical environmental effects of the Project proposed by the applicant. Information about whether the existing golf course is "booming" or "failing" and the number of rounds per year being played on the golf course is relevant only to establishing a baseline for analysis of the Project's impacts. Estimates of traffic generation from the existing golf course were updated (see Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR).

FOUST-2-39 The purpose of the EIR is to evaluate the physical environmental effects of the Project proposed by the applicant. The current and potential future value of the property is not relevant to the evaluation of the physical environmental effects of proposed development. The comment therefore raises no substantive environmental issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-40 Ongoing efforts in the City of Fullerton related to purchase of the West Coyote Hills site in whole or in part with its approved development are not relevant to evaluation of the physical environmental effects of the proposed Rancho La Habra project. The comment therefore raises no substantive environmental issues regarding the adequacy of the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-41 Comment FOUST-2-41 expresses the commenter's opinion regarding potential purchase of the Project site and raises no substantive environmental issues regarding the adequacy of the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-42 The purpose of the EIR is to evaluate the physical environmental effects of the Project proposed by the applicant. The current and potential future value of the property is not relevant to the evaluation of physical environmental effects. The comment therefore raises no substantive environmental issues regarding the adequacy of the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-43 Comment FOUST-2-43 expresses the commenter's opinion regarding potential litigation and raises no substantive environmental issues regarding the adequacy of the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-44 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR. See Section 2.1.2, Responses to Comments from Members of the Public, Response to Comment FOUST-4 for discussion of traffic impact fees and modification of EIR Mitigation Measure TRA-1.2 to address any potential shortfall in mitigation fees.

FOUST-2-45 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR. See Section 2.1.2, Responses to Comments from Members of the Public, Response to Comment FOUST-4, for discussion of traffic impact fees and

modification of EIR Mitigation Measure TRA-1.2 to address any potential shortfall in mitigation fees.

FOUST-2-46 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-47 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-48 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-49 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-50 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-51 The California Department of Fish and Wildlife (CDFW) is identified in the EIR as a Responsible Agency. The CDFW, not the City of La Habra, has the authority to approve or not approve the applicant's request to vacate existing deed restrictions that were previously established on the Project site and approve a new Streambed Alteration Agreement. See Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, for an updated discussion of biological resources associated with the existing deed restriction.

FOUST-2-52 See Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, for discussion regarding vacating the existing deed restriction.

FOUST-2-53 The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-54 See Section 2.1.2-15, Response to Comment FOUST-14, for discussion of the methodology used to determine the significance of Project impacts. The Rancho La Habra traffic impact analysis was updated and can be found in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

FOUST-2-55 As discussed in Section 2.1.2-15, Response to Comment FOUST-1, CEQA Guidelines Section 15064.3 permits lead agencies to choose whether or not to undertake analysis of vehicle miles traveled (VMT) in CEQA documents distributed for public review prior to July 1, 2020. The City of La Habra chose not to undertake analysis of VMT as a separate environmental impact because (1) the physical effects of the Project's increased VMT were already being addressed in the Partially Recirculated Draft EIR's analysis of mobile source air quality, GHG, and energy impacts; and (2) methodologies, analytical tools, and thresholds for the analysis of VMT impacts were still under consideration by La Habra and other northern Orange County communities,.

FOUST-2-56 Response to Comment FOUST-2-56 raises no substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-57 Comment FOUST-2-57 raises no substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

FOUST-2-58 Comment FOUST-2-58 raises no substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:20:25 PM Pacific Daylight Time

Subject: FW: please save westridge golf course
Date: Monday, April 2, 2018 at 9:24:55 PM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Roy Ramsland, William Kelly, christinek@ka-mg.com, Lloyd Zola
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Men Long <menlong01@gmail.com>
Sent: Monday, April 2, 2018 9:24 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: please save westridge golf course

Dear Andrew

LONG-1 I am a resident in the Hawk Pointe Neighborhood, which is next to the Westridge of La Habra. I am shocked to know that the city is entertaining the idea of turning the environment-friendly gold course into 400+ new homes per the request from a greedy developer. I am writing this email to you from a private citizen vantage point---this kind of plan is a disaster for the city in long-term impact. It is a bad deal!!!

Please stop the plan. Thank you for your consideration!

Yours truly,
Men Long

36. Response to Comments from Men Long (4-2-2018)

LONG-1 Comment LONG-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:21:06 PM Pacific Daylight Time

Subject: Fwd: New housing development
Date: Tuesday, April 3, 2018 at 8:19:44 AM Pacific Daylight Time
From: Andrew Ho
To: williamk@ka-mg.com, Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, christinek@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Kathleen Vaughan <kathleen.vaughan@biola.edu>
Date: April 3, 2018 at 8:01:06 AM PDT
To: <andrewh@lahabraca.gov>
Subject: New housing development

VAUGHAN-1

I live in La Mirada , off of Beach Blvd. but go to church and do my major shopping in La Habra. Please do not add more congestion to Beach Blvd. by adding more housing to Westridge. The traffic is already bad and the coyote problems we have been having will only get worse. This area is already populated enough. I am sure that those living in the homes about the golf course would not appreciate having to look down on someone else's back yard. We have already noticed an increase of traffic traveling North on Beach since the large apartment complex north of Imperial was completed. The idea of 400+ houses in the area is very disconcerting. We have to live and travel in the area. If it becomes more populated there is a good chance I would shop more in Fullerton or Whittier. Thank you for your consideration.
Kathleen Vaughan

Sent from my iPhone

37. Response to Comments from Kathleen Vaughan (4-3-2018)

VAUGHAN-1 Comment VAUGHAN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Changes in the visual character of the site that would occur as part of the Project are analyzed in Draft EIR Section 3.4, *Aesthetic Resources*. See response to Comment KCKIM-4 for discussion regarding coyote habitat.

Andrew Ho

From: JOSEPHINE RIVERA <jerrynjoanne1@yahoo.com>
Sent: Tuesday, April 3, 2018 8:13 AM
To: Andrew Ho
Subject: No new planning for construction

RIVERA-1 Mr. Ho ; I am a long time resident, 37 yrs in La Mirada, & my family does not want any more new construction. traffic/pollution, as well as more people in stores/schools. We have too much congestion from Fullerton & Buena Park on the streets from commuters/shoppers.
We enjoy seeing open land all these years for the view and a place for animals to live & survive peacefully.
Jerry & Joanne Rivera

38. Response to Comments from Josephine Rivera (4-3-2018)

RIVERA-1 Comment RIVERA-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Biological resources issues are addressed in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*.

City Manager Andrew Ho 귀하

안녕하십니까.

Westridge Community 주민입니다

Zoning change를 통해 Westridge Golf course에 주택을 짓는다는 안에 대해 다음과 같은 이유로 반대합니다

1 골프장을 없애는 것은 우리 지역의 숲과 초지가 사라지는 환경 파괴 행위입니다,

2. 골프장을 없애고 주택 400채 이상을 건설함으로써 초래될 대기 오염, 교통 체증, 생활 오수와 쓰레기 발생등으로 인해 지역 주민의 건강 및 행복 추구권이 박탈됩니다

3. 최상의 환경을 우리 다음 세대에게 넘겨줘야 하는 우리 세대의 의무와 책임을 다해야합니다. 지금 Westrige golf course를 없앤다면 그 피해는 우리 다음 세대까지 계속 이어질 것입니다,

CHUN-PARK-1

따라서 Westridge golf course의 Zoning Change를 단호히 반대하며 EIR Response Due date 4/11/2018은 너무 촉박하여 이를 충분히 늦출 것을 요구합니다. 또한 영문으로 작성된 방대한 양의 EIR을 이해하는데 어려움이 있으니 Korean Languge로 작성된 EIR 요약본을 배포할 것을 바랍니다.

Youngil, Chun

Mi Ryong, Park

1451, W. Boros Ct, La Habra, CA 90631

39. Response to Comments from Youngil Chun and Ryong Park (4-3-2018)

CHUN-PARK-1 This comment letter was provided to the City in Korean. City policy is to provide all official documents in English and not to attempt to translate CEQA documents, including EIR comment letters, into other languages. The comment preparer was informed of this policy and did not provide their comments in English.

Thursday, May 17, 2018 at 3:32:35 PM Pacific Daylight Time

Subject: Fwd: NO MORE HOME BUILDS!!
Date: Tuesday, April 3, 2018 at 10:08:29 AM Pacific Daylight Time
From: Andrew Ho
To: williamk@ka-mg.com, Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com, christinek@ka-mg.com

FYI

Sent from my iPhone

Begin forwarded message:

From: Jonisa Avichouser <avichouser@msn.com>
Date: April 3, 2018 at 10:06:03 AM PDT
To: "andrewh@lahabraca.gov" <andrewh@lahabraca.gov>
Subject: NO MORE HOME BUILDS!!

AVICH-1 NO MORE NEW BUILDING OF HOMES IN LA HABRA!!!!! THE TRAFFIC IS UNBEARABLE AND OUR ROADS ATROCIOUS!!!!! MOST FAMILIES CAN'T AFFORD TO LIVE HERE AND THEY END UP LIVING MULTIPLE FAMILIES TO A SINGLE FAMILY RESIDENCE!! THIS CAUSES PARKING AND TRAFFIC PROBLEMS! WE LIVE IN A COMMUNITY ABOVE APARTMENT BUILDINGS AND THEY END UP PARKING ON OUR STREETS 3-4 BLOCKS UP AND LEAVE THEIR TRASH AND DIRTY DIAPERS IN OUR GUTTERS! THIS HAS TO STOP!!!!

PLEASE TAKE THIS SERIOUSLY!!

Chris & Jonisa Avichouser
La Habra, Ca. 90631
562.286.9300 efax
avichouser@msn.com

40. Response to Comments from Chris and Jonisa Avichouser (4-3-2018)

AVICH-1 Comment AVICH-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 3:33:29 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Wednesday, April 4, 2018 at 9:51:13 AM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, ggiovinco@rwglaw.com, 'William Kelly', christinek@ka-mg.com, Lloyd Zola

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Juan Guerrero <juanfunk@hotmail.com>
Sent: Tuesday, April 3, 2018 6:00 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: juanfunk@hotmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

GUER-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

GUER-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

GUER-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

GUER-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Juan Guerrero
321 Sandlewood Avenue, La Habra, CA 90631

41. Response to Comments from Juan Guerrero (4-3-2018)

GUER-1 Comment GUER-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

GUER-2 Comment GUER -2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

GUER-3 Comment GUER -3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

GUER-4 Comment GUER-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:34:09 PM Pacific Daylight Time

Subject: FW: Regarding Westreidge golf course
Date: Wednesday, April 4, 2018 at 9:52:31 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, 'williamk', christinek@ka-mg.com, Roy Ramsland, Lloyd Zola
Attachments: image001.jpg, image002.jpg

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Sun Yun <sun@designnqc.com>
Sent: Tuesday, April 3, 2018 11:20 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Regarding Westreidge golf course

Dear Andrew Ho,

YUN-1 Please do not allow to build 400 + houses at Westridge golf course.
Current traffic on beach blvd is getting worse…
We do not want to have more cars on beach blvd and imperial highway.

Please please do not give up our green environment.

Best regards
Sun Yun.

42. Response to Comments from Sun Yun (4-3-2018)

YUN-1 Comment YUN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 3:37:48 PM Pacific Daylight Time

Subject: FW: No to La Habra Housing
Date: Wednesday, April 4, 2018 at 4:08:55 PM Pacific Daylight Time
From: Andrew Ho
To: 'williamk@ka-mg.com', christinek@ka-mg.com, Roy Ramsland, ggiovinco@rwglaw.com, Lloyd Zola
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Lalaine Lim <lalaine.lim1@gmail.com>
Sent: Wednesday, April 4, 2018 1:52 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: No to La Habra Housing

Hi Andrew,

LLIM-1 I want to let you know that as a resident of La Mirada, I am opposed to the City of La Habra to build 400 more homes. La Habra and the neighboring cities are already heavily populated. This will create more traffic nightmares and along with that, more crime in these cities. I vote NO!!

Thank you for your time.

Lalaine

43. Response to Comments from Lalaine Lim (4-4-2018)

LLIM-1 Comment LLIM-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. There is no evidence that the Project would result in crime rates greater than those existing within the City of La Habra. Impacts on law enforcement services are addressed in Draft EIR Section 3.15, *Public Services and Facilities*.

Thursday, May 17, 2018 at 3:38:16 PM Pacific Daylight Time

Subject: FW: Rancho La Habra
Date: Wednesday, April 4, 2018 at 4:09:47 PM Pacific Daylight Time
From: Andrew Ho
To: 'williamk@ka-mg.com', ggiovinco@rwglaw.com, christinek@ka-mg.com, Roy Ramsland, Lloyd Zola
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Chris Pinzon <chris.pinzon@gmail.com>
Sent: Wednesday, April 4, 2018 2:17 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Rancho La Habra

PINZON-1 Mr. Ho, I'm writing to express my support of the Rancho La Habra development. The number one crisis facing California is the housing crisis. The only long-term solution to that crisis is to increase the supply of housing. Unfortunately, every time a new housing development is proposed, NIMBYism rears its ugly head, as is the case with Rancho La Habra. I urge you and the City Council to resist those voices. They are rooted in promoting the self-interest of a small but vocal minority over the interests of the community as a whole.

PINZON-2 Rancho La Habra is a smart development. It will be a boon for the community, both in terms of parks and trails, but also in terms of economic stimulus for local businesses benefiting from the influx of middle and upper-middle class consumers. Those new dollars flowing into local businesses will create new jobs for existing residents, and more choices for local consumers. It's also environmentally responsible. And through it La Habra will contribute to solving the housing crisis. I urge you and the City Council to support it.

Sincerely,
Christopher Pinzon

44. Response to Comments from Christopher Pinzon (4-4-2018)

PINZON-1 Comment PINZON-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

PINZON-2 Comment PINZON-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:39:06 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Wednesday, April 4, 2018 at 4:12:35 PM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, Roy Ramsland, 'williamk@ka-mg.com', christinek@ka-mg.com

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Frank Miramontes <Daddylovesjalyssa@gmail.com>
Sent: Wednesday, April 4, 2018 3:24 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: Daddylovesjalyssa@gmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

MIRAM-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

MIRAM-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

MIRAM-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

MIRAM-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Frank Miramontes
1550 Via Los Altos

45. Response to Comments from Frank Miramontes (4-4-2018)

MIRAM-1 Comment MIRAM-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MIRAM -2 Comment MIRAM-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MIRAM -3 Comment MIRAM-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MIRAM -4 Comment MIRAM-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:39:43 PM Pacific Daylight Time

Subject: FW: Rancho La Habra Housing
Date: Thursday, April 5, 2018 at 8:41:11 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, Roy Ramsland, 'williamk@ka-mg.com', christinek@ka-mg.com
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: yogi amin <yogiamin@hotmail.com>
Sent: Wednesday, April 4, 2018 8:27 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Rancho La Habra Housing

Andrew,

AMIN-1 I believe growing population needs new Homes. I agree for new housing in Westridge golf course but not so many (420 homes). Plan to allow 200 homes and remaining open land for environment support and Traffic control/

Thanks
Yogi Amin

46. Response to Comments from Yogi Amin (4-4-2018)

AMIN-1 Comment AMIN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:40:23 PM Pacific Daylight Time

Subject: FW: Project for Westridge Golf Course
Date: Thursday, April 5, 2018 at 8:42:52 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Roy Ramsland, 'williamk@ka-mg.com', christinek@ka-mg.com, Lloyd Zola
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Elizabeth Kim <ekim3080@gmail.com>
Sent: Wednesday, April 4, 2018 9:39 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: Elizabeth Kim <ekim3080@gmail.com>
Subject: Project for Westridge Golf Course

Dear Mr. Ho,

I am a resident at Hawks Point, a community located right next to Westridge.
I recently learned that there will be a possible project to develop over 400 houses in the Westridge gold course area.

EKIM-1 As a neighbor who lived in the same area for over 15 years, I have a great concern about that.
The new project will dramatically change our peaceful and beautiful environment in a very negative way. I do not think I have to tell you what they will be. I am strongly oppose to the project.

Thank you, in advance, for your consideration regarding this matter.

Sincerely,

Elizabeth Kim
3080 Sage View Court, Fullerton, CA

47. Response to Comments from Elizabeth Kim (4-4-2018)

EKIM-1 Comment EKIM-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:40:57 PM Pacific Daylight Time

Subject: FW: Hacienda/ Whittier Bl redevelopment and Westridge replacement plan
Date: Thursday, April 5, 2018 at 10:38:23 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, christinek@ka-mg.com, 'williamk@ka-mg.com', Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Anne Green <amhere123@hotmail.com>
Sent: Thursday, April 5, 2018 10:06 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Hacienda/ Whittier Bl redevelopment and Westridge replacement plan

GREEN-1 Dear Mr. Ho, we live off of Hacienda above Whittier Bl. We are greatly concerned about the traffic impact going south on Hacienda Rd as we are already in a congestion nightmare during busy times of the day. Now, with the new development nearly being completed and their traffic flow running out onto Hacienda, it will trap us as this road is our only access in or out of our tract. This is a safety issue. We thought a new lane would be installed and it's not. What is being done for traffic here? Also, with the new upsurge of cities jumping on board with developing 3 to 4 story vertical living condos and building new home tracts over what little greenery we have left in our city (Westridge)... sometimes getting more tax revenue doesn't outweigh the safety and living conditions of it's residents. More overwhelming traffic, more water usage, pollution, the loss of green land, etc. Please hear us and stop the tax greed. La Habra city will end up being a city to move away from. Thank you for your consideration. - Anne Green

48. Response to Comments from Anne Green (4-5-2018)

GREEN-1 Comment GREEN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Water supply issues are addressed in Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*. Air Quality issues are addressed Partially Recirculated Draft EIR Section 3.8, Air Quality. Loss of open space is addressed in Draft EIR Section 3.4, *Aesthetic Resources*, and Section 3.16, *Recreational Resources*.

RE: Proposed homes at Westridge Golf Course 04/05/2018

La Habra, Ca. 90631

MEDECK-1 I have been a resident of La Habra for many years and have concerns for the proposed development of Westridge Golf Course. The first concern is my understanding that Standard Pacific Homes which is currently in escrow on the purchase of the land has announced its merger with rival Ryland Group *(Ref. Orange County Register; Jeff Collins; 09/14/2015)*. This merger will create one of the nation's largest homebuilding company and as we have seen in the past when you have a colossus in any industry, its focus is on revenue and profitability.

MEDECK-2 Second; with the proposed purchase of this land it has been announced that the golf course will be leased back to the privately owned golf course until a development plan is approved. This course of action is "A" typical of a hostile taking of public land for the purpose of development and profit.

MEDECK-3 Third; the proposed land albeit approved for public use was heavily mined and drilled for oil and petroleum extraction. In order for that same land to be approved for residential development, millions of dollars will be spent to gain EPA approval for development *(Ref. Rancho La Habra EIR Appendix M Phase 1 ESA and Soil Management Plan File 1 of 2 Dated 04/15/2016 Sec. 3.7.4,5,6 and Sec 6.0*). I find it hard to believe that this cost will be solely absorbed by Standard Pacific/Ryland, I see our city absorbing some of this cost over years which will effect city taxes and utilities.

MEDECK-4 Fourth: Residence over the years have seen raise scales for most city provided utilizes. With increased population/usage most of the city provided utilities have been strained resulting in outside resources to be added as well as redevelopment or improved services to meet the ever increasing demand. In addition to the current home development happening now, this proposed development will take our resources to a near breaking point. Our police, fire and other community services will need to grow which will increase operating cost for our city resulting in more taxes. Our roads and limited commercial retail will be strained as well. Most La Habra residence leave our city limits to shop for their

MEDECK-5 needs, the city has done a poor job of providing quality retail resources to its residence. Our roads are a mess, our

MEDECK-6 residence experience poor road conditions, congestion and residential usage increase *(Ref. Rancho La Habra EIR Appendix H Traffic Impact Analysis File 1 of 2 (Dated 09/11/2017) Sec. 18 ((Source of "Current Conditions" were based on data collected in 2014,15)).*

MEDECK-7 Five; the proposed 420 home development which boast 145 townhomes, 275 detached homes and 82 "gated" homes, 39 acres of "open space" and walking areas will not be fully utilized by the eastern, southern and northern portion of our city. I have seen that due to limited parking, and accessibility for these services residence to not wonder far from home to relax.

MEDECK-8 Conclusion; I frequent our surrounding communities (Whittier, Brea) for much of my retail needs. I have always considered Brea as a "Gold Standard" for city development. Brea has found a balance of quality retail, residential and commercial usage. Our city development plan and Planning Commission need to take a different approach to our development. Our residential to retail proportions are out of balance, as a result the city is missing out on much needed revenue. I have applied for our City Planning Commission (to no avail) with this in mind. In my little world of friends and neighbors here on Greenwood Ave. many I talk to are considering leaving this city. I would ask our City Manager, Planning Commission and City Council to look carefully at the impacts, profits/loss and sustainability to this proposed development.

Sincerely;

Bruce Medeck
140 E. Greenwood Ave.
(562) 690-8903
Paramedeck2001@yahoo.com

49. Response to Comments from Bruce Medeck (4-5-2018)

MEDECK-1 Comment MEDECK-1 expresses the commenter's opinion regarding the merger of Ryland Homes and Standard Pacific Homes to form CalAtlantic. This comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Subsequent to the merger, CalAtlantic was purchased by the home builder Lennar, which is the current applicant for the Rancho La Habra Specific Plan.

MEDECK-2 Comment MEDECK-2 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The golf course, while it is open to the public, is privately owned and operated. Thus, purchase of the golf course would be a private real estate transaction and not a taking of public land. As stated in the EIR Project Description, the existing Westridge Golf Club would be closed should the City Council ultimately approve the proposed Rancho La Habra Specific Plan and other proposed development applications.

MEDECK-3 The existing site is approved for operation of a privately owned and operated golf course. Approval of the Soils Management Plan needed to address on-site contaminated soils from past oil production operations rests with the Orange County Health Department and not the state or federal Environmental Protection Agency. No City funds will be expended for site preparation, development, or Project infrastructure.

MEDECK-4 Public services and utilities are addressed in Draft EIR Section 3.15, *Public Services and Facilities*, and Section 3.17, *Utilities, Services Systems and Water Supply*. Comment MEDECK-4 does not provide evidence, and the findings of the EIR do not substantiate, that resources would be taken "to a near breaking point." Pursuant to the requirements of CEQA, the purpose of an EIR is to address physical environmental impacts. Thus, fiscal impacts are not generally addressed in CEQA documents unless a project's fiscal impact would cause a physical environmental impact. Comment MEDECK-4 does not provide evidence that the Project would increase City taxes or that a physical environmental effect would result from any fiscal effects of the Project.

MEDECK-5 Comment MEDECK-5 expresses the commenter's opinion regarding availability of retail businesses within the City and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The existing Westridge community and the Rancho La Habra site are adjacent to the large-scale Westridge Plaza shopping center.

MEDECK-6 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

MEDECK-7 Comment MEDECK-7 expresses the commenter's opinion regarding who would use the proposed parks, open space areas, and trails within Rancho La Habra and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MEDECK-8 Comment MEDECK-8 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Monday, May 14, 2018 at 10:16:49 AM Pacific Daylight Time

Subject: FW: Rancho La Habra Housing
Date: Thursday, April 5, 2018 at 3:56:52 PM Pacific Daylight Time
From: Andrew Ho
To: christinek@ka-mg.com, 'williamk@ka-mg.com', ggiovinco@rwglaw.com, Roy Ramsland, Lloyd Zola

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Adriana Rivera <adrianaoelrivera@sbcglobal.net>
Sent: Thursday, April 5, 2018 1:22 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Rancho La Habra Housing

Hello,

ARIVERA-1

I am writing to let you know I am against this development that is being proposed near Beach and Imperial. I live in the city, I own property in the city and pay taxes, many residents also feel this is a bad idea to build these homes in La Habra. Currently, traffic is a mess on Imperial! The turn signal to get into Beach takes forever and you have to go through a few cycles. We don't need more traffic in this area. Where will these kids go to school? With all the last rounds of development we were supposed to get dog parks, sports fields and none of that has been done. City council needs to listen to the people of this city not the developers. The city isn't hurting for money and if it is it is due to bad budgeting.

Sincerely,
Adriana Rivera

Sent from my iPhone

50. Response to Comments from Adriana Rivera (4-5-2018)

ARIVERA-1 Comment ARIVERA-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Analysis of impacts on schools is provided in Section 3.15, *Public Services and Facilities*, of the Draft EIR.

Thursday, May 17, 2018 at 3:44:07 PM Pacific Daylight Time

Subject: FW: Homes on golf course
Date: Thursday, April 5, 2018 at 4:48:39 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, christinek@ka-mg.com, 'williamk@ka-mg.com', Roy Ramsland, ggiovinco@rwglaw.com

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Peggy Swain <oldladyswain@yahoo.com>
Sent: Thursday, April 5, 2018 4:18 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Homes on golf course

Andrew,

SWAIM-1 I am writing in regard to the proposed building of 400 homes on the golf course. We are totally against it. We have lived in LaHabra for 40 yrs and the traffic has been getting worse since the apartments were built on Beach and also the Costco and now you want to add more traffic to Beach Blvd.
we have a hard time turning right or left out of Merced onto Beach now it will be impossible with the addition of the new homes. We will have to go through our tract and exit out of Martinez onto lambert then turn onto Beach. That's not fair to the people that live in our area. Please reconsider building on the golf course.

Thank You,
Glenn and PEGGY Swain

Sent from my iPhone

51. Response to Comments from Glenn and Peggy Swain (4-5-2018)

SWAIN-1 Comment SWAIN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 3:44:51 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Monday, April 9, 2018 at 9:26:01 AM Pacific Daylight Time
From: Andrew Ho
To: 'williamk@ka-mg.com', christinek@ka-mg.com, ggiovinco@rwglaw.com, Roy Ramsland, Lloyd Zola

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Susan Miller <Susan@video1us.com>
Sent: Friday, April 6, 2018 8:23 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: Susan@video1us.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

MILLER-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

MILLER-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

MILLER-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

MILLER-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Susan Miller

52. Response to Comments from Susan Miller (4-6-2018)

MILLER-1 Comment MILLER-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MILLER-2 Comment MILLER-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MILLER-3 Comment MILLER-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MILLER-4 Comment MILLER-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 3:45:28 PM Pacific Daylight Time

Subject: FW: Housing on west ridge golf course
Date: Monday, April 9, 2018 at 9:28:48 AM Pacific Daylight Time
From: Andrew Ho
To: christinek@ka-mg.com, 'williamk@ka-mg.com', Lloyd Zola, ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Rae Cabral <rcabral08@ymail.com>
Sent: Saturday, April 7, 2018 8:56 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Housing on west ridge golf course

Hi

CABRAL-1 I am a resident of La Habra. Instead of impacting our small city to begin with, with even more people and houses I think we need a nice big park, maybe with a pool (city plunge) or a dog park, with a playground around it. Something clean and safe to get our kids outside. I would love that, not more houses. We have enough already new ones in beach, whiter now by where city hall was. Enough is enough I want to see more parks, pools and dog parks. Thank you for your time.

RaeAnn Cabral
La Habra resident

53. Response to Comments from RaeAnn Cabral (4-7-2018)

CABRAL-1 Comment CABRAL-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:13:30 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Monday, April 9, 2018 at 9:30:08 AM Pacific Daylight Time
From: Andrew Ho
To: christinek@ka-mg.com, 'williamk@ka-mg.com', Roy Ramsland, Lloyd Zola, ggiovinco@rwglaw.com

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Mary Elizabeth <maryelizabeth2nd@gmail.com>
Sent: Sunday, April 8, 2018 4:09 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: maryelizabeth2nd@gmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

ELIZ-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

ELIZ-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

ELIZ-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

ELIZ-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Mary Elizabeth

54. Response to Comments from Mary Elizabeth (4-8-2018)

ELIZ-1 Comment ELIZ-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

ELIZ-2 Comment ELIZ-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

ELIZ-3 Comment ELIZ-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

ELIZ-4 Comment ELIZ-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:14:06 PM Pacific Daylight Time

Subject: FW: Stop the home building at Westridge
Date: Monday, April 9, 2018 at 5:35:04 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, christinek@ka-mg.com, 'williamk', ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Jocelyn <intuitive2003@yahoo.com>
Sent: Sunday, April 8, 2018 4:10 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Stop the home building at Westridge

JOCELYN-1 We live at the street of Idaho and Sandalwood and La Habra. Making more homes is going to cause the already congested area to be unperceivable.

There's already accidents at the corner there's already a major congestion with Imperial school down the street. People are racing down in Idaho and getting an accident. Causing more congestion, pollution, and an influx of inundation of people in our community is not answer. Make it a park or an entertainment type of Center to get money in to pay for taxes. This needs to be stopped.

Thank you very much.
Jocelyn s

Sent from Yahoo Mail on Android

55. Response to Comments from Jocelyn S. (4-8-2018)

JOCELYN-1 Comment JOCELYN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 4:14:38 PM Pacific Daylight Time

Subject: FW: Stop building at Westridge
Date: Monday, April 9, 2018 at 5:36:06 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, christinek@ka-mg.com, 'williamk', ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
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Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: JS <intuitive2013@gmail.com>
Sent: Sunday, April 8, 2018 4:12 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Stop building at Westridge

SUN-1 I live in La Habra off of Imperial and Idaho. We need to stop this proposition of building homes in that area at Westridge Golf course. We're already inundated with congestion and traffic and accidents as it is.

People have already been held up at gunpoint driving their kids to school. We already have enough to take care of in this area without more congestion, and more pollution and more people.

Keep La Habra safe and keep it small and build a park there for people and make them pay to get in. That's what we need.

Thank you sincerely,

Sun

56. Response to Comments from J. Sun (4-8-2018)

SUN-1 Comment SUN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 4:20:50 PM Pacific Daylight Time

Subject: FW: Westrdige building stop
Date: Monday, April 9, 2018 at 5:36:54 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, christinek@ka-mg.com, 'williamk', ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Jocelyn Jaffray <jocelynjaffraybooks@gmail.com>
Sent: Sunday, April 8, 2018 4:13 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Westrdige building stop

JAFFRAY-1 I understand that the city wants to use the proximity of Westridge Golf Course accordingly. The building more homes is not necessary. There's already enough homes of enough apartments in the area.

JAFFRAY-2 Build a dog park or a skate park or something useful where people can come and pay. Don't cause more congestion more traffic or accidents more fights more problems in the area. Along with more congestion and pollution is going to cause nothing but more havoc in our small little town. Make a wise decision and turn into something great as opposed to having more homes. That just going to end up causing more problems in the long run.

Thank you.

Jaffray

57. Response to Comments from Jocelyn Jaffray (4-8-2018)

JAFFRAY-1 Comment JAFFRAY-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JAFFRAY-2 Comment JAFFRAY-2 expresses the commenter's opinion regarding the types of uses that should be considered for the Project site and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 4:21:31 PM Pacific Daylight Time

Subject: FW: Westridge
Date: Monday, April 9, 2018 at 5:37:53 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, christinek@ka-mg.com, 'williamk', ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Terry Garrity <donutdogus@yahoo.com>
Sent: Sunday, April 8, 2018 5:32 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Westridge

GARRITY-1 Leave it alone!!!!! This area is suffering from over crowded streets and shopping centers we don't need 402 more homes the only ones benefitting from this are the developers. What about residents who bought homes on a golf course? They got screwed huh???? We're all full here no more housing.

Sent from Yahoo Mail on Android

58. Response to Comments from Terry Garrity (4-8-2018)

GARRITY-1 Comment GARRITY-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:22:04 PM Pacific Daylight Time

Subject: FW: Stop building homes at Westridge
Date: Monday, April 9, 2018 at 5:39:00 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, ggiovinco@rwglaw.com, 'williamk', christinek@ka-mg.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: jean Eden <penrosequill@yahoo.com>
Sent: Sunday, April 8, 2018 9:54 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Stop building homes at Westridge

Hello

EDEN-1 We live at the street of Idaho and Sandalwood and La Habra. Making more homes is going to cause the already congested area to be incomprehensible.

There are already accidents at the corner there's already a major congestion with Imperial school down the street. People are racing down in Idaho and getting an accident. Causing more congestion, pollution, and an influx of inundation of people in our community is not answer.

Please Make it a park or an entertainment type of Center to get money in to pay for taxes. This needs to be stopped.

Thank you very much.
Jean E.

Sent from Yahoo Mail on Android

Sent from Yahoo Mail on Android

59. Response to Comments from Jean Eden (4-8-2018)

EDEN-1 Comment EDEN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Thursday, May 17, 2018 at 4:23:16 PM Pacific Daylight Time

Subject: FW: The Westridge Golf Course with 400+ homes
Date: Monday, April 9, 2018 at 5:43:47 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, 'williamk', christinek@ka-mg.com, ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Addie Rhee <addie4989@gmail.com>
Sent: Monday, April 9, 2018 10:09 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Re: The Westridge Golf Course with 400+ homes

Atten To: Andrew Ho

This is Addie Rhee.
I don't agree to build more homes in Westridge Golf Course. My home is 13841 Monterey Ln, La Mirada WHERE IS VERY NEARBY WESTRIDGE GOLF COURSE.
The reasons're followed.
1. The traffic noise (Beach Blvd) is currently terrible and my ears hurt already all the time.(TO PREVENT TRAFFIC NIGHTMARES)
I don't want the HEAVIER TRAFFIC AND NOISE.
2. TO PROTECT MORE CRIME
3. TO PROTECT MY PROPERTY VALUE
4. TO STOP OVERCROWDING OF SCHOOLS & STORES
5. TO MAINTAIN OUR EXCLUSIVE COMMUNITY
6. TO PREVENT ENVIRONMENTAL HARM
7. TO KEEP THE SUBURBAN LIFESTYLE
8. OVER - STRETCHING OF LIMITED CITY RESOURCES
I DON'T WANT CROWED CITY LIFE.

RHEE-1

Thank you. Have a great day!

Addie Rhee

60. Response to Comments from Addie Rhee (4-9-2018)

RHEE-1 Comment RHEE-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Noise is analyzed in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*. Draft EIR Section 3.15, *Public Services and Facilities*, addresses Project-related impacts on school facilities and law enforcement services.

CITY OF LA HABRA
RECEIVED
APR 09 2018
cc | CM | ✓ | Mayor
ACM | Council
Clerk | Attorney
cc:

Dear, Mayor Tim Shaw

BDCHOI-1 My Husband and I attended The public workshop for the Rancho La Habra Environmental impact Report on March 22nd, 2018. What we learned is that the many previously known issues still exist.

BDCHOI-2 The decision to make our home in Westridge Golf Course was based primarily on the beauty, aesthetics and health benefits of the Golf Course itself, These being the heavily promoted key features of the location, Building four hundred homes on this Course would decimate the Character that was and is an essential part of this Community as well as Causing a devastating impact to our property values.

BDCHOI-3 The build of the entire site is anticipated to take Six years, during which Westridge Community home owners would suffer noise, pollution, increased traffic, adverse impact to health as well as other negative biological results in the Community and Surrounding area.

BDCHOI-4 Traffic on Beach Bl. and imperial Highway are already at excessive levels. The traffic impact report findings were doubtful and there are no plans to make improvements of the 32 Surrounding intersections. Many of the intersections are outside of

BDCHOI-4 (CONT) La Habra so mitigation measures wouldn't be required, nor would they even be inclusive of the Westridge Community.

BDCHOI-5 Additionally, noise from Beach Boulevard is already highly audible. Construction noise levels are to be in excess of 60 decibles, for which noise barriers will then have to be constructed.
These will be unsightly and also create noise from their very build.

BDCHOI-6 Prehaps most importantly, site construction would unleash large volumes of pollutants, odor emissions, and greenhouse gas emissions. all of which could create very serious health risks such as allergies and even cancer.

BDCHOI-7 How will Lennar mitigate the degradation of Westridge home owners' health and well-being? If our families ultimately develop debilitating diseases or become victims of resulting increased crime, would Lennar be liable?

BDCHOI-8 "We remain strongly opposed to this Rancho La Habra golf course development project."

Thank you!
Sincerely

Dong & Byung D. CHOI.
2131 W. Snead st
La Habra, CA 90631

Dong H Choi
Byung D. Choi

61. Response to Comments from Dong and Byung Choi (4-9-2018)

BDCHOI-1 Comment BDCHOI-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BDCHOI-2 Comment BDCHOI-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BDCHOI-3 Comment BCHOI-3 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Construction-related noise impacts are addressed in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*, in relation to Threshold NOI-4.

Construction-related air quality impacts are addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, in relation to Thresholds AQ-2, AQ-3, and AQ-4.

Construction-related traffic impacts are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, in relation to Threshold TRA-1.

Construction-related health impacts are addressed in relation to Thresholds AQ-2 and AQ-4 in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, as well as Thresholds HAZ-2, HAZ-3, and HAZ-7 in Draft EIR Section 3.12, *Hazards and Hazardous Materials*.

Construction-related biological resources impacts are addressed in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, in relation to Thresholds BIO-1 through BIO-6.

BDCHOI-4 While Comment BDCHOI-4 asserts that the results of the traffic study prepared for Rancho La Habra were "doubtful," the comment provides no reference as to which findings were being questioned or why. The traffic study used in the Draft EIR was prepared by the firm of LLG, which has extensive expertise in the preparation of traffic impact analyses in northern Orange County. The study was peer-reviewed by and revised to the satisfaction of City Public Works Department staff and the City's contract traffic consultant, Grover Associates. The traffic study was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

BDCHOI-5 The noise analysis to which this comment refers was updated and is included in Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR.

BDCHOI-6 Construction-related air quality impacts are addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*. As stated in that section, compliance with South Coast Air Quality Management District (SCAQMD) rules and regulations in effect at the time of construction would be required. Specific rules applicable to the construction anticipated to be required for the proposed Rancho La Habra Specific Plan are as follows:

- **Rule 401 – Visible Emissions.** This rule states that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.
- **Rule 402 – Nuisance.** This rule states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.
- **Rule 403 – Fugitive Dust.** SCAQMD Rule 403 governs emissions of fugitive dust during and after construction. Compliance with this rule is achieved through application of standard best management practices, such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 miles per hour, and establishing a permanent ground cover on finished sites.

  Rule 403 requires project applicants to control fugitive dust using the best available control measures such that dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating an off-site nuisance. Applicable Rule 403 dust suppression (and PM_{10} generation) techniques to reduce impacts on nearby sensitive receptors may include, but are not limited to, the following:

  - Apply non-toxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
  - Water active sites at least three times daily. Locations where grading is to occur shall be thoroughly watered prior to earth-moving.

  - Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 meters (2 feet) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.
  - Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
  - Suspend all grading activities when wind speeds (including instantaneous wind gusts) exceed 25 miles per hour.
  - Provide bumper strips or similar best management practices where vehicles enter and exit the construction site onto paved roads, or wash off trucks and any equipment leaving the site each trip.
  - Replant disturbed areas as soon as practical.
  - Sweep on-site streets (and off-site streets if silt is carried to adjacent public thoroughfares) to reduce the amount of particulate matter on public streets. All sweepers shall be compliant with SCAQMD Rule 1186.1, Less Polluting Sweepers.
- **Rule 481 – Spray Coating.** This rule applies to all spray painting and spray coating operations and equipment and states that a person shall not use or operate any spray painting or spray coating equipment unless one of the following conditions is met:
  - The spray coating equipment is operated inside a control enclosure that is approved by the Executive Officer. Any control enclosure for which an application for permit for new construction, alteration, or change of ownership or location is submitted after the date of adoption of this rule shall be exhausted only through filters at a design face velocity not less than 100 feet per minute nor greater than 300 feet per minute, or through a water wash system designed to be equally effective for the purpose of air pollution control.
  - Coatings are applied with high-volume low-pressure, electrostatic and/or airless spray equipment.
  - An alternative method of coating application or control is used that has effectiveness equal to or greater than the equipment specified in the rule.
- **Rule 1108 – Volatile Organic Compounds.** This rule governs the sale, use, and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt used in the Air Basin. This rule also regulates the VOC content of asphalt used during construction. Therefore, all asphalt used during construction of the project must comply with SCAQMD Rule 1108.
- **Rule 1113 – Architectural Coatings.** This rule states that no person shall apply or solicit the application of any architectural coating within the

SCAQMD with VOC content in excess of the values specified in a table incorporated in the rule.

- **Rule 1143 – Paint Thinners and Solvents.** This rule governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content. This rule regulates the VOC content of solvents used during construction. Solvents used during the construction phase must comply with this rule.
- **Rule 1186 – Fugitive Dust.** This rule limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, county, agency, or special district such as water, air, sanitation, transit, or school district.

See Response to Comment BDCHOI-7. See also Section 3.8, *Air Quality*, and Appendix G of the Partially Recirculated Draft EIR for updated analysis.

BDCHOI-7 Issues related to hazards and hazardous materials are addressed in Draft EIR Section 3.12, *Hazards and Hazardous Materials*. In that section, the Draft EIR analyzed whether the Project would create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment. The Draft EIR determined that:

- Demolition, grading, and construction activities related to the proposed Specific Plan would be required to comply with existing laws and regulations for the routine transport, use, and disposal of hazardous materials. As a result, the impact would be *less than significant*.
- Soils containing petroleum hydrocarbons would be encountered during site grading. A Soils Management Plan approved by the Orange County Health Care Agency sets forth extensive controls that make a substantial health risk unlikely; however, a health risk is nevertheless possible. The impact would be *significant but mitigable*.
- Three dwelling units are proposed directly over previously abandoned wells, and site grading, including lowering of ground elevations over previously abandoned wells, could affect their integrity. Compliance with site review requirements of the Department of Conservation's Division of Oil, Gas, and Geothermal Resources (DOGGR) would ensure public safety. The impact would be *less than significant*.

- Proposed residential and commercial uses would routinely use and store result small quantities of common chemicals (e.g., paints, solvents, and cleaning products). Such hazardous materials would be used and stored in accordance with applicable regulations. As a result, reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be unlikely, and the impact would be *less than significant*.

The following mitigation measure would also be required by the City:

Mitigation Measure HAZ-2.2: Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1×10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

Issues related to crime and police services are addressed in Draft EIR Section 3.15, *Public Services and Facilities*.

BDCHOI-8 Comment BDCHOI-8 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:25:11 PM Pacific Daylight Time

Subject: FW: New Housing Development
Date: Monday, April 9, 2018 at 5:48:35 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, ggiovinco@rwglaw.com, 'williamk', christinek@ka-mg.com, Roy Ramsland

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Judith Easterly <Jeasterly@mac.com>
Sent: Monday, April 9, 2018 4:41 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: New Housing Development

EAST-1 My mother is a resident of La Mirada, and we regularly shop in the La Habra area. We would like to express our concern over the new housing project being considered where there is now a golf course.

Please do what you can to keep this from coming to be.

Judith Easterly

62. Response to Comments from Judith Easterly (4-9-2018)

EAST-1 Comment EAST-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 5:34:24 PM Pacific Daylight Time

Subject: FW: Please Save the Westridge Golf Course!!
Date: Tuesday, April 10, 2018 at 8:41:28 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, christinek@ka-mg.com, 'williamk', Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Yu Yan <yuyanyy@gmail.com>
Sent: Monday, April 9, 2018 10:25 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Please Save the Westridge Golf Course!!

Dear Mr. Ho,

YAN-1 I am very upset at hearing that a developer (Lennar) is trying to replace the Westridge Golf Course with 400+ homes. I'm a resident at the adjacent Hawks Pointe community. I'm deeply concerned that this proposed development will have huge, harmful impact on our and all the other surrounding neighborhoods, such as over-crowed schools, over- stretched city resources, increased air pollution, increased traffic jam, and decreased property values. Furthermore, as shown in the Environmental Impact Reports, it will bring irreversible damage to the environment of this area: http://lahabraca.gov/1138/Environmental-Documents

YAN-2 This proposed development plan will do great harm to the city, the residents, and the environment. The developer is the only one who will benefit from it. No matter how good their proposal may sound, ultimately it is all about making money for themselves, and they couldn't care less about what the plan would do to the community and the city.

YAN-3 Thank you for representing the interests of the city and the residents, and please help to stop the developer's plan of turning the beautiful golf course into hundreds of millions of dollars flowing into their own pockets!

Sincerely,

Yu Yan

63. Response to Comments from Yu Yan (4-9-2018)

YAN-1 Comment YAN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. This comment provides a link to the Rancho La Habra EIR on the City's website in support of its assertions regarding impacts of the Project. Traffic and air quality are addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation* and Section 3.8, *Air Quality*, respectively. School impacts are addressed in Draft EIR Section 3.15, *Public Services and Facilities*.

YAN-2 Comment YAN-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YAN-3 Comment YAN-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:29:19 PM Pacific Daylight Time

Subject: FW: NO TO WESTRIDGE GOLF COURSE REDEVELOPMENT
Date: Thursday, April 12, 2018 at 5:15:40 PM Pacific Daylight Time
From: Andrew Ho
To: Roy Ramsland, ggiovinco@rwglaw.com, Lloyd Zola, 'williamk', christinek@ka-mg.com
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Cathy Matamoros <catmat89@aol.com>
Sent: Wednesday, April 11, 2018 4:31 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: Jmatamor89@gmail.com
Subject: NO TO WESTRIDGE GOLF COURSE REDEVELOPMENT

Dear Andrew,

We are writing today as concerned citizens and residents of the nearby neighborhood of Fullerton, California. We have been to the La City Council Meetings and have been in contact with residents of Westridge Community which overlooks the golf course. We live approximately 1/2 mile south of the proposed project in the community of Hawks Pointe. We are also former residents of La Habra (1991 to 2003).

MATAM-1 We are pleading with you to say no to this huge project. The City of La Habra and neighboring cities are against this due to the decrease in home values (glut of homes), traffic congestion, overcrowding of schools, concerns about aesthetics of our beautiful neighborhood (the curb appeal of this project is already alarming), taking away from existing resources, and just a general over-development of the area. In particular for us, the traffic is already a

MATAM-2 problem as we only have 2 exits from our community of Hawks Pointe. When a light is out or an accident occurs on Beach Blvd. we are just about trapped in. Traveling on Beach in either direction during rush hours in already horrific and when shopping in the neighborhood, travel in very slow. We are also concerned about any subsidence

MATAM-3 problems that may occur if this project/construction is allowed to go forward. In addition, we have read the EPA

MATAM-4 report and contamination issues seem rampant. Plus, no green space after a project like this will be a concrete

MATAM-5 jungle. Not when I envisioned when I moved here 26 years ago.

MATAM-6 We are both Southern California natives. We grew up in Los Angeles - yes, the huge sprawling urban city. We moved to La Habra in 1991 looking for a quieter, less congested, suburban life. We loved it's almost country charm back then. We realized things change and progress goes on. Although some of the redevelopment in recent years was warranted, my husband and I feel it is getting out of control and the City of La Habra is not seeing the big picture and we are a silent majority who is starting to feel like it's becoming very urbanized. I understand that there is some gentrification going on as well, but that will only serve the city well if you can balance that with all residents from different backgrounds, cultures, and ages - including taking care of the problem of homelessness in La Habra which is becoming a blight on the city. I know you know the areas I'm referring to. I can practically tell you where to find certain homeless people/persons by corner and intersection and retail locations. They are living behind my clients offices off Harbor and Imperial!!

MATAM-7 We urge you to RECONSIDER!!! We are pleading with you and the City Council to come up with an alternative or to just stop this over growth once and for all. We love this area and moved to this part of Fullerton which lies on the border of La Habra because our kids went to school in La Habra from K-12. We love La Habra still and still do our shopping and eating there. Please don't make it unrecognizable. More importantly, please listen to your constituents.

We will see you at the next city council meeting in about a week to speak.

Thank you for your time.

Jose & Catherine Matamoros
2867 Timberlyn Trail Rd.
Fullerton, CA 92833

formerly of:
1361 N. Edgemont St.
La Habra, CA 90631

Cathy Matamoros

64. Response to Comments from Cathy Matamoros (4-11-2018)

MATAM-1 Comment MATAM-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Traffic is addressed in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*. School impacts are addressed in Draft EIR Section 3.15, *Public Services and Facilities*. Aesthetics issues are addressed in Draft EIR Section 3.4, *Aesthetic Resources*.

MATAM-2 Comment MATAM-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

MATAM-3 A Geotechnical Report was prepared that analyzed potential for subsidence within the Project site. The report stated that up to 2½ inches of settlement would occur over a period of approximately 6 to 12 months after the completion of rough grading, and that due to proposed fill depths and an increase of grades over existing alluvium, settlement monitoring would be required at the completion of grading. The Draft EIR concluded that although the Project would be located on soils susceptible to settlement, implementation of mitigation measures based on the recommendations set forth in the Project's Geotechnical Report and compliance with the California Building Code would resolve soil stability issues, including potential for subsidence.

MATAM-4 It is unclear what "EPA report" this comment refers to, since the Draft EIR and its appendices do not contain reports from either the state or federal Environmental Protection Agency. Starting on page 3.12-23 of the Draft EIR is a discussion of contaminated soils located within the Project site.

As discussed in the Draft EIR Section 3.12, *Hazards and Hazardous Materials*, starting in 1986, Chevron began a 10-year investigation and cleanup of lands including the Project site that involved 17 oil well sites, 10 "historical" sites impacted with crude oil, three above-ground tank areas, and numerous "miscellaneous" locations including pipelines, sumps, pits, and detention basins. Testing determined that the principal contamination was heavy petroleum hydrocarbons (crude oil) with minor fractions of volatile organic compounds (VOCs) and lighter end hydrocarbons. Once tested, the soils were placed in three designated reuse areas as approved by the Santa Ana Regional Water Quality Control Board (RWQCB) and the Orange County Health Care Agency (OCHCA),

due to the low potential for the crude oil contamination to leach from the soil in the future.

As part of grading of the existing golf course, approximately 430,000 cubic yards of soil containing total petroleum hydrocarbons (TPH) were placed in three well-defined soil reuse areas beneath the golf course. Approximately 220,000 cubic yards of impacted soil were placed in Reuse Area 1 (beneath the western half of the golf course), 30,000 cubic yards in Reuse Area 2 (beneath the driving range), and 176,000 cubic yards in Reuse Area 3 (beneath the far western portion of the golf course). During placement, the impacted soils were "landfarmed" (discing and hydration to promote natural biodegradation of the soil) to reduce overall hydrocarbon concentrations in accordance with the Santa Ana RWQCB's approval. Upon successful completion of the fill placement and capping, the property received regulatory closure from the RWQCB and OCHCA in 1999.

While the subsequent grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, such placement was not designed for residential development. As a result, proposed residential development of the Project site requires that soils within two of the three reuse areas be removed and reburied at a depth appropriate for future residential use, and that soils in these areas be compacted as required for residential use.

A Soils Management Plan (SMP) was prepared in September 2015 to address known environmental conditions for the site, as well as the potential for additional unknown environmental conditions that may be encountered during future site improvements for a proposed residential development. The SMP was prepared by the firm EEI Geotechnical & Environmental Solutions (EEI) and submitted to the OCHCA for review and comment. On October 29, 2015, the OCHCA responded to EEI regarding the SMP dated September 29, 2015. The OCHCA provided several comments regarding the SMP and requested that EEI submit an addendum to the SMP that addressed the comments. To address OCHCA comments, an SMP Addendum dated July 14, 2016 was prepared. The information provided in the addendum was deemed sufficient and the SMP received final approval by the OCHCA on September 9, 2016. The Soil Management Plan and Addendum are provided in Draft EIR Appendix M.

MATAM-5 The Draft EIR analysis of Impact AES-3 concluded that implementation of the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource (existing Westridge Golf Club), even though 86.96 acres of the site's 150.84 acres would continue to be devoted to open space use in the form of

public and private parks, trails, habitat conservation, and the existing 19.38-acre slope separating the Westridge residential community from the Project site.

The Draft EIR concluded that this substantial loss of open space would degrade the existing visual character of the site since proposed residential uses would become the predominant visual feature of the site and that a significant and unavoidable impact would result.

MATAM-6 Comment MATAM-6 expresses the commenter's opinion regarding La Habra and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MATAM-7 Comment MATAM-7 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:29:59 PM Pacific Daylight Time

Subject: FW: EIP
Date: Thursday, April 12, 2018 at 5:17:48 PM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Roy Ramsland, 'williamk', christinek@ka-mg.com, Lloyd Zola

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Jill gainer <jillgainer@verizon.net>
Sent: Wednesday, April 11, 2018 5:52 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: EIP

Mr. Ho,

GAINER-1 I am not very familiar with EIRs so can you please explain if the traffic section included an educated guess based on when all of the residences recently built near Beach and Imperial are fully occupied? Did the report also account for the additional proposed housing in the area? The streets near Westridge Community seem congested already. I can't imagine with changes the builders can make to improve the situation or what changes were recommended. Can you please specify the recommendations on the traffic?

Jill Gainer

65. Response to Comments from Jill Gainer (4-11-2018)

GAINER-1 The traffic impact analysis to which this comment refers was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR, both of which describe existing and future traffic conditions both with and without the Project. Traffic from the Project was analyzed for existing conditions, projected Year 2023 conditions, and projected Year 2035 conditions.

In order to estimate the traffic impact characteristics of the Project, a multi-step process was used in the traffic impact analysis, which is included in Partially Recirculated Draft EIR Appendix H and described in Partially Recirculated Draft EIR Section 3.7. The first step is trip generation, which estimates the total arriving and departing traffic on a peak hour and daily basis for the Project. The traffic generation potential is forecast by applying the appropriate vehicle trip generation equations or rates to the Project's development tabulation.

The second step of the forecasting process is trip distribution, which identifies the origins and destinations of inbound and outbound Project-related traffic. These origins and destinations are typically based on demographics and existing and anticipated travel patterns in the study area.

The third step is traffic assignment, which involves the allocation of Project-related traffic to study area streets and intersections. Traffic assignment is typically based on minimization of travel time, which may or may not involve the shortest route, depending on prevailing operating conditions and travel speeds. Traffic distribution patterns are indicated by general percentage orientation, while traffic assignment allocates specific volume forecasts to individual roadway links and intersection turning movements throughout the study area.

With the forecasting process complete and project traffic assignments developed, the impact of the Project is isolated by comparing operational (level of service [LOS]) conditions at key intersections and roadway segments using existing and expected future traffic volumes with and without forecast Project traffic. The need for site-specific and/or cumulative local area traffic improvements was then evaluated and the significance of the Project's impacts identified.

The traffic impact analysis analyzes existing and future weekday daily, AM peak hour, and PM peak hour traffic conditions for a near-term (Year 2023) and long-term (Year 2035) traffic setting upon completion of the Project. Daily and peak hour traffic forecasts for the Year 2023 horizon year were projected by increasing

existing traffic volumes by an annual growth rate of 1.0 percent per year and adding traffic volumes generated by 51 cumulative projects, which provides a conservative forecast. Long-term (Year 2035) daily and peak hour traffic forecasts were projected based on modeled traffic projections prepared by OCTA using the OCTAM3.4 Year 2035 Model.

Thursday, May 17, 2018 at 4:30:25 PM Pacific Daylight Time

Subject: FW: Save the westridge golf course
Date: Thursday, April 12, 2018 at 5:18:51 PM Pacific Daylight Time
From: Andrew Ho
To: 'williamk', christinek@ka-mg.com, Lloyd Zola, ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Ibisco <ibisco@sbcglobal.net>
Sent: Wednesday, April 11, 2018 7:14 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Save the westridge golf course

Hi,
IBISCO-1 Please save our neighbor and say no to developer.
Let the green be saved in our neighbor!!

Cecilia

66. Response to Comments from Cecilia Ibisco (4-11-2018)

IBISCO-1 Comment IBISCO-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:31:04 PM Pacific Daylight Time

Subject: FW: housing
Date: Thursday, April 12, 2018 at 5:19:36 PM Pacific Daylight Time
From: Andrew Ho
To: 'williamk', christinek@ka-mg.com, Lloyd Zola, ggiovinco@rwglaw.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: lydchombor2317@aol.com <lydchombor2317@aol.com>
Sent: Wednesday, April 11, 2018 7:25 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: housing

LYDCH-1 I am opposed to the building of new houses at Westridge La Habra John Tschombor and family La Mieada Ca.

67. Response to Comments from John Tschombor (4-11-2018)

LYDCH-1 Comment LYDCH-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:31:45 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Thursday, April 12, 2018 at 5:20:41 PM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, ggiovinco@rwglaw.com, 'williamk', christinek@ka-mg.com, Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Cynthia Delgado <cyndel22@gmail.com>
Sent: Wednesday, April 11, 2018 10:37 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: rancholahabra@gmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

DELGADO-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

DELGADO-2 Rancho La Habra's proposal represents an intelligent reuse of the property.

DELGADO-3 I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

DELGADO-4 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes, in a variety of sizes and prices near large employment centers, shopping and entertainment.

DELGADO-5 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Cynthia Delgado
14744 Sabine Drive
La Mirada, CA 90638
--

Thank you.

Cynthia Delgado
Cell: 562-665-9905

68. Response to Comments from Cynthia Delgado (4-11-2018)

DELGADO-1 Comment DELGADO-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DELGADO-2 Comment DELGADO-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DELGADO-3 Comment DELGADO-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DELGADO-4 Comment DELGADO-4 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DELGADO-5 Comment DELGADO-5 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:33:07 PM Pacific Daylight Time

Subject: FW: Housing Project
Date: Monday, April 16, 2018 at 8:50:45 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, Roy Ramsland, christinek@ka-mg.com, 'williamk'

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Eric Bondus <ebondus@gmail.com>
Sent: Wednesday, April 11, 2018 10:24 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Housing Project

BONDUS-1 Hello Mr. Ho. I am writing in opposition to conversion of the La Habra Golf facility into a reportedly 400 unit residential community.

BONDUS-2 My perspective; I'm a 35 year resident of La Mirada near Beach Blvd and Hillsboro. Age 61, family man, businessman from the auto industry. Outdoorsman. I've lived "next door" to numerous projects along both sides of Beach Blvd that have paved every available acre into cash cows. The open lands we walked, biked, and played in are gone. Westridge Community and the Golf Facility brought an end to open space, excluding the Chevron property (aka Coyote Hills). I

BONDUS-3 visited with Chevron contract workers there around Christmas 2017, who explained they were assessing the land for potential housing development. I couldn't really tell if one of them was joking when they suggested 600-1000 new homes could fit, but it shocked me. I noticed a half dozen trucks in there this morning, so my fears seem realistic.

BONDUS-4 As a long term resident, I've also observed growing traffic concerns. Sam's Club, Lowe's, McDonalds, Kohls, theaters, restaurants,Target, etc. line both sides of the proposed area. As a result, congestion is high,illegal vehicle operation has grown, it takes 3 cycles to make left turns off Imperial Hwy. "Alternate roads" are being created thru Kohls parking lot, behind Walmart/Lowes to reach McDonalds, short cuts thru Wells Fargo and the old Denny's drive . Gridlock and road widening lie ahead as more home are built. Infrastructure expenses bankrupt small city's annual

BONDUS-5 budgets. 400 new homes injects 800+ more cars, and well over 1000 daily trips out onto Imperial.

BONDUS-6 My recommendation is to convert this land, along with the adjacent Coyote Hills, into rare open space for recreational use by the residents. As we well know, it is very difficult to preserve open land due to the economic pressures involved. "Sell/grade/build" is a very predictable choice from a land owner or Developer perspective. Its the simplest path, in that its easy to plan and complete, and everyone involved gets "richer". Plus - they don't have to live with results.

BONDUS-7 Open land is hard to prioritize but society gets "richer lives". City Management has a tough job, balancing economic growth with quality of life, desirability of community, sustainability of services, etc. It really came home for me during a conversation with a past city mayor. He simply laughed off my concerns last year, explaining that my best course of action is simple - if you don't like it, move!

Sent from my iPad

69. Response to Comments from Eric Bondus (4-11-2018)

BONDUS-1 Comment BONDUS-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BONDUS-2 This comment provides the comment's background and notes the loss of open lands that has occurred in the area. Comment BONDUS-2 does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BONDUS-3 It is unclear whether this comment refers to Rancho La Habra, which consists of a proposal by Lennar to construct 402 homes proposed on the site of the Westridge Golf Club in the City of La Habra or to the West Coyote Hills project to the south in the City of Fullerton. Comment BONDUS-3 does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BONDUS-4 Comment BONDUS-4 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BONDUS-5 Comment BONDUS-5 expresses the commenter's opinion regarding fiscal effects of infrastructure development in small cities and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

BONDUS-6 Comment BONDUS-6 expresses the commenter's opinion regarding the preferred land uses for the proposed Rancho La Habra and West Coyote Hills projects and does not raise substantive environmental issues regarding the adequacy of the Rancho La Habra Specific Plan Draft EIR or its analyses and conclusions.

BONDUS-7 Comment BONDUS-7 does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:34:17 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Monday, April 23, 2018 at 12:11:07 PM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, christinek@ka-mg.com, 'williamk', Roy Ramsland

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Emily Hays <emily@funfantasticgoods.com>
Sent: Tuesday, April 17, 2018 12:50 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: emily@funfantasticgoods.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

HAYS-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

HAYS-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

HAYS-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

HAYS-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Emily Hays

70. Response to Comments from Emily Hays (4-17-2018)

HAYS-1 Comment HAYS-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HAYS-2 Comment HAYS-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HAYS-3 Comment HAYS-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HAYS-4 Comment HAYS-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

SAVE LA HABRA

Petition Card

DAVIDSON-1

> *By signing below, I am asking the City Council to **stop overcrowding our City with new home developments**. Stop the current re-zoning for Lennar Homes and for subsequent projects. Stop our traffic nightmares and overcrowding. Preserve our suburban La Habra way of life!*

Signature Laura Davidson

Name Laura Davidson

Street/# 2060 S. Sawgrass Ct. La Habra

Email JWD24680@att.net

Phone 714-773-6338

SAVE LA HABRA

Petition Card

DAVIDSON-2

> *By signing below, I am asking the City Council to **stop overcrowding our City with new home developments**. Stop the current re-zoning for Lennar Homes and for subsequent projects. Stop our traffic nightmares and overcrowding. Preserve our suburban La Habra way of life!*

Signature [illegible]

Name John Davidson

Street/# 2060 S. Sawgrass CT

Email JWDPLD@ATT.NET

Phone 714 773 6338

RECEIVED
APR 17 2018
City Clerk Department
City of La Habra

RECEIVED
APR 17 2018
City Clerk Department
City of La Habra

71. Response to Comments from Laura and John Davidson (4-17-2018)

DAVIDSON-1 Comment DAVIDSON-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DAVIDSON-2 Comment DAVIDSON-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:34:58 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Monday, April 23, 2018 at 12:05:53 PM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, 'williamk', christinek@ka-mg.com, Roy Ramsland

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Jennifer Fidelman <jenfidelman@yahoo.com>
Sent: Wednesday, April 18, 2018 5:01 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: jenfidelman@yahoo.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

FID-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

FID-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

FID-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

FID-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Jennifer Fidelman
13214 Fiji Way, Unit L

72. Response to Comments from Jennifer Fidelman (4-18-20)

FID-1 Comment FID-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FID-2 Comment FID-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FID-3 Comment FID-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FID-4 Comment FID-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:35:22 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Monday, April 23, 2018 at 11:56:39 AM Pacific Daylight Time
From: Andrew Ho
To: Lloyd Zola, ggiovinco@rwglaw.com, Roy Ramsland, christinek@ka-mg.com, 'williamk'

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Karen Davis <karendavis1972@yahoo.com>
Sent: Sunday, April 22, 2018 4:58 AM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: karendavis1972@yahoo.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

DAVIS-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

DAVIS-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

DAVIS-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

DAVIS-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Karen Davis

73. Response to Comments from Karen Davis (4-22-2018)

DAVIS-1 Comment DAVIS-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DAVIS-2 Comment DAVIS-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DAVIS-3 Comment DAVIS-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DAVIS-4 Comment DAVIS-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:36:41 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Monday, April 23, 2018 at 5:24:37 PM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Roy Ramsland, Lloyd Zola, Christine Kelly, Bill Kelly

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Julie Shin <jshin@fjuhsd.org>
Sent: Monday, April 23, 2018 1:06 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: jshin@fjuhsd.org
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

SHIN-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

SHIN-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

SHIN-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

SHIN-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Julie Shin
951 S Idaho St Unit 71 La Habra, CA 90631

74. Response to Comments from Julie Shin (4-23-2018)

SHIN-1 Comment SHIN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SHIN-2 Comment SHIN-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SHIN-3 Comment SHIN-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SHIN-4 Comment SHIN-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Roy Ramsland

From: ContactLaHabra=lahabraca.gov@mg.comcate.com on behalf of City of La Habra <ContactLaHabra@lahabraca.gov>
Sent: Monday, April 23, 2018 4:16 PM
To: Jenbrenbo@verizon.net
Cc: Roy Ramsland
Subject: RE: City of La Habra case number 25017

Your Comment has been received and will be forwarded to the decision makers.

Original Request

JENNIFER-1 I read the article about the 400 housing development that is being talked. I am absolutely again this development. Our city cannot handle this many more houses. We already have enough new housing developments in the city. This would cause another approximately 800 cars and probably another people crammed into one area with probably no yards. As a citizen of this city I request this housing development not be allowed.

Thank you for your consideration,
Jennifer

How satisfied are you with the resolution to your case? (5 is the highest)
(5 = highest score)

( ) 5 ( ) 4 ( ) 3 ( ) 2 ( ) 1

Would you like to provide any comments or ask for a follow-up on this case?

[Submit]
Can't view this form? View web version

75. Response to Comments from Jennifer Brenbo (4-23-2018)

JENNIFER-1 Comment JENNIFER-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:37:19 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Tuesday, May 1, 2018 at 9:37:41 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, Roy Ramsland, Bill Kelly, Christine Kelly

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: MichaelSmide MichaelSmideBM <khinm...@gmail.com>
Sent: Tuesday, April 24, 2018 8:28 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: khinm...@gmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

SMIDE-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

SMIDE-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

SMIDE-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

SMIDE-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

MichaelSmide MichaelSmideBM
Sishen

76. Response to Comments from Michael Smide (4-24-2018)

SMIDE-1 Comment SMIDE-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SMIDE-2 Comment SMIDE-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SMIDE-3 Comment SMIDE-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SMIDE-4 Comment SMIDE-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:38:14 PM Pacific Daylight Time

Subject: FW: Homes planned for Westridge Golf Course
Date: Tuesday, May 1, 2018 at 9:40:26 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, Bill Kelly, Christine Kelly

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Roy Ramsland
Sent: Wednesday, April 25, 2018 3:40 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: FW: Homes planned for Westridge Golf Course

FYI

-----Original Message-----
From: Jennifer O'Brien-Chavez <jennobrienchavez@gmail.com>
Sent: Tuesday, April 24, 2018 6:16 PM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: Homes planned for Westridge Golf Course

CHAVEZ-1 I grew up in our city. I graduated from La Habra High School. I am a long time resident. I say NO to the proposed housing development. Traffic at Beach and Imperial is a nightmare already. Trying to make a left turn out of my neighborhood into Beach can be impossible at certain times. You've built the hills up already. Why take the last vestiges of open space? There is plenty of room for more housing is South County. Let them build there. Save our city.

CHAVEZ-2 I will actively campaign and vote against any elected official in La Habra that votes for this project. It's greedy and not needed.

Listen to your citizens!!!

Jennifer O'Brien Chavez
2221 Wilshire Avenue, La Habra

Sent from my iPhone

77. Response to Comments from Jennifer O'Brien Chavez (4-24-2018)

CHAVEZ-1 Comment CHAVEZ-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Loss of open space and its effect on the character of the site and surrounding lands are addressed in Draft EIR Section 3.4, *Aesthetic Resources*.

CHAVEZ-2 Comment CHAVEZ-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Thursday, May 17, 2018 at 4:38:57 PM Pacific Daylight Time

Subject: FW: Support for Rancho La Habra
Date: Tuesday, May 1, 2018 at 9:08:26 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, Bill Kelly, Christine Kelly

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra . 110 E. La Habra Blvd. . La Habra, CA 90631
Phone: (562) 383-4100 . Fax: (562) 383-4476
http://lahabraca.gov/

-----Original Message-----
From: Anakaren Cervantes <akc713@gmail.com>
Sent: Sunday, April 29, 2018 2:44 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Cc: akc713@gmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

CERV-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

CERV-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

CERV-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

CERV-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Anakaren Cervantes
1016 E 3rd Ave La Habra, CA 90631

78. Response to Comments from Anakaren Cervantes (4-29-2018)

CERV-1 Comment CERV-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CERV-2 Comment CERV-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CERV-3 Comment CERV-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CERV-4 Comment CERV-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Karen Barnett
301 La Serna, La Habra CA 90631
(562) 756-3497

April 30, 2018

City of La Habra
101 E. La Habra Blvd
La Habra CA 90631

Reference: Westridge Golf Course Re-development

To Whom It May Concern:

BARNETT-1 My husband and I have been residents of La Habra for some 40+ years. We've seen it go through good times and bad. Obviously as 40-year residents, we like the city and will continue to live here as long as we can.

BARNETT-2 Something disturbs me greatly and that is the rate at which housing is being constructed in our city.

BARNETT-3
- Being as we already have water restrictions, electrical brownouts, requests by the gas company to use our dryers at certain times, it seems our resources have reached their limit and we don't have the utilities/resources to take in additional residents.

BARNETT-4
- Not to mention that the infrastructure is aging and in need of repair. I don't know how long our sewage treatment plants are going to be able to handle the influx of additional waste.

BARNETT-5
- The traffic at Beach & Imperial, Harbor & Imperial, Harbor & Lambert, and other high-volume intersections is horrible. We have to take so many side streets to navigate the layout and avoid those intersections in order to arrive at our destinations on time. A trip to St. Jude in Fullerton was usually a 15-minute drive and now we allow for at least 30 minutes to commute. It used to take 10-15 minutes to go uptown Whittier and now it's closer to 45 minutes.

BARNETT-6
- The streets have improved considerably and we are grateful for that. Fullerton streets are MUCH worse than ours.

I urge you to please reconsider this foolish move to increase housing in our area. We have all the people our resources can handle.

Sincerely,

Karen Barnett

79. Response to Comments from Karen Barnett (4-30-2018)

BARNETT-1 Comment BARNETT-1 expresses the commenter's opinion regarding the City of La Habra and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BARNETT-2 Comment BARNETT-2 expresses the commenter's opinion regarding the rate of housing growth within the City and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

BARNETT-3 A Water Supply Assessment (Draft EIR Appendix T) was prepared that demonstrates adequacy of water supplies for the Project. As indicated in the Water Supply Assessment and the Draft EIR, irrigation of the existing golf course consumes more potable water supplies than would the Project.

The applicable threshold to be analyzed under CEQA in relation to energy resources is whether a project would use large amounts of energy or fuel, or consume energy or fuel in a wasteful manner:

- During construction, either:
  - As the result of construction activities; or
  - By resulting in the construction or expansion of energy infrastructure that would cause significant environmental effects;
- Following construction, during project operations, either:
  - Within buildings or other on-site operations (stationary source consumption);
  - By resulting in the construction or expansion of energy infrastructure that would cause significant environmental effects; or
  - As the result of vehicle trips associated with project site development (mobile source consumption).

These issues are addressed in Partially Recirculated Draft EIR Section 3.10, *Energy Resources*. The Partially Recirculated Draft EIR determined that implementation of the proposed Rancho La Habra Specific Plan would require energy during construction and subsequent operation of proposed land uses. Because construction and subsequent operations would comply with all federal, state, and/or local energy standards, the Project's energy usage was not be determined to be "wasteful," and the EIR determined energy impacts to be less than significant.

BARNETT-4 As noted in Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*, the Orange County Sanitation District (OCSD) is responsible for treatment of wastewater generated within the City of La Habra. Sewage from the Project would be treated at OCSD's Reclamation Plant No. 2, located adjacent to the Santa Ana River approximately 1,500 feet from the Pacific Ocean in Huntington Beach. This plant provides a mix of advanced primary and secondary treatment.

The current capacity for Reclamation Plant No. 2 is 168 million gallons per day (mgd) of primary treated wastewater and 90 mgd of secondary treated wastewater. The current average flow is 151 mgd; thus, remaining primary treatment capacity at this plant is approximately 17 mgd. Expansion plans by OCSD are ongoing and designed to address the incremental increase in sewage generation as a result of new development. The secondary treatment capacity at this plant is currently being increased by 60 mgd for a future total secondary treatment capacity of 150 mgd.

Analysis of wastewater treatment capacity is provided in the Draft EIR starting on page 3.17-25, which states that "adequate wastewater capacity exists (17 mgd) for conversion of the existing golf course to residential and commercial use (addition of 0.141 mgd) even in light of projected buildout of the La Habra General Plan (1.998 mgd)."

BARNETT-5 Comment BARNETT-5 expresses the commenter's opinion regarding traffic conditions and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

BARNETT-6 Comment BARNETT-6 expresses the commenter's opinion regarding the condition of roadways within La Habra and Fullerton. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Julia Young <juliagmf3iyoung@yahoo.com>
Sent: Tuesday, May 1, 2018 1:02 AM
To: Andrew Ho
Cc: juliagmf3iyoung@yahoo.com
Subject: Support for Rancho La HabraJulia Young <juliagmf3iyoung@yahoo.com>

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

JYOUNG-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

JYOUNG-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

JYOUNG-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

JYOUNG-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Julia Young

80. Response to Comments from Julia Young (5-1-2018)

JYOUNG-1 Comment JYOUNG-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JYOUNG-2 Comment JYOUNG-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JYOUNG-3 Comment JYOUNG-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JYOUNG-4 Comment JYOUNG-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Andrew Ho

From: joe chin <jchin2020@yahoo.com>
Sent: Tuesday, May 1, 2018 9:23 AM
To: Andrew Ho
Subject: Fw: SAVE WESTRIDGE COMMUNITY

JCHIN-1 We are one of many original owner of Westridge Community residents, and we are strongly against the development of Rancho La habra for many obvious reasons. Over crowed neighborhood, invites crimes in the area , heavy traffics and not to mention drop in property values. Mayor Shaw's comment in recent OC Register," the ideas that there's this huge public outcry over the last several years about the development in the city is simply not true " is NOT true for the Rancho La habra development, the people I talk to , all DISAGREE and AGAINST the development.

Please SAVE OUR WESTRIDGE COMMUNITY.

Thank you.

Joe and Young Chin

81. Response to Comments from Joe and Young Chin (5-1-2018)

JCHIN-1 Comment JCHIN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Richardmup RichardmupYR <canongirl@yahoo.com>
Sent: Friday, May 4, 2018 11:52 AM
To: Andrew Ho
Cc: canongirl@yahoo.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

RICHARD-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

RICHARD-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

RICHARD-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

RICHARD-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Richardmup RichardmupYR
Duverge

82. Response to Comments from Richardmup Richardmup (5-4-2018)

RICHARD-1 Comment RICHARD-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

RICHARD-2 Comment RICHARD-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

RICHARD-3 Comment RICHARD-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

RICHARD-4 Comment RICHARD-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

To Andrew Ho,

YKCHUN-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Young K. Chun
ADDRESS 16719 Obispo dr
La Mirada Ca 90638

SIGNATURE Young Chun DATE 5/6/18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

YKCHUN-2 I heard about development plan at Westridge Golf Course in La Habra. I want to say firmly "No" on this plan. This golf course

YKCHUN-3 gives us great view. I don't want to lose it.

YKCHUN-4 I'm sure we will have more people, and more traffic on the road. We already have too much traffic on Beach boulevard, and on Imperial Highway. We will also have bad

YKCHUN-5 air quality. So, I say "No" on this plan.

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: ~~Edward~~ Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

83. Response to Comments from Young K. Chun (5-6-2018)

YKCHUN-1 Comment YKCHUN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YKCHUN-2 Comment YKCHUN-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YKCHUN-3 Comment YKCHUN-3 does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Changes in views that would result from the Project addressed in Draft EIR Section 3.4, *Aesthetic Resources*.

YKCHUN-4 Comment YKCHUN-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis to which this comment refers was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR. Section 3.7 of the Partially Recirculated Draft EIR describes existing and future traffic conditions both with and without the Project. Partially Recirculated Draft EIR Section 3.8, *Air Quality*, addresses both construction and operations air quality impacts.

YKCHUN-5 Comment YKCHUN-5 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

To Andrew Ho,

JLEE-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME JEROME LEE
ADDRESS 1420 DOGWOOD AVE
LA HABRA 90631

SIGNATURE Jerome Lee DATE 5.7.2018

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

JLEE-2 The city and infrastructure ~~has~~ can't even keep up with the current population.

JLEE-3 Streets are a mess and traffic is impossible. I'm fortunate to live at the edge and can avoid doing business in La Habra by driving in other directions

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

84. Response to Comments from Jerome Lee (5-7-2018)

JLEE-1 Comment JLEE-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JLEE-2 It is unclear what Comment JLEE-2 is referring to by "the City… can't even keep up with the current population." The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the proposed Rancho La Habra Specific Plan. Public services and utilities are addressed in Draft EIR Section 3.15, *Public Services and Facilities*, and Section 3.17, *Utilities, Services Systems and Water Supply*.

JLEE-3 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

5/7/18

Comments on EIR

Roy Ramsland: Rancholahabra@lahabraca.gov

Andrew Ho : Andrewh@lahabraca.gov

S-HAM-1 1. No soil testing conducted on current city EIR. Isn't this procedure mandatory especially sites where land is contaminated? There was one done in 2016 but that is too old. City should provide us as of 2018 current. City has to provide us with locations where they got samples from how much of soil they collected from each site, how deep did they get samples from, who drilled and got samples, how did they drilled, name of Lab they took samples to, etc? We are requesting Split samples too. Samples should be taken underneath the oil tanks as well. They had 23 oil wells in production and abandoned. We need to know locations of oil wells and how deep was in each. If those were abandoned how was it abandoned? Soil samples should be collected minimum of 23 out of those 23 well locations. Not

S-HAM-2 6. This project site were listed under Hazmet. Is it still listed under Hazmet? If not when was it lifted and what did they do, to be delisted from Hazmet? This project site was also

S-HAM-3 listed AST. 1320 Gallons. Is this site still listed as hazardous Waste facility? If not, when and what did they do and what

S-HAM-3 (CONT)

proof have that they are now clean and no contamination from that tank. Records show that sites did not have permits of oil tank removal, oil well removal or clean up, What proof do you have that all these 23 sites and AST sites and other tank locations are cleared. Your Phase 1 was done in 2014 or 2015 or 2016. That is out dated. City should provide us as of 2018. And Phase 2 should be provided as well because this is contaminate land. To build golf course, requirements are a lot less than building residential homes. So they did not remove all of oil tanks. Requirements to build residential homes now would be more stringent than 20 yrs ago. There might be cracked or disturbed oil tanks during our major earthquake in 2014. City has to provide us current 2018 Soil report.

S-HAM-4

Only 6 locations drilled are not sufficient to claim that it is clean. It should be drilled more than 23 locations.

S-HAM-5

2. Project site has many mature trees. It excrete lots of Oxygen during day time and absorb Carbon dioxide during it's photosynthesis. Builder will cut many trees. How much of Oxygen are we losing per day? How much extra carbon dioxide not absorbed by trees will be in the atmosphere per day? These numbers should be added into the calculation. We need number of trees, location of trees, size of trees and name of trees that will be cut by Lennar.

S-HAM-6

3. Mature trees absolve noise from Beach blvd, Imperial hwy, Idaho Street. How much are these trees absorbing noise and this numbers should be added into their calculation as well.

S-HAM-7

Noise pollution affects our health. Hypertension, Sleep disturbance, annoyance, changes in immune system, birth defects, hearing impairements and heart disease. What is city's plan to protect citizens from these?

S-HAM-8

4. PM2.5, PM10 number is out dated. This date should be as of 2018. Moreover, there were 350 apt homes were built in 2017 near beach blvd and Imperial hwy, Costco, and more town homes and SFR are under construction at near by locations. So 2015 report is far from the reality. Now days some other countries test PM1 also. I do not know here in America CEQA requires that. Since our 4 months of life here, we already experienced 4 times of amber alert even during without construction. Each time my husband experienced SOB. This PM 2.5 will be worse during construction, What is your remedy to help these susceptible seniors?

S-HAM-9

5. PM2.5 carries carcinogenic substance. Because it is not just small particle, it is carcinogenic chemicals' that goes into the air and into our lung when we breathe, causing lung cancer, brain cancer, asthma, allergy, emphysema, birth defect, thyroid disease, and etc. Outside is higher than inside of

S-HAM-9 (CONT) home and even we close windows, doors, PM2.5 rate will be still same inside outside. If the city were to level the contaminate land, this would happen. Have you researched how this would affects seniors, babies, kids and small pets of their health? What methods are you taking to prevent this? What would you do when it actually happens? Just tell us to

S-HAM-10 go Emergency Room? St. Jude hospital emergency room is already too crowded. They do not have rooms and man power to handle overflow when it happens. We need a sustainable written plan for this emergencies from the city of La Habra..

S-HAM-11 6. Traffic. EIR is based on 2015 survey. This is out dated. Here at Beach Blvd and Imperial hwy, city built 350 apt homes in 2017, and finishing 40+town homes on imperial hwy, 80+ town homes on La Habra blvd in 2018. Traffic is worsened already. But building another 450 homes? Surrounding cities like La Mirada, Buena Park, Fullerton, Brea, Whittier residents will also be affected but no mitigations proposed. Those surrounding cities and Cal Trans do not have a budget to share the expense. What is your mitigation plan on this? Should provide us as of 2018 data and show mitigation plans from there.

S-HAM-12 7. When builder Lennar and city of La Habra are main contributor to this traffic nightmare, city of La Habra should

S-HAM-12 (CONT)

disclose this to adjacent city residents thru public media, like TV, newspapers, and etc. City is asking them to review la Habra city's EIR thru City of La Habra web site; This is not enough and right way. This is just covering city's legal liabilities. We have tried to put this article in La Habra journal, but we were rejected. La Habra journal may not an independent newspaper.

S-HAM-13

8. New housing development project in La Habra does not make sense. People in Anaheim and Fullerton have lot of vacant spaces and they need homes. But city of La Habra does not have any vacant space and does not need more homes. City of La Habra do not build homes by need bases. City of La Habra just build homes for revenue.

S-HAM-14

9. Housing development near train station and frequent bus stop make more sense. But housing development anywhere to accommodate developers are very poor management and they should be recused. Otherwise Planning department has to prove needs for more housings. City should not sell us just for more revenue to cover the pension plan/ Save

S-HAM-15

water. This claim by the Lennar that this project saves water is not believable. We need city to provide us current golf course's last 5 yrs of water usage and Lennars propsed water usage during construction. Then we will prove that their claim is wrong..

S-HAM-16 10. Green house gas emission calculation is wrong. Number of house hold averaging is under estimated. It is more than 3 per house hold. What is cities back up to prove 3 per household of this Rancho La Habra. Save GHS by using

S-HAM-17 electric cars is wrong too. Electric cars are running electricity produced by burning dirty fossil fuels, climate benefits are limited. Because of the complex batteries they use, it currently takes more energy to produce an electric car than a conventional one. And, disposing of those batteries creates an environmental hazard. Did city do it's own

S-HAM-18 research instead of just listening to Lennar, the company we already know is not trustworthy company? High Green

S-HAM-19 house gas emission by Armotizing over 30 yrs is not acceptable for our health. By doing so effect per year may be under the required standard but actual emission when it spikes up during construction is far above acceptable maximum. . What is cities plan to protect neighboring citizens at that time? That amortization method is for International or US goal for future reduction of green house gas act. In one year or at a time when it emits 3 times of Max allowed, could kill the surrounding residents and near by residents and construction workers who are very susceptible.

S-HAM-20 What is your plan to protect these peoples?

S-HAM-21 11. Under ground water contamination should check any underground water underneath of the oil tank. Was this done correctly?

S-HAM-22 12. City of La Habra contributing to Ocean water contamination. What would you do to prevent this?

S-HAM-23 13. Endangered species habitat. Coyote Hills do not have credit bank available. Habitat transfer should be exactly same environment as project site. Coyote Hills environment is way different from project site for the habitat to survive. Their mitigation is not feasible or acceptable. Release Deed restriction is not possible. Calif Gnatcatcher is under the federal law not by Calif Dept of Fish and Wildlife. PER:58-CFR 16757 & 50-CFR-17.3 Cod of Federal Regulations https://www.ecfr.gov www. Fws.gov What would you do to comply with state and federal? EIR did not addressed federal side and Lennar did not ask federal approval. Why?

S-HAM-24 14. Air quality : One of the major points we have is that this project is very unique. If the city were level the contaminate land, it would release carcinogenic particulates into the air. City is not concerned? What would city do to protect seniors, babies, kids, sick people who are not able to take this harsh air quality? And how about construction workers? Lennar has work comps and insurances to cover for the

S-HAM-24 (CONT)

construction workers, so is city OK with that? Does city have confidence that air quality is safe during grading and construction.? What would you do to prevent any future disasters? What would you do when real disaster happens?

S-HAM-25

15. The city has a responsibility to prevent asthma in kids, and protect senior residents from the more public health dangers. Provide absolute mitigations. City and Lennar need to keep the kids, seniors and more susceptible residents off sites from the project sites during the construction. This is one of my preventive suggestion. I need to know city's plan..

S-HAM-26

16. If the city really wants to ignore the residents and vote in favor of the project, then they should encourage construction workers to demand 10x the amount of wages they normally would get due to the contamination on the site they would be exposed to. They are essentially trading their lives away, and they should be protected.

S-HAM-27

17. We need more data on how much water usage would increase by adding these 450 homes. Rancho La Habra proposal is not sustainable, especially when we know we will have more droughts.

Submitted by Sue Ham' 1520 S Runyan St La Habra Ca 90631

Questions for EIR

1, by contructing 448homes how much more of CO2 in the air?

Energy used to produce materials, bring materials,

Removing contaminated soils

Bringing new soils

compacting

Cement,

Asphalt,

Wood,

Paint,

Dry walls,

S-HAM-28 Construction Cars in and out

Construction peoples breathing

448 home residents breathing

448 homes residents cars

448 homes cooking

448 homes heating

448 homes electricity,

448 homes computer using energy

Loss of trees 1000?

What is the increased total CO2 amt in the air and in underground water

Ask Andrew - Figure 2-11 (conservation area map) Within the conservation area How far, feets,

85. Response to Comments from Sue Ham (5-7-2018)

S-HAM-1 As summarized in Draft EIR Section 3.12, *Hazards and Hazardous Materials*, the Project site has been thoroughly investigated and has undergone extensive remediation during Chevron's closure of the oil field in the 1990s. All oil field equipment including well heads, tanks, pipelines and related equipment was removed from the site. Contaminated soils were assessed with hundreds of samples. Soils not meeting screening criteria were transported off site for disposal, while soils meeting screening criteria were placed in several reuse areas constructed on-site for that purpose.

Hundreds of confirmation samples were collected to document the exact location and nature of the crude oil-impacted soil. All of this work was documented in the closure reports prepared by Chevron's consultant Miller Brooks Environmental in its Closure Reports dated April 2, 1998 (Phase B) and June 1, 1999 (Phase A), and ultimately approved for Case Closure by the Santa Ana Regional Water Quality Control Board (June 24, 1999) and the Orange County Health Care Agency (July 1, 1999). These are further referenced in the approved Soil Management Plan prepared by EEI in September 2015 and the subsequent addendum in July 2016. Thus, soil sampling was accepted by the Orange County Health Care Agency for Rancho La Habra's Soil Management Plan and additional soil sampling is not needed.

The Draft EIR determined that, although the controls mandated by the Soils Management Plan make a substantial health risk unlikely, a health risk would nevertheless be possible. Thus, the Draft EIR set forth the following mitigation measure to ensure the safety of soil management activities.

> **Mitigation Measure HAZ-2.2:** Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1×10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

The Draft EIR concluded that implementation of Mitigation Measure HAZ-2.2, combined with the controls mandated by the Soils Management Plan, would ensure that the project would not result in a substantial health risk. The Soils Management Plan, in combination with Mitigation Measure HAZ-2.2, would reduce impacts to a less-than-significant level.

Regarding oil well abandonments, all of the 24 wells on or immediately adjacent to the Project site were abandoned in accordance with permits granted by the

California Division of Oil Gas and Geothermal Resources (DOGGR). All of the well sites were inspected by DOGGR at the time of abandonment and final approval was granted. Any modifications required to existing well locations to accommodate site development would be similarly permitted and inspected through DOGGR.

S-HAM-2 See Response to Comment S-HAM-1. The Westridge Golf Club is currently listed by the Orange County Health Care Agency as a permitted above-ground petroleum storage tank facility and as a hazardous waste generating facility.

Proof of oil tank removal related to former oil field operations is documented in the Closure Reports prepared by Miller Brooks Environmental on behalf of Chevron.

Regarding soil sampling, the Soil Management Plan approved by the Orange County Health Care Agency details an extensive soil sampling program for contaminated soil at the Project site.

S-HAM-3 See Response to Comment S-HAM-1.

S-HAM-4 See Response to Comment S-HAM-1.

S-HAM-5 The Rancho La Habra air quality analysis was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

S-HAM-6 The effectiveness of vegetation in attenuating road traffic noise is greatest for up to about 30 to 60 feet, with the rate of attenuation decreasing farther from the roadway. Significant positive effects in shielding noise can be expected even when only multiple rows of tree trunks are present.[16] To provide a conservative analysis comparing existing to future conditions, the analysis in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*, assumed no noise attenuation from existing roadway vegetation.

S-HAM-7 Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*, sets forth a description of ambient noise characteristics, evaluates the temporary and long-term effects that development of the proposed Rancho La Habra Specific Plan would generate, and also sets forth mitigation measures to address noise impacts.

S-HAM-8 The Rancho La Habra air quality analysis was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

[16] Peng, Bullen, and Kean, The Effects of Vegetation on Road Traffic Noise, 2014.

S-HAM-9 Comment S-HAM-9 provides information on the characteristics of $PM_{2.5}$ and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

S-HAM-10 Any grading or other construction that would occur within the Project site would be undertaken by the applicant pursuant to permits issued by the City and not by the City itself. Management of contaminated soils buried within the Project site will occur pursuant to a Soils Management Plan approved by the Orange County Health Care Agency (OCHCA). The Soils Management Plan for Rancho La Habra is included in Appendix M of the Draft EIR, as described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*.

The Draft EIR recognized that soils containing petroleum hydrocarbons would be encountered during site grading and noted that a Soils Management Plan approved by the OCHCA sets forth the following controls to minimize hazards from the excavation and placement of total petroleum hydrocarbon (TPH)-affected soils:

- Standard work practices, such as suppressing dust, performing proposed site improvements in the upwind position, and monitoring for the potential presence of VOCs, shall be observed. Where impractical, the site safety officer, or designated alternate, is to be consulted to identify acceptable alternatives. If an inhalation hazard is identified, Level C respiratory protection using National Institute for Occupational Safety and Health (NIOSH)-approved half-face air purifying respirators with volatile organic or combination high-efficiency particulate (HEPA)/volatile organic cartridges shall be required.
- Skin exposure of workers is to be limited by use of gloves, eye protection, and hard hat; hand washing; and limiting incidental ingestion of soil.

The excavation, stockpiling, sampling, and placement of TPH-affected soils would be required to follow the approved Soils Management Plan, including proper handling of potentially impacted soils during removal and placement such that potential impacts due to odor, dust, runoff, and physical contact are mitigated.

In addition, control of petroleum hydrocarbon vapor emissions would follow the guidelines set forth by South Coast Air Quality Management District Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil.

Soil testing is required to be performed by a qualified remediation specialist, as overseen by the OCHCA, and would occur prior to completion of grading to (1)

verify the complete removal of previously placed fill soil in the original reuse areas, (2) characterize the excavated fill once it is placed in stockpiles, and (3) verify that all soils in the upper 10 feet meet the criteria established by the OCHCA.

During construction, soil piles would be watered (misted) or covered when necessary to prevent fugitive dust. This would prevent the potential release of contaminated soil into the environment. In addition, the fugitive dust control measures set forth in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, and the erosion control measures set forth in Draft EIR Section 3.13, *Hydrology and Water Quality*, would be maintained.

Recognizing the potential of encountering TPH-affected soil outside of existing reuse areas, the Soils Management Plan also provides requirements for general site grading, as follows (as described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*):

- During site grading, excavated soil originating from outside of the three reuse areas that visually displays dark discoloration/staining shall be flagged and segregated during the excavation process. These segregated soils shall be tested to determine whether the soil can be reused as cover or must be placed within a deep fill location.
- Potentially impacted soils shall be stockpiled on plastic sheeting to segregate contaminated soils from clean soils. Vapor and dust from excavation and stockpiling activities shall be controlled using one or more of the following: water misting, covering with poly sheeting; backfilling of off-gassing excavations, locating stockpiles away from and/or downwind of on-site workers and public receptors, and reducing the pace of project site activities and/or halting activities. In general, flagged (impacted) locations outside of the reuse areas are to be visually located, and confirmed by hand-held (or equivalent) global positioning system (GPS) equipment, when necessary.
- Excavation efforts shall proceed at individual flagged (impacted) suspect areas based upon visual staining and/or other methods (i.e., air monitoring equipment). Confirmation soil samples shall be collected from stockpiled soil and excavation limits, and properly documented as excavation proceeds. Final excavation confirmation sampling should be conducted at a rate of at least one soil sample per 5-foot vertical interval/20-foot horizontal interval of exposed sidewall and/or excavation floor. However, this sample frequency may be modified in the field based on site-specific conditions such as accessibility, soil homogeneity, and results of previous sampling data.

- Soil samples shall be collected using appropriate hand sampling tools or from the bucket of the excavation equipment and placed in laboratory-supplied glass sample jars and/or stainless steel sleeves, as required. In either case, samples should be compacted within the sample container to remove any head space. Soil samples shall be sealed with Teflon-lined lids/caps, labeled with a number unique to the sample, placed in a chilled cooler, and logged under proper chain-of-custody (COC) protocol for transportation to a California-state certified laboratory. A mobile laboratory may be used to analyze soil samples during the excavation confirmation process, depending upon the nature of the contaminant and/or the scheduling needs of the project.

The Draft EIR determined that, although the controls mandated by the Soils Management Plan make a substantial health risk unlikely, a health risk would nevertheless be possible. Thus, the Draft EIR set forth the following mitigation measure to ensure the safety of soil management activities:

> **Mitigation Measure HAZ-2.2:** Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1×10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

The Draft EIR concluded that implementation of Mitigation Measure HAZ-2.2, combined with the controls mandated by the Soils Management Plan, would ensure that the Project would not result in a substantial health risk. The Soils Management Plan, in combination with Mitigation Measure HAZ-2.2, would reduce impacts to a less-than-significant level.

Impacts related to emissions of $PM_{2.5}$ and other air pollutants are addressed in the Rancho La Habra air quality analysis, which was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

S-HAM-11 The Rancho La Habra traffic impact analysis was updated and is included in Section 3.7, Traffic and Circulation, and Appendix H of the Partially Recirculated Draft EIR.

S-HAM-12 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. The analyses undertaken for that study indicate the actual contributions of Project-related traffic to area intersections, roadway segments and freeways under Existing, Cumulative Year 2023, and Cumulative Year 2035 conditions.

A Notice of Availability (NOA) for the Rancho La Habra Draft EIR was published in the Orange County Register on February 26, 2018. Notices of the Draft EIR's availability were mailed to the Orange County Clerk-Recorder (posted by the Clerk-Recorder for 30 days), to property owners within 300 feet of the Project boundary, and to anyone who had asked to be placed on the list for notice involving this property. The Draft EIR and Draft EIR Appendices were mailed to the State Clearinghouse and to 40 adjacent cities and agencies. Additional hard copies of the Draft EIR were made available for public review at the La Habra City Hall, and the La Habra Branch of the Orange County Library. The Draft EIR and its appendices were also posted on the City of La Habra's website. An Amended NOA was published and mailed on March 11, 2018 extending the review period until April 11, 2018.

A Notice of Availability for the Rancho La Habra Partially Recirculated Draft EIR was published in the Orange County Register on November 22, 2019, for a 57-day public review period ending January 17, 2020. Notices of the Partially Recirculated Draft EIR's availability were mailed to the Orange County Clerk-Recorder (posted by the Clerk-Recorder for 30 days), to property owners within 300 feet of the Project boundary, and to anyone who had asked to be placed on the list for notice involving this property. The Partially Recirculated Draft EIR and its appendices were mailed to the State Clearinghouse and to 40 adjacent cities and agencies. Additional hard copies of the Draft EIR were made available for public review at the La Habra City Hall and the La Habra Branch of the Orange County Library. The Partially Recirculated Draft EIR and its appendices were also posted on the City of La Habra's website.

S-HAM-13 This comment expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The project being considered by the City of La Habra is a request by Lennar for approvals to develop residential and commercial uses on the site of the existing Westridge Golf Club. Should the Project be approved by the City, the applicant and not the City would be developing the Project site.

S-HAM-14 Comment S-HAM-14 expresses the commenter's preferred land use for the site and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

S-HAM-15 The Water Supply Assessment (Draft EIR Appendix T) prepared for the Project used water meter data from the Westridge Golf Club from November 2010

through March 2015 to determine existing golf course water use.[17] Because drought conditions were being experienced during this period and mandatory water conservation measures were in place, the City determined that adequate information was available to establish a baseline for golf course water demand.

Yearly water usage is summarized in Draft EIR Table 3.17-1. As indicated in that table, the annual golf course water demand increased from 257 acre-feet (AF) in 2011 to 302 AF in 2014, or approximately 17.5 percent over the 3-year period. Using the 4 years of data provided, the average yearly water usage of the golf course was calculated to be 276 acre-feet per year (AFY).

As shown in Draft EIR Table 3.17-3, estimated water demand for the Project would be 175.2 AF annually. By comparison, water demand for the existing golf course has averaged 276 AF annually. In determining Project-related water use, the Water Supply Assessment accounted for indoor water use, as well as outdoor water use (landscape irrigation). While CALGreen Guidelines and USEPA Water Conservation Guidelines indicated that indoor water use per capita could be as low as 39 gallons per person per day, a standard water demand figure of 45 gallons per person per day was used for the purpose of calculating the total water demand of the Rancho La Habra development. This provides a more conservative number to account for possible leaks of fixtures within the homes, the possibility that residents use more water than estimated, or differences in population per household. See Rancho La Habra Water Supply Assessment (Draft EIR Appendix T), Section 2.2.3. Determination of irrigation demand took into account site-specific evapotranspiration rates, intended plant palette, proposed irrigation methods, and percentage of irrigated area for each land use within the site.

S-HAM-16 The greenhouse gas (GHG) emissions analysis was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR. Emissions from the existing Westridge Golf Club and the proposed Rancho La Habra Specific Plan were estimated using the California Emissions Estimator Model™ (CalEEMod™) v2016.3.1, which was developed[18] to (1) accurately calculate construction-source and operational-source criteria

[17] During this period, the golf course had four water meters: a golf course irrigation meter, a clubhouse meter, a maintenance building meter, and a fire flow meter. All four meters use potable water from the City's potable water supply.

[18] The model was developed for the California Pollution Control Officers Association (CAPCOA) in collaboration with air districts throughout the state. Default data for the model (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) were provided by regional California air districts, including the South Coast Air Quality Management District, to account for location requirements and conditions.

pollutants and GHG emissions from direct and indirect sources, and (2) quantify applicable air quality and GHG reductions achieved from mitigation measures.

S-HAM-17 Use of electric vehicles is a widely accepted measure to reduce GHG emissions, is consistent with statewide policy, and is backed by substantial investment of public funds. For example, on May 31, 2018, the Los Angeles Times reported that the California Public Utilities Commission (PUC) voted 5-0 to approve a $738-million investment to replace gas-guzzling cars, buses and trucks with electric vehicles. The intent of this investment was to "accelerate the Golden State's push to fight climate change, reported the Times. The PUC's decision supports 2015 legislation calling for investment in electrifying transportation to help cut greenhouse gas emissions by 40 percent, compared with 1990 levels, by 2030. The $738 million approved by the State includes funding for PG&E to install infrastructure for fast charging stations; money for PG&E and Edison to upgrade networks for charging buses, trucks and forklifts; and funds for San Diego Gas & Electric to offer rebates and installation services for home charging stations.

S-HAM-18 The City's decision to include requirements for electric vehicle charging stations was based on Program R2-T3 from the City's Climate Action Plan, which was adopted in January 2014. This program reflects General Plan Policy AQ 4.5 which encourages the use of zero-emission vehicles, low-emission vehicles, bicycles, and other non-motorized vehicles and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities in multi-family residential, mixed-use, and high-density centers and corridors to accommodate these vehicles.

S-HAM-19 Amortizing GHG construction emissions over a 30-year period is the standard accepted methodology for analyzing a project's emissions. To do otherwise would constitute a faulty methodology that would be rightfully subject to criticism. While there are existing thresholds of significance to assist local agencies determine whether impacts would be "significant" and require mitigation, there is no applicable concept of an "acceptable maximum" for GHG emissions. Instead, the South Coast Air Quality Management District uses a screening threshold of 3,000 metric tons of carbon dioxide equivalents ($MTCO_2e$) per year. The objective of setting such a screening threshold is to set a minimum size for development projects to be analyzed and provide mitigation measures for GHG emission impacts.

S-HAM-20 A series of federal, state, and local laws, regulations, and actions have been put in place to address global climate change resulting from GHG emissions by reducing such emissions (see Partially Recirculated Draft EIR Section 3.9.2 for a description of these laws, regulations, and actions). As discussed in Partially

Recirculated Draft EIR Section 3.9.2, state legislation (Assembly Bill [AB] 32 and Senate Bill [SB] 32) sets GHG emissions reduction targets. The City of La Habra's plan to address climate change is set forth in the City's Climate Action Plan and related provisions of the La Habra General Plan.

S-HAM-21 As explained in Draft EIR Section 3.12, *Hazards and Hazardous Materials*, there has been no groundwater contamination reported at the Project site. Groundwater is not present within 50 feet of the ground surface over the majority of the site.

S-HAM-22 The potential for contamination of surface water runoff from the Project site is addressed in Draft EIR Section 3.13, *Hydrology and Water Quality*, which outlines plans and programs to avoid contamination being transported off-site and entering waterways that could drain to the ocean. To address construction impacts, pursuant to current regulations, the Project applicant would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP), which would establish best management practices (BMPs) to be implemented to reduce sedimentation and erosion and prevent construction pollutants from leaving the site.

A Water Quality Management Plan prepared for Rancho La Habra includes BMPs that would be incorporated into the Project. These BMPs, including those for low impact development (LID) site design and source control, are described below. Hydromodification is not a concern for the Project and impacts would be less than significant because (1) downstream storm water drainage conveyances have been improved and earthen channels have been stabilized, and (2) the Project provides for detention of the increase in runoff volume (2-year event) that would occur as the result of Project development.

As described in Draft EIR Section 3.13, pursuant to the County's Fourth Term MS4 Storm Water Permit (Order No. R8-2009-0030, as amended by Order No. R8-2010-0062), LID BMPs must be incorporated into design features and source controls to reduce project-related stormwater pollutants. The incorporation of LID BMPs into project design requires evaluation of LID measures in the following treatment hierarchy: infiltration, evapotranspiration, harvest/reuse, and biotreatment. The Project proposes the use of flow-through LID BMPs to address pollutants from the Project's runoff.

As described in Draft EIR Section 3.13, the following site design BMPs have been incorporated into the Project:

Minimize Impervious Area

- The Project's permeable area has been maximized by limiting the impermeable areas primarily to the roadways, driveways, and building footprints.
- Open jointed paving materials would not be used within the Project site.
- All roadways have been designed to the minimum City requirements.

Maximize Natural Infiltration Capacity

- The Project would consist of approximately 69.3 percent landscaped or open area, which would reduce runoff and maximize the potential for natural infiltration.

Preserve Existing Drainage Patterns and Time of Concentration

- Although the Project proposes to increase the percentage of impervious area, the time of concentration is anticipated to increase due to longer flow lengths and routed conditions, as compared to the pre-developed condition.

Disconnect Impervious Areas

- Landscaping would be provided adjacent to walkways and within common areas and private homeowner areas in an effort to disconnect impervious areas, avoid large impervious surface areas that could direct urban pollutants into receiving waters, and increase pervious surface areas above their water quality filtration capabilities.

Protect Existing Vegetation and Sensitive Habitat Areas, and Revegetate Disturbed Areas

- Before development of the existing golf course, the Project site consisted of dry brush in a chaparral climate. The existing condition is that of a developed and irrigated golf course. Where feasible, existing landscaping would be preserved. Approximately 13 acres of the Project site would be preserved as natural habitat.

Xeriscape Landscaping

- Native and/or tolerant landscaping would be incorporated into the site design consistent with City guidelines to reduce the need for use of pesticides and herbicides.

Biotreatment BMPs

- The Project would incorporate a proprietary vegetated biotreatment system in its design to reduce pollutant loading in site runoff prior to discharging into the storm drain system. Runoff from the Project's development areas would be conveyed as surface flow toward and into the public right-of-way. Runoff would then be concentrated in the gutter and directed into one of the proposed water quality basins via a network of underground storm drain pipes. The basins would outlet through a series of modular wetland systems by BioClean for treatment prior to discharging into the municipal storm drain system. These proprietary biotreatment BMPs have been selected for use based on the system's proven pollutant removal efficiencies, small footprint, and the ease of incorporating into the Project's site design.

Non-Structural BMPs

- **Education for Property Owners, Tenants, and Occupants**. Educational materials would be provided to homeowners at close of escrow by owner and periodically thereafter by the homeowners' association (HOA) to inform them of potential impacts on downstream water quality. Materials would include those described in the Water Quality Management Plan (WQMP).
- **Activity Restrictions**. Activity restrictions[19] to minimize potential impacts on water quality and with the purpose of protecting water quality would be prescribed by the Project's Covenant, Conditions, and Restrictions (CC&Rs), or other equally effective measure.
- **Common Area Landscape Management**. Maintenance activities for landscape areas would be required to be consistent with County and manufacturer guidelines for fertilizer and pesticide use (Orange County Drainage Area Management Plan [DAMP] Section 5.5). Maintenance includes trimming, weeding, debris removal, and vegetation planting and replacement. Materials stockpiled during maintenance activities would be required to be placed away from drain inlets and runoff conveyance devices. Wastes would be required to be properly disposed of or recycled.

[19] "Activity restrictions" refers to prohibitions or limitations on specific types of activities (e.g., use of pesticides, herbicides).

- **BMP Maintenance**. Responsibility for implementation, inspection, and maintenance of all BMPs (structural and non-structural) would be required to be consistent with the BMP Inspection and Maintenance Responsibilities Matrix provided in Section V of the WQMP, with documented records of inspections and maintenance activities completed.
- **Common Area Litter Control**. Litter control on-site would include the use of HOA litter patrols, violation reporting, and cleanup during landscaping maintenance activities and as needed to ensure good housekeeping of the Project's common areas.
- **Employee Training**. All employees, contractors, and subcontractors of the HOA would be required to be trained on the proper use and staging of landscaping and other materials with the potential to affect runoff and proper cleanup of spills and materials.
- **Common Area Catch Basin**. At least 80 percent of the Project's private drainage facilities would be inspected, cleaned, and maintained annually, with 100 percent of facilities inspected and maintained within a 2-year period.
- **Street Sweeping, Private Streets, and Parking Lots**. The Project's private streets and its parking lots within commercial and multi-family development areas would be swept, at minimum, on a weekly basis and as needed. Responsibility for maintaining such activities would be vested with the Project's homeowners' association.

Structural Source Control BMPs

- **Storm Drain Stenciling**. Storm drain stencils or signage prohibiting dumping and discharge of materials ("No Dumping – Drains to Ocean") would be provided adjacent to each of the Project's proposed inlets. The stencils would be inspected and re-stenciled as needed to maintain legibility.
- **Trash Storage Areas**. Trash container areas would be designed in such a way so that drainage from adjoining roofs and pavement would be diverted around the area(s) to avoid run-on. This might include berming or grading the waste handling area to prevent run-on of stormwater. Trash enclosures would be designed with either a roof or awning to minimize direct precipitation and prevent rain from entering containers.
- **Use Efficient Irrigation Systems and Landscape Design**. In conjunction with routine landscaping maintenance activities, irrigation systems would be inspected for signs of leaks and overspray and repaired or adjusted accordingly. The system cycle would be adjusted to accommodate seasonal fluctuations in water demand and temperatures. Native or drought

tolerant/non-invasive plant species would be used to minimize water consumption.

- **Protect Slopes and Channels**. To prevent storm and/or irrigation runoff from causing erosion, all manufactured slopes would be stabilized with vegetation and/or mulch in accordance with the "Use Efficient Irrigation Systems and Landscape Design" source control BMP. To minimize runoff and infiltration, slope landscaping would consist of drought-tolerant plantings that would require little or no irrigation. The property owner and/or the HOA would be responsible for maintaining the vegetative cover and/or mulch on the project area slopes to eliminate exposed soils, and would inspect the slopes to check for signs of erosion, gullies, and sloughing at least twice a year, at the beginning and end of the rainy season, and after all major storm events.
- **Hillside Landscaping**. To prevent storm and/or irrigation runoff from causing erosion, all manufactured slopes would be stabilized with vegetation and/or mulch in accordance with the "Use Efficient Irrigation Systems and Landscape Design" source control BMP. Slope landscaping would consist of drought-tolerant plantings that would require little or no irrigation to minimize runoff and infiltration. The property owner and/or the HOA would be responsible for maintaining the vegetative cover and/or mulch on the project area slopes to eliminate exposed soils, and would inspect the slopes to check for signs of erosion, gullies, and sloughing at least twice a year, at the beginning and end of the rainy season, and after all major storm events.

S-HAM-23 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

S-HAM-24 See Response to Comment S-HAM-10. Measures to protect public health during site grading and construction operations are set forth in Partially Recirculated Draft EIR Section 3.8, *Air Quality*. Additional measures addressing management of contaminated soils previously buried within the site under the direction of the Orange County Health Care Agency as part of golf course construction are set forth in Draft EIR Section 3.12, *Hazards and Hazardous Materials*.

In relation to management of contaminated soils previously buried within the Project site during construction of the golf course under the supervision of the Orange County Health Care Agency, the Draft EIR's analysis of Impact HAZ-2.2 concluded that "Soils containing petroleum hydrocarbons would be encountered during site grading. A Soils Management Plan approved by the Orange County Health Care Agency sets forth extensive controls that make a substantial health

risk unlikely." To ensure that the measures set forth in the Soils Management Plan would be protective of public health, the Draft EIR sets forth the following mitigation measure:

> **Mitigation Measure HAZ-2.2:** Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1 x 10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

S-HAM-25 The air quality analysis for Rancho La Habra was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR. Health impacts related to the Project are addressed in these analyses.

S-HAM-26 Comment S-HAM-26 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. See Response to Comment S-HAM for discussion of potential health hazards due to onsite contaminated soils.

S-HAM-27 A Water Supply Assessment (Draft EIR Appendix T) was prepared that demonstrates adequacy of water supplies for the Project. As indicated in the Water Supply Assessment and the Draft EIR, irrigation of the existing golf course consumes more potable water supplies than would the Project. Comment S-HAM-27 calls for additional data on how much more water the Project would consume in comparison to the existing golf course.

The Water Supply Assessment prepared for the Project used water meter data from the Westridge Golf Club from November 2010 through March 2015 to determine existing golf course water use.[20] Because drought conditions were being experienced during this period and mandatory water conservation measures were in place, the City determined that adequate information was available to establish a baseline for golf course water demand.

As shown in Draft EIR Table 3.17-3, estimated water demand for the Project would be 175.2 acre-feet (AF) annually. By comparison, water demand for the existing golf course has averaged 276 AF annually. In determining Project-related water use, the Water Supply Assessment accounted for indoor water use, as well as outdoor water use (landscape irrigation). While CALGreen Guidelines and

[20] During this period, the golf course had four water meters: a golf course irrigation meter, a clubhouse meter, a maintenance building meter, and a fire flow meter. All four meters use potable water from the City's potable water supply.

USEPA Water Conservation Guidelines indicated that indoor water use per capita could be as low as 39 gallons per person per day, a standard water demand figure of 45 gallons per person per day was used for the purpose of calculating the total water demand of the Rancho La Habra development. This provides a more conservative number to account for possible leaks of fixtures within the homes, the possibility that residents use more water than estimated, or differences in population per household. See Rancho La Habra Water Supply Assessment (Draft EIR Appendix T), Section 2.2.3. Determination of irrigation demand took into account site-specific evapotranspiration rates, intended plant palette, proposed irrigation methods, and percentage of irrigated area for each land use within the site.

S-HAM-28 Comment S-HAM-28 is labeled in the comment letter as "Questions for the EIR." The comment includes the following list:

- **"By constructing 448 homes, how much more CO_2 in the Air?"** The greenhouse gas (GHG) analysis prepared for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.
- **Energy used to produce materials, bring materials.** Partially Recirculated Draft EIR Section 3.10, *Energy Resources*, assesses the significance of the use of energy, including electricity, natural gas, and gasoline and diesel fuels, that would result from the proposed Rancho La Habra Specific Plan. Consistent with CEQA Guidelines Appendix F, this section of the Partially Recirculated Draft EIR evaluates whether the proposed Rancho La Habra Specific Plan would use large amounts of energy or fuel, or consume energy or fuel in a wasteful manner:
    - During construction, either:
        - As the result of construction activities; or
        - By resulting in the construction or expansion of energy infrastructure that would cause significant environmental effects;
    - Following construction, during project operations, either:
        - Within buildings or other on-site operations (stationary source consumption);
        - By resulting in the construction or expansion of energy infrastructure that would cause significant environmental effects; or
        - As the result of vehicle trips associated with project site development (mobile source consumption).

Impacts related to the energy required to produce materials used in a project would require speculative assumptions regarding the entire inventory and amount of materials that would be required for site demolition, construction and ongoing operations and maintenance, as well as assumptions regarding the manufacturing methods that would be used to produce these materials, where such materials would be produced, and the various modes of delivery of materials to the project site from this original point of production.

- **Energy used for removing contaminated soils**. Such soils will not be removed from the site but will be managed pursuant to a Soils Management Plan approved by the Orange County Health Care Agency (OCHCA). This management will consist of re-burying at a greater depth below the surface contaminated soils previously buried under the supervision of the OCHCA during construction of the existing golf course. Because re-burying these soils at a greater depth suitable for residential development is a necessary pre-requisite for the Project, the Partially Recirculated Draft EIR concluded that the energy to be used in soil management was not wasteful and impacts would be less than significant.
- **Energy used for bringing new soils**. Earthwork within the Project site is proposed to be balanced, meaning the overall cut and fill quantities would generally equal each other after accounting for earthwork shrinkage and spoils from constructing footings and utility trenches, except for import of "select" backfill material needed for retaining wall construction. Because the location and availability of such soils at the time they are needed for site construction cannot be known, energy needed to deliver such soils to the site was not calculated.
- **Energy used for compacting soils**. Soil compaction is an integral part of site grading and was calculated as part of the used of petroleum-based fuels needed to power off-road construction vehicles and equipment on the Project site.
- **Cement, asphalt, wood, paint dry walls.** As noted above, the Partially Recirculated Draft EIR does not analyze the energy needed to produce materials for on-site construction and use because doing so would require speculative analysis. The analysis does, however, include fuel for delivery truck trips.
- **Construction cars in and out.** The analysis of Project-related energy usage includes fuel used for construction worker travel to and from the site.
- **Construction people breathing; 448 dwelling units' residents breathing.** Based on the results of the localized significance thresholds and carbon monoxide (CO) "hot spot" analysis, the Partially Recirculated Draft EIR

determined that the Project would not expose sensitive receptors to substantial air pollutant concentrations with implementation of Best Available Control Measures (BACMs) and localized significance thresholds (LST)-related mitigation measures.

During preparation of the Partially Recirculated Draft EIR, the City further determined that preparation of a health risk assessment analyzing the Project's construction emissions of diesel particulate matter was not warranted. The primary purpose of such an assessment would be to determine long-term health risks, such as cancer risks over, for example, a 30-year residency or 70-year lifetime. Construction of the Project is expected to occur over approximately 6 years with grading operations constituting the greatest generation of diesel particulate matter construction emissions during 160 working days over an approximately 11-month period.

Exposure of such duration would not create long-term health effects on adjacent receptors. Additionally, the City followed SCAQMD guidance for air quality analysis when preparing the Draft EIR and its air quality analysis. SCAQMD Health Risk Assessment procedures recommend evaluating risk from extended exposures measured across 30 or 70 years and not from short-term construction exposures or from infrequent operational exposure to diesel truck deliveries or trash hauling.

- **448 homes cooking, heating, and home computer use.** The Partially Recirculated Draft EIR analyzed operational use of energy, including the heating, cooling, and lighting of buildings; water heating; operation of electrical systems and plug-in appliances within buildings; parking lot and outdoor lighting; and the transport of electricity, natural gas, and water to the areas where they would be consumed. The analysis recognized that new development that would be permitted by the proposed Specific Plan would be required to meet 2019 CALGreen energy efficiency standards.
- **Loss of trees 1000?** While a large number of trees would be removed from the site for construction of the Project, new landscaping and trees would be installed as required in the Rancho La Habra Specific Plan.
- **What is the increased CO_2 amount in the air and in underground water?** The GHG analysis prepared for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR. Emissions of CO_2 and other GHGs is an atmospheric rather than a groundwater quality issue. No underground emission of CO_2 would occur that could affect groundwater.
- M**easurement of conservation area in Draft EIR Figure 2-11**. In 2009, as part of the regulatory approval process for construction of the existing golf course, a deed restriction was recorded that covered approximately 11.43 acres

of "Conservation Area" distributed in various locations within the golf course property. The location of these areas is illustrated in Draft EIR Figure 2-11. The Partially Recirculated Draft EIR includes an updated analysis of biological resources impacts related to this conservation area.

Andrew Ho

From: Mary Davis <marydavis2nd@gmail.com>
Sent: Monday, May 7, 2018 2:45 AM
To: Andrew Ho
Cc: marydavis2nd@gmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

MDAVIS-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

MDAVIS-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

MDAVIS-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

MDAVIS-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Mary Davis

86. Response to Comments from Mary Davis (5-7-2018)

MDAVIS-1 Comment MDAVIS-1 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MDAVIS-2 Comment MDAVIS-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MDAVIS-3 Comment MDAVIS-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MDAVIS-4 Comment MDAVIS-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Andrew Ho

From: John Yoon <esyoon11@gmail.com>
Sent: Monday, May 7, 2018 6:24 PM
To: Roy Ramsland; Andrew Ho
Cc: savelahabra@outlook.com
Subject: Rancho La Habra project

YOON-1

About 15 years ago, I was playing golf at Westridge golf course and looking up on the hill.
I said to my self one day I would live in one of these houses in gated community next to golf course.
I have worked 12 - 16 hours a day and finally my american dream came true after 15years of hard work.
First time I invited my friends to my home, everybody wish to live in our community.

It has been my number one joy in my life inviting friends and family to experience fresh air and quite environment.
All my friends stayed overnight said it feels different in the morning than their LA downtown homes.
Although it is little further to commute to downtown than from K town, it was worthwhile.
Everybody envies I am living in golf course community.
Not many people know about La Habra but they all know Westridge golf course.
When I come home from work, from Beach and Lambert I look over the community above Westridge golf course, it feels like all days work stress go away.

YOON-2

Now, I am very disappointed and worried at the potential development project on golf course.
I used to recommend my friends to move to our community.
But, there would be no more merit to live in the community without quite and comfortable environment.
It will be just like Downey or Monterey park.

YOON-3

I currently avoid the imperial highway from Idaho and Beach because of traffic.
I am sure there will be more crowd and traffic in this area if the project is approved.
It won't be much different than living nearby downtown.

YOON-4

I am considering moving out to less crowd community.
I hope the city council take in consideration that the comfortable environment is very important to the value of life and happiness of La Habra residents.

John Yoon
2061 S Watson St.
La Habra, CA 90631
213-268-0592

87. Response to Comments from John Yoon (5-7-2018)

YOON-1 Comment YOON-1 expresses the commenter's opinion regarding the existing Westridge Golf Club and adjacent residential community. The comment does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YOON-2 Comment YOON-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YOON-3 Comment YOON-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

YOON-4 Comment YOON-4 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Cathy Matamoros <catmat89@aol.com>
Sent: Monday, May 7, 2018 12:54 PM
To: Roy Ramsland
Cc: Andrew Ho
Subject: NO TO WESTRIDGE GOLF COURSE REDEVELOPMENT

Dear La Habra City Councilmembers,

We are writing today as concerned citizens and residents of the nearby neighborhood of Fullerton, California. We have been to a few of the La Habra City Council Meetings and have been in contact with residents of Westridge Community which overlooks the golf course. We live approximately 1/2 mile south of the proposed project in the community of Hawks Pointe. We are also former residents of La Habra (1991 to 2003).

MATAM1-1 We are pleading with you to say no to this huge project. The City of La Habra and neighboring cities are against this due to the decrease in home values (glut of homes), traffic congestion, overcrowding of schools, concerns about the aesthetics of our beautiful neighborhood (the curb appeal of this project is already alarming), taking away from existing resources, and just a general over-development of the area. In particular for us, the traffic is already a problem as we only have 2 exits from our community of Hawks Pointe. When a light is out or an accident occurs on Beach Blvd. we are just about trapped in. Traveling on Beach in either direction during rush hours is already horrific and when shopping in the neighborhood, travel is very slow. We are also concerned about any subsidence

MATAM1-2 problems/tampering with existing home's foundations that may occur if this project/construction is allowed to go forward. In addition, we have read the EPA report and contamination issues seem rampant. Plus, no green space after

MATAM1-3 a project like this will result in a concrete jungle for the city. Not what I envisioned when I moved here 26 years ago.

MATAM1-4 We are both Southern California natives. We grew up in Los Angeles - yes, the huge sprawling urban city. We moved to La Habra in 1991 looking for a quieter, less congested, suburban life. We loved it's almost country charm back then. We realized things change and progress goes on. Although some of the redevelopment in recent years was warranted, my husband and I feel it is getting out of control and the City of La Habra is not seeing the big picture and we are a silent majority who is starting to feel like it's becoming very urbanized. I understand that there is some gentrification going on as well, but that will only serve the city well if you can balance that with all residents from different backgrounds, cultures, and ages - including taking care of the problem of homelessness in La Habra which is becoming a blight on the city. I know you know the areas I'm referring to. I can practically tell you where to find certain homeless people/persons by corner and intersection and retail locations. They are living behind my client's offices off Harbor and Imperial!!

MATAM1-5 We urge you to RECONSIDER!!! We are pleading with you and the City Council to come up with an alternative or to just stop this over growth once and for all. We love this area and moved to this part of Fullerton which lies on the border of La Habra because our kids went to school in La Habra from K-12 and we chose to stay near to La Habra. We love La Habra and still do our shopping, personal business and eating there. Please don't make it unrecognizable. More importantly, please listen to your constituents.

We will see you at the next city council meeting tonight.

Thank you for your time.

Jose & Catherine Matamoros
2867 Timberlyn Trail Rd.
Fullerton, CA 92833

formerly of:
1361 N. Edgemont St.
La Habra, CA 90631

88. Response to Comments from Jose and Catherine Matamoros (5-7-2018)

MATAM1-1 Comment MATAM1-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Impacts on schools and other public services and facilities are addressed in Draft EIR Section 3.15, *Public Services and Facilities*. Impacts related to aesthetics are addressed in Draft EIR Section 3.4, *Aesthetic Resources*.

MATAM1-2 A Geotechnical Report was prepared that analyzed potential for subsidence within the Project site. The report stated that proposed up to 2½ inches of settlement would occur over a period of approximately 6 to 12 months after the completion of rough grading, and that due to proposed fill depths and an increase of grades over existing alluvium, settlement monitoring would be required at the completion of grading. The Draft EIR concluded that although the Project would be located on soils susceptible to settlement, implementation of mitigation measures based on the recommendations set forth in the Project's Geotechnical Report and compliance with the California Building Code would resolve soil stability issues, including potential for subsidence.

MATAM1-3 The Draft EIR analysis of Impact AES-3 concluded that implementation of the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource (existing Westridge Golf Club), even though 86.96 of the site's 150.84 acres would continue to be devoted to open space use in the form of public and private parks, trails, and habitat conservation, as well as the existing 19.38-acre slope separating the Westridge residential community from the Project site.

MATAM1-4 Comment MATM1-4 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MATAM1-5 Comment MATAM1-5 expresses the commenter's opinion regarding the Project and the La Habra community and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

To Andrew Ho,

JKIM-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Jongtae Kim

ADDRESS 2021 S. Littler Court
La Habra, CA 90631

SIGNATURE _____ DATE 5/7/18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

JKIM-2 I and my neighbors are all deeply concerned about the negative effect of this So called Rancho La Habra Project. We will loose great open space and greens. We will get Increase traffic and worsen air quality Simply our quality of life will be degraded.

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

89. Response to Comments from Jongtae Kim (5-7-2018)

JKIM-1 Comment JKIM-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JKIM-2 Comment JKIM-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Air quality is addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*.

The Draft EIR analysis of Impact AES-3 concluded that the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource (existing Westridge Golf Club), even though 86.96 of the site's 150.84 acres would continue to be devoted to open space use in the form of public and private parks, trails, and habitat conservation, as well as the existing 19.38-acre slope separating the Westridge residential community from the Project site.

To Andrew Ho,

YI-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME PATRICIA YI

ADDRESS 1941 W. SNEAD ST.
LA HABRA, CA 90631

SIGNATURE [illegible] DATE 5/7/10

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

YI-2
- MORE TRAFFIC
- HIGHER POPULATIONS.
- AIR QUALITY PROBLEMS.

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

90. Response to Comments from Patricia Yi (5-7-2018)

YI-1 Comment YI-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

YI-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. The increase in population that would result from the Project is described in Draft EIR Section 3.3, *Population and Housing*. Air quality, including the effect of increased population from the Project on consistency with the regional Air Quality Management Plan, is addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*.

To Andrew Ho,

FELIX-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME EDWARD FELIX

ADDRESS 2000 S. TORREY PINES CT.
LA HABRA CA. 90631

SIGNATURE Edward D. Felix DATE 5/7/2018

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

FELIX-2 TRAFFIC + SAFETY OF THE COMMUNITY

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

91. Response to Comments from Edward Felix (5-7-2018)

FELIX-1 Comment FELIX-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FELIX-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Impacts on police services are addressed in Draft EIR Section 3.15, *Public Services and Facilities*. Air quality is addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*. Greenhouse gas emissions are addressed in Partially Recirculated Draft EIR Section 3.9, *Greenhouse Gas Emissions*.

To Andrew Ho,

CHRISTIE-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Gary Christie

ADDRESS 600 W ST ANDREWS
LA HABRA CA 90631

SIGNATURE Gary Christie DATE 5-7-2018

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

CHRISTIE-2
TRAFFIC, EMISSIONS
OVERCROWDING
OF SCHOOLS, ROADWAYS
INADIQUS COMPANY BUILDING HOMES
ELIMANATING OPEN LAND
TOO MANY NEGATIVES ABOUT THE WHOLE
PROJECT TO NAME RIDICULOUS

WATER SHORTAGES,

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

92. Response to Comments from Gary Christie (5-7-2018)

CHRISTIE-1 Comment CHRISTIE-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

CHRISTIE-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project. Analysis of impacts on schools is provided in Draft EIR Section 3.15, *Public Services and Facilities*.

The Draft EIR analysis of Impact AES-3 concluded that implementation of the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource (existing Westridge Golf Club), even though 86.96 of the site's 150.84 acres would continue to be devoted to open space use in the form of public and private parks, trails, and habitat conservation, as well as the existing 19.38-acre slope separating the Westridge residential community from the Project site.

Water supply is addressed in Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*.

To Andrew Ho,

DESAI-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME RAMESH & PRATIBHA DESAI
ADDRESS 2321 W. CASPER CT.
LA HABRA, CA 90631

SIGNATURE Pratibha Desai DATE 5/7/18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

DESAI-1 Beautiful Golf & open area will be gone

DESAI-2 Too much traffic - Already the Imperial & Beach Bl. have very slow running traffic during office hours.

DESAI-3 We moved from Irvine to LaHabra because Rancho LaHabra is wide open area on GolfCourse, city & greens view -
We are close to Los Angeles
The GolfCourse is and therefore this is the only desirable area in LaHabra, will be gone - there will be no attraction left.
Do you remember the value of LaHabra befor Rancho LaHabra development -

DESAI-4 Pollution with traffic increase

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

93. Response to Comments from Ramesh and Pratibha Desai (5-8-2018)

DESAI-1 Comment DESAI-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DESAI-2 Comment DESAI-2 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DESAI-3 Comment DESAI-3 expresses the commenter's opinion regarding the Project and does not raise substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DESAI-4 Comment DESAI-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

To Andrew Ho,

CCHAVEZ-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Carmen Chavez
ADDRESS 1910 S Sarazen CT
La Habra Ca 90631

SIGNATURE [signature] DATE 5-7-18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

94. Response to Comments from Carmen Chavez (5-7-2018)

CCHAVEZ-1 Comment CCHAVEZ-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

To Andrew Ho,

STEVENS-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Gretchen Stevens
ADDRESS 541 W. Country Hills Drive
La Habra, CA 90631

SIGNATURE G Stevens DATE 5/7/18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

STEVENS-2 Please share the results of the traffic impact study for the intersection(s) surrounding the proposed housing development.

The Imperial Hwy. + Beach Blvd. intersection already has 86,500 vehicles daily -- the busiest intersection north of Disneyland!

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

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MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

95. Response to Comments from Gretchen Stevens (5-7-2018)

STEVENS-1 Comment STEVENS-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

STEVENS-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, presents existing and future traffic conditions both with and without the Project. Traffic from the Project was analyzed at area intersections (including Beach Boulevard at Imperial Highway) and roadway segments for existing conditions, projected Year 2023 conditions, and projected Year 2035 conditions.

To Andrew Ho,

DRINKER-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Anne Drinker

ADDRESS 601 W St Andrews
La Habra, CA 90631

SIGNATURE Anne Drinker DATE 5/7/18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

DRINKER-2 I have lived in Westhills for 22 years as orginal owner. When I bought, I did for a view, and open area, golf course coyote hills parks + trails.
I drive out Idaho at Risner. Drivers come over the blind hill + several accident's happen.
Sandalwood has blind hills + a midschool entrance is directly off it
~~How~~ How safe will the children + current residents be with 400 more homes.

DRINKER-3 I don't feel that it should be the choice of city consil + not the residents that are effected.
In my CCR's it states my property adjacent is oil wells + are
I will sell my beautiful home to avoid this overbuilding traffic, before my home value ~~dec~~ decreases.
Explain how you don't need or want our vote.

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

96. Response to Comments from Anne Drinker (5-7-2018)

DRINKER-1 Comment DRINKER-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DRINKER-2 As demonstrated in the Partially Recirculated Draft EIR, the Project would add 15 AM peak hour trips, 18 PM peak hour trips and 212 daily trips to Sandlewood Avenue between Idaho Street and Euclid Street, which would be well within the capacity of the roadway, which meets City standards for site distance, and not sufficient to cause any significant traffic congestion or safety impacts.

DRINKER-3 Comment DRINKER-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

To Andrew Ho,

HECHEN-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Holger Erchah Chen

ADDRESS 2351 W. Casper Court
La Habra, Ca 90631

SIGNATURE Holger Chen DATE 5/2/2018

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

HECHEN-2 1. Traffic nightmares!

HECHEN-3 2. No re-zoning for business decision!

HECHEN-4 3. Must keep La Habra Green!

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

97. Response to Comments from Holger Erchah Chen (5-7-2018)

HECHEN-1 Comment HECHEN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HECHEN-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

HECHEN-3 Comment HECHEN-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HECHEN-4 Comment HECHEN-4 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

To Andrew Ho,

HYOON-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Helen Yoon
ADDRESS 1371 W. Nicklaus Ave
La Habra, CA 90631

SIGNATURE [signature] DATE 5/07/2018

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

HYOON-2

- Traffic.
- Loosing open space & greens
- Landslide.
- Any poisonous gas underground.
- Over crowding in school district.
- With over 400 new homes, how will you supply clean water.
- With increasing traffic & population, how will you control air quality in the area

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

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MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

98. Response to Comments from Helen Yoon (5-7-2018)

HYOON-1 Comment HYOON-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HYOON-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

The Draft EIR analysis of Impact AES-3 concluded that implementation of the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource (existing Westridge Golf Club), even though 86.96 of the site's 150.84 acres would continue to be devoted to open space use in the form of public and private parks, trails, and habitat conservation, as well as the existing 19.38-acre slope separating the Westridge residential community from the Project site.

The potential for landslides is addressed in Draft EIR Section 3.14, *Geology, Soils, and Seismicity*. As explained in that section, several bedrock-block type landslides occur in the vicinity of the Project site. Two landslides were removed during grading in the Westridge community, and one on-site landslide at the western side of the Project site was previously stabilized with shear keyways and left in place. Another small, relatively thin landslide was identified at the northeastern edge of the site and was subsequently determined to have been left in place.

The slopes within the southwestern and eastern portions of the Project site are located within a State of California Seismic Hazard Zone for earthquake-induced landslide. The remedial grading that was conducted for construction of the golf course and the Westridge community consisted of buttress keyways and replacement fill slopes. As a result, the current potential for earthquake-induced landslides within the Project site is low.

A Geotechnical Report was prepared for the Project and can be found in Draft EIR Appendix P along with supplemental analysis prepared in response to Comment CSA-12. As stated earlier, existing perimeter slopes were provided with buttress keyways and remedial grading when first constructed to ensure stability. Site grading would temporarily remove one of the buttress keyways, requiring stabilization. See Response to Comment CSA-12 for discussion of specific requirements. Based on the results and recommendations of the Geotechnical Report and supplemental analysis set forth in Response to

Comment CSA-12, proposed site development would not adversely affect adjacent perimeter properties, including the Westridge community.

As discussed in Draft EIR Section 3.12, *Hazards and Hazardous Materials*, starting in 1986, Chevron began a 10-year investigation and cleanup of lands including the Project site that involved 17 oil well sites, 10 "historical" sites impacted with crude oil, three above-ground tank areas, and numerous "miscellaneous" locations including pipelines, sumps, pits, and detention basins. Testing determined that the principal contamination was heavy petroleum hydrocarbons (crude oil) with minor fractions of volatile organic compounds (VOCs) that could volatilize as gas, and lighter end hydrocarbons. Once tested, the soils were placed in three designated reuse areas as approved by the Santa Ana Regional Water Quality Control Board (RWQCB) and the Orange County Health Care Agency (OCHCA), due to the low potential for the crude oil contamination to leach from the soil in the future.

As part of grading of the existing golf course, approximately 430,000 cubic yards of soil containing total petroleum hydrocarbons (TPH) were placed in three well-defined soil reuse areas beneath the golf course. Approximately 220,000 cubic yards of impacted soil were placed in Reuse Area 1 (beneath the western half of the golf course), 30,000 cubic yards in Reuse Area 2 (beneath the driving range), and 176,000 cubic yards in Reuse Area 3 (beneath the far western portion of the golf course). During placement, the impacted soils were "landfarmed" (discing and hydration to promote natural biodegradation of the soil) to reduce overall hydrocarbon concentrations in accordance with the Santa Ana RWQCB's approval. Upon successful completion of the fill placement and capping, the property received regulatory closure from the RWQCB and OCHCA in 1999.

While the grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, such placement was not designed for residential development. As a result, proposed residential development of the Project site requires that soils within two of the three reuse areas be removed and reburied at a depth appropriate for future residential use, including proper compaction for future residential use.

A Soils Management Plan (SMP) was prepared in September 2015 to address known environmental conditions for the site, as well as the potential for additional unknown environmental conditions that may be encountered during future site improvements for a proposed residential development. The SMP was prepared by the firm EEI Geotechnical & Environmental Solutions (EEI) and submitted to the OCHCA for review and comment. On October 29, 2015, the

OCHCA responded to EEI regarding the SMP dated September 29, 2015. The OCHCA provided several comments regarding the SMP and requested that EEI submit an addendum to the SMP that addressed the comments. To address OCHCA comments, an SMP Addendum dated July 14, 2016 was prepared. The information provided in the addendum was deemed sufficient and the SMP received final approval by the OCHCA on September 9, 2016. The Soils Management Plan and Addendum are provided in Draft EIR Appendix M.

Analysis of impacts on schools is provided in Draft EIR Section 3.15, *Public Services and Facilities*. As discussed on Draft EIR page 3.15-2, the Leroy F. Greene School Facilities Act of 1998 (Senate Bill [SB] 50), requires all new residential development projects to pay school impact fees that are considered "full and complete mitigation" for any impacts on school capacity. School impact fees, such as those that would be collected from Rancho La Habra, are to be used by local districts to offset capital cost impacts associated with new developments. As such, cities are prohibited from requiring additional mitigation for any school impacts and are also prohibited from denying any project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) may be inadequate. Thus, the school impact fees that are to be paid by the Project would be would constitute mitigation in full for the increased number of students generated by the Project.

A Water Supply Assessment (Draft EIR Appendix T) was prepared that demonstrates adequacy of water supplies for the Project. As indicated in the Water Supply Assessment and the Draft EIR, irrigation of the existing golf course consumes more potable water supplies than would the Project.

Air quality, including the effect of increased population from the Project on consistency with the regional Air Quality Management Plan, is addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*.

To Andrew Ho,

JUNG-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME Daniel Jung
ADDRESS 2061 S. Little Ct.
La Habra, CA 90631

SIGNATURE _____ DATE 5/1/18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

JUNG-2 I am deeply concerned about traffic that will be here if we proceed with 400+ home building. Also concerned about loosing great open space and greens.

JUNG-3 There also will be air quality and water supply issue.

JUNG-4 There's also very good possibility that gas underground will cause serious health effect

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

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MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

99. Response to Comments from Daniel Jung (5-7-2018)

JUNG-1 Comment JUNG-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

JUNG-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

The Draft EIR analysis of Impact AES-3 concluded that the proposed Rancho La Habra Specific Plan would result in the loss of a major open space resource (existing Westridge Golf Club), even though 86.96 of the site's 150.84 acres would continue to be devoted to open space use in the form of public and private parks, trails, and habitat conservation, as well as the existing 19.38-acre slope separating the Westridge residential community from the Project site.

The Draft EIR concluded that this substantial loss of open space would degrade the existing visual character of the site since proposed residential uses would become the predominant visual feature of the site, and that a significant and unavoidable impact would result.

JUNG-3 Air quality is addressed in Partially Recirculated Draft EIR Section 3.8, *Air Quality*. A Water Supply Assessment (Draft EIR Appendix T) was prepared that demonstrates adequacy of water supplies for the Project. As indicated in the Water Supply Assessment and the Draft EIR, irrigation of the existing golf course consumes more potable water supplies than would the Project.

JUNG-4 As discussed in Draft EIR Section 3.12, *Hazards and Hazardous Materials*, starting in 1986, Chevron began a 10-year investigation and cleanup of lands including the Project site that involved 17 oil well sites, 10 "historical" sites impacted with crude oil, three above-ground tank areas, and numerous "miscellaneous" locations including pipelines, sumps, pits, and detention basins. Testing determined that the principal contamination was heavy petroleum hydrocarbons (crude oil) with minor fractions of volatile organic compounds (VOCs) that could volatilize as gas, and lighter end hydrocarbons. Once tested, the soils were placed in three designated reuse areas as approved by the Santa Ana Regional Water Quality Control Board (RWQCB) and the Orange County Health Care Agency (OCHCA), due to the low potential for the crude oil contamination to leach from the soil in the future.

As part of grading of the existing golf course, approximately 430,000 cubic yards of soil containing total petroleum hydrocarbons (TPH) were placed in three well

defined soil reuse areas beneath the golf course. Approximately 220,000 cubic yards of impacted soil were placed in Reuse Area 1 (beneath the western half of the golf course), 30,000 cubic yards in Reuse Area 2 (beneath the driving range), and 176,000 cubic yards in Reuse Area 3 (beneath the far western portion of the golf course). During placement, the impacted soils were "landfarmed" (discing and hydration to promote natural biodegradation of the soil) to reduce overall hydrocarbon concentrations in accordance with the Santa Ana RWQCB's approval. Upon successful completion of the fill placement and capping, the property received regulatory closure from the RWQCB and OCHCA in 1999.

While the grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, such placement was not designed for residential development. As a result, proposed residential development of the Project site requires that soils within two of the three reuse areas be removed and reburied at a greater depth appropriate for future residential use, including proper compaction for future residential use.

A Soils Management Plan (SMP) was prepared in September 2015 to address known environmental conditions for the site, as well as the potential for additional unknown environmental conditions that may be encountered during future site improvements for a proposed residential development. The SMP was The SMP was prepared by the firm EEI Geotechnical & Environmental Solutions (EEI) and submitted to the OCHCA for review and comment. On October 29, 2015, the OCHCA responded to EEI regarding the SMP dated September 29, 2015. The OCHCA provided several comments regarding the SMP and requested that EEI submit an addendum to the SMP that addressed the comments. To address OCHCA comments, an SMP Addendum dated July 14, 2016, was prepared. The information provided in the addendum was deemed sufficient and the SMP received final approval by the OCHCA on September 9, 2016. The Soils Management Plan and Addendum are provided in Draft EIR Appendix M.

To Andrew Ho,

DOBKIN-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME D DOBKIN
ADDRESS 1411 PINE TREE CT
LA HABRA CA 90631
562-691-7480

SIGNATURE [signature] DATE 6/7-18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

DOBKIN-2 WE WOULD LIKE TO KNOW HOW TRAFFIC WILL BE AFFECTED IN THE AREA

DOBKIN-3 WHERE WILL THE EXITS/ENTRANCES BE TO THE PROPOSED DEVELOPMENT. AND HOW MANY CARS WILL THIS ADD TO THE AREA

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

100. Response to Comments from Dobkin (5-7-2018)

DOBKIN-1 Comment DOBKIN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

DOBKIN-2 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

DOBKIN-3 Access to the Specific Plan area is proposed to be provided at four locations:

- The primary entrance would be provided from Beach Boulevard at a full signalized access to be constructed opposite the entrance to the Hillsborough Park Apartments on the west side of the Project site.
- The second entry to the Project site would be from the north on La Habra Hills Drive, at the existing entry to the Westridge Golf Club.
- The third, eastern entry to the community would be via a full access signalized access to be constructed opposite Sandlewood Avenue at Idaho Street.
- The final entry would be a proposed left-turn-in/right-turn-in and right-turn-out-only unsignalized driveway along Beach Boulevard (serving the proposed specialty grocery store/restaurant/other retail pads).

Trip generation rates were revised as part of the updated traffic analysis included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

The trip generation identified in the traffic analysis does not reflect any adjustments for internal capture (e.g., trips solely within the Project site such as a resident driving to the proposed Community Center) and pass-by (e.g., a Westridge resident driving through the Project site and stopping at the Community Center on their way home). Therefore, the trip generation forecast presented in the Partially Recirculated Draft EIR provides for a "worst-case" analysis.

To Andrew Ho,

HEALEY-1 I am **DEEPLY CONCERNED** about the Rancho La Habra project EIR and I would like a response to my concerns. Please mail a written response to the following address:

NAME ALAN HEALEY
ADDRESS 1880 S. WATSON S
LA HABRA CA 90631

SIGNATURE [signature] DATE 5.7.18

MY CONCERNS ARE OUTLINED BELOW (see back page for additional comments):

HEALEY-2 I AM CONCERNED THE CURRENT TRAFFIC COUNT IS NOT CURRENT WITH THE ADDITION OF SEVERAL NEW HOUSING DEVELEMENT.

HEALEY-3 TRAFFIC WILL BE IMPACTED GREATLY.

HEALEY-4 IN ADDITION, THE TRAILS WILL ADD EASY ACCESS TO TRANSIENTS AND CRIMINALS. IM CONCERNED ABOUT THE LIMITED LIGHTING ON THE TRAILS OR ANY OVERFLOW OF LIGHTING INTO HOMES.

THIS IS THE LAST WEEK TO SUBMIT EIR COMMENTS.

DO IT TODAY!

PLEASE DEPOSIT THIS LETTER IN THE FLUORESCENT YELLOW BOX AT THE COUNCIL MEETING,
MAIL TO: Andrew Ho, 110 East La Habra Blvd, La Habra, CA 90631
OR GIVE IT TO ONE OF OUR VOLUNTEERS

101. Response to Comments from Alan Healey (5-7-2018)

HEALEY-1 Comment HEALEY-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

HEALEY-2 The Rancho La Habra traffic impact analysis was revised based on new traffic counts and updated traffic generation from the 10th Edition of Trip Generation, published by the Institute of Transportation Engineers (ITE). See Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

HEALEY-3 The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

HEALEY-4 Section 12.28.010 of the La Habra Municipal Code prohibits access to City-owned public park or recreation facilities after 10:00 p.m. This restriction would be applied to all publicly accessible parks and trails within Rancho La Habra. Adequate lighting of trails for public safety purposes would be required. Restrictions on light spillage into homes are intended to ensure that lighting is directed to the areas intended to be lighted and that night lighting is not inadvertently directed onto residential properties and residents' windows. See Response to Comment CDFW-16 for discussion of mitigation requirements related to night lighting.

Christine Cook
13918 Highlander Rd
La Mirada Ca 90638

Andrew Ho
Director of Community and Economic Development
110 East La Habra Boulevard
La Habra, CA 90631

5/8/18

To Andrew Ho,

COOK-1 I'm deeply concerned about the Rancho La Habra EIR and I would like a response to my concerns. My address is above. I live on the border of La Mirada and La Habra at Hillsborough Dr in Hawks Pointe.

COOK-2 I'm extremely concerned about the 15 month grading process due to the toxic soil underneath the golf course. How are we as residents going to be protected from the unhealthful air and dust once the soil starts being moved around? What testing has been done on the soil so far? Are there any toxicity reports to read?

COOK-3 I work at 2001 S Mangrum Ct, La Habra in Westridge. I also enjoy the pool at on the property. I know for a fact that swimming and backyard reading will become a health hazard. What mitigation measures will be taken to protect our lungs and air.

Air Quality -

COOK-4 In 1999, I lived at 941 W Pebble Beach Ave, La Habra in Westhills. That is right near the entrance off Idaho and Risner way. In 1999, my dog, Lucy, became very ill during the grading and work done at Westridge. Lucy was an 85 pound Weimaraner and required $500 in medications every few months until her passing in 2009. I really thought that I and Lucy were just not lucky when I picked her until my neighbor at 921 W Pebble Beach Ave got a Pomeranian dog named Honey. Honey was a very small dog but had the same issues as Lucy. Both dogs were treated at Animal Pet Dermatology in Tustin for the rest of their lives. They had very bad allergies and skin conditions that led to fur loss, chapped skin, yeast infections and other issues. They had special diets, were on steroids and antigen shots for their lifetime. I believe the toxic soil and particles in the air and ground made these dogs ill. Why would 2 different dogs of different breeds get the same illness? How can we prevent our pets, children and other family members from getting ill?

Habitat

COOK-5 I'm also concerned about the nesting birds and other species at Westridge golf course. Our neighborhoods were built as a bird sanctuary. We were given direct information about what plants and

COOK-6 trees to plant when we moved in. It's help these birds thrive. What will happen with 6 years of building disruption?

COOK-7 Where will the species be placed? According to the California Fish and Wildlife no plans have been properly submitted in regards to building new homes and moving habitat. There is NO LIKE FOR LIKE place to move these species.

COOK-8 I would like to invite you, Mr Ho and the planning council to both of my homes to enjoy. Our backyards are currently so pleasant listening to the singing birds and watching nature. I would hate to lose the generations of species that have been built up over the last 18 years. Our wildlife needs to be preserved to balance our nature as a whole.

Noise and Vibration

COOK-9 I'm concerned about my quality of life and my work. I work from Home in La Habra and La Mirada. I don't know how I could afford to rent an office somewhere with all the costs involved for 6 years. How will my father who is 83 be able to enjoy his last few years of life? How will you prevent the over 60 decibels of noise? Will you offer any protection from the noise.? I generally wake up at 7:40 am. If grading begins at 7 am, I will be sleep deprived for 6 years. This will affect my quality of life.

COOK-10 We do have a lot of noise already being on Beach Blvd. I am concerned about the speed limit and frequent traffic collisions. What can be done to help protect us from the noise? Will Lennar install a barrier?

COOK-11 What is being done to mitigate the interruption of our public and private utilities such as water, electricity, cable tv, sewer, storm drains, internet, etc? These days we rely heavily on our internet and electricity. We cannot function without it. I do work from home. Will La Habra have back up services available?

Public Resources

COOK-12 What is the La Habra plan for emergency personnel? Since there will be much more added traffic when we lose an entrance and exit to Westridge, how will First responders be able to access homes, people or the construction crew?

Water

COOK-13 I thought the golf course used reclaimed water so I am doubting the accuracy of the water usage and savings. Can you tell me what the water usage of the golf course is annually for the last 10 years? Also, do you have statistic of the water usage from Westridge residents? Since La Habra has its city run water program this should be available date. Please provide this to me.

Geology, Soils and Seismicity

COOK-14 Westridge golf course in located in a seismic hazard zone. It is known landslide and liquefaction zone. Why take the risk of building beautiful new homes in a area that can be reduced to rubble in a matter of seconds? Soil **liquefaction** describes a phenomenon whereby a saturated or partially saturated soil substantially loses strength and stiffness in response to an applied stress, usually earthquake shaking or other sudden change in stress condition, causing it to behave like a liquid.

COOK-15 **Seismic hazard zones** are regulatory **zones** that encompass areas of liquefaction (failure of water-saturated soil) and earthquake-induced landslides. Soil liquefaction occurs when loose sediments become suspended in water as a result of **seismic** activity which pushes the water table upward.

COOK-16 Are you aware that several of the roads in Westridge were completely dug up last year? Some of our homes have standing water in our utility boxes and our streets had water and oil coming through? We have saturated soils. Our homes and hills are moving. This is a fact. Our backyard stability at 2001 S Mangrum court has been "repaired" 3 times. Many of the homes have the same or similar issues. Why would La Habra build homes in an unstable earth? Some of these homes will have fire sprinkler systems. During the March 28, 2014 earthquake, Sams Club's fire suppression system was activated from the earthquake. The store became flooded. The same would happen to the new homes with Fire suppression. Why risk this further hazard? Since the soil has to be replaced with clean soil, will this soil be safe with shaking. Will the homes of Westridge slide into Rancho La Habra?

COOK-17 During the March 28, 2014 earthquake, my home alone sustained over $15,000 worth of damage. Although I have earthquake insurance I could not make a claim. I was not alone. Why will La Habra take this risk? I felt the 4.5 earthquake quite heavily on 5/8/18 near Banning which is 70 miles away.

Thank you for your time. I look forward to your response.

Sincerely

Christine Cook

102. Response to Comments from Christine Cook (5-8-2018)

COOK-1 Comment COOK-1 expresses a general concern with the Draft EIR that is described in greater detail in subsequent comments. See Responses to Comments COOK-2 through COOK-17 for responses to specific issues raised in this comment letter.

COOK-2 As discussed in Draft EIR Section 3.12, *Hazards and Hazardous Materials*, starting in 1986, Chevron began a 10-year investigation and cleanup of lands including the Project site that involved 17 oil well sites, 10 "historical" sites impacted with crude oil, three above-ground tank areas, and numerous "miscellaneous" locations including pipelines, sumps, pits, and detention basins. Testing determined that the principal contamination was heavy petroleum hydrocarbons (crude oil) with minor fractions of volatile organic compounds (VOCs) and lighter end hydrocarbons. Once tested, the soils were placed in three designated reuse areas as approved by the Santa Ana Regional Water Quality Control Board (RWQCB) and the Orange County Health Care Agency (OCHCA), due to the low potential for the crude oil contamination to leach from the soil in the future.

As part of the Phase I environmental site assessment, Tier 1 Vapor Encroachment Screen was conducted for the Project site to evaluate whether potential chemicals of concern may migrate as vapors onto the property as a result of contaminated soil and/or groundwater that may be present on or near the property (i.e., a Vapor Encroachment Condition). Based on the Tier 1 screening evaluation, the past use of the Project site was considered to pose a potential Vapor Encroachment Condition.

The presence of the impacted soil beneath portions of the subject property necessitated a Tier 2 screening, consisting of a review of existing data related to the former oil production operation and designated soil reuse areas at the site. In the Tier 2 screening, EEI Geotechnical & Environmental Solutions (EEI) which prepared the analysis concluded that a Vapor Encroachment Condition can be ruled out for the former oil production operation area and soil reuse areas because site-specific invasive testing data collected during previous investigations indicated that the soil beneath the property contains crude oil contamination (not refined fuel products) with a lack of significant VOCs.

As part of grading of the existing golf course, approximately 430,000 cubic yards of soil containing total petroleum hydrocarbons (TPH) were placed in three well-defined soil reuse areas beneath the golf course. Approximately 220,000 cubic yards of impacted soil were placed in Reuse Area 1 (beneath the western half of the golf course), 30,000 cubic yards in Reuse Area 2 (beneath the driving range),

and 176,000 cubic yards in Reuse Area 3 (beneath the far western portion of the golf course). During placement, the impacted soils were "landfarmed" (discing and hydration to promote natural biodegradation of the soil) to reduce overall hydrocarbon concentrations in accordance with the Santa Ana RWQCB's approval. Upon successful completion of the fill placement and capping, the property received regulatory closure from the RWQCB and OCHCA in 1999.

While the grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, such placement was not designed for residential development. As a result, proposed residential development of the Project site requires that soils within two of the three reuse areas be removed and reburied at a depth appropriate for future residential use, including proper compaction for future residential use.

A Soils Management Plan (SMP) was prepared in September 2015 to address known environmental conditions for the site, as well as the potential for additional unknown environmental conditions that may be encountered during future site improvements for a proposed residential development. The SMP was prepared by the firm EEI Geotechnical & Environmental Solutions (EEI) and submitted to the OCHCA for review and comment. On October 29, 2015, the OCHCA responded to EEI regarding the SMP dated September 29, 2015. The OCHCA provided several comments regarding the SMP and requested that EEI submit an addendum to the SMP that addressed the comments. To address OCHCA comments, an SMP Addendum dated July 14, 2016 was prepared. The information provided in the addendum was deemed sufficient and the SMP received final approval by the OCHCA on September 9, 2016. The SMP and SMP Addendum are provided in Draft EIR Appendix M.

The reuse of soil containing crude oil on-site as deep fill and the overlaying of that fill with clean soil (i.e., soil capping) is a standard industry practice that is a common form of engineering control at regulated cleanup sites. This practice is regularly approved by the U.S. Environmental Protection Agency (USEPA), State Water Resources Control Board (SWRCB), RWQCBs, and cities and counties throughout the state, including the OCHCA, because it has been found to eliminate the risk of contaminants being released from soil into the environment.

Soil capping, as proposed for the Project site, involves the placement of a defined thickness of clean soil over the top of reused soil. The clean soil layer provides a buffer separating the contamination from future site occupants and the environment. USEPA requires the thickness of clean soil to be at least 2 to 3 feet

in non-residential locations, and 10 feet for residential uses. In accordance with the approved Soils Management Plan for Rancho La Habra, the project would use a total of 20 feet of clean soil throughout the site. Underneath the reused soil, there would also be a 20-foot clean soil buffer maintained between the base of the contaminated fill and the estimated groundwater surface, as required by the RWQCB. This buffer would prevent any potential mixing of soil containing crude oil and shallow groundwater.

The OCHCA has directed that soil used in the buffer must contain less than 100 milligrams per kilogram (mg/kg) TPH and must meet the screening levels outlined in USEPA's Regional Screening Levels and supplemented by DTSC HERO Note 3. These buffer soils would be tested by a remediation specialist to ensure compliance with the mandated soil screening levels.

The Soils Management Plan for the Project site, approved for the Project site by the OCHCA, sets forth the following requirements to minimize hazards from the excavation and placement of TPH-affected soils:

- Standard work practices, such as suppressing dust, performing proposed site improvements in the upwind position, and monitoring for the potential presence of VOCs, shall be observed. Where impractical, the site safety officer, or designated alternate, is to be consulted to identify acceptable alternatives. If an inhalation hazard is identified, Level C respiratory protection using National Institute for Occupational Safety and Health (NIOSH)-approved half-face air purifying respirators with volatile organic or combination high-efficiency particulate (HEPA)/volatile organic cartridges shall be required.
- Skin exposure of workers is to be limited by use of gloves, eye protection, and hard hat; hand washing; and limiting incidental ingestion of soil.

The excavation, stockpiling, sampling, and placement of TPH-affected soils must follow the approved Soils Management Plan. This includes the proper handling of potentially impacted soils during removal and placement such that potential impacts due to odor, dust, runoff, and physical contact are mitigated.

In addition, control of petroleum hydrocarbon vapor emissions would follow the guidelines set forth by South Coast Air Quality Management District Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. While significant VOCs are not anticipated at this site, based on previous testing, impacted soil would be monitored during grading with an Organic Vapor Analyzer for vapor emissions and control measures would be implemented

whenever levels exceed applicable thresholds (i.e., greater than 50 parts per million [ppm]).

Soil testing is required to be performed by a qualified remediation specialist, as overseen by the OCHCA, and would occur prior to completion of grading to (1) verify the complete removal of previously placed fill soil in the original reuse areas, (2) characterize the excavated fill once it is placed in stockpiles, and (3) verify that all soils in the upper 10 feet meet the criteria established by the OCHCA.

During construction, soil piles would be watered (misted) or covered when necessary to prevent fugitive dust. This would prevent the potential release of contaminated soil into the environment.

In addition, the fugitive dust control measures set forth in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, and the erosion control measures set forth in Draft EIR Section 3.13, *Hydrology and Water Quality*, would be maintained.

Recognizing the potential of encountering TPH-affected soil outside of existing reuse areas, the Soils Management Plan also provides requirements for general site grading, as follows (as described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*):

- During site grading, excavated soil originating from outside of the three reuse areas that visually displays dark discoloration/staining shall be flagged and segregated during the excavation process. These segregated soils shall be tested to determine whether the soil can be reused as cover or must be placed within a deep fill location.
- Potentially impacted soils shall be stockpiled on plastic sheeting to segregate contaminated soils from clean soils. Vapor and dust from excavation and stockpiling activities shall be controlled using one or more of the following: water misting, covering with poly sheeting; backfilling of off-gassing excavations, locating stockpiles away from and/or downwind of on-site workers and public receptors, and reducing the pace of project site activities and/or halting activities. In general, flagged (impacted) locations outside of the reuse areas are to be visually located, and confirmed by hand-held (or equivalent) global positioning system (GPS) equipment, when necessary.
- Excavation efforts shall proceed at individual flagged (impacted) suspect areas based upon visual staining and/or other methods (i.e., air monitoring equipment). Confirmation soil samples shall be collected from stockpiled soil and excavation limits, and properly documented as excavation proceeds. Final excavation confirmation sampling should be conducted at a rate of at

least one soil sample per 5-foot vertical interval/20-foot horizontal interval of exposed sidewall and/or excavation floor. However, this sample frequency may be modified in the field based on site-specific conditions such as accessibility, soil homogeneity, and results of previous sampling data.

- Soil samples shall be collected using appropriate hand sampling tools or from the bucket of the excavation equipment and placed in laboratory-supplied glass sample jars and/or stainless steel sleeves, as required. In either case, samples should be compacted within the sample container to remove any head space. Soil samples shall be sealed with Teflon-lined lids/caps, labeled with a number unique to the sample, placed in a chilled cooler, and logged under proper chain-of-custody (COC) protocol for transportation to a California-state certified laboratory. A mobile laboratory may be used to analyze soil samples during the excavation confirmation process, depending upon the nature of the contaminant and/or the scheduling needs of the project.

The following mitigation measure would be required by the City to ensure public safety:

Mitigation Measure HAZ-2.2: Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1 x 10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

COOK-3 In approving the Soils Management Plan (SMP) for Rancho La Habra, the Orange County Health Care Agency (OCHCA) has determined that site grading would not pose a health risk. The Soils Management Plan does not, however, mandate preparation of a human health risk assessment to quantify exposure of workers and neighborhood residents to airborne contaminants during proposed remedial grading activities. Therefore, the City of La Habra has imposed Mitigation Measure HAZ-2.2, above, in addition to the requirements of the SMP cited in Response to Comment COOK-2.

COOK-4 See Response to Comment COOK-2 for discussion of the controls that would be in place to protect public health during site grading.

COOK-5 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

COOK-6 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

COOK-7 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

COOK-8 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

COOK-9 The Rancho La Habra noise analysis was updated and revised subsequent to this comment and can be found in Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR.

As noted in that section, Chapter 9.32 of the La Habra Municipal Code pertains to noise control within the City's boundaries. Municipal Code Section 9.32.070 exempts "noise sources associated with construction, repair, remodeling, or grading of any real property, provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. weekdays, including Saturday or at any time on Sunday or a federal holiday." Project construction activities would occur only within the hours exempted by City ordinance for construction activities (7:00 a.m. to 8:00 p.m.).

Although construction activities are exempt from City noise standards during the hours that Project-related construction would occur, the Partially Recirculated Draft EIR notes that demolition and crushing, site grading, and infrastructure and building construction would expose persons to noise levels substantially in excess of existing conditions. Even with implementation of the mitigation measures set forth in the Partially Recirculated Draft EIR, construction noise levels would remain substantially above ambient conditions and would be clearly audible to area residents. The resulting impact would be significant and unavoidable.

COOK-10 Noise impacts are addressed in Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*, which determined that the Project would not directly cause applicable La Habra General Plan land use compatibility noise standards to be exceeded. While Project-related traffic would add to existing exceedances of the City's noise standards, such increases in roadway noise levels would be negligible. See Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR for updated noise analysis and mitigation measures.

COOK-11 Draft EIR Section 3.17, *Utilities, Service Systems, and Water Supply*, addresses electrical, water, and sewer utilities. Drainage is addressed in Draft EIR Section 3.13, *Hydrology and Water Quality*. Cable TV and internet services are not included in CEQA thresholds and are therefore not addressed in the EIR. Although Project development would result in the temporary closure of La Habra Hills Drive, site development would not be permitted to interrupt utility services to surrounding land uses, including the Westridge community. In addition, drainage from the Westridge community would continue to flow through the Project site during site construction. Electricity, cable TV, and internet services are not provided by the City of La Habra.

COOK-12 As addressed in Draft EIR Section 3.2, *Land Use and Planning*, the Project would result in the temporary closure of the La Habra Hills Drive entrance to the Westridge residential community during site grading, temporarily restricting use of one of the three current entries to the community. Connectivity to and from the Westridge residential community during Project site grading would therefore be temporarily reduced, increasing travel time between housing and shopping. However, connectivity for the Westridge community would not be eliminated. The Draft EIR determined that the condition would be temporary, the community's existing access points to Idaho Street and Beach Boulevard would remain unaffected, and emergency access from the two closest fire stations serving the Westridge community would not be affected. Impacts related to the closure of La Habra Hills Drive during site grading were therefore determined in the Draft EIR to be less than significant.

COOK-13 The golf course does not, in fact, use reclaimed water. A Water Supply Assessment (Draft EIR Appendix T) was prepared that demonstrates the adequacy of water supplies for the Project. As indicated in the Water Supply Assessment and the Draft EIR, irrigation of the existing golf course consumes more potable water supplies than would the Project.

The Water Supply Assessment prepared for the Project used water meter data from the Westridge Golf Club from November 2010 through March 2015 to determine existing golf course water use.[21] Because drought conditions were being experienced during this period and mandatory water conservation measures were in place, the City determined that adequate information was available to establish a baseline for golf course water demand.

[21] During this period, the golf course had four water meters: a golf course irrigation meter, a clubhouse meter, a maintenance building meter, and a fire flow meter. All four meters use potable water from the City's potable water supply.

COOK-14 Comment COOK-14 expresses the commenter's opinion regarding the Project and the site's geologic conditions. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Analysis of seismic, landslide, and liquefaction hazards is presented in Draft EIR Section 3.14, *Geology, Soils, and Seismicity*.

COOK-15 Comment COOK-15 expresses the commenter's opinion regarding the Project and the site's geologic conditions. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Analysis of seismic, landslide, and liquefaction hazards is presented in Draft EIR Section 3.14, *Geology, Soils, and Seismicity*.

COOK-16 Comment COOK-16 expresses the commenter's opinion regarding the Project and the site's geologic conditions. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Analysis of seismic, landslide, and liquefaction hazards is presented in Draft EIR Section 3.14, *Geology, Soils, and Seismicity*. Site grading and construction activities would be required to implement the requirements of the Geotechnical Report approved by the City of La Habra Chief Building Official to ensure safety of slopes within and adjacent to the Project site.

COOK-17 Comment COOK-17 expresses the commenter's opinion regarding the Project and the site's geologic conditions. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Analysis of seismic hazards is presented in Draft EIR Section 3.14, *Geology, Soils, and Seismicity*.

Andrew Ho

From: Hiral Desai <dada_ashish@yahoo.com>
Sent: Tuesday, May 8, 2018 12:07 AM
To: Andrew Ho
Cc: dada_ashish@yahoo.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

H-DESAI-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

H-DESAI-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

H-DESAI-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

H-DESAI-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Hiral Desai
13210 Royalcrest ct. #191 La Mirada, CA 90638

103. Response to Comments from Hiral Desai (5-8-2018)

H-DESAI-1 Comment H-DESAI-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

H-DESAI-2 Comment H-DESAI-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

H-DESAI-3 Comment H-DESAI-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

H-DESAI-4 Comment H-DESAI-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

May 9, 2018

To Andrew Ho
City of La Habra

Comments on the Rancho La Habra EIR

LEES-1 The Water Supply Assessment study is based on data that is more than two and half years old and not on up to date water usage at the golf course which has significantly increased their water conservation measures which has resulted in major reductions in water usage. Additionally, the homes that are going

LEES-2 to be built to conform to the surrounding homes currently existing should be used for the comparison of water usage since home occupancy (number of people per household) has increased in recent years and the actual data is available from the Westridge development. Lastly, the water assessment does not

LEES-3 include an analysis of water usage of the hillside immediately above the project which will change significantly due to the land recontouring that is necessary for the planned project.

LEES-4 This study needs to be based on the actual usage of water today as should the congruent housing data available from actual usage of the adjacent Westridge Development. This is significant error rates caused by using old data and hypothetical housing data that does not reflect the actual circumstances of the La Habra environment which has readily available current data on water usage for both the golf course and comparable homes in La Habra.

LEES-5 To make a useful and accurate Water Supply Assessment report, it needs to use current data from the existing golf course and like housing. Major changes in usage has occurred from water conservation measures taken by the golf course and homeowners at the request of the Water Department. An accurate report is important to make a proper evaluation of the Rancho La Habra project impact.

Sincerely,

James Lees
Adjacent Home Owner
2140 S Farrell Ct.
La Habra, CA 90631

104. Response to Comments from James Lees (5-9-2018)

LEES-1 The Water Supply Assessment (Draft EIR Appendix T) prepared for the Project used water meter data from the Westridge Golf Club from November 2010 through March 2015 to determine existing golf course water use.[22] Because drought conditions were being experienced during this period and mandatory water conservation measures were in place, the City determined that adequate information was available to establish a baseline for golf course water demand.

LEES-2 In determining Project-related water use, the Water Supply Assessment accounted for indoor water use, as well as outdoor water use (landscape irrigation). Determination of irrigation demand took into account the site-specific evapotranspiration rate, intended plant palette, irrigation method, and percentage of irrigated area for each land use within the site.

LEES-3 A Geotechnical Report was prepared for the Project and can be found in Draft EIR Appendix P along with supplemental analysis prepared in response to Comment CSA-12. As stated earlier, existing perimeter slopes were provided with buttress keyways and remedial grading when first constructed to ensure stability. Site grading would temporarily remove one of the buttress keyways, requiring stabilization. See Response to Comment CSA-12 for discussion of specific requirements. Based on the results and recommendations of the Geotechnical Report and supplemental analysis set forth in Response to Comment CSA-12, proposed site development would not adversely affect adjacent perimeter properties, including the Westridge community.

The existing slope along the southern boundary of the Project site is maintained and irrigated by the Westridge homeowner's association and is an existing condition. As a result, water demand for the slope was not included for Rancho La Habra in the Water Supply Assessment.

LEES-4 Comment LEES-4 sets forth an unsubstantiated assertion that the water demand estimated for Rancho La Habra represents a "significant error" because the Water Supply Assessment was prepared in October 2016. The existing Westridge community's per dwelling unit or per capita water use would not be indicative of water demand within Rancho La Habra, since (1) home and lot sizes differ between the existing Westridge community and the proposed Rancho La Habra

[22] During this period, the golf course had four water meters: a golf course irrigation meter, a clubhouse meter, a maintenance building meter, and a fire flow meter. All four meters use potable water from the City's potable water supply.

development, and (2) Rancho La Habra would be constructed with low water use fixtures not required by earlier building codes.

The Water Supply Assessment prepared for the Project therefore estimated both indoor and outdoor water demand specifically for the proposed Rancho La Habra development. While CALGreen Guidelines and USEPA Water Conservation Guidelines indicated that indoor water use per capita could be as low as 39 gallons per person per day, a standard water demand figure of 45 gallons per person per day was used for the purpose of calculating the total water demand of the Rancho La Habra development. This provides a more conservative water demand estimate to account for possible leaks of fixtures within the homes, the possibility that residents use more water than calculated, or differences in population per household. See Rancho La Habra Water Supply Assessment (Draft EIR Appendix T), Section 2.2.3. Determination of irrigation demand took into account the site-specific evapotranspiration rates, intended plant palette, proposed irrigation methods, and percentage of irrigated area for each land use within the site.

The Water Supply Assessment (Draft EIR Appendix T) prepared for the Project used water meter data from the Westridge Golf Club from November 2010 through March 2015 to determine existing golf course water use. Because drought conditions were being experienced during this period and mandatory water conservation measures were in place, the City determined that adequate information was available to establish a baseline for golf course water demand.

LEES-5 See Responses to Comment LEES-1 through LEES-4.

Andrew Ho

From: RobertGag RobertGagTL <golfbuff@msn.com>
Sent: Wednesday, May 9, 2018 1:48 PM
To: Andrew Ho
Cc: golfbuff@msn.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

RGAG-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

RGAG-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

RGAG-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

RGAG-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

RobertGag RobertGagTL
Tirgu Mures

105. Response to Comments from RobertGag RobertGagTL, Tirgu Mures (5-9-2018)

RGAG-1 Comment RGAG-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

RGAG-2 Comment RGAG-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

RGAG-3 Comment RGAG-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

RGAG-4 Comment RGAG-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Faith Parker <faithbt527parker@yahoo.com>
Sent: Wednesday, May 9, 2018 5:13 PM
To: Andrew Ho
Cc: faithbt527parker@yahoo.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

PARKER-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

PARKER-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

PARKER-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

PARKER-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Faith Parker

106. Response to Comments from Faith Parker (5-9-2018)

PARKER-1 Comment PARKER-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

PARKER-2 Comment PARKER-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

PARKER-3 Comment PARKER-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

PARKER-4 Comment PARKER-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Roy Ramsland
Sent: Friday, May 11, 2018 12:24 PM
To: Andrew Ho
Subject: FW: Andrew Hou

From: Xavi Hernandez <yahirlahabra@yahoo.com>
Sent: Thursday, May 10, 2018 6:33 PM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: Andrew Hou

HERNAN-1

You plan to build MORE homes here in la Habra is crazy and insanely ridiculous !
Traffic is already bad here in la Habra what are you trying to create !?!

How about you invest in a La Habra Downtown !?

La Habra Blvd is SUPER OLD AND GHETTO looking.

I am AGAINST your prososal and speaking for many here in this email.

NO TO THE PROPOSAL !!

YES TO RENOVATION TO LA HABRA BLVD STRIP

Sent from Yahoo Mail for iPhone

107. Response to Comments from Xavi Hernandez (5-11-2018)

HERNAN-1 Comment HERNAN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The Project is a proposal by Lennar to construct residential and commercial uses on the current site of the Westridge Golf Club, which is privately owned and operated.

Thursday, May 17, 2018 at 4:43:18 PM Pacific Daylight Time

Subject: FW: Rancho La Habra EIR comments
Date: Friday, May 11, 2018 at 9:58:22 AM Pacific Daylight Time
From: Andrew Ho
To: ggiovinco@rwglaw.com, Lloyd Zola, Jim Sadro, Christine Kelly, 'William Kelly', Roy Ramsland
Attachments: image001.jpg, image002.jpg

FYI

Andrew Ho
Director of Community & Economic Development
City of La Habra • 110 E. La Habra Blvd. • La Habra, CA 90631
Phone: (562) 383-4100 • Fax: (562) 383-4476
http://lahabraca.gov/

From: Joseph Jhung <joejhung@yahoo.com>
Sent: Thursday, May 10, 2018 6:54 PM
To: Andrew Ho <andrewh@lahabraca.gov>
Subject: Rancho La Habra EIR comments

Dear Andrew Ho,

JHUNG-1 I know that many of my La Habra neighbors have already sent in comments critical of the Rancho La Habra EIR.

My family also does not want this development or any change in zoning.

I have always been a "numbers" guy. I studied statistics in college and majored in Economics at UCLA. I have worked in financial services and am currently a marketing manager. I know how easy it is for different people to look at the same data and come to different conclusions.

JHUNG-2 I simply do not believe that the traffic mitigation measures will be sufficient. I do not believe this is good for the city of La Habra. When we met 2 years ago, you openly admitted that there is such as thing as "overdevelopment".
JHUNG-3 This is a prime example of urban overdevelopment. I know that is a subjective classification, but I believe that if the city did not have a budget crisis, everyone would be able to see it very clearly. It is very dangerous when permanent decisions like this is made based on fiscal concerns rather than proper long term urban planning.

JHUNG-4 La Habra has a long term master plan. It is a plan for La Habra with a vision for 2035. Changing the zoning at this stage would be a significant alteration to La Habra's long term plan.

JHUNG-5 City officials often hide behind the letter of the law, but only serve the spirit of the law when it suits them. I have often heard that it is the city's obligation to consider this proposal and give it fair and due consideration. That is is only fair to hear both sides and weigh the evidence before making a decision.

JHUNG-6 That is an immature philosophy at best. Sometimes, weighing 2 decisions equally is not the right thing to do. For example, what if a billionaire offered to purchase the land with a plan to convert the golf course into the future headquarters of the KKK. He could promise millions in tax revenue to the city, if the city would only re-zone the land so he could build a museum to the greatness of racism. Would you then give that proposal as much weight as Rancho La Habra? Why not? Is not your legal obligation? If this hypothetical scenario came true, I am certain that you would follow the letter of the law, but I would also assume that the proposal would not be considered with as much gravity as Rancho La Habra.

JHUNG-7 I'll give you another example. If someone were to falsely accuse you of taking bribes from Lennar, should the local news air that story? Without any evidence, of course not. But, some might say, why not give both sides a fair hearing? But, clearly, simply airing the story would be damaging to your reputation. There would be no cause for that unless there was clear evidence or justification to do so. Meaning, the default stance should be that you are innocent, unless there is some overwhelming reason to consider otherwise. It is not a 50/50 stance where we

JHUNG-7 (CONT) consider "both" sides equally.

JHUNG-8 I believe that the city needs to approach this situation the same way. This is not raw land or an empty lot. This is not a defunct business or an eyesore and danger to the community. This is an existing business that has long been part of the master plan for the city of La Habra. The private citizen who owns the business has every right to sell. But, the city of La Habra is under no obligation to change the zoning to make the sale easier. The city of La Habra must do what is in the best interest of the community. Through the master plan, the city made a promise to the residents of Westridge. It may not be a legally binding promise. But, it was an implied promise nonetheless. A judge may not find La Habra legally obligated to fulfill that promise, but the city manager's office should have the internal morality to honor it's promises. The create a golf course community on raw vacant land and then years later to remove the golf course from that community is morally wrong.

JHUNG-9 I am not going to try to convince you of any legal or environmental or other obligations the city has. We have attorneys and other experts making those cases.

I am arguing that La Habra has an ethical obligation to keep the zoning as is. The default stance for the city should be to keep the zoning as is, in accordance with the Master Plan. There needs to be a compelling reason to make a change. And not just an increase in tax dollars. Or because it looks good on paper.

JHUNG-10 The zoning should only be changed if the community is begging for it. Not just a private land owner.

JHUNG-11 My family recently found ourselves in similar shoes to the owner of the golf course. We purchased raw land 30 years ago that was not zoned for residential development. Our hope was that if we are patient, we could lobby to get the zoning changed and then the land could be developed making it worth 10 times what we purchased it for. Decades later we were never able to change the zoning. We lobbied the city for years, but the city always sided with it's own community and refused the change the zoning. We recently sold the raw land as is and took a multi-million dollar loss. It was just a bad investment. As private citizens we had every right to sell the land. We had every right to try to make money. We had every right to try to change the zoning. But, the city also had a right to say no. They were under no obligations to bail us out of our bad investment.

The family who owns this golf course needs to learn the same lesson.

JHUNG-12 They can sell the golf course to anyone they want. But, the zoning should not change. Just because they are not good at running a golf course profitably doesn't mean the city is obligated to bail them out. They can sell the golf course to someone else who can run the golf course better. Or they can walk away and take a loss, just like we did. Maybe this is there bad investment. That's their personal decision.

JHUNG-13 But the city should not change the zoning.

The city is morally obligated to keep it's promises to the community.

We trusted La Habra. Even considering this zoning change is heartbreaking. It feels like a stab in the back.

Please keep your promises.

The Jhung Family
1641 W. Nicklaus Ave
La Habra, CA 90631

108. Response to Comments from Joseph Jhung (5-10-2018)

JHUNG-1 While this comment refers to comments submitted by others, it does not raise any specific substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JHUNG-2 The Rancho La Habra traffic impact analysis was prepared by the firm of LLG, and was peer-reviewed by the City of La Habra traffic engineer and the City's traffic consultant, Grover Associates. The Partially Recirculated Draft EIR and its appendices were provided to Caltrans, the Orange County Transportation Authority, Orange County, and each of the cities adjacent to La Habra. The only substantive traffic analysis issues regarding the Partially Recirculated Draft EIR were raised by Caltrans (see Section 2.1.5-6 for Caltrans comments and responses to comments) and the Orange County Transportation Authority (see Section 2.1.4-3 for OCTA comments and responses to comments).

Comment JHUNG-2 asserts the belief that the EIR's traffic mitigation measures will not be adequate but does not provide any discussion of why such measures might not be adequate or what types of additional measures might be needed. In the absence of such information, a more detailed response is not possible.

JHUNG-3 Comment JHUNG-3 refers to the commenter's opinions about the Project representing "overdevelopment" and the reasons that the Project is being considered. The comment does not raise any specific substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JHUNG-4 The Draft EIR as modified by the Partially Recirculated Draft EIR evaluates the physical environmental effects that would result from the Rancho La Habra Specific Plan pursuant to the requirements of the California Environmental Quality Act, including proposed amendments to the City's General Plan and zoning. Comment JHUNG-4 does not raise any specific substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JHUNG-5 Comment JHUNG-5 does not raise any substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its review process, analyses, and conclusions.

JHUNG-6 The project for which the Rancho La Habra EIR was prepared is a proposal by Lennar to develop 402 dwelling units, consisting of 277 single-family homes and 125 multi-family residences, along with either 20,000 square feet of commercial development or an additional 46 multi-family dwelling units, on the site of the

existing Westridge Golf Club. How the City might treat a vastly different and speculative project is not relevant to the Draft EIR as modified by the Partially Recirculated Draft EIR, nor does it raise any substantive issues regarding the adequacy of the EIR or its analyses and conclusions.

The applicant for the Project filed an application to the City for approval of a specific plan, amendments to the City's General Plan and zoning, and other approvals in compliance with applicable state and local requirements. The proposed Specific Plan and other requested approvals require discretionary actions by the City of La Habra and California Department of Fish and Wildlife, and therefore constitute a "project" that must be evaluated for its potential to create adverse environmental effects in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq*.) and CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 *et seq*.).

Consistent with CEQA requirements, the EIR's purpose is to provide information regarding the physical environmental changes that would result from the actions being considered by the City to aid in the agency's decision-making process. Because its purpose is to identify and mitigate any significant physical environmental effects of the project being analyzed, the EIR does not recommend approval or denial of a project or determine whether the project is "good" or "bad."

How the City might treat a vastly different and speculative project is not relevant to the Draft EIR as modified by the Partially Recirculated Draft EIR, nor does it raise any substantive issues regarding the adequacy of the EIR or its analyses and conclusions.

JHUNG-7 Comment JHUNG-7 offers a hypothetical accusation that is not relevant to the Draft EIR as modified by the Partially Recirculated Draft EIR. The comment does not raise any substantive issues regarding the adequacy of the EIR or its analyses and conclusions.

JHUNG-8 While the City has the obligation to undertake the environmental review of the Project pursuant to CEQA requirements, the City has the legal discretion to approve, approve with modifications, or deny the Rancho La Habra development.

JHUNG-9 Comment JHUNG-9 addresses the commenter's opinions regarding the Project and the City's obligations and does not raise any substantive issues regarding the

Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JHUNG-10 Comment JHUNG-10 addresses the commenter's opinions regarding the Project and does not raise any substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JHUNG-11 While the City has the obligation to undertake the environmental review of the Project pursuant to CEQA requirements, the City has the legal discretion to approve, approve with modifications, or deny the Rancho La Habra development.

JHUNG-12 Comment JHUNG-12 addresses the commenter's opinions regarding the Project and does not raise any substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

JHUNG-13 Comment JHUNG-13 addresses the commenter's opinions regarding the Project and does not raise any substantive issues regarding the Draft EIR as it was modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

Andrew Ho

From: Kum Lee <kum1.lee@gmail.com>
Sent: Friday, May 11, 2018 6:55 PM
To: Andrew Ho; Roy Ramsland
Subject: Rancho La Habra

Dear Mr. Andrew Ho,

My name is Kum Ja Lee and I am a resident of Westridge.

KLEE-1 I am very concerned about the project Ranch La Habra which its City Council members are going to decide on whether to build 450+ houses or not .

KLEE-2 Your EIR acknowledges many negative consequences once the project goes thru. However, you also manage to state the mitigation factors that will enable the project any ways. With Lennar paying for your work on EIR, it is much less credible to say the least.

KLEE-3 Although I have many concerns like the residents who spoke at the Council meetings last two months, I would like to state one particular aspect - the disruption and displacement of the current wild life.

The Summer 2018 issue of the magazine, Life in La Habra had an article entitled "Living with La Habra's Wildlife which states the following.

"As the human population has grown and open spaces have been developed, wildlife has lost much of its valuable habitat and been forced to find smaller areas or "pockets" in which to live, within the community". The City of La Habra already acknowledges the problem it has created as result of developments.

"The most common forms of wildlife seen in LA Habra are opossums raccoons, skunks and coyotes, all of which have become very adept at urban living.

Because of severe loss of habitat, their natural food sources have been affected, so they are attracted to neighborhoods due to the availability of garbage, pet food and even cats or smaller dogs, which they see as prey to supplement their diets.
Because all wildlife is governed by the California Department of Fish and Wildlife and afforded some form of protection, trapping of wildlife is severely restricted, and relocation of wildlife is strictly prohibited. Therefore, home owners and pet owners are urged to take simple steps to limit their encounters with wildlife."

This statement outright prohibits the current Westridge golf course be changed into hundreds of houses. The significant disruption of wild life during the building will undoubtedly occur since you can't relocate the wildlife. It is clear then the building project should be denied. Also, in the article, the City of La Habra advises its residents " to remove some of the things that attract coyotes and other wildlife". In other words, the residents can't have pet food or water outside, accessible garbage or compost, fallen fruit or berries from threes or shrubs, decks or any other structure that can provide cover or be used as a den, thick vegetation and dense shrubs, and access into patio decking. The City is already demanding a life in La Habra where one can't keep pets in the backyards, grow fruit trees, nice shrubs, and enjoy decks.

This is only the current situation brought on by the overzealous development projects. How worse will it get once the golf course with its ponds, shrubs, and rabbits are replaced with 450+ houses? Are you waiting to see for the coyotes to bite little children and take away pets playing outside? Are you confident the frequent presence of opossums, raccoons, and skunks will not bring diseases to the residents?

Please be honest about the negative impact of the referred project and do not try so hard to find immediate mitigation, but instead, think about the long term consequences to the health and quality of life of the residents of La Habra.

I ask for your serious consideration.

109. Response to Comments from Kum Ja Lee (5-11-2018)

KLEE-1 Comment KLEE-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

KLEE-2 Comment KLEE-2 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City of La Habra is preparing the EIR to evaluate the physical environmental effects that would result should the Project ultimately be approved.

The provision of mitigation measures in the Draft EIR is required by law. As stated in CEQA Guidelines Section 15021(a), "CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible." CEQA Guidelines Section 15021(a)(2) further sates that a public agency "should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment." CEQA Guidelines Section 15126.4(1) requires an EIR to "describe feasible measures which could minimize significant adverse impacts."

Comment KLEE-2 alleges a conflict of interest because the City is being reimbursed by the applicant for the cost of EIR preparation. Had the City agreed to prepare the EIR and all of its technical analyses without such reimbursement, the City would rightfully have been criticized for expending public funds on a private sector development proposal. Requiring applicants to reimburse a City's or County's costs for EIR preparation is standard practice throughout the state.

Pursuant to CEQA Guidelines Section 15090(a), the EIR must reflect the City of La Habra's independent judgment and analysis. To that end, the City has retained a team of CEQA and technical experts to prepare the EIR (see Draft EIR Chapter 9, *EIR Preparers*). All technical studies were peer-reviewed under contract to the City and the EIR was reviewed by City staff and the City's outside legal counsel to ensure that it did, in fact, reflect the City's independent judgment and analysis.

The only specific issue that Comment KLEE-2 raises in relation to an alleged conflict is that the Draft EIR sets forth mitigation measures to reduce the negative environmental effects of the Project. The comment asserts that stating the mitigation will "enable the project" despite the Project's impacts. As stated

above, however, CEQA requires that an EIR set forth feasible mitigation measures to reduce or avoid significant impacts on the environment. Specific CEQA provisions are as follows:

- California Government Code Section 21002 "declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects."
- California Government Code Section 21003 declares that it is the policy of the state that environmental impact reports "emphasize feasible mitigation measures and feasible alternatives to projects."
- State CEQA Guidelines Section 15126.4(a)(1) states that an EIR "shall describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy."

KLEE-3 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

Andrew Ho

From: Roy Ramsland
Sent: Monday, May 14, 2018 7:56 AM
To: Andrew Ho
Subject: FW: Comments and Questions on the Draft Environmental Impact Report - Rancho La Habra Specific Plan

fyi

From: Darna Magpayo <drmagpayo@yahoo.com>
Sent: Friday, May 11, 2018 4:36 PM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: Comments and Questions on the Draft Environmental Impact Report - Rancho La Habra Specific Plan

Mr. Andrew Ho,
I would like to respectfully submit to you the following.

MAGPAYO-1 My name is Darna Magpayo and I have questions and concerns regarding the Rancho La Habra project. I request that you please take the time to answer my questions and concerns and reply back to me. Thank you.

MAGPAYO-2
1. The Existing Deed Restriction - In the information that I have read about the 1992 La Habra Hills Specific plan, there is recordation fo a deed restriction on November 9, 2009 to protect t resources "having wildlife and habitat values of great importance to the State of California". It is my understanding that this means there is a conservation area established by the deed restriction. It prohibits development within the Conservation Area, use of motor vehicles, depositing of trash or other offensive or toxic material, erecting of ANY building, excavating dredging or removing of loam, gravel, soil, rock, sand, or other material, and grading or any other land disturbing activity; and agricultural cultivation or plowing for cultivation. How will the city be allowed to "relocate some areas" or "release portions"? It is my understanding that the previous restrictions were placed when building the Westridge Community under the La Habra Hills Specific Plan. It sounds like this is in conflict with the statements in Threshold LUP-3 where it states that no impact would result. This sounds like a significant and unavoidable impact to me. How will the city address this issue? I have communicated with the Director's office of the California Department of Fish and Wildlife and they also share concerns regarding the impacts to the flora and fauna at Westridge Golf Course if the project moves forward as described. What specifically will be done to remedy that? How specifically can the conservation of the living species survive if relocated or the deed lifted.

MAGPAYO-3
2. There are other animals that live in the golf course. What specifically will happen to the bunnies and coyotes and birds and ducks and other animals that live there at this time. How has the environmental impact report able to account for the living beings in the golf course and what will happen to them during construction and after.

MAGPAYO-4
3. There are many trees in the golf course that sound like they will be destroyed if the rezoning will be able to take place. What will happen to these trees? Are there any protected native plants or Oak trees in the golf course?

MAGPAYO-5
4. Under the Notice of Preparation, Distribution List, and Responses, I noticed there are homes that are directly on the exterior boundaries of the golf course. For example, S. Palmer Ct. is on the exterior boundaries of the golf course, yet the residences there did not receive any notification and they are not on the distribution list. Why is that? How can we be sure that the residences that will be directly affected will be included in the loop.

MAGPAYO-6
5. In Appendix P, it refers to areas in the project where liquefaction and earthquake-induced landslides may occur. How will the city assure that the current homes in the Westridge community will not be affected? What protections will the current homes in Westridge have so that they will not suffer from a landslide?

MAGPAYO-7
6. In Appendix P, it states that a portion of the site if located within a State of California Sesmic Hazard Zone as having potential for earthquake-induced landslides. What tests were done to assure that the current Westridge Homes would be safe from the moving of earth required to develop the site?

MAGPAYO-8 7. During the construction phase, what environmental protections will exist to protect the quality of life to the current residents of the city?

MAGPAYO-9 8. How will the specific zones of crude oil-affected artificial fill that is present at the site be contained so that the impact of the quality of life will be protected during construction and afterward. Has this been tested?

MAGPAYO-10 9. It is my understanding that the golf course was built over the area because the shallow footprint of the golf course would not disturb the contaminated ground underneath it. If you are to disturb the earth under the golf course by building water lines needed, sewer lines needed, and the actual building of homes, how do you know that you are not releasing toxic elements into the air? How have you tested this?

MAGPAYO-11 10. The Geotechnical study states, "please note that the available reports and maps obtained from the City of La Habra documenting the geotechnical history of the site are INCOMPLETE in several cases, and some documents referenced within those reports were not available for review". How can we know what dangers are in the reports that are missing. What if information on the INCOMPLETE documents have things that will highly affect the quality of life, like allergens or contaminated oil, or any list of things? There was an instance where I called the fire department to my home because I smelled methane gas. I was told that the smell of methane was noted in certain areas of the golf course sometimes. How can we be confident in a geotechnical study that does not have complete information?

MAGPAYO-12 11. In the Threshold AES-4, it mentions that the new source of substantial light or glare would affect day or nighttime view in the area and this would be less than significant. How was this measured? What tests were used to perform this impact. Currently the land is an open space that does not emit light in the evening. Therefore, the light coming from the area at this current time is zero. If you are to add 450 homes, an amphitheater, possible commercial area, streets with street lights, etc…it seems that the impact would be more that significant. How did the report come to the conclusion that it would be less than significant? Will the homes, multi-family dwelling units, community center, small amphitheater, possible grocery stores, restaurant, retail stores - won't they use light in the night and evening hours?

MAGPAYO-13 12. How will the city deal with the increased population growth in relating to safety? We currently do not have enough law enforcement for the population that we have. What measures will the city take to make sure that we will have an increase in law enforcement to keep up with our growing population.

MAGPAYO-14 13. How will you address an emergency situation where paramedics would have to get to a resident in the property or if there is a natural disaster and the residents have to get out? As stated in the EIR, the City of La Habra has no authority to implement the recommended traffic improvements. Also, La Habra Hills Drive is a very narrow street currently used buy the golf course and the residents of Westridge. If you add the new residents of the proposed development, the amphitheater, the commercial development, the nature preserve, etc. what will the impact on that road be? Can a school bus use that road? Also, it will be a road with no outlet, as there will be gates for residents use only. Has that been tested? How long will that road be blocked for the current residents of the Westridge community and how will that affect their quality of life?

MAGPAYO-15 14. How long will the project take with all the elements, dust, dirt, and debris fly aroumn in the air? How will that affect the quality or life?

MAGPAYO-16 15. There are so many other things I want to comment on, but the time is almost up and the EIR is so long. Will there be any additional time to comment on the rest of the report?

MAGPAYO-17 16. How can we be protected for the Air Quality Impact?

MAGPAYO-18 17. I would truly appreciate a response to my questions and concerns. I truly wish I had more time. As written by the letter from Michael C. Battaglia of Lennar homes, I truly hope that the fate of the golf course has not been "decided". How can a developer by land that is not zoned for homes? How can a city rezone an area without the vote of the people that live on the border of that area? When will the residents know there fate of there residents so that their quality of life will no longer be put on hold. A home is an investment. Should the residents continue to invest in their homes, if the open space they bought beside will no longer exist? Is $2,200,000 over TEN years worth the loss of property value and the residents that will move away?

MAGPAYO-19 18. How can an area of 3,500 square feet grass use less water that a 5 bedroom home with people, showers, a lawn, etc. What testing was used for this? What evidence was made for this.

19. Thank you

110. Response to Comments from Darna Magpayo (5-11-2018)

MAGPAYO-1 Comment MAGPAYO-1 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MAGPAYO-2 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

MAGPAYO-3 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

MAGPAYO-4 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

MAGPAYO-5 A Notice of Availability (NOA) for the Rancho La Habra Draft EIR was published in the Orange County Register on February 26, 2018. Notices of the Draft EIR's availability were mailed to the Orange County Clerk-Recorder (posted by the Clerk-Recorder for 30 days), to property owners within 300 feet of the Project boundary, and to anyone who had asked to be placed on the list for notice involving this property. The Draft EIR and Draft EIR Appendices were mailed to the State Clearinghouse and to 40 adjacent cities and agencies. Additional hard copies of the Draft EIR were made available for public review at the La Habra City Hall, and the La Habra Branch of the Orange County Library. The Draft EIR and its appendices were also posted on the City of La Habra's website. An Amended NOA was published and mailed on March 11, 2018 extending the review period until April 11, 2018.

A Notice of Availability for the Rancho La Habra Partially Recirculated Draft EIR was published in the Orange County Register on November 22, 2019, for a 57-day public review period ending January 17, 2020. Notices of the Partially Recirculated Draft EIR's availability were mailed to the Orange County Clerk-Recorder (posted by the Clerk-Recorder for 30 days), to property owners within 300 feet of the Project boundary, and to anyone who had asked to be placed on the list for notice involving this property. The Partially Recirculated Draft EIR and its appendices were mailed to the State Clearinghouse and to 40 adjacent cities and agencies. Additional hard copies of the Draft EIR were made available for public review at the La Habra City Hall and the La Habra Branch of the Orange County Library. The Partially Recirculated Draft EIR and its appendices were also posted on the City of La Habra's website.

MAGPAYO-6 Site grading and construction activities would be required to implement the requirements of the Geotechnical Report approved by the City of La Habra Chief Building Official and all applicable code requirements to ensure safety of slopes within and adjacent to the Project site. The City would review the proposed grading plan in relation to required geotechnical studies and requirements, and require appropriate revisions prior to authorizing commencement of grading.

MAGPAYO-7 See Response to Comment MAGPAYO-6.

MAGPAYO-8 The following mitigation measures address Rancho La Habra's construction impacts on the adjacent residential community (see Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*; Partially Recirculated Draft EIR Section 3.8, *Air Quality*; Partially Recirculated Draft EIR Section 3.11, *Noise and Vibration*; and Draft EIR Section 3.12, *Hazards and Hazardous Materials*):

Mitigation Measure TRA-1.1: Prior to issuance of a demolition, grading, or other permit, the applicant shall prepare and implement a Construction Management Plan, subject to approval of the City Engineer or their designee, to minimize construction-related traffic in the AM and PM peak hours, as well as to minimize disturbance to area residents. The Construction Management Plan shall, at a minimum:

- Include a proposed construction phasing plan.
- Identify proposed construction-related traffic controls and detours.
- Provide for traffic control for any street or lane closure, detour, or other disruption to traffic circulation to minimize the effects of such disruption.
- Limit the routes that construction vehicles may use for the delivery of construction equipment (e.g., excavators, dozers, scrapers, backhoes, etc.) and materials (i.e., lumber, tiles, piping, windows, etc.) to Beach Boulevard and Imperial Highway (via La Habra Hills Drive).[23]
- Limit the routes that construction vehicles may use to dispose of any construction debris removed from the site to Beach Boulevard and Imperial Highway (via La Habra Hills Drive).
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts on adjacent streets.
- Specify requirements for the applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt as a result of

[23] Both Beach Boulevard and Imperial Highway are identified in the La Habra General Plan as truck routes.

its operations. The applicant shall clean adjacent streets, as directed by the City Engineer (or representative of the City Engineer), of any material that may have been spilled, tracked, or blown onto adjacent streets or areas.

- Specify that hauling or transport of oversize loads will be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday, unless otherwise approved in writing by the City Engineer.
- Specify that no hauling or transport shall be allowed during nighttime hours, weekends, or federal holidays.
- Prohibit use of local and residential streets (other than La Habra Hills Drive to/from Imperial Highway) for construction-related traffic.
- Require that haul trucks entering or exiting public streets shall at all times yield to public traffic.
- Specify that, if hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- Require that all construction-related parking and staging of vehicles shall be kept off of the adjacent public roadways and will occur on-site.

The Construction Management Plan shall meet standards established in the current *California Manual on Uniform Traffic Control Devices* as well as City of La Habra requirements.

The applicant shall coordinate with Caltrans staff regarding Project-related work that will occur along Beach Boulevard. All construction activities within Caltrans right-of-way shall be subject to issuance of an encroachment permit by Caltrans.

Mitigation Measure AQ-2.1a: All off-road construction equipment, except scrapers, shall be equipped with engines that meet the U.S. Environmental Protection Agency (USEPA) Tier 4 Final Emission Standards. A minimum of three of the six scrapers involved in grading operations shall be equipped with engines that meet the USEPA Tier 4 Final Emission Standards. Tier 4 Final Emission Standards result in NO_X emission reductions greater than 90 percent from unmitigated levels.

Mitigation Measure AQ-2.1b: Vehicle speeds on unpaved roads shall be limited to a maximum of 15 miles per hour as a means of reducing dust and $PM_{10}/PM_{2.5}$ generation.

Mitigation Measure NOI-4a: All construction equipment, stationary and mobile, shall be operated with closed engine doors, if so equipped, and shall be equipped with properly operating and maintained muffling devices, intake silencers, and engine shrouds no less effective than as originally equipped by the manufacturer.

Mitigation Measure NOI-4b: During Project construction, each construction contractor shall properly maintain and tune all construction equipment to minimize noise emissions.

Mitigation Measure NOI-4c: Each construction contractor shall locate all stationary noise sources (e.g., generators, compressors) no closer than 50 feet from residential receptor locations to allow for natural dissipation of noise.

Mitigation Measure NOI-4d: The on-site operation of construction equipment that generates high levels of noise, such as large bulldozers, shall be conducted no closer than 100 feet from residential receptor locations to allow for natural dissipation of noise. Within 100 feet of residential receptor locations small bulldozers not exceeding 310 horsepower shall be used.

Mitigation Measure NOI-4e: Construction contractors shall select and use quieter tools or construction methods whenever feasible. Examples include using plasma cutters, which produce less noise than power saws with abrasive blades and ordering precut materials to specifications to avoid on-site cutting.

Mitigation Measure NOI-4f: The construction contractor shall maximize, as feasible, the use of enclosures such as four-sided or full enclosures with a top for compressors and other stationary machinery, and locate activities, such as metal stud and rebar cutting, within constructed walled structures to minimize noise propagation.

Mitigation Measure NOI-4g: The nearest edge of equipment staging areas shall be no closer than 330 feet from residential receptor locations.

Mitigation Measure NOI-4h: The nearest edge of outdoor materials storage areas shall be no closer than 50 feet from residential receptor locations.

Mitigation Measure NOI-4i: Electric power from a grid connection shall be used to run air compressors and similar power tools and to power any temporary equipment.

Mitigation Measure NOI-4j: The construction contractor shall post a contact name and telephone number of the owner's authorized representative on-site.

Mitigation Measure HAZ-2.2: Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1×10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

In addition, Project construction would be subject to South Coast Air Quality Management District (SCAQMD) rules and regulations in effect at the time of construction. Specific rules applicable to the construction anticipated under the proposed Rancho La Habra Specific Plan are as follows (see Partially Recirculated Draft EIR Section 3.8, *Air Quality*):

- **Rule 401 – Visible Emissions.** This rule states that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.
- **Rule 402 – Nuisance.** This rule states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.
- **Rule 403 – Fugitive Dust.** SCAQMD Rule 403 governs emissions of fugitive dust during and after construction. Compliance with this rule is achieved through application of standard best management practices, such as applying water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour, sweeping loose dirt from paved site access roadways, ceasing construction activity when winds exceed 25 miles per hour, and establishing a permanent ground cover on finished sites.

- **Rule 403 – Dust Control Information**. This rule requires project applicants to control fugitive dust using Best Available Control Measures (BACMs) such that dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating an off-site nuisance. Applicable Rule 403 dust suppression (and PM_{10} generation) techniques to reduce impacts on nearby sensitive receptors may include, but are not limited to, the following:
  - Apply non-toxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
  - Water active sites at least three times daily. Locations where grading is to occur shall be thoroughly watered prior to earth-moving.
  - Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 0.6 meters (2 feet) of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.
  - Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
  - Suspend all grading activities when wind speeds (including instantaneous wind gusts) exceed 25 miles per hour.
  - Provide bumper strips or similar best management practices where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.
  - Replant disturbed areas as soon as practical.
  - Sweep on-site streets (and off-site streets if silt is carried to adjacent public thoroughfares) to reduce the amount of particulate matter on public streets. All sweepers shall be compliant with SCAQMD Rule 1186.1, Less Polluting Sweepers.
- **Rule 431.2 – Sulfur Content of Liquid Fuels**. This rule limits the sulfur content of diesel and other liquid fuels for the purpose of both reducing the formation of sulfur oxides and particulates during combustion and to enable the use of add-on control devices for diesel-fueled internal combustion engines. The rule applies to all refiners, importers, and other fuel suppliers such as distributors, marketers and retailers, as well as to users of diesel, low sulfur diesel, and other liquid fuels for stationary source applications in the SCAQMD. The rule also affects diesel fuel supplied for mobile source applications.

- **Rule 481 – Spray Coating.** This rule applies to all spray painting and spray coating operations and equipment and states that a person shall not use or operate any spray painting or spray coating equipment unless one of the following conditions is met:
    - The spray coating equipment is operated inside a control enclosure that is approved by the Executive Officer. Any control enclosure for which an application for permit for new construction, alteration, or change of ownership or location is submitted after the date of adoption of this rule shall be exhausted only through filters at a design face velocity not less than 100 feet per minute nor greater than 300 feet per minute, or through a water wash system designed to be equally effective for the purpose of air pollution control.
    - Coatings are applied with high-volume low-pressure, electrostatic and/or airless spray equipment.
    - An alternative method of coating application or control is used that has effectiveness equal to or greater than the equipment specified in the rule.
- **Rule 1108 - Volatile Organic Compounds.** This rule governs the sale, use, and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt used in the Air Basin. This rule also regulates the VOC content of asphalt used during construction. Therefore, all asphalt used during construction of the project must comply with SCAQMD Rule 1108.
- **Rule 1113 – Architectural Coatings.** This rule states that no person shall apply or solicit the application of any architectural coating within the SCAQMD with VOC content in excess of the values specified in a table incorporated in the rule.
- **Rule 1143 – Paint Thinners and Solvents.** This rule governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content. This rule regulates the VOC content of solvents used during construction. Solvents used during the construction phase must comply with this rule.
- **Rule 1186 – Fugitive Dust.** This rule limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, county, agency, or special district such as water, air, sanitation, transit, or school district.
- **Rule 1401 – New Source Review of Toxic Air Contaminants.** This rule specifies limits for maximum individual cancer risk, cancer burden, and non-

cancer acute and chronic hazard index from new permit units, relocations, or modifications to existing permit units that emit toxic air contaminants.

- **Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities.** This rule provides work practice requirements to limit asbestos emissions from demolition and renovation activities and associated disturbance of asbestos-containing materials. The requirements for demolition and renovation activities include asbestos surveying, notification, asbestos-containing materials removal procedures and time schedules, asbestos-containing materials handling and clean-up procedures, and storage, disposal, and land filling requirements for asbestos-containing waste materials. All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

MAGPAYO-9 As discussed in Draft EIR Section 3.12, *Hazards and Hazardous Materials*, starting in 1986, Chevron began a 10-year investigation and cleanup of lands including the Project site that involved 17 oil well sites, 10 "historical" sites impacted with crude oil, three above-ground tank areas, and numerous "miscellaneous" locations including pipelines, sumps, pits, and detention basins. Testing determined that the principal contamination was heavy petroleum hydrocarbons (crude oil) with minor fractions of volatile organic compounds (VOCs) and lighter end hydrocarbons. Once tested, the soils were placed in three designated reuse areas as approved by the Santa Ana Regional Water Quality Control Board (RWQCB) and the Orange County Health Care Agency (OCHCA), due to the low potential for the crude oil contamination to leach from the soil in the future.

As part of the Phase I environmental site assessment, Tier 1 Vapor Encroachment Screen was conducted for the Project site to evaluate whether potential chemicals of concern may migrate as vapors onto the property as a result of contaminated soil and/or groundwater that may be present on or near the property (i.e., a Vapor Encroachment Condition). Based on the Tier 1 screening evaluation, the past use of the Project site was considered to pose a potential Vapor Encroachment Condition.

The presence of the impacted soil beneath portions of the subject property necessitated a Tier 2 screening, consisting of a review of existing data related to the former oil production operation and designated soil reuse areas at the site. In the Tier 2 screening, Geotechnical & Environmental Solutions, which prepared the analysis concluded that a Vapor Encroachment Condition can be ruled out for the former oil production operation area and soil reuse areas

because site-specific invasive testing data collected during previous investigations indicated that the soil beneath the property contains crude oil contamination (not refined fuel products) with a lack of significant VOCs.

As part of grading of the existing golf course, approximately 430,000 cubic yards of soil containing total petroleum hydrocarbons (TPH) were placed in three well defined soil reuse areas beneath the golf course. Approximately 220,000 cubic yards of impacted soil were placed in Reuse Area 1 (beneath the western half of the golf course), 30,000 cubic yards in Reuse Area 2 (beneath the driving range), and 176,000 cubic yards in Reuse Area 3 (beneath the far western portion of the golf course). During placement, the impacted soils were "landfarmed" (discing and hydration to promote natural biodegradation of the soil) to reduce overall hydrocarbon concentrations in accordance with the Santa Ana RWQCB's approval. Upon successful completion of the fill placement and capping, the property received regulatory closure from the RWQCB and OCHCA in 1999.

While the grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, such placement was not designed for residential development. As a result, proposed residential development of the Project site requires that soils within two of the three reuse areas be removed and reburied at a depth appropriate for future residential use, including proper compaction for future residential use.

A Soils Management Plan (SMP) was prepared in September 2015 to address known environmental conditions for the site, as well as the potential for additional unknown environmental conditions that may be encountered during future site improvements for a proposed residential development. The SMP was prepared by the firm EEI Geotechnical & Environmental Solutions and submitted to the OCHCA for review and comment. On October 29, 2015, the OCHCA responded to EEI regarding the SMP dated September 29, 2015. The OCHCA provided several comments regarding the SMP and requested that EEI submit an addendum to the SMP that addressed the comments. To address OCHCA comments, an SMP Addendum dated July 14, 2016 was prepared. The information provided in the addendum was deemed sufficient and the SMP received final approval by the OCHCA on September 9, 2016. The Soil Management Plan (SMP) and SMP Addendum are provided in Draft EIR Appendix M.

The reuse of soil containing crude oil on-site as deep fill and the overlaying of that fill with clean soil (i.e., soil capping) is a standard industry practice that is

a common form of engineering control at regulated cleanup sites. This practice is regularly approved by the U.S. Environmental Protection Agency (USEPA), State Water Resources Control Board (SWRCB), RWQCBs, and cities and counties throughout the state, including the OCHCA, because it has been found to eliminate the risk of contaminants being released from soil into the environment.

Soil capping, as proposed for the Project site, involves the placement of a defined thickness of clean soil over the top of reused soil. The clean soil layer provides a buffer separating the contamination from future site occupants and the environment. USEPA requires the thickness of clean soil to be at least 2 to 3 feet in non-residential locations, and 10 feet for residential uses. In accordance with the approved Soils Management Plan for Rancho La Habra, the Project would use a total of 20 feet of clean soil throughout the site. Underneath the reused soil, there would also be a 20-foot clean soil buffer maintained between the base of the contaminated fill and the estimated groundwater surface, as required by the RWQCB. This buffer would prevent any potential mixing of soil containing crude oil and shallow groundwater.

The OCHCA has directed that soil used in the buffer must contain less than 100 milligrams per kilogram (mg/kg) TPH and must meet the screening levels outlined in USEPA's Regional Screening Levels and supplemented by DTSC HERO Note 3. These buffer soils would be tested by a remediation specialist to ensure compliance with the mandated soil screening levels.

The Soils Management Plan for the Project site, approved for the Project site by the OCHCA, sets forth the following requirements to minimize hazards from the excavation and placement of TPH-affected soils:

- Standard work practices, such as suppressing dust, performing proposed site improvements in the upwind position, and monitoring for the potential presence of VOCs, shall be observed. Where impractical, the site safety officer, or designated alternate, is to be consulted to identify acceptable alternatives. If an inhalation hazard is identified, Level C respiratory protection using National Institute for Occupational Safety and Health (NIOSH)-approved half-face air purifying respirators with volatile organic or combination high-efficiency particulate (HEPA)/volatile organic cartridges shall be required.
- Skin exposure of workers is to be limited by use of gloves, eye protection, and hard hat; hand washing; and limiting incidental ingestion of soil.

The excavation, stockpiling, sampling, and placement of TPH-affected soils must follow the approved Soils Management Plan. This includes the proper handling of potentially impacted soils during removal and placement such that potential impacts due to odor, dust, runoff, and physical contact are mitigated.

In addition, control of petroleum hydrocarbon vapor emissions would follow the guidelines set forth by South Coast Air Quality Management District Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. While significant VOCs are not anticipated at this site, based on previous testing, impacted soil would be monitored during grading with an Organic Vapor Analyzer for vapor emissions and control measures would be implemented whenever levels exceed applicable thresholds (i.e., greater than 50 parts per million [ppm]).

Soil testing is required to be performed by a qualified remediation specialist, as overseen by the OCHCA, and would occur prior to completion of grading to (1) verify the complete removal of previously placed fill soil in the original reuse areas, (2) characterize the excavated fill once it is placed in stockpiles, and (3) verify that all soils in the upper 10 feet meet the criteria established by the OCHCA.

During construction, soil piles would be watered (misted) or covered when necessary to prevent fugitive dust. This would prevent the potential release of contaminated soil into the environment.

In addition, the fugitive dust control measures set forth in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, and the erosion control measures set forth in Draft EIR Section 3.13, *Hydrology and Water Quality*, would be maintained.

Recognizing the potential of encountering TPH-affected soil outside of existing reuse areas, the Soils Management Plan also provides requirements for general site grading, as follows (as described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*):

- During site grading, excavated soil originating from outside of the three reuse areas that visually displays dark discoloration/staining shall be flagged and segregated during the excavation process. These segregated soils shall be tested to determine whether the soil can be reused as cover or must be placed within a deep fill location.
- Potentially impacted soils shall be stockpiled on plastic sheeting to segregate contaminated soils from clean soils. Vapor and dust from

excavation and stockpiling activities shall be controlled using one or more of the following: water misting, covering with poly sheeting; backfilling of off-gassing excavations, locating stockpiles away from and/or downwind of on-site workers and public receptors, and reducing the pace of project site activities and/or halting activities. In general, flagged (impacted) locations outside of the reuse areas are to be visually located, and confirmed by hand-held (or equivalent) global positioning system (GPS) equipment, when necessary.

- Excavation efforts shall proceed at individual flagged (impacted) suspect areas based upon visual staining and/or other methods (i.e., air monitoring equipment). Confirmation soil samples shall be collected from stockpiled soil and excavation limits, and properly documented as excavation proceeds. Final excavation confirmation sampling should be conducted at a rate of at least one soil sample per 5-foot vertical interval/20-foot horizontal interval of exposed sidewall and/or excavation floor. However, this sample frequency may be modified in the field based on site-specific conditions such as accessibility, soil homogeneity, and results of previous sampling data.
- Soil samples shall be collected using appropriate hand sampling tools or from the bucket of the excavation equipment and placed in laboratory-supplied glass sample jars and/or stainless steel sleeves, as required. In either case, samples should be compacted within the sample container to remove any head space. Soil samples shall be sealed with Teflon-lined lids/caps, labeled with a number unique to the sample, placed in a chilled cooler, and logged under proper chain-of-custody (COC) protocol for transportation to a California-state certified laboratory. A mobile laboratory may be used to analyze soil samples during the excavation confirmation process, depending upon the nature of the contaminant and/or the scheduling needs of the project.

The following mitigation measure would be required by the City to address significant impacts:

> **Mitigation Measure HAZ-2.2:** Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1×10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

MAGPAYO-10 See Response to Comment MAGPAYO-9. The contaminated soil was buried within the Project site as approved by the Orange County Health Care Agency (OCHCA) under the supervision of the OCHCA, and the golf course was the

constructed over the buried soils pursuant to the OCHCA's approval. While the grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, the placement was not designed for residential development. As a result, proposed residential development of the Project site requires that soils within two of the three reuse areas be removed and reburied at a greater depth appropriate for future residential use, including proper compaction for future residential use.

MAGPAYO-11 It is typical that a complete geotechnical history of a site is not available. Customarily, when background research/review of a site is completed, a subsurface field evaluation and laboratory testing program are designed and implemented to assess and confirm on-site geotechnical characteristics. In a situation where there are "gaps" in the reported history of a site, additional subsurface field work, laboratory testing, and geotechnical analysis are undertaken.

While there are some gaps in the geotechnical history of the Westridge golf course, some of the missing history was available from sources other than the original reports. For example, the original grading plan review report for the site and adjacent Westridge residential tract maps to the south were found to have missing maps and figures that were subsequently obtained in a later report. A fault report showing ancient inactive faults prior to grading of the golf course was missing the text; however, the fault map was available, and it provided the necessary information for comparison with as-graded fault locations.

The most important report that was reviewed during preparation of the Rancho La Habra Geotechnical Report was the as-graded report for the golf course and adjacent Westridge residential neighborhoods to the south. Although all the information in the as-graded report was used in the Draft EIR's site geotechnical evaluation, the consultant that prepared the as-graded report did not record removal bottom elevations during golf course grading to resolve this "gap" in information. LGC Geotechnical, which prepared the Geotechnical Report for Rancho La Habra (Draft EIR Appendix P), obtained the original golf course topography for the site and combined it with their subsurface data to provide estimates of the previous removal elevations.

As with all sites, geotechnical observation and testing must be undertaken during grading and construction to confirm the on-site geotechnical conditions and verify the assumptions made at the design stage based on the Project geotechnical analyses. Based on the results of LGC Geotechnical's subsurface

field evaluation, laboratory testing, and geotechnical analysis, and LGC's understanding of the site's geotechnical history, the analysis and conclusions set forth in the Geotechnical Report for Rancho La Habra (Draft EIR Appendix P), which were peer-reviewed by an independent geotechnical consulting firm, are appropriate for use in the EIR.

MAGPAYO-12 The existing Project site is not devoid of night lighting. The Westridge Golf Club's driving range operates seven days per week until 10:00 p.m. Additional existing sources of nighttime lighting include parking lot and clubhouse lighting, street lights on La Habra Hills Drive, and illumination from vehicle headlights. Surrounding the Project site are other sources of light, including the Westridge Plaza shopping center, other commercial and residential development, and adjacent roadways.

As stated on page 3.4-26 of the Draft EIR, the "evaluation of nighttime lighting focuses on changes in illumination levels that would result from implementation of the proposed Specific Plan and the extent to which such new sources of light would increase nighttime lighting on adjacent sensitive residential uses. Lighting impacts would be considered significant if nighttime lighting would spill over onto sensitive uses (i.e., residences) for a substantial portion of the nighttime, or lighting would impair drivers' vision at night."

The Draft EIR explicitly identifies the following new sources of exterior nighttime lighting that would be introduced by the Project:

- Street lighting with standard cobra head design.
- Community Center parking lot lighting with shoe-box type design (replaces existing parking lot lighting).
- Linear Park trail lighting with 12-foot-tall decorative lighting.
- Commercial building and parking lot lighting with shoe-box type design.
- Typical residential lighting.

The proposed amphitheater would not be night lighted.

The Draft EIR noted that, even though nighttime lighting sources would be introduced closer to existing sensitive residential uses as the result of Project site development, because of the elevation differences between the existing Westridge neighborhood and the Project site, as well as the physical separation between these uses provided by existing slope areas, spillover of Project-related lighting onto properties within the Westridge neighborhood would not be anticipated.

In addition, as part of the City's required design review and plan check functions, light emanating from new uses and roadways within the Project site would be required to be either low-scaled lighting or shielded to focus lighting and prevent lighting from spilling onto adjacent residential properties, or from streaming directly onto streets, which could impair views of drivers on streets at night.

MAGPAYO-13 Comment MAGPAYO-13 addresses the size of La Habra's police force and asks how that police force would be expanded in relation to the population expansion that Rancho La Habra would generate. This comment does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions. The operable CEQA significance threshold related to law enforcement addresses the potential for significant physical environmental effects to result from the construction of new police facilities or expansion of existing facilities. In the analysis set forth in Draft EIR Section 3.15, *Public Services and Facilities*, the Draft EIR determined that the proposed Rancho La Habra Specific Plan "would increase demand for police services during construction and ongoing operations, but would not necessitate provision of new facilities or physical expansion of existing police facilities. Thus, *no impact* would result." For information purposes, to address expanding population, decisions regarding the size of the City's police force are made by the La Habra City Council in general based on an annual reviews of the Police Department's fiscal year budget.

MAGPAYO-14 The construction of La Habra Hills Drive through the Project site following site grading would be required to meet City standards and would be adequate for use by emergency vehicles and school buses. Issues related to emergency response are addressed in the Draft EIR as part of Impact LUP-1 and HAZ-7. In both cases, the Draft EIR concluded that adequate emergency would be available during and after site grading and construction.

As addressed in Draft EIR Section 3.2, *Land Use and Planning*, the Project would result in the temporary closure of the La Habra Hills Drive entrance to the Westridge residential community during site grading, temporarily restricting use of one of the three current entries to the community. Connectivity to and from the Westridge residential community during project site grading would therefore be reduced for approximately 15 months, increasing travel time between housing and shopping. However, connectivity for the Westridge community would not be eliminated. The Draft EIR determined that the condition would be temporary, the community's access points to Idaho Street and Beach Boulevard would remain unaffected, and emergency access from the

two closest fire stations serving the Westridge community would not be affected. Impacts related to the closure of La Habra Hills Drive during site grading were therefore determined in the Partially Recirculated Draft EIR to be less than significant.

All EIR mitigation measures calling for roadway improvements or payment of impact fees for impacts within the City of La Habra are fully enforceable and would be implemented. The only limitations on EIR mitigation measures in relation to roadway improvements and payment of fair share fees for impacts are that the City of La Habra does not have legal authority to require outside agencies to accept such fees or provide needed improvements once such fees are paid.

MAGPAYO-15 Construction of the Project is expected to occur over approximately 6 years, with grading operations generating the greatest effects on surrounding neighborhoods during an approximately 11-month period. See Response to Comment MAGPAYO-8 for discussion of the mitigation measures that would be implemented to address Rancho La Habra construction impacts on the adjacent residential community.

MAGPAYO-16 The required 45-day public review period for the Draft EIR was extended by the City for an additional 30 days to May 10, 2018. Comments on the Draft EIR can be provided at any time, although specific written responses to comments will only be prepared for comments that were received during the extended public review period. Additional opportunities to provide comments occurred during the 57-day public review period for the Partially Recirculated Draft EIR. In addition, the public will have the opportunity to comment on the Project and EIR during Planning Commission and City Council hearings following preparation of the Final EIR.

MAGPAYO-17 Partially Recirculated Draft EIR Section 3.8, *Air Quality*, sets forth the following mitigation measures to reduce air quality impacts:

> **Mitigation Measure AQ-2.1a:** All off-road construction equipment, except scrapers, shall be equipped with engines that meet the U.S. Environmental Protection Agency (USEPA) Tier 4 Final Emission Standards. A minimum of three of the six scrapers involved in grading operations shall be equipped with engines that meet the USEPA Tier 4 Final Emission Standards. Tier 4 Final Emission Standards result in NO_X emission reductions greater than 90 percent from unmitigated levels.

Mitigation Measure AQ-2.1b: Vehicle speeds on unpaved roads shall be limited to a maximum of 15 miles per hour as a means of reducing dust and PM_{10} / $PM_{2.5}$ generation.

Mitigation Measure AQ-2.2: Soils exposed during grading operations shall be watered four times per day. In the event of drought conditions, defined as Water Shortage Stages 4 or 5 as determined by the City, use of non-water chemical stabilizers may be required by the City such that fugitive emissions reductions are comparable to watering four times per day.

In addition, Partially Recirculated Draft EIR Section 3.9, *Greenhouse Gas Emissions*, sets forth the following greenhouse gas (GHG) mitigation measures that would also help reduce both significant and less than significant air quality impacts:

Mitigation Measure GHG-1a: All new single-family homes shall have the following installed:

- Solar panels providing 1.5 watts (W) solar energy per square foot of building area (e.g., 2,000-square-foot home = 3 kilowatts [kW]) with a minimum 2 kW per home to the extent determined feasible by the City.
- Solar water heaters or other efficiency technology, unless the installation is impracticable as determined by the City. Other efficiency technology would include installation of a renewable energy technology system that uses renewable energy as the primary energy source for water heating.
- A minimum of one single-port electric vehicle (EV) charging station that achieves a similar or better functionality as a Level 2 charging station.
- Outdoor electric outlets in convenient locations to facilitate use of electric landscape equipment throughout the single-family property.

In addition, initial homebuyers within the Project site shall be provided with information regarding all current SCAQMD programs designed to encourage homeowners to use electrical lawnmowers and replace gasoline-powered yard maintenance equipment with electric-powered equipment.

Mitigation Measure GHG-1b: All new multi-family dwelling units shall be all electric, meaning that electricity is the only permanent source of energy for water heating, mechanical powering, space heating and cooling (i.e., heating, ventilation, and air conditioning [HVAC]), cooking, and clothes drying and there is no gas meter connection. All major appliances (e.g.,

dishwashers, refrigerators, clothes washers and dryers, and water heaters) provided and/or installed shall be electric-powered Energy Star-certified or of equivalent energy efficiency where applicable.

In addition, all new multi-family homes shall have the following installed:

- Solar panels providing 0.75 W solar energy per square foot of building area (e.g., 20,000-square-foot building = 15 kW), to the extent determined feasible by the City;
- Electric vehicle charging equipment that achieves a similar or better functionality as a Level 2 charging station for 5 percent of the total number of parking spaces; and
- Outdoor electric outlets in convenient locations to facilitate use of electric landscape equipment throughout the property.

Mitigation Measure GHG-1c: The Project applicant or its designee shall establish and fund a dedicated account for the provision of subsidies for the purchase by homeowners within the first year of occupancy of a zero-emission vehicles (ZEV), as defined by the California Air Resources Board (CARB) equal to the provision of a $1,000 subsidy per residence, available on a first-come, first-served basis, for up to 50 percent of the Project's for-sale dwelling units.

Mitigation Measure GHG-1d: All new non-residential buildings, including commercial buildings and the clubhouse/Community Center, shall have the following installed:

- Solar panels providing at least 1 W per square foot of building area (e.g., 20,000 square feet = 20 kW), unless the installation is impracticable as determined by the City. Solar panels for the Community Center may be installed within adjacent parking areas.
- Solar water heaters or other efficiency technology, unless the installation is impracticable as determined by the City. Other efficiency technology would include installation of a renewable energy technology system that uses renewable energy as the primary energy source for water heating.
- Electric vehicle (EV) charging equipment that achieves a similar or better functionality as a Level 2 charging station with the minimum number of charging stations being no less than 7.5 percent of the total number of parking spaces. In the event that the installed charging stations provide superior functionality/technology than Level 2

charging stations, the parameters of the mitigation obligation (i.e., number of parking spaces served by EV charging stations) shall reflect the comparative equivalency of Level 2 charging stations to the installed charging stations on the basis of average charge rate per hour. For purposes of this equivalency demonstration, Level 2 charging stations shall be assumed to provide charging capabilities of 25 range miles per hour.

- Outdoor electric outlets in convenient locations to facilitate use of electric landscape equipment throughout the property.

Mitigation Measure GHG-1e: The Project applicant or its designee shall provide a subsidy of $50,000 per bus for the replacement of up to a total of 3 diesel or compressed natural gas school buses with electric zero emission buses by the La Habra City School District, Lowell Joint School District, and/or Fullerton Joint Union High School District.

Mitigation Measure GHG-1f: Parks and open space within the Project site shall be designed to facilitate the use of electric landscape equipment throughout the property.

Mitigation Measure GHG-1g: Contracts for maintenance of common open space within the Project site, as well as contracts for maintenance of multi-family residential or commercial landscaped areas within Planning Area 5, shall include requirements for use of electric landscape equipment.

Mitigation Measure GHG-1h: Commercial and multi-family development shall implement sufficient measures to reduce heat gain by 50 percent (CAP Measure R3-A2).

Mitigation Measure GHG-1i: Commercial development shall exceed applicable City shading requirements by a minimum of 10 percent and plant low-emission trees (CAP Measure R3-A1).

MAGPAYO-18 Comment MAGPAYO-18 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. It is not clear what letter is referred to in this comment other than it is a letter sent by the applicant and not the City.

In a free market economy, privately owned land is purchased by and sold to private sector parties on a willing seller-willing buyer basis wherein government has no legal authority to dictate who may buy or sell land.

Every landowner has the right to *request* changes to the General Plan land use designations and zoning for their site; however, the City is in no way obligated to approve any such requests. The City is, in fact, legally obligated to complete the CEQA process by preparing a Draft EIR and a Final EIR responding to all written comments received by the City during the Draft EIR public review process and conducting public hearings in front of the Planning Commission and City Council *before* making any decision to approve, approve with modifications, or not approve the Project. Thus, no decision has been made by the City in regard to approving or not approving the Project. The right to review and approve, modify, or not approve requests for changes to General Plan land use designations and zoning is set forth in state law and the La Habra Municipal Code. Authority to approve, modify, or not approve requests for changes to La Habra General Plan land use designations and zoning rests with the City Council.

It is unclear what "$2,200,000 over ten years" refers to. It does not, however, raise any substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MAGPAYO-19 The Water Supply Assessment (Draft EIR Appendix T) prepared for the Project used water meter data from the Westridge Golf Club from November 2010 through March 2015 to determine existing golf course water use.[24] Because drought conditions were being experienced during this period and mandatory water conservation measures were in place, the City determined that adequate information was available to establish a baseline for golf course water demand.

Yearly water usage is summarized in Draft EIR Table 3.17-1. As indicated in that table, the annual golf course water demand increased from 257 acre-feet (AF) in 2011 to 302 AF in 2014, or approximately 17.5 percent over the 3-year period. Using the 4 years of data provided, the average yearly water usage of the golf course was calculated to be 276 AFY.

As shown in Draft EIR Table 3.17-3, estimated water demand for the Project would be 175.2 AF annually. By comparison, water demand for the existing golf course has averaged 276 AF annually. In determining Project-related water use, the Water Supply Assessment accounted for indoor water use, as well as outdoor water use (landscape irrigation). While CALGreen Guidelines and

[24] During this period, the golf course had four water meters: a golf course irrigation meter, a clubhouse meter, a maintenance building meter, and a fire flow meter. All four meters use potable water from the City's potable water supply.

USEPA Water Conservation Guidelines indicated that indoor water use per capita could be as low as 39 gallons per person per day, a standard water demand factor of 45 gallons per person per day was used for the purpose of calculating the total water demand of the Rancho La Habra development. This provides for a more conservative analysis to account for possible leaks of fixtures within the homes, the possibility that residents use more water than calculated, or differences in population per household. See Rancho La Habra Water Supply Assessment (Draft EIR Appendix T), Section 2.2.3. Determination of irrigation demand took into account the site-specific evapotranspiration rates, intended plant palette, proposed irrigation methods, and percentage of irrigated area for each land use within the site.

Ms. Maribelle Lopez
1821 South Ford Ct.
La Habra, CA 90631
May 11, 2018

Mr. Andrew Ho
Director of Community and Economic Development
City of La Habra
110 East La Habra Blvd,
La Habra, CA 90631

Subject: Comments on the Draft Environmental Impact Report for the Rancho La Habra Project

Dear Mr. Ho,

I have reviewed the draft EIR and have some concerns on the following areas which I wish for you to address.

LOPEZ-1 The Declaration of Deed Restriction, recorded on October 28, 2009 states that the property contains a conservation area that is of great importance to the State of California. The deed restriction also states that the conservation area cannot be developed for residential, commercial, retail, industrial, institutional or recreational purposes, and/or for any other land uses, other than habitat preservation-related uses.

Therefore, how can this area be developed without disturbing the protected flora and wildlife resources? Some of these species are on the endangered list.

LOPEZ-2 Appendix F-5, starting on page 221 lists the two USFWS protocol CAGN surveys. The first survey was dated Nov. 19, 2014. The second survey was dated June 29, 2016. On Sept 8, 2015, there was an 80 acre fire off of Idaho and Risner Way, where a large area of undeveloped land was scorched in the fire. Because of the fire and the impact to the wildlife and flora in the surrounding areas (the golf course), I question the validity of 2016 survey, as the area was not yet fully recovered from the fire. I would like an expert opinion from the California Department of Fish and Game to determine if the 2016 CAGN needs to be repeated , due to the impacts of the fire.

LOPEZ-3 I would like a written response to my questions mailed to my address above. Thank you in advance for your response.

Regards,

Maribelle Lopez

Maribelle Lopez

111. Response to Comments from Maribelle Lopez (5-11-2018)

LOPEZ-1 See Recirculated Draft EIR Section 3.5, *Biological Resources*, for an updated discussion of biological resources associated with the existing deed restriction.

LOPEZ-2 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

LOPEZ-3 Pursuant to the requirements of CEQA, the City of La Habra partially recirculated the Draft EIR and has prepared written responses to each comment received during the public review period for the Draft EIR and the Partially Recirculated Draft EIR. The Final EIR, including written responses to all comments, is available on the City's website at: http://lahabracity.com

Andrew Ho 귀하:

Rancho La Habra 개발계획 환경 조사 보고서에 대한 본인의 의견을 아래와 같이 요약 하여 보냅니다.

성 명: JHONG D LEE

주소: 1311 W. HARRISON AVE. LA HABRA. CA. 90631

서명: Jhong bun

날자: 5/11/2018

요약 내용: (한글로 쓰셔도 되고 지면이 부족하면 뒷면을 사용 하셔도 됩니다)

JDLEE-1

I BELIVE THAT THIS DEVELOP PROJECT WILL BE TOO MUCH TROUBLE WITH TRAFFIC. EVEN RIGHT NOW. IMEPERIAL/IDHO + BEACH BLVD TRAFFIC ARE PRETTY BAD. SO, IF ALL THE PROJECTS ARE ALL DONE, THESE WILL BE HELL OF TRAFFIC AND GETTING WORSE WITHIN 3 YEARS.

PLEASE STOP THIS PROJECTS.

THAMS YOU.

JHONG LEE.

금주가 EIR (환경조사 보고서) 에 대한 여러분의 의견을 라하브라시에 제출 하는 마지막 주입니다. (5 월 11 일 까지). 마감날자 엄수 하시어 여러분의 의견을 오늘이라도 즉시 작성하시어 아래 주소로 보내시거나 시의회 FLUORESCENT YELLOW 통에 넣어 주십시오. 또는 저희 자원봉사자에게 주셔도 됩니다.

보내 실곳: Edward Ho. 116 East La Habra Blvd. La Habra. Ca. 90631

112. Response to Comments from Jhong D. Lee (5-11-2018)

JDLEE-1 Comment JDLEE-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Andrew Ho

From: Sue Ham <power234554@yahoo.com>
Sent: Friday, May 11, 2018 3:54 AM
To: Andrew Ho
Cc: Roy Ramsland
Subject: Comments on DEIR

Dear Andrew,

S-HAM-1

I would like to add comments on DEIR regarding Traffic issues.

Traffic at Beach Blvd and Imperial corner are already in red zone on 2015 report
Imperial Blvd and Idaho street is prone to accident area
Idaho st and Sandalwood is school zone - very busy during school hrs.
Only street from Rancho La Habra community can use for their children's commute to school.
Any solutions to lessen accident, less commute time, and less congestion for these 3 areas?

Thank you.
Sue Ham
1520 S Runyan St
La Habra Ca 90631

113. Response to Comments from Sue Ham (5-11-2018)

S-HAM-1 Comment S-HAM-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

Andrew Ho

From: Roy Ramsland
Sent: Friday, May 11, 2018 12:02 PM
To: Andrew Ho
Subject: FW: Westridge Project

From: Paul Cosato <ptheb14@gmail.com>
Sent: Friday, May 11, 2018 7:34 AM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: Westridge Project

COSATO-1 I am a long time resident of La Habra, and want to voice my opposition to the planned housing development. Our infrastructure is insufficient to handle the traffic in many areas now, and be even worse! I think it's unfair to those who bought expensive homes with a golf course view. The charm of our city is at risk by cramming homes in every nook and cranny! Please consider a balanced approach, keep the golf course. Thank you, Paul Cosato

114. Response to Comments from Paul Cosato (5-11-2018)

COSATO-1 Comment COSATO-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Roy Ramsland
Sent: Friday, May 11, 2018 12:03 PM
To: Andrew Ho
Subject: FW: NO on Westridge homes

Importance: High

-----Original Message-----
From: Kelley Garcia <tvor65@gmail.com>
Sent: Friday, May 11, 2018 9:09 AM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: NO on Westridge homes
Importance: High

KGARCIA-1 La Habra already has severe congestion on it's roadways. more homes will compound the problem.

KGARCIA-2 There are not enough open space within La Habra's borders. there must be something that can be done to maintain this open area. Maybe another buyer for the golf course? a sport park? a dog park? Equestrian center? Frisbee golf?

Keep it green.
Kelley Garcia
La Habra

115. Response to Comments from Kelly Garcia (5-11-2018)

KGARCIA-1 Comment KGARCIA-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

KGARCIA-2 Comment KGARCIA-2 expresses the commenter's opinion regarding potential uses for the Project site and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Roy Ramsland
Sent: Friday, May 11, 2018 12:50 PM
To: Andrew Ho
Subject: FW: In support of project.

From: Jim Kuhn <jim.kuhn@live.com>
Sent: Friday, May 11, 2018 12:26 PM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: In support of project.

KUHN-1 I have no objections to the plan to develop residential housing on what is now the Westridge Golf Course though I do prefer single family units to multi-family units. We already have sufficient numbers of apartments and condos.

Jim Kuhn
131 Terraza San Benito

Jim.Kuhn@pobox.com

116. Response to Comments from Jim Kuhn (5-11-2018)

KUHN-1 Comment KUHN-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Mari . <marinatemisc@hotmail.com>
Sent: Friday, May 11, 2018 6:16 PM
To: Andrew Ho; Roy Ramsland
Subject: Rancho La Habra EIR comments

Dear Andrew Ho,

NLOPEZ-1

My concern stems from the prior history of the land where the Westridge golf course resides. Originally, the land was supposed to become Whittier Christian High School. Something was discovered about the land that made it unsuitable for a high school with foundations and buildings. It was something to do with the toxins in the soil. It was then determined that the ground could not be used for buildings, so a golf course was proposed instead.

I would like to know the EXACT findings of why the high school could not be built at the location. What dangerous chemicals were found?

NLOPEZ-2

If the project is approved, these dangerous toxins will be released into the atmosphere and the air that all the surrounding neighborhoods breathe.

I fear that the citizens may be exposed to chemicals that may cause cancer and other fatal illnesses, with manifestations many years later.

I feel that all the citizens in La Habra may be at risk for their health.

I want assurances that we will be safe in our homes, and the only way that can happen is if the ground is left undisturbed like it was when the high school left the proposed site and built in a safer location.

Please send a response in writing to:

Nathan Lopez
1821 S. Ford Ct
La Habra, CA 90631

117. Response to Comments from Nathan Lopez (5-11-2018)

NLOPEZ-1 Draft EIR Section 3.12, *Hazards and Hazardous Materials*, describes soils contamination within the Project site as it would affect the proposed Rancho La Habra development. Included in that Draft EIR section and Draft EIR Appendix M is a description of existing contamination within the Project site. The studies undertaken for the original construction of the golf course and for Rancho La Habra characterize existing contamination within the site and define requirements for the site's development. It is these studies that are relevant to the environmental review of the proposed Project.

As discussed in Draft EIR Section 3.12, *Hazards and Hazardous Materials*, starting in 1986, Chevron began a 10-year investigation and cleanup of lands including the Project site that involved 17 oil well sites, 10 "historical" sites impacted with crude oil, three above-ground tank areas, and numerous "miscellaneous" locations including pipelines, sumps, pits, and detention basins. Testing determined that the principal contamination was heavy petroleum hydrocarbons (crude oil) with minor fractions of volatile organic compounds (VOCs) and lighter end hydrocarbons. Once tested, the soils were placed in three designated reuse areas as approved by the Santa Ana Regional Water Quality Control Board (RWQCB) and the Orange County Health Care Agency (OCHCA), due to the low potential for the crude oil contamination to leach from the soil in the future.

As part of grading of the existing golf course, approximately 430,000 cubic yards of soil containing total petroleum hydrocarbons (TPH) were placed in three well defined soil reuse areas beneath the golf course. Approximately 220,000 cubic yards of impacted soil were placed in Reuse Area 1 (beneath the western half of the golf course), 30,000 cubic yards in Reuse Area 2 (beneath the driving range), and 176,000 cubic yards in Reuse Area 3 (beneath the far western portion of the golf course). During placement, the impacted soils were "landfarmed" (discing and hydration to promote natural biodegradation of the soil) to reduce overall hydrocarbon concentrations in accordance with the Santa Ana RWQCB's approval. Upon successful completion of the fill placement and capping, the property received regulatory closure from the RWQCB and OCHCA in 1999.

While the subsequent grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, such placement was not designed for residential development. As a result, proposed residential development of the Project site requires that soils within two of the three reuse areas be removed and reburied at a greater depth that is appropriate for future residential use, including. proper compaction for future residential use.

NLOPEZ-2 Management of contaminated soils buried within the Project site would occur pursuant to a Soils Management Plan approved by the Orange County Health Care Agency (OCHCA). The Soils Management Plan for Rancho La Habra is included in Draft EIR Appendix M and is described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*.

The Soils Management Plan for the Project site, approved for the Project site by the OCHCA, sets forth the following requirements to minimize hazards from the excavation and placement of TPH-affected soils:

- Standard work practices, such as suppressing dust, performing proposed site improvements in the upwind position, and monitoring for the potential presence of VOCs, shall be observed. Where impractical, the site safety officer, or designated alternate, is to be consulted to identify acceptable alternatives. If an inhalation hazard is identified, Level C respiratory protection using National Institute for Occupational Safety and Health (NIOSH)-approved half-face air purifying respirators with volatile organic or combination high-efficiency particulate (HEPA)/volatile organic cartridges shall be required.
- Skin exposure of workers is to be limited by use of gloves, eye protection, and hard hat; hand washing; and limiting incidental ingestion of soil.

The excavation, stockpiling, sampling, and placement of TPH-affected soils must follow the approved Soils Management Plan. This includes the proper handling of potentially impacted soils during removal and placement such that potential impacts due to odor, dust, runoff, and physical contact are mitigated.

In addition, control of petroleum hydrocarbon vapor emissions would follow the guidelines set forth by South Coast Air Quality Management District Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. While significant VOCs are not anticipated at this site, based on previous testing, impacted soil would be monitored during grading with an Organic Vapor Analyzer for vapor emissions and control measures would be implemented whenever levels exceed applicable thresholds (i.e., greater than 50 parts per million [ppm]).

Soil testing is required to be performed by a qualified remediation specialist, as overseen by the OCHCA, and would occur prior to completion of grading to (1) verify the complete removal of previously placed fill soil in the original reuse areas, (2) characterize the excavated fill once it is placed in stockpiles, and (3) verify that all soils in the upper 10 feet meet the criteria established by the OCHCA.

During construction, soil piles would be watered (misted) or covered when necessary to prevent fugitive dust. This would prevent the potential release of contaminated soil into the environment.

In addition, the fugitive dust control measures set forth in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, and the erosion control measures set forth in Draft EIR Section 3.13, *Hydrology and Water Quality*, would be maintained.

Recognizing the potential of encountering TPH-affected soil outside of existing reuse areas, the Soils Management Plan also provides requirements for general site grading, as follows (as described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*):

- During site grading, excavated soil originating from outside of the three reuse areas that visually displays dark discoloration/staining shall be flagged and segregated during the excavation process. These segregated soils shall be tested to determine whether the soil can be reused as cover or must be placed within a deep fill location.
- Potentially impacted soils shall be stockpiled on plastic sheeting to segregate contaminated soils from clean soils. Vapor and dust from excavation and stockpiling activities shall be controlled using one or more of the following: water misting, covering with poly sheeting; backfilling of off-gassing excavations, locating stockpiles away from and/or downwind of on-site workers and public receptors, and reducing the pace of project site activities and/or halting activities. In general, flagged (impacted) locations outside of the reuse areas are to be visually located, and confirmed by hand-held (or equivalent) global positioning system (GPS) equipment, when necessary.
- Excavation efforts shall proceed at individual flagged (impacted) suspect areas based upon visual staining and/or other methods (i.e., air monitoring equipment). Confirmation soil samples shall be collected from stockpiled soil and excavation limits, and properly documented as excavation proceeds. Final excavation confirmation sampling should be conducted at a rate of at least one soil sample per 5-foot vertical interval/20-foot horizontal interval of exposed sidewall and/or excavation floor. However, this sample frequency may be modified in the field based on site-specific conditions such as accessibility, soil homogeneity, and results of previous sampling data.
- Soil samples shall be collected using appropriate hand sampling tools or from the bucket of the excavation equipment and placed in laboratory-supplied glass sample jars and/or stainless steel sleeves, as required. In either case, samples should be compacted within the sample container to remove any head space. Soil samples shall be sealed with Teflon-lined lids/caps, labeled

with a number unique to the sample, placed in a chilled cooler, and logged under proper chain-of-custody (COC) protocol for transportation to a California-state certified laboratory. A mobile laboratory may be used to analyze soil samples during the excavation confirmation process, depending upon the nature of the contaminant and/or the scheduling needs of the project.

In addition, the following mitigation measure would be required by the City:

- **Mitigation Measure HAZ-2.2:** Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1×10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

Andrew Ho

From: Roy Ramsland
Sent: Friday, May 11, 2018 12:25 PM
To: Andrew Ho
Subject: FW: A Comcate eFM case has been reassigned

comment

-----Original Message-----
From: ContactLaHabra=lahabraca.gov@mg.comcate.com <ContactLaHabra=lahabraca.gov@mg.comcate.com> On Behalf Of City of La Habra
Sent: Friday, May 11, 2018 9:02 AM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: A Comcate eFM case has been reassigned

Case ID#: 25053
Case Detail page: https://clients.comcate.com/reps/caseDetail.php?ag=24&id=1339439
Topic>Subtopic: Housing/Redevelopment>Housing
Case Location:

Action that triggered this email: Case reassigned

Customer: Jackson, Stacy
Owner: Roy Ramsland
Date case was created (Days outstanding): 05/10/2018 (1)

Your role on this case: Primary Owner

Original Request:

JACKSON-1 Please, please, consider keeping Westridge Golf Course as open, undeveloped space. Once that space is built, it is gone from us forever. The open space is important to the residents of La Habra. I know the city stands to make a lot of money by rezoning this land, but please, please don't. In addition, the traffic at Beach and Imperial is atrocious, I can't see how 400+ new homes will not add to the traffic.

JACKSON-2 Do the members of the city council actually live in La Habra? I can't imagine that they would take our very little, last piece of open land and sell it.

Maybe whomever reads this will share my message to the city council. One can hope!
Thank you - Stacy Jackson

118. Response to Comments from Stacy Jackson (5-10-18)

JACKSON-1 Comment JACKSON-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

JACKSON-2 Comment JACKSON-2 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The golf course, while it is open to the public, is privately owned and operated. Any sale of the golf course would be a private real estate transaction between a willing seller and a willing buyer and not a sale of public land.

Andrew Ho

From: James San Miguel <jsanmiguel@me.com>
Sent: Saturday, May 12, 2018 6:26 PM
To: Andrew Ho
Cc: jsanmiguel@me.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

MIGUEL-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

MIGUEL-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

MIGUEL-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

MIGUEL-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

James San Miguel
712 Fifth Ave

119. Response to Comments from James San Miguel (5-12-2018)

MIGUEL-1 Comment MIGUEL-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MIGUEL-2 Comment MIGUEL-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MIGUEL-3 Comment MIGUEL-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

MIGUEL-4 Comment MIGUEL-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Michael Sheldon <sheldon.mike1010@gmail.com>
Sent: Saturday, May 12, 2018 6:50 PM
To: Andrew Ho
Cc: sheldon.mike1010@gmail.com
Subject: Support for Rancho La Habra

Mr. Andrew Ho
Community Development Director
City of La Habra
110 E. La Habra Blvd.
La Habra CA 90633

RE: Support for Rancho La Habra

Dear Mr. Ho,

SHELDON-1 I am writing to express my support for Lennar's proposed new community of Rancho La Habra, the certification by the City of La Habra of its Environmental Impact Report, and expeditious approval.

SHELDON-2 Rancho La Habra's proposal represents an intelligent reuse of the property. I see great community benefit in the trails, parks, open space and community center that all La Habra residents will be able to use.

SHELDON-3 It is not environmentally friendly to use 90 million gallons of water a year to irrigate fairways and greens. Rancho La Habra's lower water use will help to conserve water, and the community will help to address the region's serious housing shortage by providing new homes in a variety of sizes and prices near large employment centers, shopping and entertainment.

SHELDON-4 The Project EIR presents a thorough analysis of potential impacts and provides a lengthy list of mitigation measures designed to reduce or eliminate those impacts wherever feasible. I urge the Planning Commission and the City Council to certify the EIR with these mitigation measures, so Rancho La Habra can move forward.

Sincerely,

Michael Sheldon
1010 Buena Vista Ave.

120. Response to Comments from Michael Sheldon (5-12-2018)

SHELDON-1 Comment SHELDON-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SHELDON-2 Comment SHELDON-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SHELDON-3 Comment SHELDON-3 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SHELDON-4 Comment SHELDON-4 expresses the commenter's opinion regarding the adequacy of the Draft EIR and does not raise substantive environmental issues regarding the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Roy Ramsland
Sent: Monday, May 14, 2018 7:53 AM
To: Andrew Ho
Subject: FW: La Habra homes issue

FYI

-----Original Message-----
From: Cassandra Hetrick <sassiesunflower@hotmail.com>
Sent: Friday, May 11, 2018 11:45 PM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: La Habra homes issue

Hi,

C-HETRICK-1 I live off of Beach Blvd and I am writing you today to ask that you please reconsider how many houses you want to be at the golf center in La Habra. I work in La Habra as well. I use to be able to drive to work in 6 mins it now can take 15 mins. I use to be able to go to the store and be back home in 30 mins but now I plan to be gone an hour. People cut though streets to avoid traffic, run stop signs and lights. La Habra needs more community by building other items. Dog park, splash pad and walking trails. If you could build maybe just 150 homes and use the rest of the area for parks etc. I know

C-HETRICK-2 you have so many against this and I hope we can all find a way to meet each other in the middle.

Thank you,

Cassie

121. Response to Comments from Cassandra Hetrick (5-11-2018)

C-HETRICK-1 Comment C-HETRICK-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

C-HETRICK-2 Comment C-HETRICK-2 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Roy Ramsland
Sent: Monday, May 14, 2018 7:54 AM
To: Andrew Ho
Subject: Westridge comment

fyi

From: Sophia Meda <sosopink77@yahoo.com>
Sent: Friday, May 11, 2018 9:47 PM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject:

MEDA-1 I'm writing to express my concerns with the plan to replace the Westridge Golf Club with 402-448 residential dwelling units. After reviewing the Draft Environmental Impact Report, I am appalled by the potential negative impacts this development will have on our city.

MEDA-2 Over the last few years I have seen a significant increase in the development of housing within the city. It is understandable that at a time when housing is in short supply, more housing would be built. However the rate of growth seems unsustainable and the long-term impacts these additional homes have on our aging infrastructure don't appear to be addressed. The draft report sites a negative impact to air quality due to increased Greenhouse Gases, impacts to traffic circulation and general aesthetics such as loss of open space.

MEDA-3 The state of California has set aggressive goals to reduce GHG emissions by 40% from 1990 levels by 2030 and 80% by 2050. This development is in direct contrast to those goals. If these homes will be built, why not focus on building efficient homes that will not increase our GHG? We need to take action to make these changes for the good of our environment and the future of our children.

MEDA-4 The traffic on our streets is already becoming unbearable, even for the shortest of errands such as picking up/dropping off kids at school. Most of the major streets are overcrowded and traffic is diverted to residential streets where you can frequently see cars maneuvering above the speed limit to cut across. I believe this is caused by the new housing development that replaced the car dealers. Going to the shopping center near Beach Blvd and Imperial is a nightmare because of all the increased traffic from the very large apartment complex built there recently as well.

MEDA-5 And then there is the impact to aesthetics that shouldn't be ignored. It may not be a measurable impact, but it is a psychological one to the residents in the city. To see such a beautiful open space packed in with more over-priced housing makes us question if there is greed in our city government. Where are the improvements to parks and public use facilities that can be enjoyed by residents? Who is building the open spaces where families can gather for an afternoon? Where is the spirit of community in La Habra?

MEDA-6 I can't imagine there is not also an impact to schools as more kids are brought in to our school system where there is frequently a 30+ to 1 student-teacher ratio, an impact to our water supplies as there is higher demand and lower supply and to all our city provided services that now have to serve more people. I don't think I'd be exaggerating to say in the last 2-3 years an additional 500-1,000 dwellings have been built in the city, for a total of perhaps 2,000-4,000 more people plus 1,000 more cars and yet I have not seen improvements to support this increase.

MEDA-7

Because of this I am strongly opposed to this development and I urge the city government to slow down and consider the long-term impacts this continuing influx of housing and people will have on the quality of life of existing residents.

We encourage our children today to put down the electronics and be active. My son, who is a Sophomore in high school is an avid golfer and it is so convenient having a golf course in our home town. I am able to drive 10 minutes across town versus having to drive 20 minutes to get to a neighboring course. Being a resident of La Habra I would also rather see my money supporting our local course than others.

Thank you

Sent from Yahoo Mail on Android

122. Response to Comments from Sophia Meda (5-11-2018)

MEDA-1 Comment MEDA-1 expresses the commenter's observation regarding the extent of impacts that would result from the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions

MEDA-2 Cumulative impacts of the Project in combination with past, present, and reasonably foreseeable future projects are evaluated in the Draft EIR and Partially Recirculated Draft EIR Chapter 6, *Cumulative Impacts*. Analysis undertaken in the EIR for water, sewer, drainage, roadways, and other public infrastructure did not find that infrastructure was aging such that new infrastructure could not be connected to existing systems.

The significant air quality impact identified in the Partially Recirculated Draft EIR was due to the Project's housing and population growth being inconsistent with the Air Quality Management Plan for the South Coast Air Basin.

The significant greenhouse gas impact identified in the Partially Recirculated Draft EIR was due to emissions of greenhouse gases in excess of applicable thresholds.

The Draft EIR determined that the substantial loss of open space resulting from Project development would degrade the existing visual character of the site and thereby constitute a significant impact.

MEDA-3 Should the Project be approved, all homes constructed within the site would be required to meet the stringent CALGreen Code/Title 24 standards, be fitted with rooftop solar systems, and comply with EIR mitigation measures and the provisions of the City's Climate Action Plan. Thus, any homes constructed within the Project site would be designed to minimize greenhouse gas emissions.

MEDA-4 Comment MEDA-4 expresses the commenter's opinion regarding area traffic and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

MEDA-5 Changes in views that would occur should the Rancho La Habra Specific Plan be approved are addressed in Draft EIR Section 3.4, *Aesthetic Resources*. Starting on Draft EIR page 3.4-21 is an evaluation of whether the proposed Project would substantially degrade the existing visual character of the site and surrounding area. The Draft EIR, on page 3.4-25, concludes that the "substantial change in the

visual character of the site that would result from replacing the existing Westridge Golf Club with the proposed Rancho La Habra residential community would constitute a significant impact due to the loss of open space, [and] change of character as demonstrated by the visual prominence of housing within the site." The Draft EIR further concludes that this impact would be significant and unavoidable should the Project be approved.

As discussed in Partially Recirculated Draft EIR Chapter 2, *Project Description*, while the Project would involve closure of the existing Westridge Golf Club, the Rancho La Habra Specific Plan provides for a variety of public park, recreation, and open space amenities totaling 38.72 acres within Planning Area 6 as follows:

- Public Community Center – 3.30 acres
  - Approximately 22,500-square-foot structure providing indoor banquet, dining, kitchen, meeting, and office facilities in the existing Westridge Golf Club clubhouse
  - Outdoor banquet, dining, and gathering space
  - Play areas, open turf
  - Event lawn
  - Parking for daily use and special events
- Public Park and Picnic Area – 12.79 acres
  - A southerly extension of the Community Center and Park facility
  - Terraced multi-purpose play areas
  - Picnic areas, including benches and tables, with shade trees and views of the San Gabriel Mountains
- Public Linear Park – 12.77 acres
  - 2.6 miles of trails proposed to traverse throughout the community, with connections to Idaho Street and Beach Boulevard
  - Benches, shade trees, viewing overlooks, and exercise equipment
  - Conservation Area – 9.86 acres
  - Preservation, restoration and enhancement of locally rare native coastal sage habitat

In addition to public open space and recreational areas, private parkland and recreational amenities are proposed, including the following:

- Planning Area 1:

  - Pool and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Area 2:
  - Pool, wading pool, and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Areas 3/4:
  - Lap pool and spa
  - Restrooms and showers
  - Shade structure
- Multiple Planning Areas:
  - Passive turf play areas
  - Shade trees
  - Bench seating
  - Children's play structures
  - Trail connections

MEDA-6 Analysis of impacts on schools is provided in Draft EIR Section 3.15, *Public Services and Facilities*. As discussed on Draft EIR page 3.15-2, the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50), requires all new residential development projects to pay school impact fees that are considered "full and complete mitigation" for any impacts on school capacity. School impact fees, such as those that would be collected from Rancho La Habra, are to be used by local districts to offset capital cost impacts associated with new developments. As such, cities are prohibited from requiring additional mitigation for any school impacts and are also prohibited from denying any project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) may be inadequate.

A Water Supply Assessment (Draft EIR Appendix T) was prepared that demonstrates adequacy of water supplies for the Project. As indicated in the Water Supply Assessment and the Draft EIR, irrigation of the existing golf course consumes more potable water supplies than would the Project.

Partially Recirculated Draft EIR Chapter 2, *Project Description*, identifies the improvements proposed by the applicant as part of the Project. Additional improvement requirements are set forth in the mitigation measures described throughout the Draft EIR as modified by the Partially Recirculated Draft EIR.

MEDA-7 Comment MEDA-7 expresses the commenter's opinion regarding the Project and area development. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Andrew Ho

From: Roy Ramsland
Sent: Monday, May 14, 2018 7:57 AM
To: Andrew Ho
Subject: FW: Rancho La Habra Specific Plan

fyi

-----Original Message-----
From: Randall Rivera <randalljrivera@sbcglobal.net>
Sent: Friday, May 11, 2018 4:34 PM
To: Roy Ramsland <RRamsland@lahabraca.gov>
Subject: Rancho La Habra Specific Plan

RRIVERA-1 I am 100% Against this planned development. Being in the construction based industry distribution as distribution this project could benefit my company very much. But I am against it as a resident. These city council member snuck this in and made a deal some how someway with this developer. I'm sorry you are packing more and more bolder into a sack of marbles. There's not enough room for traffic to make it through, and that's just traffic today so wait till the holiday season that will be even worse. We'll be looking at traffic backed up from beach to Harbor and on the other-side beach to La Mirada Blvd. this is a very bad idea, it's sad to say but somebody's pockets are full.

Totally against this project,
Randall Rivera

Sent from my iPhone

123. Response to Comments from Randall Rivera (5-11-2018)

RRIVERA-1 Comment RRIVERA-1 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The traffic impact analysis set forth in Partially Recirculated Draft EIR Section 3.7, *Traffic and Circulation*, describes existing and future traffic conditions both with and without the Project.

The City of La Habra has made no deal with any developer regarding the Project other than to have the applicant reimburse the City's costs to review the Project, which is common for developments throughout the state. The golf course, while it is open to the public, is privately owned and operated. Any sale of the golf course would be a private real estate transaction between a willing seller and a willing buyer and not a sale of public land.

Andrew Ho

From: Jim Sadro
Sent: Monday, May 14, 2018 2:30 PM
To: Andrew Ho
Subject: FW: New Comcate eFM case: City Council>General (you are collaborator)

Categories: Administration

-----Original Message-----
From: ContactLaHabra=lahabraca.gov@mg.comcate.com <ContactLaHabra=lahabraca.gov@mg.comcate.com> On Behalf Of City of La Habra
Sent: Monday, May 14, 2018 12:38 PM
To: Jim Sadro <JSadro@lahabraca.gov>
Subject: New Comcate eFM case: City Council>General (you are collaborator)

Case ID#: 25058
Case Detail page: https://clients.comcate.com/reps/caseDetail.php?ag=24&id=1340185
Topic>Subtopic: City Council>General
Case Location:

Action that triggered this email: Add Collaborator

Customer: Shin, Julie
Owner: Breanna Hurt
Date case was created (Days outstanding): 05/14/2018 (0)

JSHIN-1 Details of initial customer request (only first sentences): Hello, I am a LH resident and counselor at Sonora HS. I am also a YIMBY member for OC and California and one of the admin for the People for Housing La Habra page. I want to let the city know that not everyone opposes new housing in our city. I do wish more townhomes were being built in Rancho La Habra rather than huge sfh that most younger or middle class people won't be able to afford. If you guys need my support, let me know. I will try to make it to the next council meeting.

You can also access your account by going to the employee home page and entering your username and password.

PLEASE DO NOT REPLY TO THIS EMAIL. NOBODY WILL RECEIVE THE EMAIL.

124. Response to Comments from Julie Shin (5-14-2018)

JSHIN-1 Comment JSHIN-1 expresses the commenter's opinion regarding housing development and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

2.2.2 RESPONSES TO COMMENTS FROM REPRESENTATIVES OF THE WESTRIDGE COMMUNITY ASSOCIATION

Comments and responses to the four (4) comment letters and emails that were received from representatives of the Westridge Community Association are provided on the following pages.

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Attorney
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May 9, 2018

Via Electronic Mail

Roy Ramsland
Planning Division
City of La Habra
201 E La Habra Boulevard
La Habra, CA 90631
E-Mail: rancholahabra@lahabraca.gov

Re: Draft Environmental Impact Report for Rancho La Habra Specific Plan

Dear Mr. Ramsland:

SMW-1 This firm represents the Westridge Community Association ("Westridge"), a nonprofit mutual benefit corporation made up of owners of homes located in the City of La Habra ("City"), between the southern boundary of the proposed Project and the City's southern boundary. This letter provides Westridge's comments on the Rancho La Habra Specific Plan project ("Project") and the associated draft Environmental Impact Report ("DEIR"). Many Westridge members' homes directly abut and overlook the Project site. Individual members of Westridge will also be submitting comments under separate cover.

SMW-2 We submit this letter to inform the City that the Project conflicts with the City's General Plan and Zoning Code, in violation of state Planning and Zoning Law, Govt. Code § 65000 et seq. The DEIR for the Project also violates the minimum standards of adequacy under the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 et seq.

SMW-3 This letter is submitted along with the reports prepared by Robb Hamilton, Biologist, attached as Attachment A ("Hamilton Report") and by Neal Liddicoat, P.E., of Griffin Cove Traffic Engineering Consulting, Inc., attached as Attachment B ("Liddicoat Report"). We respectfully refer the City to the attached reports, both here and throughout these comments, for further detail and discussion of the DEIR's inadequacies. We request that the City reply to each of the comments in this letter and to each of the comments in the attached reports.

I. Introduction

SMW-4 The Project site is located within the City of La Habra's jurisdiction on land designated and zoned for Open Space. This designation and zoning were established in the City's La Habra Hills Specific Plan adopted in 1992 ("Original Specific Plan")[1] and affirmed in the City's recent update to its General Plan ("General Plan" or "GP").[2] As the DEIR acknowledges, the Specific Plan provided a development plan consisting of a residential component, a golf course, a community park, and open space. DEIR at 2-2. The residential component of the Plan was built out as the Westridge community.

SMW-5 The proposed Project includes: a General Plan Amendment, a change of Zone from open space to residential, a La Habra Hills Specific Plan Amendment, approval of a Rancho La Habra Specific Plan, Vesting Tentative Tract Map 17845, Development Agreement, Design Reviews for the first phase of development (Planning Areas 1-4 and 6), Conditional Use Permits for three model home complexes, and the formation of a Community Facilities District. DEIR at 2-10. The Project would replace the existing 151-acres of open space with between 402 and 448 dwelling units and 20,000 square feet of commercial development and park areas.

SMW-6 As described below, the Westridge community is deeply concerned about the far-ranging impacts the Project will have on environmental resources and public safety. After years of deliberation, the City approved a plan for development in the region that struck a fair balance between conserving the area's few remaining natural resources and preserving open space while allowing substantial new development. The development plan in the La Habra Hills Specific Plan ensured the development was properly sited and mitigated, including designating a sizeable amount of open space as part of the plan, recognizing the habitat value and the community's need for open space which renders the area undesirable for dense housing. Now, however, the City is contemplating approval of a Project that would permanently destroy that balance. For example, the proposed Project would develop in sensitive habitat areas that were previously set aside as preserved habitat to mitigate for other development.

SMW-7 Not only would approval of the Project betray the trust and confidence of the communities that worked so closely with the City to develop a specific plan for the area, it would also violate state Planning and Zoning Law and the Subdivision Map Act. As

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[1] La Habra Hills Specific Plan, City of La Habra (Mar. 23, 1992), *available at* https://lahabracity.com/DocumentCenter/View/182.
[2] General Plan 2035, City of La Habra 2035 (Jan. 21, 2014), *available at* https://lahabracity.com/DocumentCenter/View/197.

SMW-7 (CONT) detailed below, this Project is patently inconsistent with numerous provisions of the General Plan and Zoning Ordinance.

SMW-8 In addition, the DEIR for the Project fails to provide the public and decision makers with crucial information about the Project, its impacts, and feasible mitigation measures, in direct violation of CEQA. For example, the DEIR fails to disclose that the Project would result in direct conflicts with City General Plan policies related to the preservation of open space and preservation of sensitive biological resources on the Westridge Golf Course site. The DEIR's analysis understates the Project's impacts on sensitive habitat and special status species. In addition, the DEIR's analysis of the Project's traffic impacts employs outdated traffic data and invalid methods that skew the analysis of project-related vehicle trip increases, thus masking significant impacts. In turn, reliance on an inaccurate traffic analysis undermines the DEIR's air quality and climate change analyses.]

II. Approval of the Project as Proposed—Which Is Inconsistent with the City's General Plan and Zoning Requirements—Would Violate Planning and Zoning Law.

SMW-9 The Project is inconsistent with the City's General Plan and therefore violates state Planning and Zoning Law and should be rejected (*see also* Section IV.A.1 below).

A. Land Use Decisions Must Be Consistent with the General Plan.

SMW-10 The state Planning and Zoning Law requires development decisions to be consistent with the jurisdiction's general plan. *See Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806 ("propriety" of land use and development decisions depends on consistency with the general plan); *Families Unafraid to Uphold Rural El Dorado County v. Bd. of Supervisors* ("*FUTURE*") (1998) 62 Cal.App.4th 1332, 1336 ("The consistency doctrine [is] the linchpin of California's land use and development laws; it is the principle which infuses the concept of planned growth with the force of law."). As the "constitution" for future development, the general plan provides the overarching framework for a region's development. *Lesher Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 31, 540.

It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov. v. Napa County* (2001) 91 Cal.App.4th 342, 379. A project need not present an "outright conflict" with a general plan provision to be considered inconsistent. *Id*. Rather, the determinative question is whether the project "is compatible with and will not frustrate the General Plan's goals and policies." *Id*. Courts will invalidate a project approval that is inconsistent with

SMW-10 (CONT)

fundamental, mandatory, and clear general plan policies, regardless of whether the project is consistent with other general plan policies. *FUTURE*, 62 Cal.App.4th at 1341-42; *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 783.

B. The Project is Invalid Because it Conflicts with the General Plan.

1. The Project is Inconsistent with the General Plan Because it Reduces the Open Space in the La Habra Hills Original Specific Plan Original.

SMW-11

The Project directly conflicts with the General Plan's open space policies for natural resource protection and recreation. General Plan Policy OS-1.1 seeks to "[p]reserve open spaces for the protection and maintenance of La Habra's natural resources including watersheds, hillsides, and drainage corridors." GP at 5-1. Similarly, General Plan Policy OS-1.3 seeks to "[m]aintain open space lands along and within the established open space flood control channels for the protection of riparian habitats and ecosystems, consistent with requirements to maintain the integrity of these lands for stormwater and flood control management." GP at 5-2. Further, General Plan Policy OS-2.4 seeks to "[m]aintain a diverse and accessible system of parks and recreation facilities throughout La Habra, which include mini parks designed to provide passive open space, neighborhood parks generally planned for younger children and family groups, and community parks offering a wide range of indoor and outdoor recreation opportunities." GP at 5-3. The Project will directly conflict with these policies by developing the largest piece of open space remaining in the City.[3]

SMW-12

The Original Specific Plan provides for 380 acres with 46 percent designated as open space, which includes the golf course (approximately 145 acres) and a community park and small parcel of open space (32.1 acres). *See* Original Specific Plan at 11-12. If the Project is implemented, the open space in the Westridge Community will be significantly reduced. The Project would remove the golf course and would decrease the amount of open space and recreation areas in the Westridge Community from 46 percent to 14.6 percent of the total project area.[4] This reduction is even further than what the 16 percent indicated in Draft La Habra Specific Plan Amendment No. 3.

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[3] General Plan 2035 Land Use Map, City of La Habra, *available at* https://lahabracity.com/DocumentCenter/View/1221.

[4] The Draft La Habra Hills Specific Plan Amendment No. 3 amends Section C, Project Location and Description, reducing the La Habra Hills Specific Plan Area to consist of approximately 219.552 acres, instead of 380 acres. Thus, with the reduction of the golf course (145 acres), the

SMW-13 Thus, not only will the Project significantly reduce the amount of open space in the Westridge Community, but will also deprive residents of La Habra of the City's largest open space area. If the Project is developed, the City's largest remaining public space will only be 30 acres—a dramatic decrease from 145 acres.[5] This reduction in recreational space conflicts with the General Plan's policy to maintain a diverse and accessible system of parks and recreation facilities. The simultaneous destruction and loss of wildlife habitat and protected space further conflicts with the General Plan's policy to preserve open spaces to protect and maintain natural resources. Given that the Project will conflict with the City's General Plan policies, state and local law forbid the City from approving it.

2. The Project Conflicts with the General Plan's Parkland Standard.

SMW-14 The DEIR inaccurately states that the Project will bring the City of La Habra into compliance with the General Plan's parkland standard policy. The General Plan Policy OS-2.1 seeks to "[p]rovide, maintain, and support open space resources including parks, recreational facilities, and open space at a ratio of 2.5 acres per 1,000 residents for active and passive recreational purposes to allow residents opportunities to enjoy physical and mental health." GP at 5-2. Even without the Project, the City already meets this standard.

SMW-15 In truth, the Project will significantly decrease open space in the city. The Rancho La Habra Specific Plan DEIR asserts that "[t]he proposed Specific Plan provides 25.1 acres of public parkland, which would increase existing citywide public park acreage per 1,000 from 2.29 acres of park per 1,000 population to 2.64 acres per 1,000 population, thereby meeting La Habra's citywide goal of 2.5 acres per 1,000 population of city-owned parkland." DEIR at 3.2-17. However, the DEIR fails to account for the amount of

SMW-16 open space the golf course currently provides to the public—145 acres. The golf course is open to the public and provides additional open space benefits such as habitat, views, and noise attenuation. In addition to providing a recreational resource to residents of La Habra, the golf course provides an important resource for biological and habitat conservation. As stated in the existing La Habra General Plan, "[f]ew areas of the City support sensitive biological resources and are primarily mitigation areas of protected plant species within the Westridge Golf Course." GP at 6-1. Accordingly, the protected areas in the golf course "support sensitive bird species including the coastal California gnatcatcher." Id. Thus, the city already meets the General Plan's policy of reaching 2.5

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amount of open space for residents of Westridge should be reduced to 14.6 percent of total project area (32.1 acres/219.552 acres).

[5] City Parks, City of La Habra, *available at* http://www.lhcm.org/656/City-Parks.

SMW-16 (CONT) acres per 1,000 residents without the Project, and, instead, the Project decreases the amount of open space in the city, whether public or private.

SMW-17 As identified in the Specific Plan Amendment No. 3's general plan consistency analysis, the corresponding policy to the La Habra General Plan 2035's OS-2.1 Parkland Standard in the La Habra General Plan 2020 "[r]equires all specific plans and significant development project to address and make provisions for adequate amount of private and/or public open space and landscaping that is sensitive to retaining the character of the natural environment." Draft La Habra Specific Plan Amendment No. 3 at 6. Thus, the General Plan seeks to provide for both private and public open space, and not just public open space.

SMW-18 Given that the DEIR inaccurately states that the City is currently not in compliance with the General Plan's parkland standard and the Project conflicts with the City's General Plan by reducing open space, state and local law should forbid the City from approving it.

III. The DEIR's Description of the Project and Environmental Setting Are Flawed.

SMW-19 Under CEQA, the inclusion in the EIR of a clear and comprehensive description of the proposed project is critical to meaningful public review. *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193 ("*Inyo II*"). The court in *Inyo II* explained why a thorough project description is necessary:

> "A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the "no project" alternative) and weigh other alternatives in the balance." *Id*. at 192-93. Thus, "[a]n accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *Santiago County Water District v. County of Orange*, (1981) 118 Cal.App.3d 818, 830.

SMW-20 The DEIR fails to describe aspects of the Project critical to its analysis. In perhaps the most glaring example, the public has yet to be informed regarding the contents of the Development Agreement, but this Agreement will vest certain specific rights and entitlements with the developer, should the City approve the Project as proposed. Regardless of the specifics, once a development agreement is approved, a public agency

SMW-20 (CONT)

"shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement," even if the project requires further discretionary approvals. Gov. Code § 65865.2; *see also Citizens for Responsible Government v. City of Albany* (1997) 56 Cal.App.4th 1199, 1214-15 (development agreement creates vested rights in the form of an "entitlement for use"). If the agency breaches a development agreement, it may be subject to damages. *See Mammoth Lakes Land Acquisition, LLC v. Town of Mammoth Lakes* (2010) 191 Cal.App.4th 435, 443-47, 476 (developer awarded $30 million for town's anticipatory breach of development agreement). Given the importance of these documents, the City must release this information to the public and provide additional time for review and comment. Pub. Res. Code § 21092(b)(1). Without an opportunity to review the Development Agreement the public and decision makers lack crucial information about what it may contain.

SMW-21

Here, the Development Agreement would confer entitlements to the applicant to convert open space to an intensive residential use. As discussed throughout this letter, and in letters from other community and environmental groups, this substantial increase in density and in intensity of use will result in significant impacts with regional implications. Therefore, the City should release a draft of the Development Agreement for public review.

SMW-22

The Westridge community is particularly concerned about the sparse description of the existing setting on the site, particularly conditions in Planning Area 7, which encompasses the vegetated slope separating the Westridge community from the Project site. The DEIR states only that Westridge holds an easement on the 19.3 acre area and that the slope is being, and will continue to be, maintained by the Westridge Homeowners Association. DEIR at 2-19. However, the DEIR fails to address continued access to the area for purposes of maintaining the slope. Granting continued access is a critical point, because without adequate access, maintenance of the slope would prove expensive and difficult, if not impossible.

SMW-23

The vegetated slope has been maintained by Westridge Homeowners Association ("HOA") since an easement was granted and recorded in September of 1998. The slope is planted with a variety of shrubs and includes 539 mature trees. See Attachment C (Letter from O'Connell Landscape Maintenance dated July 27, 2016). The slope is a valuable asset to the community both because the stability of the slope is integral in supporting homes on the ridge and because the vegetation softens views of development along Beach Boulevard. In addition, the Westridge HOA contracts with professional landscapers to maintain the slope year-round and incurs substantial maintenance costs in excess of $200,000 annually. Thus, the HOA has invested significant funds to maintain the integrity and aesthetic beauty of the slope area.

SMW-24 The DEIR fails to adequately describe this setting. Just as importantly, the DEIR fails to adequately describe Project construction and proposed uses in and adjacent to the vegetated slope that could impact the integrity of the slope and/or affect the HOA's ability to maintain it. For example, the DEIR indicates that the vegetated slope is within an area identified as susceptible to landslides and unstable soils. DEIR, Appendix P at Figure 2. The DEIR also indicates that the Project may include removal of trees in the vegetated slope area. DEIR at ES-17 (Mitigation Measure BIO-1b). Mature trees play an important role in stabilizing soils and hillside areas. Therefore, any proposed plans to remove trees must be carefully vetted to ensure the integrity of the slope. The DEIR fails to describe the extent of proposed tree removal and fails to consider associated geological impacts.

SMW-25 The DEIR's description of proposed changes to the vegetation on the slope is equally vague. The DEIR states the Project includes a proposed Fire Management Plan, but this plan is not included for the public to review. The one figure from the plan included in the DEIR specifies replacing existing vegetation with low growth, fire resistant plant material and removal of "undesirable species." DEIR at 3.12-47. This approach is problematic for several reasons. First, the Project is proposing changes in an area over which neither the City nor the applicant has jurisdiction. The HOA holds an easement over Planning Area 7, and therefore any changes to the vegetation must be approved by Westridge. *See* Attachment D (Easement and Maintenance Agreement).

SMW-26 Second, both the Specific Plan and the DEIR fail to provide any further construction details about the proposed changes in and around the vegetated slope. The Specific Plan indicates that a public linear park and trail system would be located along the southern perimeter of the Project site. Specific Plan Figure 15 at p. 63. However, it is unclear whether the linear park is planned within the vegetated slope or immediately adjacent to it. In addition, Specific Plan Figure 7 at p. 25 indicates that certain "trail enhancements" may be sited within the vegetated slope. This is an important detail because implementation of a trail within the slope would likely require grading, which could destabilize the slope as well as damage plantings.

SMW-27 In addition, a water main and irrigation lines are located at the toe of the vegetated slope and provide water necessary to maintain the slope. Specific Plan Figure 39 at page 143. Site grading has the potential to damage these utilities, which would in turn affect the Westridge HOA's ability to maintain irrigation on the slope. Therefore, the Specific Plan and the DEIR must disclose the location and limits of grading and provide additional details about preservation of the slope. (We note that Specific Plan, Figure 16 Concept Grading is presented at a scale which makes it illegible.)

SMW-28 In sum, the DEIR presents an unstable project description, made worse by undisclosed project details that may be contained in the Development Agreement. This approach is not permissible under CEQA. The failure to describe the whole of the Project is a serious and pervasive deficiency, as it renders faulty the EIR's environmental impact analyses as well as the discussion of potential mitigation measures and alternatives to minimize those impacts. The EIR must provide a sufficient description of improvements associated with the project, information regarding required plans to minimize Project-related construction and operational impacts, details of anticipated construction activities, and any other Project details. This information is necessary to allow decision makers, the public, and responsible agencies to evaluate potential environmental impacts.

IV. The DEIR's Analysis of and Mitigation for the Impacts of the Proposed Project Are Inadequate.

SMW-29 Even if the Project were permissible under state and city law, it would still require thorough, comprehensive environmental review. The EIR for this proposal should be of the highest quality, giving both decision-makers and the public a full opportunity to understand and analyze environmental repercussions of the Project. An EIR is "the heart of CEQA." *Laurel Heights Improvement Ass'n v. Regents of University of California* (1988) 47 Cal.3d 376 at 392 ("*Laurel Heights I*"). In particular, the County "should not be allowed to hide behind its own failure to gather relevant data." *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311. "The EIR is also intended 'to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.' Because the EIR must be certified or rejected by public officials, it is a document of accountability." Laurel Heights I, 47 Cal.3d at 392 (citations omitted). Where, as here, the environmental review document fails to fully and accurately inform decision-makers, and the public, of the environmental consequences of proposed actions, it does not satisfy the basic goals of either statute. See Pub. Res. Code § 21061 ("The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment.").

SMW-30

SMW-31 The evaluation of a proposed project's environmental impacts is the core purpose of an EIR. *See* CEQA Guidelines § 15126.2(a) ("An EIR shall identify and focus on the significant environmental effects of the proposed project"). It is well-established that the City cannot defer its assessment of important environmental impacts until after the project is approved. *Sundstrom,* 202 Cal.App.3d at 306-07. An EIR must provide enough analysis and detail about environmental impacts to enable decision-makers to make intelligent judgments in light of the environmental consequences of their decisions. The City, in its role as lead agency, must make a good faith effort to disclose the impacts of the Project, both at the Project level and at the cumulative level. The Project's large size

SMW-31 (CONT) and its location on a site that is home to sensitive and unique biological values mandate particularly careful analysis and public disclosure of its many significant impacts.

SMW-32 Unfortunately, as described in detail in the following sections, the DEIR for the Rancho La Habra Project fails to meet CEQA's objectives, and deprives the public and decision-makers of the opportunity to fully understand the environmental repercussions of the Project.

SMW-33 As explained below, the EIR fails to analyze the Project's numerous environmental impacts, including those affecting land use, biological resources, transportation and circulation, noise, climate change, public health and safety, and hazards. In addition, in numerous instances, the EIR also fails to adequately analyze the Project's cumulative impacts. These inadequacies require that the EIR be revised and recirculated so that the public and decision-makers are provided with a proper analysis of the Project's significant environmental impacts and feasible mitigation for those impacts. *See* CEQA Guidelines §15002(a)(1) (listing as one of the "basic purposes" of CEQA to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities").

A. The DEIR Presents an Inadequate Analysis of the Project's Impacts on Biological Resources.

SMW-34 The DEIR's treatment of biological impacts suffers from substantial deficiencies and fails to meet CEQA's well established standards for impacts analysis. The document's analysis both understates the severity of the potential harm to biological resources within and adjacent to the proposed Project site and neglects to identify sufficient mitigation to minimize these impacts. Given that analysis and mitigation of such impacts are at the heart of CEQA, the DEIR will not comply with these laws until these serious deficiencies are remedied. See *Sundstrom*, 202 Cal.App.3d at 311 ("CEQA places the burden of environmental investigation on government rather than the public.").

SMW-35 A portion of the proposed Project site is designated for conservation as mitigation under the West Coyote Hills Specific Plan, providing important habitat to the federally threatened coastal California gnatcatcher. Further, the Project site includes sensitive biological communities, including Diegan coastal sage scrub, oak riparian woodland, mulefat scrub, and emergent wetland that provide habitat for sensitive species, including endangered and threatened species. DEIR at Table 3.5-3; Hamilton Report at 9. The Project will result in significant direct and indirect impacts to these sensitive communities. *Id*.

SMW-36 Given the importance of the affected biological resources, one would expect the DEIR's analysis to provide careful and thorough evaluation of the Project's potential

SMW-36 (CONT) impacts. Unfortunately, the DEIR's analysis is nowhere close to meeting CEQA's well-established standards for evaluating biological resource impacts. As detailed in the attached Hamilton Report, and summarized below, the DEIR presents a cursory and incomplete evaluation and lacks evidence for its conclusions. Perhaps most egregiously, the DEIR relies on incomplete analysis and unsupported claims to conclude that the Project's significant impacts would be mitigated.

SMW-37 Under CEQA, decision-makers and the public must be given sufficient information about impacts and mitigation to be able to evaluate the impacts of a proposed project for themselves. *See* Pub. Res. Code 21061. Furthermore, analysis of impacts cannot be deferred to a later date but must be performed prior to project approval. *Sundstrom*, 202 Cal.App.3d at 307 ("By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process."). Accordingly, a revised DEIR must be prepared to fully analyze and disclose these impacts and to propose and evaluate feasible mitigation measures for each significant impact.

SMW-38 Because the report prepared by Hamilton Biological provides detailed comments on the DEIR's biological resources analysis, we will not reiterate each of those comments here. *See* Hamilton Report at Attachment A. Instead, the discussion below highlights the most egregious deficiencies.

1. The Project is Inconsistent with Requirements of the City's General Plan.

SMW-39 The DEIR's analysis of the Project's consistency with the City's General Plan policies related to biological resources is incomplete. The DEIR discloses the Project's inconsistency with General Plan Policy BR1.8, directing the City to encourage the preservation of trees that provide suitable nesting and roosting habitat for resident and migratory bird species. DEIR at 3.5-70 and 71. While the DEIR concedes that this inconsistency constitutes a significant impact, the DEIR erroneously concludes that the inconsistency can be mitigated through implementation of a landscaping plan. DEIR at 3.5-71. While the measure may address impacts related to loss of habitat, it does nothing to address the Project's inconsistency with the policy itself.

SMW-40 More troubling, the DEIR fails to address the Project's inconsistency with General Plan Policy BR 1.1, which reads:

> Biological Resource Protection. Conserve and protect wildlife ecosystems, riverine corridors, and sensitive habitat areas

including the sensitive plant species areas within the Westridge Golf Course.

SMW-40 (CONT)

The DEIR ignores this policy altogether and fails to analyze or disclose the Project's inconsistency with it. Here, rather than conserve and protect ecosystems and habitat areas , the Project would remove nearly all of the sensitive habitat areas on the Westridge Golf Course, and provide minimal biological mitigation "to the extent practicable considering the other competing project objectives." DEIR at 7-7 and Hamilton Report at 9 and 10. What little habitat will remain will be subject to edge effects and degradation. *Id*. A revised DEIR must analyze and disclose this inconsistency.

SMW-41

Finally, the City's General Plan requires "site assessments for developments that may adversely affect sensitive biological resources and ensure that individual projects incorporate mitigation measures, as necessary, to reduce impacts." General Plan Policy BR1.13. In contravention of this policy, the DEIR fails to conduct surveys of the least Bell's vireo, yellow-breasted chat, yellow warbler, and Western pond turtle, claiming that each is unlikely to occur on the site. To fulfill the minimum requirements of CEQA, and to achieve consistency with General Plan Policy BR 1.13, the City should require the project proponent to conduct riparian bird surveys, and turtle surveys, during spring/summer 2018. Hamilton Report at 10.

2. The DEIR Fails to Analyze the Impacts of Removing or Relocating Existing Deed Restrictions or to Describe Any Mitigation for this Component of the Project.

SMW-42

The Project site is encumbered by a deed restriction in favor of the California Department of Fish and Wildlife ("CDFW") that "provides mitigation *in perpetuity* for development of a 300-acre abandoned oil field including predevelopment activities and subsequent construction of 540 homes, and an 18-hole golf course, and associated infrastructure that impacted 18 acres of highly disturbed coastal sage scrub located in the City of La Habra." DEIR, Appendix F-8 Recital B (emphasis added). The deed restriction was required as a condition of a 1995 Streambed Alteration Agreement, which requires mitigation for loss of riparian habitat at a 2:1 ratio, to be located "within and around the drainage courses to be created during Golf Course construction, including two lakes, each covering 1.0 and 0.7 acres." DEIR, Appendix F-7 ¶ 5. The mitigation was to be in the form of "[a] wildlife conservation easement or deed restriction [that] shall be recorded on the property to protect fish and wildlife resources in perpetuity for the all areas of the newly created mitigation site." *Id*. ¶ 11. The attached "Special Conditions for 95-00061-BH" specify that the required areas of "Coastal sage scrub habitat will be deemed acceptable if: a) the habitat is self sustaining in the absence of irrigation; b) the habitat is occupied by breeding pairs of gnatcatchers; or c) a representative of the Service agrees

SMW-42 (CONT)

that the habitat has the structure and composition of naturally occurring gnatcatcher habitat, or of a fully functional coastal sage scrub community." Thus, the existing golf course, as protected by deed restriction, provides mandatory, permanent mitigation for past impacts to the City and its environment. As the DEIR acknowledges, the Project cannot proceed as described unless and until CDFW agrees to terminate the permanent protections in exchange for at least "equivalent mitigation" at another location. DEIR at 3.1-4.

SMW-43

The DEIR never discloses the impacts of removing a significant portion of the deed restriction. In fact, the DEIR never identifies how much of the deed restriction it proposes to "remove or relocate," what area it intends to protect in lieu of the currently protected areas, what form that replacement protection will take, or what biological resources will be protected as a result of the reconfigured protections. *Id*.[6] To the contrary, the DEIR is internally inconsistent. It states "the intention to relocate some areas subject to the current deed restriction to an upland conservation area to be established in the western portion of the project site." DEIR at 3.1-3; *see also id*. Figure 3.5-1. But Mitigation Measure BIO-1a requires the applicant to purchase credits from an "approved mitigation bank or fund the creation and preservation of habitat at an offsite location such as the West Coyote Hills to demonstrate a minimum replacement ratio of at least 1:1." *Id*. at 3.5-54.

SMW-44

The DEIR contains no requirement that replacement conservation land provide similar features or habitat types. Nor does it require anything beyond 1:1 replacement of the destroyed areas, even though it will be eliminating mature vegetation on the Project site that is actually occupied by one or more special status species, as discussed below, making it highly unlikely that replacement locations can provide the same ecosystem benefits on a per-acre basis. Specific physical features and a heightened ratio are both standard and important features of mitigation for removed habitat, as demonstrated in the original Streambed Alteration Agreement and attached special conditions. The original mitigation replaced destroyed habitat with precise requirements for a riparian setting, a functioning sage scrub community, *and* a 2:1 replacement ratio. The DEIR provides no such assurances. Instead, it brushes aside substantive details, glibly concluding that any agreement with CDFW would require "no net loss," which would be sufficient to "avoid significant impacts." *Id*. at 3.1-4.

SMW-45

As a result, the DEIR fails to accurately disclose either the impacts of the Project or the resulting mitigation, and thus violated CEQA. *See Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 653 (EIR legally inadequate where it

[6] Indeed, the DEIR states that it will remove 63 percent (12.42 acres of the 19.72 total acres) of sensitive habitat within the Project site. DEIR at 3.5-52.

SMW-45 (CONT)

assumed certain mitigation techniques would be incorporated into the project, and thus the EIR did not disclose the impacts of the project without those special techniques). It further fails to provide any evidence that the proposed mitigation—whatever is in fact proposed—will be mandatory and enforceable, as required. *Id*. at 657. For both of these reasons, the City must revise the DEIR both to disclose the impacts of grading and otherwise destroying permanently protected habitat for special status species and to document both the form of the proposed mitigation and the impacts that implementation of that mitigation will have on the environment.

3. The DEIR Fails to Adequately Describe the Project's Biological Setting.

SMW-46

An EIR must provide comprehensive information about the Project's environmental setting in order to provide a baseline for evaluating Project impacts. Here, what information the DEIR provides about the biological setting is riddled with gaps in information. The DEIR plays down the Project area's recognized sensitivity and importance for providing sensitive habitat. It dramatically understates the importance of the Project site to providing habitat for the federally threatened coastal California gnatcatcher and other special status species in the context of dwindling open space resources.

SMW-47

The DEIR presents incomplete and inaccurate background data. For example, surveys to establish baseline conditions were restricted to the gnatcatcher. As discussed in the Hamilton Report, the DEIR misrepresents the likelihood of other species to occur on-site, thus understating the Project's impacts. Perhaps most egregiously, the DEIR fails to survey for least Bell's vireo, a State and federally-endangered species, despite the fact that suitable habitat is present on-site. Hamilton Report at 4-5.

SMW-48

The DEIR also acknowledges adverse impacts to the sensitive species of for which the Project site provides habitat. DEIR at 3.5-48; 3.5-51 to 3.5-54. However, rather than analyze all of the impacts to the on-site bat population, the DEIR focuses only on the loss of occupied maternity roosts and ignores the loss of other roosting sites and foraging habitat. DEIR at 3.5-19. Since elimination of foraging and roosting habitat would also contribute to these species' decline, the DEIR is obliged to analyze these impacts. In addition, the DEIR fails to analyze impacts to bats from noise and vibration. *See generally* Attachment E (Jones, Sensory Ecology: Noise Annoys Foraging Bats) Attachment F (Schaub et al., Foraging Bats Avoid Noise). The revised DEIR should: (1) survey the bat population on and adjacent to the Project site; (2) analyze the impacts to the bat population from habitat removal, construction, residential development, and other disturbances; and (3) propose suitable mitigation.

SMW-49 Similarly the DEIR's analysis of impacts to raptors such as Cooper's hawk and sharp-shinned hawk simply asserts that they would be affected by a reduction in nesting resources, ignoring altogether the impacts caused by loss of habitat. DEIR at 3.5-53. Urbanization has a profound effect on raptors because they require large areas to hunt and are disturbed by human activity near their nests. Moreover, the DEIR's sole mitigation proposal for raptors focuses exclusively on avoiding active nests. It ignores perch resources and the role that loss of habitat and urbanization have on raptors. At a minimum, the DEIR must quantify the Project's effects on raptors, and the efficacy of the proposed mitigation, so that the public and decision-makers may reach their own conclusions. *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 130.

SMW-50 The DEIR's perfunctory description of the sensitive species and habitats present in the Project area results in an incomplete description of the sensitive environmental setting of the Project. According to settled precedent, this failure to describe the Project setting violates CEQA. *See San Joaquin Raptor*, 27 Cal.App 4th at 724-25 (environmental document violates CEQA where it fails to completely describe wetlands on site and nearby wildlife preserve).

4. Analysis of Impacts on Biological Resources Is Unlawfully Deferred or Incomplete and Cursory.

SMW-51 In some instances, the DEIR determines that the Project may have significant impacts, but then fails to determine the extent and severity of those impacts. Merely stating that an impact will occur is insufficient; an EIR must also provide "information about how adverse the adverse impact will be." *Santiago County Water District v. County of Orange*, 118 Cal.App.3d 818, 831 (1981). This information, of course, must be accurate and consist of more than mere conclusions or speculation. *Id*. The DEIR's analysis of impacts to biological resources fails to fulfill this mandate in several instances.

SMW-52 For example, although the DEIR concludes that construction of the Project has the potential to adversely impact a host of sensitive animal species (*e.g.*, Cooper's hawk, Southern California rufous-crowned sparrow, Coastal cactus wren, Loggerhead shrike, pallid bat, and coast horned lizard to name a few) due to habitat loss, the document fails to explain the actual and specific consequences to these species. See, *e.g.*, DEIR at 3.5-52 and 54. In one specific example, the DEIR defers conducting necessary surveys of Western pond turtle despite acknowledging significant impacts on this species. DEIR at 3.5-19, 3.5-32, 3.5-48, 3.5-52; Hamilton Report at 10, 21, and 24. A revised DEIR should provide information regarding the number of individuals of each species that will be affected and the degree to which the populations will be impacted.

5. The DEIR Fails to Adequately Analyze Project-related Edge Effects.

SMW-53 As discussed in detail in the Hamilton Report, "edge effects" are spillover effects resulting from human modifications that cause physical changes in the environment (e.g., noise or light) and/or biotic changes such as an increased in predators, change in density of human-adapted species, and food availability. Hamilton Report at 12-14. Edge effects and habitat fragmentation are among the principal threats to biological diversity. *Id*.

SMW-54 The DEIR discloses that the Project would result in "substantial disturbance, indirect loss and degradation of special-status species habitat," including: increased intensity and duration of human activity in close proximity to sensitive habitat, which could degrade habitat; artificial lighting that could degrade nesting habitat; and fuel modification activities, which could result in the loss of nests, roosts, or individual animals. DEIR at 3.5-53. However, aside from brief statements noting the potential for these impacts to occur, the DEIR fails to provide any meaningful analysis. *Id*.

SMW-55 The DEIR fails to describe and quantify these effects. Instead, the DEIR appears to rely on Mitigation Measure BIO-1f to conclude that edge impacts would be reduced to less than significant levels. Mitigation Measure MM BIO-1f requires a setback of 50 feet from the edge of habitat areas, implementation of undisclosed best management practices to address erosion and water quality issues, posting of educational signs, and downcast lighting. However, the mitigation measure provides no details about these proposed measures, nor does it provide evidence of the measure's effectiveness at preserving the habitat and value of the ecosystems within it. Courts have rejected agencies' similar attempts to defer the development of specific mitigation. *Communities for a Better Env't v. City of Richmond* (2010) 184 Cal.App.4th 70, 93-95 (agency may not approve a vague mitigation measure that contains no performance standards and criteria to guide its later implementation). The City may not lawfully cut the public out of the process of developing mitigation measures by approving a vague measure now that will be fleshed out later, without public scrutiny, by the City and the developer.

SMW-56 A revised DEIR must exam the Project's potential to result in edge-related impacts. The revised analysis must consider all potential related impacts including the following:

- Introduction/expansion of invasive exotic vegetation carried in from vehicles, people, animals or spread from backyards or fuel modification zones adjacent to wildlands.
- Higher frequency and/or severity of fire as compared to natural fire cycles or intensities.

SMW-56 (CONT)

- Companion animals (pets) that often act as predators of, and/or competitors with, native wildlife.
- Creation and use of undesignated trails that often significantly degrade the reserve ecosystems through such changes as increases in vegetation damage and noise.
- Introduction of or increased use by exotic animals which compete with or prey on native animals.
- Influence on earth systems and ecosystem processes, such as solar radiation, soil richness and erosion, wind damage, hydrologic cycle, and water pollution that can affect the natural environment.

Hamilton Report at 16.

6. The DEIR Provides An Inadequate Analysis of the Project's Cumulative Impacts to Biological Resources.

SMW-57

An EIR must discuss a Project's significant cumulative impacts. CEQA Guidelines § 15130(a). CEQA defines "cumulative impacts" as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." CEQA Guidelines § 15355(a). A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable future projects whose impacts might compound or interrelate with those of the project at hand. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." CEQA Guidelines § 15355(b). Cumulative impacts analysis is necessary because "environmental damage often occurs incrementally from a variety of small sources [that] appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Communities for a Better Env't v. Cal. Res. Agency* (2002) 103 Cal.App.4th 98, 114.

SMW-58

The analysis of cumulative impacts in the DEIR is cursory and superficial. Instead of following CEQA's mandate, the DEIR betrays a fundamental misunderstanding of the statute. The DEIR fails to actually analyze the effect of the Project together with effects of related projects on biological resources. The document merely reiterates the Project's impacts and proposed mitigation measures and then concludes that, since the proposed Project is implementing mitigations and other cumulative projects would be required to mitigate for impacts on coastal sage scrub and riparian habitat, cumulative impacts would

SMW-58 (CONT) be less than significant. DEIR at 6-12. Thus, the DEIR assumes that if an impact were less than significant, it could not be cumulatively considerable. This turns cumulative analysis on its head and is a plain violation of CEQA. An EIR may not conclude that a project will not contribute to cumulative impacts simply because it has a less than significant impact on a project level. See *Kings County Farm Bureau v. City of Hanford*, (1990) 221 Cal.App.3d 692, 720-21("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause serious a serious environmental health problem.").

SMW-59 The purpose of analyzing cumulative impacts is to determine whether a collection of less than significant impacts may combine to be cumulatively considerable. It is wholly inappropriate to end a cumulative analysis on account of a determination that a project's individual contribution would be less than significant. Rather, this should constitute the beginning of the analysis.

SMW-60 As explained in detail in the Hamilton Report, the DEIR should have evaluated the cumulative effects of the Project along with those of development of the West Coyote Hills specific plan area. Hamilton Report at 10 and 11. Development of both projects would result in a reduction in habitat from 853 acres to a mere 143 acres. *Id*. Moreover, as discussed above and in the Hamilton Report, the value of the remaining habitat on the proposed Project site would be greatly compromised (i.e., comprised largely of manufactured slopes with non-native landscaping subject to ongoing fuel modification and edge effects).

SMW-61 Even assuming Project-related impacts associated with loss of habitats can be partially mitigated by restoration of unidentified habitats elsewhere in the region, the end result is still a net loss of land available for sensitive species. Moreover, it is widely known that there has been a substantial loss of biological resources in this area of the County as a result of urbanization. The ecological systems in the area survive in the face of myriad threats and stresses from previous development in the area, and additional, incremental adverse impacts from habitat loss and other environmental impacts may very well push it to collapse. The dismissive approach of the DEIR towards the cumulative contribution of the Project stands to condemn the remaining biological resources in this area to the proverbial "death by a thousand cuts."

7. The DEIR Lacks Adequate Mitigation for the Project's Significant Impacts to Biological Resources.

SMW-62 An EIR is inadequate if it fails to suggest mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151

SMW-62 (CONT)

Cal.App.3d 61, 79. The City may not use the inadequacy of its impacts review to avoid mitigation: "The agency should not be allowed to hide behind its own failure to collect data." *Sundstrom*, 202 Cal.App.3d at 306. The formulation of mitigation measures may not properly be deferred until after Project approval; rather, "[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments." CEQA Guidelines § 15126.4(a). As explained below, the DEIR's identification and analysis of mitigation measures, like its analysis of biological impacts, are legally inadequate.

SMW-63

This DEIR inappropriately defers mitigation. For example, the DEIR concedes that the Project could result in significant impacts to wildlife and habitat due to conversion of habitat areas. DEIR at 3.5-51 and 3.5-53. Despite this acknowledgment, the DEIR proposes mitigation that is vague and ineffective. As described in more detail in the Hamilton Report, DEIR Mitigation Measure BIO-1a proposes replacement mitigation in-kind for impacted habitat areas at a ratio of 1:1 to achieve "no net loss" of habitat values. DEIR at 3.5-54 and Hamilton Report at 20 and 21. However, because the DEIR fails to describe the extent and severity of impacts to habitat and wildlife, the reader cannot know what this measure is describing. *Id*.

SMW-64

Rather than focus on the obvious issue – direct mortality of wildlife, loss of foraging and nesting habitat, and edge effects that would affect sensitive resources – the document would have the reader believe that the preparation of a vague plan would somehow protect the site's sensitive biological resources. *See Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182, 195 (agency may not use vague mitigation measures to avoid disclosing impacts).

SMW-65

While some proposed mitigation measures are vague and unenforceable, others would be simply ineffective. For example, the DEIR's purported mitigation of impacts to raptors and migratory birds is limited to avoiding direct disturbance by construction activity during breeding season. DEIR at 3.5-55. The DEIR does nothing to protect these species during the non-breeding season and simply ignores the impacts caused by increased lighting and human activity resulting from the day-to-day operations of the development. Similarly, the DEIR's mitigation for impacts to special-status bats fails to protect foraging habitat and roosting sites outside of avoiding occupied maternity roosting sites during the breeding season. *Id*. Such incomplete, ineffective mitigation does not comply with CEQA. CEQA Guidelines § 15126.4(a)(1).

SMW-66

In short, the DEIR's analysis of impacts to biological resources dramatically understates the Project's potential to significantly affect sensitive species and sensitive habitats. At the same time, the DEIR fails to provide effective, enforceable measures to mitigate such potentially significant impacts. To comply with CEQA, the County must

SMW-66 (CONT) prepare a revised DEIR fully analyzing the Project's potential impacts to these resources and identifying effective mitigation measures. Revisions of the required magnitude will in turn require recirculation of the DEIR. CEQA Guidelines 15088.5(a)(4).

B. The DEIR's Traffic Analysis Is Incomplete and Inadequate.

SMW-67 The DEIR's analysis of transportation impacts fails to achieve CEQA's most basic purpose: informing governmental decision-makers and the public about the potential significant environmental effects of a proposed activity. CEQA Guidelines § 15002(a). CEQA additionally requires "adequacy, completeness, and a good-faith effort at full disclosure" in an EIR. CEQA Guidelines § 15003(i). The DEIR's analysis of the Project's traffic impacts fails to meet these standards.

SMW-68 In fact, the DEIR's analysis of Project-related traffic impacts contains numerous deficiencies that must be remedied in order for the public and decision-makers to fully understand the Project's impacts. The Griffin Cove Report prepared by Neal Liddicoat provides detailed comments on the shortcomings in the DEIR's transportation impacts analysis. We incorporate the Griffin Cove Report into these comments. Some of the DEIR's most troubling errors identified in the Griffin Cove Report are described below.

SMW-69 Specifically, the evaluation of the Project's transportation and traffic impacts must be revised to address: (1) use of obsolete traffic volume data; (2) deficient description of existing traffic conditions; (3) deficient basic freeway segment analysis; (4) deficient intersection level of service (LOS) calculations; (5) deficient analysis of Project traffic assignment; and (6) failure to adequately analyze impacts to public safety. These issues, and other deficiencies, are discussed in greater detail below and in the Griffin Cove Report, attached as Attachment B.

1. The DEIR Relies on Obsolete Traffic Volume Data.

SMW-70 The DEIR bases its intersection analysis results on traffic counts obtained in 2014 and 2015. Griffin Cove Report at 1. Therefore, the traffic counts used in the DEIR are three to four years old, which violates CEQA's baseline requirements. *See* CEQA Guidelines § 15125(a). In addition, use of the outdated traffic data violates accepted practice within the traffic engineering profession. Specifically, the Institute of Transportation Engineers specifies that "traffic volume data should generally be no older than 1 year." Griffin Cove Report at 1 and 2 (quoting 2006 Institute of Transportation Engineers ("ITE"), Transportation Impact Analyses for Site Development at 19).

SMW-71 Similarly, the DEIR's analysis of intersections also relies on outdated traffic volume data. In addition, data for this analysis was collected on dates when traffic

SMW-71 (CONT) volumes were likely impacted by holidays. It is generally accepted that traffic counts should not be conducted during time periods with atypical traffic patterns, such as around holidays. Griffin Cove Report at 2. Here the DEIR collected data during weeks around the Martin Luther King, Thanksgiving, and Labor Day holidays. *Id*. at 2 and 3. Thus, these traffic counts cannot be relied upon to describe the existing setting and establish a baseline of traffic conditions in the Project area.

SMW-72 As explained in the Griffin Cove Report, use of current traffic volume data (both new peak period counts and up-to-date Caltrans data for peak hour conditions) will result in substantially different (and almost certainly worse) delay and level of service results than presented in the DEIR. Griffin Cove Report at 5. Had the DEIR used current data in its analysis, it would have revealed significant impacts that have not been disclosed.

SMW-73 Traffic volumes represent "the most critical input parameter" in evaluating level of service. *Id*. If the traffic analysis uses the wrong numbers, it will misrepresent the environmental setting and project impacts. *Id*. Thus, the traffic impacts of the Project must be reanalyzed using up-to-date traffic volume data, and the DEIR must be revised to reflect the corrected analysis.[7]

2. The DEIR's Description of Existing Golf Course Trip Generation Is Faulty.

SMW-74 The traffic analysis is further hampered by the DEIR's traffic counts conducted in the vicinity of the existing Westridge Golf Club, which are also inaccurate. As described in more detail in the Griffin Cove Report, a comparison of the golf course area traffic counts to typical traffic counts for similar-sized golf courses,[8] indicates that the DEIR counts are questionable. Griffin Cove Report at 5 and 6. Specifically, the DEIR states that the golf course generates 2,530 trips per day when, according to the Institute of Traffic Engineers, similar-sized golf courses generate approximately 760 trips per day. *Id*. Even when compared to golf courses that generate higher volumes of traffic, the highest number of trips for *any* golf course surveyed was slightly over 1,500 trips. *Id*. The drastic

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SMW-73 [7] Moreover, the City cannot justify such out of date and misleading numbers based on the December 2015 date of the Notice of Preparation. Courts have repeatedly recognized that use of selective or outdated data regarding variable conditions such as traffic can be misleading and justify disclosure of more current information that will accurately inform decision-makers and the public of a project's true impacts. *See, e.g.*, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 451-54.

[8] Griffin Cove Report, Attachment C (excerpts from Institute of Traffic Engineers *Trip Generation Manual* (Ninth Edition, 2012)).

difference in trip generation is a good indication that the trip generation figures presented in the DEIR are invalid. *Id*.

SMW-74 CONT'D

This failure to accurately describe existing golf course-generated traffic is important because the counts are used to develop a net trip generation estimate for the proposed Project. *Id*. Given that the existing golf course will be demolished, the golf course trip generation trips are deducted from the estimated Project-related trip generation. Therefore, the inflated number of golf course trips will result in understating the Project's projected trip generation—likely by 40 to 70 percent, based on the data cited above—thereby minimizing the Project's effects.

3. The DEIR's Basic Freeway Segment Analysis Is Inadequate.

SMW-75

The basic freeway segment analysis evaluates operating conditions on project area freeways. Both the DEIR and the transportation technical appendix to the DEIR purport to employ Caltrans guidance to conduct the freeway analysis. However, the DEIR misstates Caltrans guidance document. Griffin Cove Report at 6-7. The DEIR's freeway segment analysis fails to employ Caltrans standard and instead employs more lenient standards, which understate the Project's impacts. *Id*.

SMW-76

In addition, the DEIR's basic freeway segment level of service calculations inappropriately employ default assumptions for the percentage of trucks that make up traffic in the study area. *Id*. at 7. As described in the Griffin Cove Report, a review of Caltrans data of truck traffic on freeways in the Project area revealed that the actual number of trucks is *three to four times* the default assumption used in the DEIR analysis. *Id*. Accurate truck percentage data is important to ensure that the analysis accurately reflects existing conditions of truck traffic in the area. The failure to accurately reflect the volume of trucks on the freeways results in an overly-optimistic assessment of traffic operations on those freeways, which would in turn understate the impacts of Project-related traffic impacts on those same facilities. The basic freeway segment analyses must be corrected and incorporated into a revised DEIR.

4. The DEIR's Intersection Level of Service Calculations Are Misleading.

SMW-77

The DEIR's analysis of intersection LOS uses inappropriate and inaccurate assumptions to perform level of service calculations. Griffin Cove Report at 7 and 8. As discussed in the Griffin Cove Report, rather than using available actual field data, the DEIR's analysis uses an estimated value with default assumptions for one of the key parameters in the analysis: peak hour factor. *Id*. The peak hour factor serves as an indicator of the uniformity of traffic flow and provides a method of assessing intersection

SMW-77 (CONT) performance levels. Here, the DEIR uses a default assumption for peak hour factor that is too high. *Id*. This approach results in the least conservative analysis, which further skews the results. *Id*.

SMW-78 Griffin Cove's review revealed that actual peak hour factor values for the study intersections were substantially lower than assumed in the DEIR. *Id*. at 8. The use of the less conservative peak hour factor is inappropriate and significantly understates the impacts of the Project. *Id*. Moreover, other analyses of Project impacts (e.g., the analysis of impacts on freeway segments and the analysis of freeway merge and diverge elements) used a lower peak hour factor than was assumed for the intersection LOS so that the analyses are inconsistent across the document.

SMW-79 The DEIR's failure to use actual data (rather than generic default values), and to fully describe the assumptions used, results in misleading indications of intersection performance and undermines CEQA's purpose of fully informing the public of the Project's environmental impacts. *See Laurel Heights I*, 47 Cal.3d at 404. It further violates CEQA's requirement that the DEIR provide substantial evidence to support its conclusions. *See* CEQA Guidelines § 15091(b).

5. The DEIR's Project Traffic Assignment is Inadequate.

SMW-80 The DEIR's project traffic assignment, or the process of adding project-generated traffic to the study intersections and road segments, on top of existing traffic, also suffers from overly optimistic assumptions and unrealistic claims. For example, as explained in detail in the Griffin Cove Report, the DEIR states that the Project will generate a total of 4,698 trips per day, yet it concludes that traffic volumes during peak traffic times on key segments of State Route 57 will go *down* compared to existing conditions. Griffin Cove at 8 and 9. Similarly, the DEIR indicates that future roadway segment level of service on key segments of Imperial Highway (i.e., the primary route between the project site and State Route 57) would have *reduced* traffic volumes upon completion of the Project. *Id*. at 9. These conclusions are untenable and a clear indication that the analysis is inaccurate.

As a result of the flawed project traffic assignment other analysis stemming from it, such as the cumulative conditions analysis, the buildout conditions analysis, and the freeway merge and diverge analysis, are also inaccurate. *Id*. at 9-11.

6. The DEIR's Queuing Analysis is Deficient.

SMW-81 The DEIR includes an analysis of car queue lengths (an indicator of traffic flow conditions and delay) at Project access points and area intersections in the immediate vicinity of the Project site. This analysis too suffers from multiple flaws. First, the DEIR

SMW-81 (CONT)

fails to present calculations for critical intersections, making it impossible for the public to evaluate the validity of the presented conclusions. Griffin Cove Report at 15. Second, the queue length estimates presented in the DEIR do not comport with estimates predicted by the traffic model (known as Synchro). *Id*. In fact, actual queue lengths are likely to be much longer than disclosed. *Id*. Third, the queue length analysis failed to consider queues created by vehicles entering the Project site and waiting for the security gates to open. *Id*. Without such an analysis, there is no assurance that the Project will be designed to ensure adequate queueing space between the gates and the public right-of-way. This omission could create significant public safety issues that have not been disclosed or evaluated in the DEIR. *Id*.

C. The DEIR Fails to Adequately Analyze and Mitigate the Project's Construction-Related Noise Impacts.

SMW-82

A particularly glaring inadequacy of the DEIR is its analysis of mitigation measures for the Project's construction noise impacts. The DEIR admits that the project-related construction, including demolition and crushing, site grading, and infrastructure and building construction, would expose nearby residents to significant noise impacts. DEIR at 3.11-45. For example, demolition and crushing activities would result in substantial increases in daytime exterior noise levels at adjoining residential uses, with noise increasing as much as by 24 dBA. DEIR at 3.11-41. Similarly, construction grading would result in substantial increases in daytime exterior noise levels at adjoining residential locations, with noise increasing as much as by 31 dBA. DEIR at 3.11-43. Construction of infrastructure and building site preparation would increase baseline noise levels by as much as by 18 dBA. DEIR at 3.11-44. According to the Federal Highway Administration Noise Guidance, an increase or decrease of 10 dB in the sound pressure level will be perceived by an observer to be a doubling or halving of the sound. For example, a sound at 70 dB will sound twice as loud as a sound at 60 dB. *See* Attachment G (Federal Highway Administration, Highway Traffic Noise Analysis and Abatement Policy and Guidance: Noise Fundamentals). Therefore, an increase of 31 dBA is perceived as a quadrupling of noise levels. These noise increases are of a substantial magnitude that will disrupt conversation and impact adjacent homeowners for the duration of the construction period.

SMW-83

Even with the implementation of all feasible mitigation measures, construction noise levels would remain substantially above ambient conditions and would be clearly disturbing to area residents. DEIR at 3.11-46. Thus, the impacts after mitigation would remain significant. In light of these excessive noise levels and the importance of peace and quiet in the City of La Habra, one would expect the DEIR to provide a comprehensive analysis of the Project's noise impacts and mitigation measures.

SMW-83 (CONT) Unfortunately, the DEIR fails to propose feasible mitigation measures capable of offsetting these significant impacts.

SMW-84 The City is obligated to identify feasible, enforceable measures to reduce significant impacts. Pub. Res. Code § 21081.6(b); CEQA Guidelines § 15126.4(a)(2). An environmental document is inadequate if it fails to suggest mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth*, 151 Cal.App.3d 61 at 79. The formulation of mitigation measures may not properly be deferred until after Project approval; rather, "[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments." CEQA Guidelines § 15126.4(a). As explained below, the DEIR's identification and analysis of mitigation measures are legally inadequate.

SMW-85 The DEIR concedes that the Project would result in significant noise impacts from construction activities. DEIR at 3.11-45. Although the DEIR identifies several measures that would purportedly reduce the project's construction-related impacts, these measures lack the necessary evidence of their effectiveness. DEIR at 3.11-45 to 3.11-46. The measures include techniques such as maximizing enclosures, proper maintenance of construction equipment, and the possible use of muffling devices, intake silencers, and engine shrouds. *Id*. However, in numerous instances, measures are suggested rather than required: *e.g*., "construction contractor shall select and use quieter tools or construction methods *whenever feasible*." *Id*. (emphasis added). Other measures are vague and unenforceable: *e.g*., "construction contractor shall locate all stationary noise sources . . . as far from residential receptor locations as feasible." *Id*. The DEIR does not specify how far the stationary noise source needs to be in order to properly mitigate noise levels. Nor does the DEIR identify the decibel levels of "properly" maintained equipment or explain whether proper maintenance of construction equipment would result in a sufficient reduction in noise levels. In fact, the DEIR nowhere identifies the noise reduction expected from any of the mitigation measures, so there is no description of what the receptors will experience, or of what would constitute compliance with the proposed mitigation.

SMW-86 In sum, the DEIR identifies vague and unenforceable mitigation measures for these admittedly significant impacts. CEQA requires more. Pub. Res. Code § 21081.6(b). The DEIR must be revised to include specific, quantifiable and enforceable mitigation measures.

D. The DEIR's Analysis of the Project's Health Risks is Legally Inadequate.

SMW-87 The DEIR discloses that construction of the Project would result in significant localized impacts due to diesel particulate matter ("DPM") emissions that would result in exceedance of the daily NOx (or nitrogen oxides) and annual PM-10 (or particulate matter) significance thresholds. DEIR at 3.8-31 and 3.8-36. Notwithstanding this disclosure, the DEIR stops short of explaining the actual and specific consequences to residents and others who will be forced to endure the air pollution generated by the Project. For example, the Project's construction emissions would exceed the federal 1-hour nitrogen dioxide standard. DEIR at 3.8-36. Yet, the DEIR never explains what exactly it means to be exposed to this level of additional air emissions when the region is already plagued by severely unhealthy levels of air pollution. We believe it is particularly important to elaborate on one of the DEIR's deficiencies – the failure to adequately analyze the Project's health impacts.

SMW-88 As the DEIR acknowledges, DPM is a well-known health hazard and a known human carcinogen. *See, e.g.*, Attachment H (Occupational Safety & Health Administration, Diesel Exhaust/Diesel Particulate Matter—Hazard Alert (Jan. 2013)). Given the Project's proximity to residential uses, the DEIR should have included a quantitative analysis of health effects to determine whether the Project would result in a significant health risk impact. Unfortunately, the DEIR does not include a health risk assessment ("HRA"), instead relying on a "hot spot" analysis of carbon monoxide emissions to assert that one is unnecessary. DEIR at 3.8-41.

SMW-89 The South Coast Air Quality Management District ("SCAQMD") guidance states that "It is suggested that projects with diesel powered mobile sources use the following guidance document to quantify potential cancer risks from the diesel particulate emissions." Attachment I at 1 (SCAQMD, Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions (Aug. 2003)). Contrary to the DEIR's approach, the SCAQMD guidance does not recommend limiting the analysis to carbon monoxide emissions. Lead agencies routinely evaluate Projects' impacts to public health. We see no reason that would excuse the City from doing the same.

SMW-90 Construction of the Project would occur over an estimated 6-year build-out period. DEIR at 2-33. Typical construction activities for this type of project include demolition of existing structures, grubbing/clearing of on-site areas, excavation and relocation of soil on the site, backfilling and compaction of soils, blasting, construction of utilities (i.e., potable water conveyance, wastewater conveyance, storm water drainage facilities, underground electrical, and propane facilities), and construction of proposed buildings. Construction would require operation of all-terrain vehicles, fork lifts, cranes,

SMW-90 (CONT) pick-up and fuel trucks, compressors, loaders, backhoes, excavators, dozers, scrapers, pavement compactors, welders, concrete pumps and concrete trucks, and off-road haul trucks. *Id*. In this location, demolition, site preparation, grading, and paving activities would typically occur during the six-month period between May 1 to October 15.

SMW-91 The DEIR estimates that the Project will result in excavation and grading volumes totaling 3,400,000 cubic yards over a 151-acre area. DEIR at 2-25. It will continue over a period of six years. Moreover, 426,000 cubic yards of soil is contaminated with total petroleum hydrocarbons. *Id*. This is a substantial amount of earthmoving activity. Inasmuch as the Project is immediately adjacent to single family residences, there is simply no excuse for not studying the effect that construction-related air pollution would have on the adjacent community.

SMW-92 Other agencies recognize the need to conduct quantitative health-risk assessments for construction projects that are smaller than the proposed Project and where sensitive receptors are located much farther away than they would be here for the proposed Project. For example, the City of San Jose conducted a quantitative health risk assessment for a 190-unit residential project in the city. *See* Attachment J (Construction Health Risk Assessment prepared by Illingworth & Rodkin, December 2013, prepared for the 505 Lincoln Avenue Residential Project in the City of San Jose). Illingworth & Rodkin explain the need for the HRA as follows:

> Since project construction activities would include demolition, excavation, grading, and building construction that would last longer than 6 months and would be located within 330 feet of residences, a more refined- level study of community risk assessment was conducted. Because the gross analysis indicated that impacts were possible, a refined analysis was conducted to evaluate whether impact would be significant, and if so, identify the project features or mitigation measures that would be necessary to avoid significant impacts in terms of community risk impacts to nearby sensitive receptors (*e.g*., adjacent residences).

Id. at 4. Here, the construction schedule calls for construction activities of longer than 6 months. DEIR at 2-33.

SMW-93 The HRA prepared for the San Jose project determined that the incremental child cancer risk at the maximally exposed individual ("MEI") from project construction would be 8.8 in one million. While this child cancer risk is below the significance threshold of 10 in one million, the Rancho La Habra Project is much larger than the San Jose project

SMW-93 CONT'D

and has additional grounds for concern such as a history of contaminated soils. Consequently, the evidence of the Project's potential to result in a significant risk of cancer, especially for children, puts the responsibility for preparing an HRA on the City. As the HRA for the San Jose project shows, other agencies recognize the need to evaluate of health risks for residential projects that are smaller than the Rancho La Habra Project; the City should meet, not dodge, this standard.

SMW-94

Given the Project's 6-year construction timeframe, the substantial DPM emissions from the Project's construction period, and known on-site soil contamination, the DEIR's failure to prepare an HRA constitutes a fatal flaw. Because the DEIR fails to analyze the Project's construction-related health effects, it fails to disclose the environmental consequences of this Project to the potentially affected community. In this regard the DEIR fails to fulfill CEQA's paramount goal: to inform the public of the actual and specific environmental consequences of the proposed Project. *Citizens of Goleta Valley*, 52 Cal.3d at 564. The Project cannot be approved until the DEIR must be revised to include this analysis.

E. The DEIR's Provides Inadequate Analysis and Mitigation of Significant Impacts to Climate Change.

SMW-95

Analysis of greenhouse gas emissions is particularly important with regard to climate change because existing conditions are such that we have already exceeded the capacity of the atmosphere to absorb additional greenhouse ("GHG") emissions without risking catastrophic and irreversible consequences. Therefore, even seemingly small additions of GHG emissions into the atmosphere must be considered cumulatively considerable. *See Communities for Better Environment v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 120 ("the greater the existing environmental problems are, the lower the threshold for treating a project's contribution to cumulative impacts as significant."); *see also Center for Biological Diversity v. National Highway Traffic Safety Admin*. (9th Cir. 2007) 508 F.3d 508, 550 ("we cannot afford to ignore even modest contributions to global warming.").

Additionally, an EIR must identify feasible mitigation measures to mitigate significant environmental impacts. CEQA Guidelines § 15126.4. Under CEQA, "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Pub. Resources Code § 21002.

SMW-96

According to the DEIR, the Project would generate nearly 7,000 daily car trips and residents that would drive more than 17 million miles each year. DEIR at 3.7-33 and 3.10-16. The DEIR acknowledges that the Project would result in significant impacts

SMW-96 (CONT)

related to climate change, but it makes little attempt to address this serious result. As detailed below, the DEIR's analysis is fundamentally flawed. It violates the California Supreme Court's direction in *Center for Biological Diversity v. Cal. Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204 ("*Newhall Ranch*") by relying on a selective subset of statewide thresholds without any evidence that they are relevant to individual projects. And despite acknowledging the significance of the Project's impacts on climate change, the DEIR fails to consider, much less adopt, and array of feasible mitigation measures. CEQA requires more.

1. The DEIR Understates Vehicle Emissions Resulting from the Project.

SMW-97

As discussed in Section IV.B above and Attachment B, the DEIR underestimates the Project's annual VMT because it significantly overstates (and nets out) the golf course's existing generation of trips and VMT and it further understates traffic volumes and congestion because it relies on outdated traffic data. Inasmuch as the greenhouse gas emissions are dependent on the transportation analysis assumptions, any underestimation of vehicular trips or congestion necessarily results in an underestimation of vehicle-related greenhouse gas emissions. Once the City accurately analyzes the Project's increase in VMT and traffic volumes, it must revise the greenhouse gas impact analysis.

2. The DEIR Relies on Flawed Thresholds of Significance.

a. City Improperly Relies on Unadopted and Improperly Applied Thresholds to Determine Significance.

SMW-98

To determine the significance of the Project's contribution to climate change, the DEIR compares it to two different screening thresholds, one absolute standard of 3,000 $MTCO_{2e}$, and one efficiency metric of 4.8 $MTCO_{2e}$/year. DEIR at 3.9-18 to 3.9-19 and 3.9-23 to 3.9-24. Both thresholds are drawn from guidelines that the South Coast Air Quality Management District ("SCAQMD") has proposed, but never adopted. *See id.* SCAQMD proposed the 3,000 $MTCO_{2e}$ threshold in a 2008 guidance document, but never adopted it, despite adopting numerical thresholds for other stationary sources.[9] DEIR at 3.9-18. And the DEIR's efficiency metric of 4.8 $MTCO_{2e}$/yr is derived from the

[9] In fact, the 3,000 $MTCO_{2e}$ threshold applied is already lax, especially in light of state's GHG reduction goals and focus on new projects to achieve the lowest possible levels of GHG emissions. Many public agencies use thresholds of significance of 900 to 1000 $MTCO_{2e}$. *See, e.g.*, Attachment K at 1 (County of San Diego Planning & Development Services, 2015 GHG Guidance (Jan. 21, 2015)); Attachment L at 43 (California Association of Air Pollution Officers, CEQA & Climate Change (Jan. 2008)), available at http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf.

SMW-98 (CONT)

minutes of a 2010 SCAQMD meeting. DEIR at 3.9-23 to 3.9-24. Neither threshold was developed through a public review process or adopted by ordinance, resolution, rule, or regulation, as required by CEQA. CEQA Guidelines § 15064.7. For this and other reasons, both thresholds violate CEQA and may not be relied on for approval the Project.

b. The DEIR's Efficiency Metric Violates CEQA by Relying on Statewide Standards, in Violation of *Newhall Ranch*.

SMW-99

The DEIR's efficiency metric used to determine significance under Impact GHG-2 is improper for the additional reasons articulated by the California Supreme Court in *Newhall Ranch*. In that case, the Court held that, while a "Business As Usual" approach was not categorically unlawful, the agency's application of that methodology failed to comply with CEQA because the EIR "simply assume[d]" that the level of reduction effort required in the statewide context would be sufficient for the specific land use development at issue, failing to support its finding of no significant GHG impacts with substantial evidence. 62 Cal.4th at 226. The Court explained:

> At bottom, the EIR's deficiency stems from taking a quantitative comparison method developed by the Scoping Plan as a measure of the greenhouse gas emissions reduction effort required by the state as a whole, and attempting to use that method, without consideration of any changes or adjustments, for a purpose very different from its original design: To measure the efficiency and conservation measures incorporated in a specific land use development proposed for a specific location.

Id. Similarly, the DEIR may not assume that its efficiency metric, which taken from the SCAQMD metric that is based on statewide reduction targets, is sufficient to attain those targets when applied to individual projects.

SMW-100

The DEIR's efficiency metric does exactly what the Supreme Court forbids. The DEIR explains that the efficiency metric was calculated by first taking "the 2020 statewide GHG reduction target . . . and divid[ing] it by the total 2020 statewide service population." DEIR at 3.9-24. SCAQMD then adjusted the metric upward using only statewide employment numbers for the land use sector to reach the threshold of 4.8 $MTCO_{2e}$/yr applied in the DEIR. The DEIR goes on to say that the use of the efficiency metric in this instance indicates the GHG efficiency level that, if applied statewide, would meet the AB 32 emissions target and support efforts to reduce emissions beyond 2020. *Id*. The DEIR then states that a project meeting the efficiency threshold "is consistent with California Climate Change Scoping Plan GHG emissions reduction

SMW-100 (CONT)

targets" and would have less than significant impacts. DEIR at 3.9-24, 3.9-27. However, it fails to provide evidence that new projects, like this one, need only meet the statewide per capita average for the statewide GHG targets to be met. (The referenced Scoping Plan is also out of date; the DEIR should address the recommendations of the current 2017 Climate Change Scoping Plan.[10]) In short, the DEIR fails to explain why cumulative targets for the entire state should be presumptively sufficient for individual projects like this one.

SMW-101

To be consistent with AB 32, SB 32, and the Executive Orders, any new individual project will likely need to provide significantly greater emission reductions than merely meeting a statewide target. Contrary to the methodology applied by the DEIR, there is no reason to presume without evidence that the Project's "fair share" of reductions would match a state or even regional average. The Court explained this point in *Newhall Ranch*, 62 Cal.4th at 226: new projects may require a greater level of reduction because "[d]esigning new buildings and infrastructure for maximum energy efficiency and renewable energy use is likely to be easier, and is more likely to occur, than achieving the same savings by retrofitting of older structures and systems." The DEIR ignores this reality and directly imports an out of date, statewide standard, assuming the reduction rate for new and existing development should be the same. As the DEIR blindly assumes the same emissions reductions levels for statewide and project-specific compliance with AB 32, its GHG analysis is not supported by substantial evidence and the EIR is deprived of its "sufficiency as an informative document." *Id*. at 227 (citing *Laurel Heights*, 47 Cal.3d at 392).

c. The Air Districts' Per Capita Efficiency Threshold Does Not Apply to Suburban Development Such as the Project.

SMW-102

The City's chosen threshold of significance is improper for the additional reason that it was designed for infill and transit oriented development projects, not to admittedly "suburban" development with high VMT such as the Project. DEIR at 3.10-15 The per capita threshold methodology was developed as a tool to accommodate infill projects that may have large overall GHG emissions due to the size of the project, but low GHG emissions per capita due to high density design and access to alternative methods of transportation.

SMW-103

For example, the Bay Area Air Quality Management District ("BAAQMD") designed a similar "fair share" approach to assess a project's GHG significance, from which SCAQMD derived its threshold. *See* Attachment M (BAAQMD, *Proposed Thresholds of Significance* (2009)). BAAQMD recommended a bright-line numeric

[10] Available at https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf.

SMW-103 (CONT)

threshold to limit large new developments that could max out GHG reduction targets. *Id*. at 18-19, 22. In contrast, the per capita "efficiency" threshold was recommended to encourage highly-efficient infill development. *Id*. at 29 (citing example of "a large high-density infill project located in an urban core near by to public transit and other alternative transportation options, and built using state-of-the-art energy efficiency methods and improvements such as solar panels, as well as all other feasible mitigation measures"). Using the per capita threshold for suburban projects conflicts with the policy goal the methodology was originally designed to achieve. BAAQMD staff specifically noted that "the efficiency-based thresholds should be applied to individual projects with caution . . . [if] the project's emissions on a mass level will have a cumulatively considerable impact on the region's GHG emissions, the insignificance presumption afforded to a project that meets an efficiency-based GHG threshold would be overcome." *Id*. at 7.

SMW-104

In sum, the per capita threshold was developed to accommodate and promote highly efficient infill development. The proposed Project is not such a development. It develops existing open space and would result in a substantial increase in car trips. Therefore, it is inappropriate to use this methodology.

3. The Project Actually Exceeds Even Its Own Flawed Threshold.

SMW-105

Even accepting the use of efficiency thresholds, the DEIR applies them selectively, omitting half of the analysis that would have flagged the Project's impacts as significant under Impact GHG-2. The efficiency threshold derives from the Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15, dated September 28, 2010 ("Working Group Minutes").[11] *See* DEIR at 3.9-23 to 3.9-24, 3.9-28. That document makes clear that the significance threshold has two components. A project must meet the 4.8 $MTCO_{2e}$ standard for 2020 emissions *and* an efficiency threshold of 3.0 $MTCO_{2e}$ for 2035: "a project must be less than or equal to *both* the 2020 and 2035 efficiency threshold in order to be considered insignificant." Working Group Minutes at 2 (emphasis added). The DEIR never even mentions the 2035 efficiency threshold of 3.0 $MTCO_{2e}$, much less provide substantial evidence that the Project can meet such a criterion. In fact, it admits that, even after employing the flawed calculation of Project emissions identified above, the Project still will meet efficiency thresholds of only 4.4 or 4.21 $MTCO_{2e}$/year, depending on the details of buildout.[12] DEIR at 3.9-27. Thus, if the

[11] Available at http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf.

[12] These values rely on total GHG emissions of 5,746.61 $MTCO_{2e}$ instead of the 6,037.55 quantity attributed to the Project elsewhere in the DEIR, without explaining the discrepancy.

SMW-105 (CONT) DEIR actually applied the full threshold of significance it claims to embrace, it would disclose the significance of its contribution to climate change under Impact GHG-2 as well as GHG-1.

4. The Proposed Mitigation is Insufficient and Poorly Defined.

SMW-106 An EIR must identify feasible measures to avoid or mitigate significant environmental impacts. CEQA Guidelines § 15126.4. Under CEQA, "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Pub. Resources Code § 21002.

SMW-107 Despite the fact that the Project would result in an anticipated 7,000 daily car trips and more than 17 million VMT each year, which the DEIR acknowledges will have significant impacts on climate change, the DEIR's analysis of mitigation measures is woefully inadequate. It both fails to quantify emissions reductions attributable to the mitigation that it does propose and completely ignores a wide array of feasible and commonly implemented measures that can avoid, reduce, and/or offset contributions to climate change.

SMW-108 The DEIR proposes Mitigation Measures GHG-1a through 1j, which include energy efficient structures, provision of electrical vehicle charging stations within some locations and wiring for electric vehicle charging stations in residential garages, and solar panels on multi-family detached buildings and wiring for solar panels on other structures. DEIR at 3.9-21 to 3.9-22. It does not quantify any resulting reduction in emissions. Instead, the DEIR acknowledges that "even if stationary source emissions were reduced to zero, the mobile source emissions alone would represent" a significant contribution to climate change. *Id*. at 3.9-23. The DEIR thus concludes that Impact GHG-1 is significant, without further analysis or mitigation. This is inadequate. *See Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 91 ("Having recognized and acknowledged that incremental increases in greenhouses gases would result in significant adverse impacts to global warming, the EIR was now legally required to describe, evaluate and ultimately adopt feasible mitigation measures which would 'mitigate or avoid' those impacts.") (citing Pub. Res. Code § 21002.1(b) and CEQA Guidelines §§ 15126.4(a)(1), 15091); *Newhall Ranch*, 62 Cal.4th at 227.

DEIR at 3.9-26 and 3.9-21. Even if the reduction can be documented and attributed to mitigation measures, the DEIR must provide the information to bridge that analytical gap. *See Newhall Ranch*, 62 Cal.4th at 227.

SMW-109 The DEIR also provides no discussion of the availability or feasibility of additional mitigation, including strengthening the measures it already proposes, which would comport with the City's own Climate Action Plan. For example, Mitigation Measure GHG-1e requires that multi-family detached residential buildings "shall have solar panel systems installed." DEIR at 3.9-21. But Measure GHG-1c only requires that single family residences, which make up the vast majority of the Project, "be designed and constructed to accommodate the installation of solar panel systems, and solar panel systems shall be offered to initial buyers as an option." *Id*. Measure GHG-1f requires the same accommodation for commercial structures. Thus, the DEIR requires solar panels on a small fraction of the available roofs but declines to do so for other commonly used (and available) spaces such as parking areas.[13] It also includes no requirements regarding the size or efficiency of the arrays, further limiting the effectiveness of even the marginal measure it requires. Yet there is no indication that requiring more, larger, and efficient arrays would be infeasible. CEQA prohibits approval of a project that will cause admittedly significant impacts when there is no evidence that it has adopted all feasible mitigation to reduce those impacts to a less than significant level.

SMW-110 Likewise, Measure GHG-1b requires the provision of a limited number of charging stations for electric vehicles in communal spaces and Measure GHG-1d requires wiring of residential garages for such charging stations. DEIR at 3.9-21. But the DEIR does not discuss, much less require, further mitigation such as subsidizing residents' purchase of electric vehicles, providing transit subsidies, or providing electric vehicles such as golf carts for use within the Project area.

SMW-111 The DEIR similarly ignores the vast array of additional measures that the State Attorney General's Office,[14] the California Air Pollution Control Officers' Association,[15] and other air districts[16] have published for years, including:

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[13] The mitigation providing for solar panels is inadequate for the additional reason that it fails to require that the developer or homeowner retire all carbon offset credits associated with such generation. Absent such a mandatory restriction, nothing will prevent the sale of carbon credits associated with these purported reductions to another project, thus voiding the claimed mitigation.

[14] Attachment N (California Attorney General, Addressing Climate Change at the Project Level (2010)).

[15] Attachment O (CAPCOA, Quantifying Greenhouse Gas Mitigation Measures (2010)), available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.

[16] Attachment P (Sacramento Metropolitan Air Quality Management District, Recommended Guidance for Land Use Emission Reductions, Version 4 (for Operational Emissions) (Nov. 2017)).

SMW-111 (CONT)

- Onsite energy generation and savings such as solar or geothermal hot water systems and energy storage to optimize onsite renewable generation;
- Design features such as cool roofs, graywater systems, prohibitions on fireplaces, and reductions in turf and nonnative grass;
- Transit measures such as incorporating the construction of one or more transit stops within the project and providing shuttles to transit stops and/or transit subsidies to reduce residents' VMT;
- Vehicular emissions measures such as subsidizing the purchase of low or zero-emissions vehicles, creating ride sharing programs, and providing electric vehicles for movement within the project; and
- Construction measures such as use of low emissions construction equipment, preferential contracting with "green" contractors, and use of recycled materials.

SMW-112

This wholesale omission of any analysis of the effectiveness or feasibility of mitigation of GHG emissions violates both CEQA and the City's own Climate Action Plan (and thus Impact GHG-2). For example, Measure R2-E2, New Construction Residential Renewable Energy, "facilitates the voluntary incorporation of renewable energy (such as photovoltaic panels) into new residential developments. For participating developments, renewable energy applications should be such that the new home's projected energy use from the grid is reduced by 50%." City of La Habra, Climate Action Plan (Jan. 21, 2014) ("CAP") at 4-13.[17] While this provision is voluntary, the CAP directs that new development should offset at least 25 percent of its total energy consumption through a combination of onsite renewable generation and the purchase of carbon offsets. *Id*. The DEIR does neither.[18]

SMW-113

Effective mitigation of climate change impacts is not only feasible, but it is now common and will soon be required. For example, the Newhall Ranch project in Los Angeles County is implementing a stringent "net zero" climate change mitigation program that includes onsite solar, subsidies for electric vehicles and transit, and the purchase and verification of carbon offset credits for remaining emissions. *See* Attachment R at 3-5 (Excerpt of Settlement Agreement dated Sept. 22, 2017); Attachment S (Newhall Ranch Greenhouse Gas Reduction Plan). Projects in San Diego County are adopting similar mitigation. *See, e.g.*, Attachment T at 2.3-28, 2.3-31 to 2.3-35 (Lake Jennings Marketplace Final EIR (Aug. 2017)); Attachment U at 2.7-22 to 2.7-

[17] Available at https://www.lahabracity.com/DocumentCenter/View/192.

[18] The measures for providing limited charging facilities for electric vehicles falls similarly short of CAP Measure R2-T3, which implements the Southern California Association of Government's Southern California Plug-in Electric Vehicle Readiness (PEV) Plan. CAP at 4-8. Chapter 5 of the PEV Plan addresses plug in vehicles for single family residences. *See* Attachment Q.

SMW-113 (CONT)

24 and 2.7-31 to 2.7-34 (Harmony Grove Village South Project Revised Draft EIR). And the California Energy Commission just approve changes to the state building code to require installation of solar panels on all new homes and health care facilities. *See* Attachment U (2019 update to the Building Energy Efficiency Standards in CCR, Title 24, Part 6). While several of the measures adopted by these example projects have flaws and offsite carbon offsets should be the choice of last resort after all feasible onsite GHG reductions have been implemented, they illustrate that projects in Southern California ranging from a small commercial development to a massive, master planned community already are doing far more than the DEIR even considers and that the state as a whole has determined that significant mitigation measures are feasible and essential.

F. The DEIR Defers Analysis and Mitigation of Hazards Impacts.

SMW-114

In violation of CEQA, the DEIR fails to propose mitigation measures for Impact HAZ-7, defined as the impact of the Project on the implementation of an adopted emergency response plan or emergency evacuation plan, and defers it to a later date. The DEIR analyzes whether the Project would impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan due to proposed site access or another figuration. DEIR at 3.12-45. The DEIR concludes that there would be a less than significant impact without mitigation measures because the temporary closure of La Habra Hills Drive that would occur during project site grading would not affect emergency access from the two closest fire stations serving the Westridge community. DEIR at 3.12-45 to 3.12-46. Accordingly, the response time to the Westridge community from the two closest Los Angeles County fire stations would not be affected because they are within 0.5 miles of the community. DEIR at 3.12-45. Further, the DEIR claims that the impact would be less than significant and there would be adequate emergency response available to the project site because the project would be required to prepare and implement a Construction Phase Emergency Fire Access Plan and a Construction Phase Emergency Access Plan in order to secure a building permit. DEIR at 3.12-46.

SMW-115

However, an environmental document is inadequate if it fails to suggest mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth*, 151 Cal.App.3d 61 at 79. Further, the formulation of mitigation measures may not be deferred until after Project approval. Rather, "[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments." CEQA Guidelines § 15126.4(a). CEQA generally prohibits deferral of mitigation, except in narrow circumstances. To do so, (1) there must be practical considerations that preclude development of the measures at the time of project approval, (2) the EIR must contain criteria to govern the future actions implementing the mitigation, and (3) the agency has

SMW-115 (CONT) assurances that the future mitigation will be both "feasible and efficacious." *Californians for Alternatives to Toxics v. Dept. of Food & Agric.* (2005) 136 Cal.App.4th 1, 17. This standard is not met here.

SMW-116 The DEIR does not state that the project has already created or proposed a Construction Phase Emergency Fire Access Plan or a Construction Phase Emergency Access Plan. Rather, the DEIR just indicates that the project would be required to submit both plans as a condition of seeking a building permit. Additionally, the DEIR never explains why it cannot at this point develop the plans, nor does it establish criteria for developing the plans or demonstrate that the plans would be feasible and efficacious in mitigating the impacts of construction on emergency access. Such a deferral of required mitigation is particularly inappropriate and dangerous when addressing emergency fire hazards in a dangerously fire-prone area.

V. Approval of the Project Would Violate the Subdivision Map Act.

SMW-117 The proposed Project requires approval of a tentative subdivision map. See DEIR at 1.0-14. As a result, the City must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov. Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision … may be enjoined for lack of consistency of the subdivision map with the general plan.").

As detailed above and throughout this letter, the Project is inconsistent with various goals and policies set forth in the County's General Plan. *See, e.g.*, Sections II, IV.A.1, above. Because approval of the Project would violate the general plan consistency requirements of the Subdivision Map Act, the Project application must be denied.

VI. A Revised DEIR Must Be Prepared And Recirculated.

SMW-118 CEQA requires recirculation of a revised draft DEIR "[w]hen significant new information is added to an environmental impact report" after public review and comment on the earlier draft DEIR. Pub. Res. Code § 21092.1. The opportunity for meaningful public review of significant new information is essential "to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom." *Sutter Sensible Planning, Inc. v. Sutter County Board of Supervisors* (1981) 122 Cal.App.3d 813, 822; *City of San Jose v. Great Oaks Water Co.*

(1987) 192 Cal.App.3d 1005, 1017. An agency cannot simply release a draft report "that hedges on important environmental issues while deferring a more detailed analysis to the final [EIR] that is insulated from public review." *Mountain Lion Coalition v. California Fish and Game Comm'n*. (1989) 214 Cal.App.3d 1043, 1053.

SMW-118 (CONT)

In order to cure the panoply of DEIR defects identified in this letter, the City must obtain substantial new information to adequately assess the proposed Project's environmental impacts, and to identify effective mitigation and alternatives capable of alleviating the Project's significant impacts. This new information will clearly necessitate recirculation. CEQA requires that the public have a meaningful opportunity to review and comment upon this significant new information in the form of a recirculated draft supplemental EIR.

VII. Conclusion

SMW-119

For the foregoing reasons, the Westridge Homeowners Association urges the City to suspend further consideration of the Rancho La Habra Development Project unless and until the City prepares and recirculates a revised draft EIR that fully complies with CEQA and the CEQA Guidelines.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Sarah H. Sigman

Carmen J. Borg, AICP
Urban Planner

List of Attachments:

A Hamilton Biological Report prepared by Robb Hamilton Regarding Review of the DEIR For Rancho La Habra Specific Plan, April 2, 2018.

B Griffin Cove Transportation Consulting Report prepared by Neal Liddicoat, Regarding Review of the DEIR For Rancho La Habra Specific Plan, March 27, 2018.

C O'Connell Landscape Maintenance letter to J. Hill of First Service Residential Regarding Concerns About Landscaped Maintenance dated July 27, 2016

D Easement and Maintenance Agreement, September 16 1998.
E Jones, G., *Sensory Ecology: Noise Annoys Foraging Bats*, Current Biology, 2008.
F Schaub et al., Foraging Bats Avoid Noise, Journal of Experimental Biology, August 14, 2008.
G Federal Highway Administration, Highway Traffic Noise Analysis and Abatement Policy and Guidance: Noise Fundamentals
H Occupational Safety & Health Administration, Diesel Exhaust/Diesel Particulate Matter—Hazard Alert (Jan. 2013)
I SCAQMD, Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions (Aug. 2003)
J Illingworth & Rodkin, Inc., Construction Health Risk Assessment for 505 Lincoln Avenue Residential Project, San Jose, California, December 2013.
K County of San Diego Planning & Development Services, 2015 GHG Guidance (Jan. 21, 2015)
L Excerpt of: CAPCOA, CEQA & Climate Change (Jan. 2008)), available at http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf
M BAAQMD, *Proposed Thresholds of Significance* (2009), available at http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/proposed-thresholds-of-significance-dec-7-09.pdf?la=en
N Excerpt of: CAPCOA, Quantifying Greenhouse Gas Mitigation Measures (2010), available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf
O California Attorney General, Addressing Climate Change at the Project Level (2010)
P Sacramento Metropolitan Air Quality Management District, Recommended Guidance for Land Use Emission Reductions, Version 4 (for Operational Emissions) (Nov. 2017)
Q Excerpt of: Southern California Association of Government's Southern California Plug-in Electric Vehicle Readiness (PEV) Plan (Dec. 2012).
R Excerpt of: Settlement Agreement by and between Center for Biological Diversity et al and the Newhall Land and Farming Company et al (Sept. 22, 2017).
S Newhall Ranch Greenhouse Gas Reduction Plan
T Excerpt of: County of San Diego, Lake Jennings Marketplace Final EIR (Aug. 2017).
U Excerpt of: County of San Diego, Harmony Grove Village South Project Revised Draft EIR (Feb. 2018).
V 2019 update to the Building Energy Efficiency Standards in California Code of Regulations, Title 24, Part 6

1. Response to Comments from Shute, Mihaly & Weinberger (5-9-2018)

SMW-1 Comment SMW-1 provides an introduction to the comment letter and notes that comments will also be sent by individual members of the Westridge community. Comments from individual members of the Westridge community that were received during the Draft EIR public review period are included and responded to in Final EIR Section 2.2.1.

SMW-2 Comment SMW-2 expresses the commenter's opinion regarding the consistency of the Project with the City's General Plan. This comment sets forth a conclusion based on subsequent comments provided in the SMW comment letter. The City of La Habra disagrees with the conclusion set forth in this and subsequent SMW comments. Specific reasons that the City disagrees are provided in response to specific comments below.

Comment SMW-2 also expresses the commenter's opinion regarding the adequacy of the Draft EIR. This comment sets forth a conclusion based on subsequent comments provided in the SMW comment letter. The City of La Habra disagrees with this conclusion for the reasons cited in responses to specific comments below.

Pursuant to the provisions of California Environmental Quality Act (CEQA) Guidelines Section 15088.5(a), the City determined that a thorough response to certain comments received by the City during the Draft EIR public review period necessitated the inclusion of significant new information, including:

- **Modifications to the Project Description** that were proposed by the applicant subsequent to the close of the public review period for the Draft EIR that modified the design of the proposed Community Center and adjacent park, requiring revisions to the Project's biological resources impact analysis.
- **New biological resources surveys, updated mapping and impact analysis, and an updated mitigation program** that were prepared to address California Department of Fish and Wildlife (CDFW) comments on the Draft EIR, along with an updated impact analysis addressing the modified design of the proposed community center and adjacent park. The updated biological resources analysis also included updating the mapping of vegetation communities to characterize vegetation alliances in accordance with *The Manual of California Vegetation*, Second Edition.
- **An updated traffic impact analysis**, which indicated that the Project would generate a substantially greater net increase in daily traffic than was

originally disclosed in the Draft EIR and that new significant unavoidable impacts would occur at several intersections in addition to those disclosed in the Draft EIR. The updated traffic impact analysis was based on updated traffic counts and updated traffic generation based on the 10th Edition of Trip Generation, published by the Institute of Transportation Engineers (ITE).

- **Updated air quality, greenhouse gas (GHG), energy, and noise analyses** that were prepared to reflect the increase in daily traffic generation indicated in the updated traffic impact analysis. The updated air quality and GHG analyses used the most recent California Emissions Estimator Model™ (CalEEMod) v2016.3.2 and the 2017 version of the Emission Factor model (EMFAC) developed by the California Air Resources Board (CARB), both of which became available subsequent to preparation of air quality and GHG studies for the Draft EIR. The updated air quality, GHG, energy, and noise analyses also reflect revisions to construction scheduling proposed by the applicant subsequent to the close of the Draft EIR public review period.

As permitted by CEQA Guidelines Section 15088.5(c), the Draft EIR was partially recirculated. The Partially Recirculated Draft EIR contains the following sections:

ES **Executive Summary**. Those portions of the Executive Summary related to biological resources, traffic and circulation, air quality, GHG emissions, energy, and noise have been updated and are included in the Partially Recirculated Draft EIR.

1. **Introduction**. The Introduction chapter has been updated to reflect recirculation of the Draft EIR.

2. **Project Description**. Chapter 2, *Project Description*, reflects minor revisions addressed in Section 3.5, *Biological Resources*, related to an existing deed restriction within the Specific Plan area (Project site).

3.5 **Biological Resources**. Section 3.5, *Biological Resources*, of the Partially Recirculated Draft EIR reflects updated resource surveys, impact analyses, and mitigation measures.

3.7 **Traffic and Circulation**. Section 3.7, *Traffic and Circulation*, of the Partially Recirculated Draft EIR reflects updated traffic counts, Project-related traffic generation, impact analyses, and mitigation measures.

3.8 **Air Quality**. Section 3.8, *Air Quality*, of the Partially Recirculated Draft EIR reflects updated impact analyses to address the increased Project-related traffic generation indicated in the updated traffic impact analysis, as well as updated mitigation measures. A health risk assessment was also prepared for the Partially Recirculated Draft EIR.

3.9 Greenhouse Gas Emissions. Section 3.9, *Greenhouse Gas Emissions*, of the Partially Recirculated Draft EIR reflects updated impact analyses to address the increased Project-related traffic generation indicated in the updated traffic impact analysis, as well as updated mitigation measures.

3.10 Energy Resources. Section 3.10, *Energy Resources*, of the Partially Recirculated Draft EIR was updated to address the increased Project-related traffic generation indicated in the updated traffic impact analysis.

3.11 Noise and Vibration. Section 3.11, *Noise and Vibration*, of the Partially Recirculated Draft EIR reflects updated impact analyses to address the increased Project-related traffic generation indicated in the updated traffic impact analysis, as well as updated mitigation measures.

6. Cumulative Impacts. Analysis of cumulative biological resources, traffic and circulation, air quality, GHG emissions, energy, and noise analyses have been updated and are included in the Partially Recirculated Draft EIR.

8. Mitigation Monitoring and Reporting Program (MMRP). Biological resources, traffic and circulation, air quality, GHG emissions, energy, and noise mitigation measures and related implementation requirements are included in the Partially Recirculated Draft EIR.

Appendices

Appendix C.	Rancho La Habra Specific Plan
Appendix F.	Biological Resources
Appendix H.	Traffic Impact Analysis
Appendix I.	Air Quality Analysis
Appendix J.	Greenhouse Gas Analysis
Appendix K.	Energy Analysis Report
Appendix L.	Acoustical Analysis and Vibration Study

All other sections of and appendices to the Draft EIR remain as previously circulated for public review and comment.

After reviewing comments on the Draft EIR related to environmental issues other than those identified above, the City concluded that responses to comments addressing other environmental issues would merely clarify and amplify the analysis presented in the Draft EIR and would not constitute significant new information requiring inclusion in this Partially Recirculated Draft EIR pursuant to CEQA Guidelines Section 15088.5.

SMW-3 Specific responses to comments made by Shute, Mihaly & Weinberger are provided in this section (Final EIR Section 2.2.2*i*). The Hamilton letter and responses to comments set forth in that letter are presented in Final EIR Section 2.2.2*ii*. The Griffin Cove letter and responses to comments in that letter are presented in Final EIR Section 2.2.2*iii*.

SMW-4 Comment SMW-4 provides background information regarding General Plan designations, zoning, and the previously adopted La Habra Hills Specific Plan. The comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

SMW-5 Comment SMW-5 summarizes the proposed development and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The Rancho La Habra Specific Plan proposes 402 dwelling units along with 20,000 square feet of commercial development and also provides the option for the commercial area to be developed with 46 multi-family dwelling units in lieu of the 20,000 square feet of commercial use. The Specific Plan also proposes public and private parks, trails, and habitat conservation areas. Subsequent to distribution of the Draft EIR and preparation of this comment letter, the applicant withdrew its request for conditional use permits for model homes.

SMW-6 Comment SMW-6 expresses the commenter's opinion regarding the Project and ignores the fact that the Project would be required to provide sufficient mitigation so as to replace the habitat values associated with biological resources mitigation requirements imposed on the La Habra Hills Specific Plan. The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-7 Comment SMW-7 expresses the commenter's opinion regarding the Project. This comment sets forth a conclusion based on subsequent comments provided in the SMW comment letter. Specific responses are provided to specific comments below.

SMW-8 Comment SMW-8 sets forth conclusions based on subsequent comments provided in the SMW comment letter. The City's responses to the commenter's conclusions in regard to the Project's consistency with the General Plan as addressed in responses to specific comments below. The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR. The traffic impact analysis for Rancho La Habra was updated and is included in

Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-9 Comment SMW-9 expresses the commenter's opinion regarding the consistency of the Project with the City's General Plan. This comment sets forth a conclusion based on subsequent comments provided in the SMW comment letter. Specific responses outlining the City's reasons for such disagreement are provided to specific comments below.

SMW-10 Comment SMW-10 addresses basic legal requirements for consistency of development projects with a community's General Plan and raises no substantive environmental issues regarding the adequacy of the Rancho La Habra Specific Plan EIR or its analyses and conclusions.

SMW-11 Comment SMW-11 expresses the commenter's opinion regarding the consistency of the Project with the City's General Plan. The open space that the applicant proposes to develop is a privately owned and operated golf course situated on 150.84 acres of land. The Rancho La Habra Specific Plan proposes to retain approximately 86.96 acres (57.6 percent) in open space use, including public parks and trails, private recreation areas, habitat conservation areas, and existing hillsides.

General Plan Policy OS 1.1 reads "Preserve open spaces for the protection and maintenance of La Habra's natural resources including watersheds, hillsides, and drainage corridors." The policy refers to specific open space functions, not to the exact configuration of open space land identified in the General Plan, particularly in relation to privately owned land. To argue otherwise, as Comment SMW-11 attempts to do is to argue that open space lands, even if privately owned, need have no economic use, that the City would not consider provision of mitigation measures that preserve open space values, and that the City would also not consider reconfiguration of existing open space, none of which is, in fact, true.

The existing General Plan Open Space designation of the Westridge Golf Club recognizes that the site was extensively developed for a golf course, clubhouse, driving range, and parking. Within the developed golf course are also areas providing for protection of watersheds, hillsides, and drainage corridors. Approximately 86.96 acres (57.6 percent) of the Project site would remain in open space. Comment SMW-11 provides no evidence that existing open space functions would be impaired by the Project, which would preserve the hillsides that separate the existing Westridge neighborhood from the Project site, would preserve the water quality enhancing functions of the existing watershed, and

would be required to provide functionally equivalent or better habitat for that which is lost to proposed site development.

General Plan Policy OS 2.4 describes desirable park types, none of which would be lost as the result of the Project. The policy reads as follows: "Maintain a diverse and accessible system of parks and recreation facilities throughout La Habra, which include mini parks designed to provide passive open space, neighborhood parks generally planned for younger children and family groups, and community parks offering a wide range of indoor and outdoor recreation opportunities." This policy addresses types of public parks and does not address a privately owned golf course.

As discussed in Partially Recirculated Draft EIR Chapter 2, *Project Description*, while the Project would involve closure of the existing Westridge Golf Club, the Rancho La Habra Specific Plan provides for a variety of public park, recreation, and open space amenities, as well as habitat conservation totaling 38.72 acres within Planning Area 6 as follows:

- Public Community Center – 3.30 acres
  - Approximately 22,500-square-foot structure providing indoor banquet, dining, kitchen, meeting, and office facilities in the existing Westridge Golf Club clubhouse
  - Outdoor banquet, dining, and gathering space
  - Play areas, open turf
  - Event lawn
  - Parking for daily use and special events
  - Public Park and Picnic Area – 12.79 acres
  - A southerly extension of the Community Center and Park facility
  - Terraced multi-purpose play areas
  - Picnic areas, including benches and tables, with shade trees and views of the San Gabriel Mountains
- Public Linear Park – 12.77 acres
  - 2.6 miles of trails proposed to traverse throughout the community, with connections to Idaho Street and Beach Boulevard
  - Benches, shade trees, viewing overlooks, and exercise equipment
  - Conservation Area – 9.86 acres

- Preservation, restoration and enhancement of locally rare native coastal sage habitat

In addition to public open space and recreational areas, 28.86 acres of private parkland and recreational amenities are proposed, including the following:

- Planning Area 1:
  - Pool and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Area 2:
  - Pool, wading pool, and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Areas 3/4:
  - Lap pool and spa
  - Restrooms and showers
  - Shade structure
- Multiple Planning Areas:
  - Passive turf play areas
  - Shade trees
  - Bench seating
  - Children's play structures
  - Trail connections

The Rancho La Habra Specific Plan also preserves the existing 19.38-acre slope separating the Project site from the Westridge residential neighborhood to the south.

The City determined that the proposed Rancho La Habra Specific Plan was consistent with General Plan Policies OS 1.1 and OS 2.4. The Rancho La Habra Specific Plan would (1) protect and maintain watersheds, hillsides, and drainage corridors within the Project site; (2) provide a diverse and accessible system of

parks and recreation facilities; and (3) mitigate biological resources impacts through provision of functionally equivalent or better habitat.

SMW-12 An amendment to the 1992 La Habra Hills Specific Plan is proposed to remove the 150.8-acre Project site from the approved La Habra Hills Specific Plan. The text and graphics of the La Habra Hills Specific Plan would be revised to remove all text, table, and graphic references to the golf course property and describe the residential community overlooking the golf course as it was actually developed, including open space areas provided within the residential portion of the Westridge community. A copy of the proposed La Habra Hills Specific Plan amendment is provided in Draft EIR Appendix B.

Comment SMW-12 correctly points out that the amount of open space (32.1 acres) that would be retained within the remaining 219.55-acre La Habra Hills Specific Plan would constitute 14.6 percent of the remaining La Habra Hills Specific Plan area. Should the proposed La Habra Hills Specific Plan amendment be approved, the reference to 16.2 percent of the Specific Plan area being in open space would be revised to 14.6 percent.

Comment SMW-12 does not, however, acknowledge that the 29.5-acre community park within the La Habra Hills Specific Plan provides park land far in excess of City of La Habra park standards. Assuming a population of 3.25 people per dwelling unit, the 556-unit La Habra Hills Specific Plan area would have approximately 1,807 residents. The Specific Plan's 29.5-acre community park thus provides 16.3 acres of park land per 1,000 population. This is more than six times greater than La Habra's citywide parkland goal (2.5 acres of parkland per 1,000 population) and more than five times greater than the City's Quimby Act parkland dedication requirement (3.0 acres of parkland per 1,000 population).

It should also be noted that the La Habra Hills Specific Plan (page 5) states that the "La Habra Hills Specific Plan provides 29.5 acres of public park and open space land." Thus, the La Habra Hills Specific Plan does not include the golf course as public park or open space but does describe the golf course on page 23 as a "Private Open Space/Recreation Facility." The golf course is described in the La Habra Hills Specific Plan as a "regulation play private golf course on approximately 145.0 acres in the lower elevations of the property."

SMW-13 The Draft EIR clearly acknowledges that the Project would result in a substantial loss of open space (existing Westridge Golf Club). See Chapter 2, *Project Description*; Section 3.4, *Aesthetic Resources*; Section 3.2, *Land Use and Planning*;

Section 3.16, *Recreational Resources*; and elsewhere in the document. The Draft EIR also acknowledges that 57 percent of the site would be retained in open space.

In evaluating Impact REC-1, the Draft EIR concludes that closure of the Westridge Golf Club would represent the loss of a major recreational resource, but that such closure would not result in a physical environmental impact that would be significant pursuant to CEQA Guidelines. However, Comment SMW-13 incorrectly describes this loss of open space by assuming that the Rancho La Habra Specific Plan would provide no open space, which it explicitly does. While there would be a loss of the 150.8-acre Westridge Golf Club, 32.1 acres of open space would remain within the La Habra Hills Specific Plan along with 86.96 acres of open space within the Rancho La Habra Specific Plan. The result would still be a substantial loss of open space, but not as drastic as Comment SMW-13 attempts to assert.

Comment SMW-13 asserts that the Project would "deprive residents of La Habra of the City's largest open space resource," but neglects to recognize that use of the golf course is largely limited to golfers paying to use the privately owned facility; attendees of events at the clubhouse; residents of the Westridge community who have views of the golf course; and motorists along Beach Boulevard, Imperial Highway, and Idaho Street who also have limited views of the golf course. Nevertheless, as concluded in the Draft EIR Section 3.4, *Aesthetic Resources*, loss of the golf course would have a significant unavoidable impact by changing the visual character of the existing golf course.

SMW-14 Comment SMW-14 erroneously asserts that the golf course is a public park whose acreage should be counted as part of the City's existing public park inventory. The comment's assertion is simply wrong. The Westridge Golf Club is a privately owned and operated facility that is not a public park and is not part of the City's park land inventory. In its original approval document, the golf course is described on page 23 of the La Habra Hills Specific Plan not as a public park, but as a "Private Open Space/Recreation Facility." Thus, from its original approval, the golf course has not been considered by the City to be a public park or a part of the City's public park inventory.

General Plan Policy OS 2.1 sets forth a citywide standard for public parkland. The City would have no legal authority to use its General Plan public parkland standards or its Quimby Act standard for dedication of public park land to require dedication or development of land for a privately owned and operated golf course.

General Plan Policy OS 2.1 is followed by two additional policies that further indicate that the City's parkland standard is for public parks and would not include a privately owned golf course as part of the City's public parks inventory:

- Policy OS 2.2 is to "Encourage developers to provide land dedications for parks and improvements exceeding minimum City requirements in exchange for incentives established by the City," thus defining the standard set forth in Policy OS 2.1 as being intended for land dedications to the City for parks and related improvements.
- General Plan Policy OS 2.4 identifies types of public park facilities, including mini, neighborhood, and community parks, none of which would typically be used to describe a golf course.

The La Habra General Plan EIR identifies the City's inventory of 24 mini, neighborhood, and community parks and presents an inventory of parks within the City. This inventory does not include the Westridge Golf Club as a public park.

Recognizing that the Westridge Golf Club is not a public park, the Rancho La Habra Specific Plan Draft EIR correctly determined that the City has 2.29 acres of public park and recreational use land per 1,000 population based on a 2015 citywide population of 61,905 and a total of 141.7 acres of public parks and recreational areas (6.1 acres of mini-parks + 43.2 acres of neighborhood parks + 92.4 acres of community parks).

SMW-15 By closing the Westridge Golf Club, the Project would, in fact, reduce the total amount of public and private open space within the City by 64.8 acres as the result of the loss of private open space within the Project site (150.84 acres existing private open space, 86.96 acres total open space proposed). However, included in the Project's proposed open space are 28.86 acres of public park, recreation, and open space amenities. Thus, Rancho La Habra would result in a net increase of 28.86 acres of public park area within the City.

SMW-16 While the La Habra Hills Specific Plan described the then-proposed golf course as 145 acres, the golf course property as actually developed encompasses 150.8 acres, which is the Project site for the Rancho La Habra Specific Plan. This open space area is clearly described in the Draft EIR Chapter 2, *Project Description*; Section 3.4, *Aesthetic Resources*; Section 3.2, *Land Use and Planning*; Section 3.16, *Recreational Resources*; and elsewhere in the document.

"Open to the public" as it applies to a privately owned and operated golf course is vastly different from "public facility." That the golf course is "open to the public" means that membership is not required as a prerequisite for using the privately owned and operated facilities. Members of the public are required to pay a fee to use the golf course and are not permitted to freely use golf course facilities as they would a public park. From its inception, the golf course has never been a "public facility." It has always been privately owned and operated and has never been owned, operated, or managed by the City of La Habra.

The habitat value of the site is described in Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, which also sets forth an evaluation of the impacts that loss of the golf course would have on biological resources, along with mitigation measures to address those impacts.

Comments SMW-14 through SMW-16 attempt to use "open space" and "parkland" as equivalent terms. "Open space" is a generic term commonly used in planning documents encompassing four distinct types of open space use:

- Open space for recreation, including both public parks and privately owned and operated recreational uses
- Open space for conservation purposes, including lands for the protection of biological, cultural, scenic, and other resources
- Open space for the managed production of resources (e.g., agriculture, groundwater recharge basins)
- Open space for public safety (e.g., steep hillsides, flood plains)

Thus, while "parkland" may be a type of "open space," "parkland" as used in the Draft EIR refers to public parks (except where specifically referenced as "private park"), whereas "open space" includes in addition to "parkland" private recreational facilities (e.g., private parks, trails recreational facilities, golf course, etc.), lands for protection of resources (habitat preservation areas), and lands for protection of public health (e.g., slopes separating the Westridge residential community from the existing golf course), whether publicly or privately owned. The existing golf course is not a public park, is not part of the City's parkland inventory, and is therefore not counted as parkland in determining the amount of parkland available within the City per 1,000 population.

SMW-17 That the General Plan does, in fact, seek to maximize public and private open space and recreational land within the City does not make the Westridge Golf Club a public park, nor does it mean that a privately owned and operated

recreation facility can be used to meet City parkland standards. As noted above in Responses to Comments SMW-11 through SMW-16, while the Westridge Golf Club is an important open space and recreational resource for the City, the existing golf course is not a public park, is not part of the City's parkland inventory, and is therefore not counted as parkland in determining the amount of parkland available within the City per 1,000 population.

Per the applicant's proposal, removing the existing 150.8-acre Westridge Golf Club from the La Habra Hills Specific Plan would leave 32.1 acres of open space (14.6 percent of the remaining 219.55-acre La Habra Hills Specific Plan area). As noted in Response to Comment SMW-12, the La Habra Hills Specific Plan's 29.5-acre community park would provide 16.3 acres of park land per 1,000 population, which is more than six times greater than La Habra's citywide parkland goal (2.5 acres of parkland per 1,000 population) and more than five times greater than the City's Quimby Act parkland dedication requirement (3.0 acres of parkland per 1,000 population). A total of 117.9 acres of open space would remain within the originally adopted 380-acre La Habra Hills Specific Plan area, representing a reduction in overall open space from 46 percent to 31 percent within the original boundaries of the La Habra Hills Specific Plan. Thus, although there would be a large loss of open space as the result of the Project, a substantial amount of existing public and private open space would remain and the total inventory of public park, recreation, and open space amenities would increase by 28.86 acres.

SMW-18 As discussed in Responses to Comments SMW-14 through SMW-17, the SMW comment letter mischaracterizes the loss of open space that would result from the proposed Project, incorrectly defines the privately owned and operated Westridge Golf Club as a public park, and incorrectly calculates the City's existing inventory of parkland per 1,000 population. Recognizing that the Westridge Golf Club is not a park, the Draft EIR correctly determined that the City has 2.29 acres of park and recreational use land per 1,000 population based on a 2015 citywide population of 61,905 and a total of 141.7 acres of public parks and recreational areas (6.1 acres of mini-parks + 43.2 acres of neighborhood parks + 92.4 acres of community parks).

By adding 1,394 new residents and 28.86 acres of public parkland to the City's inventory, the Project would increase the citywide ratio of parkland from 2.29 acres of parkland per 1,000 population (141.7 acres of parkland for 61,095 people) to 2.72 acres per 1,000 people (170.56 acres of parkland for 62,489 people).

As a result, the proposed Project would increase the City of La Habra's inventory of public parks such that the citywide parkland goal set forth in the City's General Plan (Policy OS 2.1) would be met.

Thus, the Draft EIR Section 3.16, *Recreational Resources*, accurately identified the amount of public parkland within the City, correctly noted that the City's existing inventory of public parkland falls short of its General Plan goal, and appropriately concluded that while the Project would result in a reduction in privately owned open space, it would also result in a net increase in public parkland. Therefore, the City of La Habra does, in fact, have the discretion to approve, modify, or not approve the proposed Rancho La Habra Specific Plan under local and state law.

SMW-19 Comment SMW-19 contains a description of CEQA requirements for an adequate project description and does not raise any substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

SMW-20 This comment's assertion that the Draft EIR Project Description "fails to describe aspects of the Project critical to its analysis" is unsubstantiated. The only basis for the conclusion offered in this comment is discussion of a potential Development Agreement. Response to comments SMW-20 and SMW-21 therefore only address a potential Development Agreement. See Responses to Comments SMW-22 through SMW-26 for discussion of other issues raised in the SMW comment letter regarding the Draft EIR Project Description.

SMW-21 The Development Agreement referred to in Comments SMW-20 and SMW-21 would constitute a legal contract committing both parties (City and developer) to the development program set forth in the proposed Specific Plan. The Development Agreement does not specify any improvements that could result in physical changes to the environment other than those that would result from the Specific Plan development, which are already described in the Draft EIR as modified by the Partially Recirculated Draft EIR.

SMW-22 A Geotechnical Report was prepared for the Project and can be found in Draft EIR Appendix P along with supplemental analysis prepared in response to Comment CSA-12. As stated earlier, portions of the existing perimeter slope were provided with buttress keyways and remedial grading when first constructed to ensure stability. Site grading would temporarily remove one of the buttress keyways, requiring stabilization. See Response to Comment CSA-12 for discussion of specific requirements. Based on the results and recommendations of the Geotechnical Report and supplemental analysis set forth in Response to

Comment CSA-12, proposed site development would not adversely affect adjacent perimeter properties, including the Westridge community.

The applicant has committed that access for the Westridge Community Association to maintain the slopes between the two properties would be maintained at all times during and after construction, consistent with the existing easement (pers. comm., Andrew Han, August 1, 2018).

SMW-23 Comment SMW-23 provides a description of the existing slope separating the Westridge community from the Project site. As noted in Response to Comment SMW-21, the applicant has committed that access for the Westridge Community Association to maintain the slopes between the two properties would be maintained at all times during and after site grading and construction, consistent with the existing easement (pers. comm., Andrew Han, August 1, 2018).

SMW-24 As noted in Responses to Comments SMW-22 and SMW-23, the applicant has committed that access for the Westridge Community Association to maintain the slopes between the two properties would be maintained at all times during and after site grading and construction, consistent with the existing easement (pers. comm., Andrew Han, August 1, 2018).

Identification of areas as being susceptible to landslides and unstable soils refers to natural conditions. The manufactured slope separating the Westridge community from the existing golf course was specifically designed and constructed so as to be stable.

A Geotechnical Report was prepared for the Project and can be found in Draft EIR Appendix P along with supplemental analysis prepared in response to Comment CSA-12. Portions of the existing perimeter slope were provided with a buttress keyway and remedial grading when first constructed to ensure stability. Site grading would temporarily remove one of the buttress keyways, requiring stabilization. See Response to Comment CSA-12 for discussion of specific requirements. Based on the results and recommendations of the Geotechnical Report and supplemental analysis set forth in Response to Comment CSA-12, proposed site development would not adversely affect adjacent perimeter properties, including the Westridge community.

Any approval of a grading plan for areas adjacent to the existing slope would require that all work be conducted in a manner that would (1) not undermine stability of the slope, and (2) not cause erosion of soils on the slope.

SMW-25 Comment SMW-25 is incorrect in its assertion that the proposed Fire Management Plan was not provided in the Draft EIR for the public to review. It

was included in the Draft EIR as Figure 3.12-2 and also included in the proposed Specific Plan (Figure 26), which was provided as Draft EIR Appendix C.

However, the Los Angeles County Fire Department subsequently determined that a fuel management plan is unnecessary since the Project site is not subject to wildland fire hazards. See Los Angeles County Fire Department email on the following page), which states that Vesting Tentative Tract Map (VTTM) 17845 (Rancho La Habra Specific Plan "does not exist within the very high fire hazard zone and does not qualify for fuel modification plan review." References to a fuel modification plan for Rancho La Habra were therefore removed from the Partially Recirculated Draft EIR's Project Description and from the proposed Specific Plan (Appendix C).

Draft EIR Appendix Q sets forth the Los Angeles County Fire Department's requirements for development of the Project site, all of which have been incorporated into the Project's conditions of approval.

The Los Angeles County Fire Department has determined that a fuel management plan is unnecessary since the Project site is not subject to wildland fire hazards (see Response to Comment HAMILTON-8). Draft EIR Appendix Q sets forth the Los Angeles County Fire Department's requirements for development of the Project site, all of which have been incorporated into the Project's conditions of approval.

The Project's landscaping plan does, however, provides for a variable width transition zone (with a minimum of 50-foot) between adjacent residential development and the site's coastal sage scrub conservation area (see Neighborhood 2 Conservation Area graphic following this response). This transition zone provides a minimum 50-foot buffer between areas of conserved coastal sage scrub habitat to protect habitat functions and values.

The proposed plant palette for this transition area was review by Tony Bomkamp of Glenn Lukos Associates. Mr. Bomkamp concluded that

> *Incorporation of barrier plantings will enhance the functions of the proposed buffer areas. Agave is not native to north Orange County or adjacent Los Angeles County and should be eliminated. Native* Opuntia littoralis *and/or* 0. Prolifera *are appropriate and could be used along with* Rhus ingrifolia *(lemonade berry), which form dense barriers and is already included in the proposed plant palette*

8/21/2019 Firesafeplanning.com Mail - RE: Rancho La Habra TTM 17845 - City of La Habra - Memo Request for Hazard Severity Zone

Gmail by Google

David Oatis <david@firesafeplanning.com>

RE: Rancho La Habra TTM 17845 - City of La Habra - Memo Request for Hazard Severity Zone

1 message

Walton, Robert <Robert.Walton@fire.lacounty.gov> Wed, Oct 24, 2018 at 8:48 AM
To: David Oatis <david@firesafeplanning.com>
Cc: "Soiza, Claudia" <Claudia.Soiza@fire.lacounty.gov>, Andrew Han <Andrew.Han@lennar.com>, Jerry Canales <jerry@firesafeplanning.com>

Good Morning,

According to the maps this tract does not exist within the very high fire hazard zone and does not qualify for fuel modification plan review. See link below.

http://www.fire.ca.gov/fire_prevention/fhsz_maps_orange

Thank you,

Robert Walton

Fuel Modification Unit

Los Angeles County Fire Department

(626) 969-5205

Please visit our website for more information!

https://www.fire.lacounty.gov/forestry-division/forestry-fuel-modification/

From: David Oatis [mailto:david@firesafeplanning.com]
Sent: Tuesday, October 23, 2018 8:05 PM
To: Walton, Robert
Cc: Soiza, Claudia; Andrew Han; Jerry Canales
Subject: Rancho La Habra TTM 17845 - City of La Habra - Memo Request for Hazard Severity Zone

Hi Robert,

I trust this email finds you well.

https://mail.google.com/mail/u/1?ik=1d55a453dd&view=pt&search=all&permthid=thread-a%3Ar-2452595980035048631%7Cmsg-f%3A161522238320... 1/2

Attached you will find a PDF of Aerial image indicating the Boundary for Tentative Tract Map 17845 in the City of La Habra as well as the adopted Very High Fire Hazard Severity Zones (indicated in Red). I have also provided a link below to download a PDF of the Tentative Tract Map 17845.

I have met with Claudia Soiza, Acting SFPEA for the Fire Prevention Division in the City of Commerce two times to review our proposed Fire Master Plan for this project. Claudia has requested that we reach out to you and the Fuel Modification Unit to provide us with a Memo indicating that the development portion of the project is not within a Very High Fire Hazard Severity Zone (VHFHSZ) and is not required to comply with the Wildland Urban Interface Construction Requirements per the California Building Code Chapter 7A or the California Residential Code Section R337 so we can move forward with a formal submittal of the Fire Master Plan to the City of La Habra.

As you can see in the Aerial PDF, the VHFHSZ along the western side of the project site does encroach into the project boundary, however, only extends into the existing manufactured slopes which are NOT changing and is outside the proposed development area on the Tentative Tract Map provided in the link.

If you could please provide us with a Memo at your earliest convenience, we would greatly appreciate it. We will be including the Memo as part of our Fire Master Plan submittal so Claudia can include it in the project file.

Should you have any questions or need anything else from us please feel free to contact me on my cell at 949-521-0852.

Thank you in advance for all your help.

https://1drv.ms/f/s!ArbmFtAk3jF4hRB1V2MqshJUCYV-

Thanks, David

David Oatis

Principal/Fire Protection Planner

Firesafe Planning Solutions

302 N. El Camino Real, Suite 202

San Clemente, CA 92672

Cell: (949) 521-0852

Phone: (949) 240-5911

SMW-26 The proposed linear park is intended to follow the alignment of the existing cart path within the golf course. Comment SMW-25 refers to symbols placed on an 11″ x 17″ graphic (Specific Plan Figure 7) that is clearly marked "N.T.S." Not to Scale, that show the location and not the precise boundaries of proposed trail enhancements. Some of the trail enhancement symbols graphically overlap the slope because of:

- The need for symbols to be visible on an 11″ x 17″ graphic;
- The location of the trail in relation to the existing slope, and
- The challenges of showing a 150.8-acre site on an 11″ x 17″ graphic.

The applicant has agreed that the proposed trail extending around the perimeter of the Project's development area would be moved so that it would extend around the outer edge of the development footprint within the western and southwestern portion of the Project site, between the development area and the conservation area (see Final EIR Chapter 3 for the revised Specific Plan Figure 6 following Comment CDFW-17).

See Response to Comment CSA-12 for discussion of slope stability during site grading activities.

SMW-27 Grading for Rancho La Habra would be required to maintain water flow to irrigation lines within the manufactured slope separating the Westridge community from the existing golf course at all times during site grading and construction. None of the proposed water facilities shown on Specific Plan Figure 39 are in close proximity to that slope. See Response to Comment CSA-12 for discussion of slope stability during site grading activities.

SMW-28 As discussed in Responses to Comments SMW-19 through SMW-27, the commenter's assertions regarding the Draft EIR Project Description are unwarranted and not supported by the facts.

SMW-29 Comment SMW-29 expresses the commenter's opinion regarding the Project and raises no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions. See also Responses to Comments SMW-11 through SMW-13 for discussion of why the commenter's assertions are incorrect and why City of La Habra does, in fact, have the legal discretion to approve, modify, or not approve the proposed Rancho La Habra Specific Plan pursuant to state and local law.

That a project requires a "thorough environmental review" summarizes the basic purpose of CEQA and raises no substantive environmental issues regarding the

adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

SMW-30 Comment SMW-30 describes CEQA requirements based on various court cases that raise no substantive environmental issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses and conclusions.

Also included in Comment SMW-29 is a conclusory statement expressing the opinion of the commenter regarding the adequacy of the Draft EIR. Specific responses to specific issues raised by the commenter are provided in Responses to Comments SMW-33 through SMW-117. It should be noted that the majority of Comments SMW-33 through SMW-117 summarize biological resources and traffic issues raised in comment letters prepared by technical consultants under contract to the commenter, Shute, Mihaly & Weinberger, based on analyses that were subsequently updated, revised, and provided for public review in the Partially Recirculated Draft EIR.

The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR. The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-31 Comment SMW-31 sets forth CEQA requirements based on CEQA Guidelines and court cases that raise no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

Also included in Comment SMW-30 is a conclusory statement expressing the opinion of the commenter regarding the adequacy of the Draft EIR based on subsequent Comments SMW-33 through SMW-117, the majority of which summarize biological resources and traffic issues raised in comment letters prepared by consultants under contract to the commenter, Shute, Mihaly & Weinberger.

The biological resources and traffic analyses to which comments in the SMW, Hamilton, and Griffin Cove letters refer were updated. The updated biological resources analysis for Rancho La Habra is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR. The updated traffic impact analysis for Rancho La Habra is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-32 Comment SMW-32 sets forth a conclusory statement based on Comments SMW-34 through SMW-117, the majority of which summarize biological resources and traffic issues raised in comment letters prepared by consultants under contract to the commenter, Shute, Mihaly & Weinberger.

The biological resources and traffic analyses to which comments in the SMW, Hamilton, and Griffin Cove letters refer were updated. The updated biological resources analysis for Rancho La Habra is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR. The updated traffic impact analysis for Rancho La Habra is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-33 Comment SMW-33 sets forth a conclusory statement based on Comments SMW-34 through SMW-117, the majority of which summarize biological resources and traffic issues raised in comment letters prepared by consultants under contract to the commenter, Shute, Mihaly & Weinberger.

The biological resources and traffic analyses to which comments in the SMW, Hamilton, and Griffin Cove letters refer were updated. The updated biological resources analysis for Rancho La Habra is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR. The updated traffic impact analysis for Rancho La Habra is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-34 Comment SMW-34 sets forth a conclusory statement regarding the commenter's opinion regarding the adequacy of the EIR and its analyses and conclusions. Specific responses to the specific issues raised in Comment SMW-33 are provided in subsequent responses to SMW comments.

SMW-35 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-36 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-37 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-38 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-39 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-40 Comment SMW-39 mischaracterizes the Draft EIR, which concluded that the Project would be consistent with General Plan Policy BR 1.8 with implementation of mitigation measures that would provide for protection of nesting and roosting habitat for resident and migratory bird species.

See Partially Recirculated Draft EIR Section 3.5, *Biological Resources*, for an updated discussion of loss of foraging habitat and associated mitigation measures.

SMW-41 Consistency with General Plan Policy BR 1.1 was, in fact, addressed in the Draft EIR on page 3.2-31. The Draft EIR concluded that the Project would be consistent with General Plan Policy BR 1.1 since it would provide for natural resource conservation by retaining some of the existing habitat areas in place, relocating and enhancing others, and providing additional habitat off-site.

General Plan Policy BR 1.1 reads in full as follows: "Biological Resource Protection. Conserve and protect wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course."

The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-42 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-43 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-44 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-45 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-46 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-47 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-48 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-49 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-50 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-51 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-52 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-53 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-54 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-55 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-56 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-57 Comment SMW-57 raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-58 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-59 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-60 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-61 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-62 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-63 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-64 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-65 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-66 The biological resources analysis for Rancho La Habra was updated and is included in Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR.

SMW-67 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-68 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-69 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-70 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-71 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-72 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-73 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-74 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-75 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-76 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-77 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-78 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-79 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-80 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-81 The traffic impact analysis for Rancho La Habra was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR.

SMW-82 The noise analysis for Rancho La Habra was updated and is included in Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR.

SMW-83 The noise analysis for Rancho La Habra was updated and is included in Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR.

SMW-84 The noise analysis for Rancho La Habra was updated and is included in Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR.

SMW-85 Methods for enforcement of mitigation measures are set forth in Draft EIR Chapter 8, *Mitigation Monitoring and Reporting Program*, which was updated for those environmental issues addressed in the Partially Recirculated Draft EIR.

The noise analysis for Rancho La Habra was updated and is included in Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR.

SMW-86 Comment SMW-86 repeats the conclusory statement first asserted in Comment SMW-84. The noise analysis for Rancho La Habra was updated and is included in Section 3.11, *Noise and Vibration*, and Appendix L of the Partially Recirculated Draft EIR.

SMW-87 The air quality analysis for Rancho La Habra was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

SMW-88 Based on the results of the localized significance thresholds and carbon monoxide (CO) "hot spot" analysis, the Draft EIR determined that the Project would not expose sensitive receptors to substantial air pollutant concentrations

with implementation of Best Available Control Measures (BACMs) and localized significance thresholds (LST)-related mitigation measures.

During preparation of the Partially Recirculated Draft EIR, the City further determined that preparation of a health risk assessment analyzing the Project's construction emissions of diesel particulate matter was not warranted. The primary purpose of such an assessment would be to determine long-term health risks, such as cancer risks over, for example, a 30-year residency or 70-year lifetime. Construction of the Project is expected to occur over approximately 6 years with grading operations constituting the greatest generation of diesel particulate matter construction emissions occurring during 160 working days over an approximately 11-month period.

Exposure of such duration would not create long-term health effects on adjacent receptors. Additionally, the City followed South Coast Air Quality Management District (SCAQMD) guidance for air quality analysis when preparing the Draft EIR and its air quality analysis. SCAQMD's Health Risk Assessment procedures recommend evaluating risk from extended exposures measured across 30 or 70 years and not from short-term construction exposures or from infrequent operational exposure to diesel truck deliveries or trash hauling.

SMW-89 See Response to Comment SMW-88. The air quality analysis for Rancho La Habra was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

SMW-90 Comment SMW-91 mischaracterizes the Draft EIR Project Description. Grading would not occur over a 6-year period as asserted in this comment. As stated on page 2-25 of the Draft EIR, "Grading for the project site is proposed to occur at a single time over an approximately 12-month period. Total earthwork would be approximately 3,400,000 cubic yards." Subsequent to publication of the Draft EIR, the applicant agreed to reduce the length of time for grading activities to 11 months (see page 2-24 of the Partially Recirculated Draft EIR).

SMW-91 Grading would not occur over a 6-year period as asserted in this comment. As stated on page 2-25 of the Draft EIR, "Grading for the project site is proposed to occur at a single time over an approximately 12-month period. Total earthwork would be approximately 3,400,000 cubic yards." Subsequent to publication of the Draft EIR, the applicant agreed to reduce the length of time for grading activities to 11 months (see page 2-24 of the Partially Recirculated Draft EIR). See Response to Comment SMW-88 for the reasons why a health risk assessment was not undertaken for Rancho La Habra's grading activities.

Previous grading of the existing golf course included placement of approximately 430,000 cubic yards of soil containing total petroleum hydrocarbons (TPH) in three well defined soil reuse areas beneath the golf course. Approximately 220,000 cubic yards of impacted soil were placed in Reuse Area 1 (beneath the western half of the golf course), 30,000 cubic yards in Reuse Area 2 (beneath the driving range), and 176,000 cubic yards in Reuse Area 3 (beneath the far western portion of the golf course). During placement, soils containing TPH were "landfarmed" (discing and hydration to promote natural biodegradation of the soil) to reduce overall hydrocarbon concentrations in accordance with the Santa Ana Regional Water Quality Control Board (RWQCB) approval. Upon successful completion of the fill placement and capping, the property received regulatory closure from the RWQCB and Orange County Health Care Agency (OCHCA) in 1999.

While the subsequent grading and compaction that occurred to accommodate the golf course along with the placement of impacted soils beneath the golf course were completed in a manner acceptable for golf course use, such placement was not designed for residential development. As a result, proposed residential development of the Project site requires that two of the three reuse areas be removed and reburied at a greater depth appropriate for future residential use, including proper compaction for future residential use.

A Soils Management Plan (SMP) was prepared in September 2015 to address known environmental conditions for the site, as well as the potential for additional unknown environmental conditions that may be encountered during future site improvements for a proposed residential development. The SMP was prepared by the firm EEI Geotechnical & Environmental Solutions and submitted to the OCHCA for review and comment. On October 29, 2015, the OCHCA responded to EEI regarding the SMP dated September 29, 2015. The OCHCA provided several comments regarding the SMP and requested that EEI submit an addendum to the SMP that addressed the comments. To address OCHCA comments, an SMP Addendum dated July 14, 2016 was prepared. The information provided in the addendum was deemed sufficient and the SMP received final approval by the OCHCA on September 9, 2016. The Soil Management Plan (SMP) and SMP Addendum are provided in Draft EIR Appendix M.

The Draft EIR recognized that soils containing petroleum hydrocarbons would be encountered during site grading and noted that an SMP approved by the OCHCA sets forth the following controls to minimize hazards from the excavation and placement of total petroleum hydrocarbon (TPH)-affected soils:

- Standard work practices, such as suppressing dust, performing proposed site improvements in the upwind position, and monitoring for the potential presence of VOCs, shall be observed. Where impractical, the site safety officer, or designated alternate, is to be consulted to identify acceptable alternatives. If an inhalation hazard is identified, Level C respiratory protection using National Institute for Occupational Safety and Health (NIOSH)-approved half-face air purifying respirators with volatile organic or combination high-efficiency particulate (HEPA)/volatile organic cartridges shall be required.
- Skin exposure of workers is to be limited by use of gloves, eye protection, and hard hat; hand washing; and limiting incidental ingestion of soil.

The excavation, stockpiling, sampling, and placement of TPH-affected soils would be required to follow the approved Soils Management Plan under the supervision of the OCHCA, including proper handling of potentially impacted soils during removal and placement such that potential impacts due to odor, dust, runoff, and physical contact are mitigated.

In addition, control of petroleum hydrocarbon vapor emissions would follow the guidelines set forth by South Coast Air Quality Management District Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil.

Soil testing is required to be performed by a qualified remediation specialist, to be overseen by the OCHCA, and would occur prior to completion of grading to (1) verify the complete removal of previously placed fill soil in the original reuse areas, (2) characterize the excavated fill once it is placed in stockpiles, and (3) verify that all soils in the upper 10 feet meet the criteria established by the OCHCA.

During construction, soil piles would be watered (misted) or covered when necessary to prevent fugitive dust. This would prevent the potential release of contaminated soil into the environment. In addition, the fugitive dust control measures set forth in Partially Recirculated Draft EIR Section 3.8, *Air Quality*, and the erosion control measures set forth in Draft EIR Section 3.13, *Hydrology and Water Quality*, would be maintained.

Recognizing the potential of encountering TPH-affected soil outside of existing reuse areas, the Soils Management Plan also provides requirements for general site grading, as follows (as described in Draft EIR Section 3.12, *Hazards and Hazardous Materials*):

- During site grading, excavated soil originating from outside of the three reuse areas that visually displays dark discoloration/staining shall be flagged and segregated during the excavation process. These segregated soils shall be tested to determine whether the soil can be reused as cover or must be placed within a deep fill location.
- Potentially impacted soils shall be stockpiled on plastic sheeting to segregate contaminated soils from clean soils. Vapor and dust from excavation and stockpiling activities shall be controlled using one or more of the following: water misting, covering with poly sheeting; backfilling of off-gassing excavations, locating stockpiles away from and/or downwind of on-site workers and public receptors, and reducing the pace of project site activities and/or halting activities. In general, flagged (impacted) locations outside of the reuse areas are to be visually located, and confirmed by hand-held (or equivalent) global positioning system (GPS) equipment, when necessary.
- Excavation efforts shall proceed at individual flagged (impacted) suspect areas based upon visual staining and/or other methods (i.e., air monitoring equipment). Confirmation soil samples shall be collected from stockpiled soil and excavation limits, and properly documented as excavation proceeds. Final excavation confirmation sampling should be conducted at a rate of at least one soil sample per 5-foot vertical interval/20-foot horizontal interval of exposed sidewall and/or excavation floor. However, this sample frequency may be modified in the field based on site-specific conditions such as accessibility, soil homogeneity, and results of previous sampling data.
- Soil samples shall be collected using appropriate hand sampling tools or from the bucket of the excavation equipment and placed in laboratory-supplied glass sample jars and/or stainless steel sleeves, as required. In either case, samples should be compacted within the sample container to remove any head space. Soil samples shall be sealed with Teflon-lined lids/caps, labeled with a number unique to the sample, placed in a chilled cooler, and logged under proper chain-of-custody (COC) protocol for transportation to a California-state certified laboratory. A mobile laboratory may be used to analyze soil samples during the excavation confirmation process, depending upon the nature of the contaminant and/or the scheduling needs of the project.

The Draft EIR determined that, although the controls mandated by the approved SMP make a substantial health risk unlikely, a health risk might nevertheless be possible. Even though the SMP was previously approved by the OCHCA, implementation of that plan would require the City to issue a grading permit. Draft EIR Mitigation Measure HAZ-2.2 therefore requires the applicant to have a human health risk assessment prepared to confirm that the health of construction

workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods will be protected prior to issuance of a grading permit. The full text of Mitigation Measure HAZ-2.2 reads:

> **Mitigation Measure HAZ-2.2:** Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1 x 10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.

The Draft EIR concluded that implementation of Mitigation Measure HAZ-2.2, combined with the controls mandated by the Soils Management Plan, would ensure that the Project would not result in a substantial health risk. The previously approved Soils Management Plan, in combination with Mitigation Measure HAZ-2.2, would reduce impacts to a less-than-significant level.

SMW-92 While Comment SMW-92 provides information on the rationale used by another jurisdiction to analyze a construction project in San Jose, insufficient information is presented to determine the extent to which that rationale might be relevant to Rancho La Habra, other than the anecdotal information that a city in the San Francisco Bay Area had undertaken a community health risk analysis.

See Response to Comment SMW-88 for discussion of why a health risk assessment was not prepared for Rancho La Habra.

The air quality analysis for Rancho La Habra was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

SMW-93 See Response to Comment SMW-88 for discussion as to why a health risk assessment was not prepared for Rancho La Habra.

The air quality analysis for Rancho La Habra was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

SMW-94 Grading would not occur over a 6-year period as asserted in this comment. As stated on page 2-25 of the Draft EIR, "Grading for the project site is proposed to occur at a single time over an approximately 11-month period." See Response to Comment SMW-88 for discussion as to why a health risk assessment was not prepared for Rancho La Habra.

The air quality analysis for Rancho La Habra was updated and is included in Section 3.8, *Air Quality*, and Appendix I of the Partially Recirculated Draft EIR.

SMW-95 This comment provides general information regarding greenhouse gas mitigatin measures and does not raise any substantive issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses ad conclusions. The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-96 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-97 The traffic impact analysis for Rancho La Habra, including traffic generation, was updated and is included in Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR. The greenhouse gas emissions analysis for Rancho La Habra was also updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-98 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-99 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-100 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-101 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-102 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-103 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-104 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-105 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-106 This comment provides general information regarding greenhouse gas mitigatin measures and does not raise any substantive issues regarding the adequacy of the Draft EIR as modified by the Partially Recirculated Draft EIR or its analyses ad conclusions. The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-107 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-108 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-109 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-110 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-111 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-112 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-113 The greenhouse gas emissions analysis for Rancho La Habra was updated and is included in Section 3.9, *Greenhouse Gas Emissions*, and Appendix J of the Partially Recirculated Draft EIR.

SMW-114 As noted in Comment SMW-114, the Draft EIR determined that the temporary closure of La Habra Hills Drive that would occur during Project site grading would not affect emergency access from the two closest fire stations serving the Project site and the Westridge community.

In addition, the Draft EIR recognized that as a standard condition for issuance of grading and building permits within La Habra, the City would require the applicant to prepare and implement a Construction Phase Emergency Fire Access Plan and a Construction Phase Emergency Access Plan. These plans would be subject to review and approval by the City and the Los Angeles County Fire Department. Implementation of these standard requirements would ensure that adequate emergency response is available to the site and the adjacent Westridge community in the event of an emergency throughout the temporary closure of La Habra Hills Drive.

The City of La Habra requires preparation of a Construction Phase Emergency Fire Access Plan and a Construction Phase Emergency Access Plan as a standard requirement at the time of grading and building permits since the specifics of these plans depend on the specific staging and sequencing of site grading and infrastructure improvements. Such information cannot be known until a grading and construction contractor has been retained by the applicant to actually grade the site and construct the Project's infrastructure

Thus, the Draft EIR did, in fact, analyze Impact HAZ-7, related to adequacy of emergency access, correctly determined that standard conditions of approval would address emergency access during site construction, and appropriately concluded that impacts would be less than significant. No mitigation measures were therefore required or deferred.

Comment SMW-114 attempts to assert that the Draft EIR should have proposed mitigation measures for an impact that was determined to be less than significant. The comment does not dispute the Draft EIR's conclusion that the impact would be less than significant, nor does it provide any information as to what types of measures should have been considered.[25] Preparation of a Construction Phase Emergency Fire Access Plan and a Construction Phase Emergency Access Plan prior to issuance of a building permit is a standard City condition of approval and is therefore part of the Project and not a mitigation

[25] In *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, the court faulted the plaintiff for not identifying mitigation measures it believed should have been implemented: "Here, SDCG does not identify any 'additional' mitigation measures that would have been feasible in light of the Project's objectives."

measure. Thus, mitigation was not deferred since no mitigation is required for Impact HAZ-7.

The heading preceding Comment SMW-114 erroneously asserts that the Draft EIR "defers analysis… of hazards impacts" but provides no evidence to that effect. All of the discussion following this heading addresses assertions regarding mitigation measures.

SMW-115 See Response to Comment SMW-114. Impacts related to emergency access as part of Impact HAZ-7 were determined to be less than significant and therefore do not require implementation of mitigation measures. In addition, as noted in Response to Comment SMW-114, the commenter does not dispute the Draft EIR's conclusion that related to emergency access would be less than significant.

SMW-116 As stated in Response to Comment SMW-114:

- Impact HAZ-7 was determined to be less than significant and therefore does not require implementation of mitigation measures;
- The commenter does not dispute the Draft EIR's finding that the impact would be less than significant; and
- Preparation of a Construction Phase Emergency Fire Access Plan and a Construction Phase Emergency Access Plan prior to issuance of a building permit is a standard City condition of approval for building permits and is therefore part of the Project and not a mitigation measure.

In addition, the specifics of a Construction Phase Emergency Fire Access Plan and a Construction Phase Emergency Access Plan depend on the specific staging and sequencing of site grading and infrastructure improvements. Such information cannot be known until a grading and construction contractor has been retained by the applicant to actually grade the site and construct the Project's infrastructure.

SMW-117 See Responses to Comments SMW-11 through SMW-13 for discussion of General Plan consistency issues. It should be noted, however, that a Final Map for Vesting Tentative Tract Map (VTTM) 17845 will not be considered for approval by the City of La Habra nor will any subdivision map be recorded until such time as the California Department of Fish and Wildlife has approved a new Streambed Alteration Agreement and vacated existing on-site deed restrictions.

SMW-118 See Response to Comment SMW-2. As permitted by CEQA Guidelines Section 15088.5(c), the Draft EIR was partially recirculated. The Partially Recirculated Draft EIR contains the following sections:

ES **Executive Summary**. Those portions of the Executive Summary related to biological resources, traffic and circulation, air quality, GHG emissions, energy, and noise have been updated and are included in the Partially Recirculated Draft EIR.

3. **Introduction**. The Introduction chapter has been updated to reflect recirculation of the Draft EIR.

4. **Project Description**. Chapter 2, *Project Description*, reflects minor revisions addressed in Section 3.5, *Biological Resources*, related to an existing deed restriction within the Specific Plan area (Project site).

3.5 **Biological Resources**. Section 3.5, *Biological Resources*, of the Partially Recirculated Draft EIR reflects updated resource surveys, impact analyses, and mitigation measures.

3.7 **Traffic and Circulation**. Section 3.7, *Traffic and Circulation*, of the Partially Recirculated Draft EIR reflects updated traffic counts, Project-related traffic generation, impact analyses, and mitigation measures.

3.8 **Air Quality**. Section 3.8, *Air Quality*, of the Partially Recirculated Draft EIR reflects updated impact analyses to address the increased Project-related traffic generation indicated in the updated traffic impact analysis, as well as updated mitigation measures. A health risk assessment was also prepared for the Partially Recirculated Draft EIR.

3.9 **Greenhouse Gas Emissions**. Section 3.9, *Greenhouse Gas Emissions*, of the Partially Recirculated Draft EIR reflects updated impact analyses to address the increased Project-related traffic generation indicated in the updated traffic impact analysis, as well as updated mitigation measures.

3.10 **Energy Resources**. Section 3.10, *Energy Resources*, of the Partially Recirculated Draft EIR was updated to address the increased Project-related traffic generation indicated in the updated traffic impact analysis.

3.11 **Noise and Vibration**. Section 3.11, *Noise and Vibration*, of the Partially Recirculated Draft EIR reflects updated impact analyses to address the increased Project-related traffic generation indicated in the updated traffic impact analysis, as well as updated mitigation measures.

6. **Cumulative Impacts**. Analysis of cumulative biological resources, traffic and circulation, air quality, GHG emissions, energy, and noise impacts have been updated and are included in the Partially Recirculated Draft EIR.

8. **Mitigation Monitoring and Reporting Program (MMRP)**. Biological resources, traffic and circulation, air quality, GHG emissions, energy, and

noise mitigation measures and related implementation requirements are included in the Partially Recirculated Draft EIR.

Appendices

Appendix C.	Rancho La Habra Specific Plan
Appendix F.	Biological Resources
Appendix H.	Traffic Impact Analysis
Appendix I.	Air Quality Analysis
Appendix J.	Greenhouse Gas Analysis
Appendix K.	Energy Analysis Report
Appendix L.	Acoustical Analysis and Vibration Study

All other sections of and appendices to the Draft EIR remain as previously circulated for public review and comment. See Final EIR Volume 2, Partially Recirculated Draft EIR.

SMW-119 See Responses to Comments SMW-2 and SMW-118.

HAMILTON BIOLOGICAL

April 2, 2018

Ms. Carmen J. Borg
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, CA 94102

SUBJECT: REVIEW OF BIOLOGICAL RESOURCE ISSUES
DRAFT EIR, RANCHO LA HABRA SPECIFIC PLAN PROJECT
CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA

Dear Ms. Borg,

At your request, this letter provides my comments on the evaluation of Section 4.3 and Appendix F (Biological Resources) of the Draft EIR (DEIR) for the Rancho La Habra Specific Plan project, located in the City of La Habra, Orange County, California (the City). Hamilton Biological is a consultancy specializing in field reconnaissance, regulatory compliance, preparing CEQA documentation, and providing third-party review of CEQA documentation. My curriculum vitae is attached as Appendix A.

HAMILTON-1

The purpose of this review is to (a) identify any inadequacies in the field work or literature review conducted in support of the DEIR's analyses; (b) discuss any apparent errors in fact stated in the DEIR; (c) identify and discuss any biological impact analyses not consistent with CEQA, its guidelines, or relevant precedents; and (d) identify and discuss any remedies that might be appropriate to enable the EIR to satisfy the minimum requirements of CEQA.

As part of my review, I reviewed the Notice of Preparation (NOP), the letters submitted in response to the NOP, relevant sections of the DEIR, and the following relevant documents:

- Biological Opinion for the Chevron La Habra Hills Oil Field project, Orange County, California (1-6-95-F-17), dated April 12, 1995, specifying restoration requirements for pre-development oilfield abandonment activities, and subsequent development activities on a depleting 300-acre oil field in La Habra adjacent to a similar oil field in Fullerton, and construction of 540 homes, an 18-hole golf course, and associated infrastructure.
- Letter from Karen A. Goebel of the US Fish and Wildlife Service (USFWS) to Sheri Asgari of Glenn Lukos Associates dated August 7, 2006, with subject line: "Ap-

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HAMILTON-1 (CONT)

proval of the Coastal Sage Scrub Restoration on the Westridge Golf Course, as Described in the Biological Opinion for the Chevron La Habra Hills Oil Field, Orange County, California (1-6-95-F-17)."

- Relevant portions of the recirculated DEIRs (2006, 2008, 2015) for the West Coyote Hills Specific Plan, City of Fullerton.

As part of my review, I visited the project site on March 27, 2018, and took notes of all wildlife observed (https://ebird.org/view/checklist/S44025311).

Erroneous Discussions of Special-Status Wildlife Species

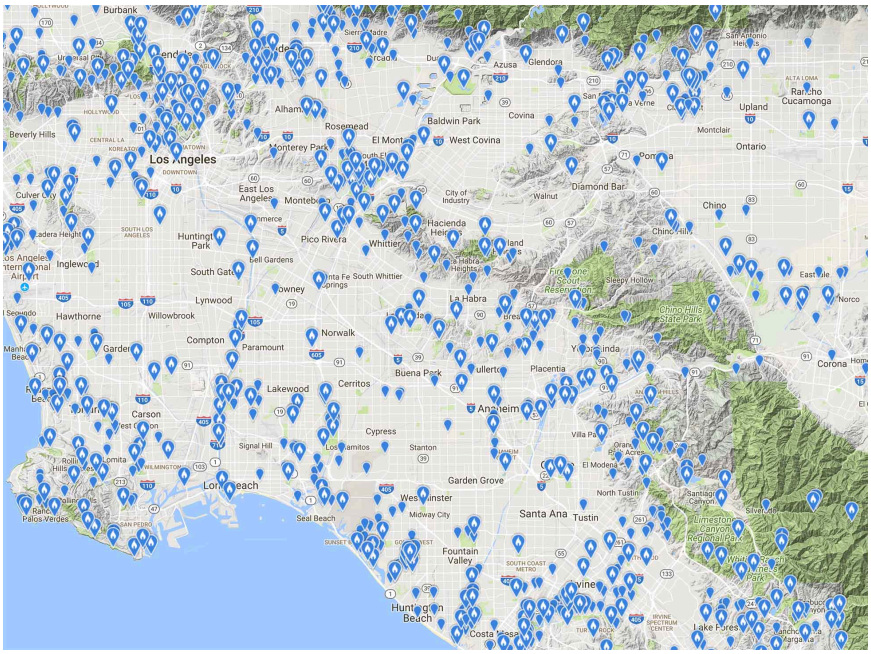
HAMILTON-2

DEIR Table 3.5-1b discusses the habitat requirements of various special-status wildlife species and discusses each species' potential for occurrence on the project site. The DEIR fails to make use of relevant data from eBird (www.ebird.org), and for several species provides erroneous information concerning habitat preferences and potential for occurrence on the site.

HAMILTON-3

Cooper's Hawk (Accipiter cooperii)

DEIR Table 3.5-1b states that this hawk has "moderate" potential for occurrence on the site. The table also claims that the species "breeds primarily in riparian areas and oak woodlands and is most common in montane canyons." As noted in the Birds of North America species account (Curtis et al. 2006), "Significant population increases and range expansions starting in 1990s, most noticeable in the form of breeders colonizing urban and suburban areas." As shown below, the breeding population of Cooper's Hawk has exploded in urban and suburban southern California:



Map showing eBird records of Cooper's Hawk during the months of May to July in coastal southern California during the past 10 years (www.eBird.org). As shown, nesting Cooper's Hawks are widely distributed in the region, and frequently found at golf courses and parks.

HAMILTON-3 (CONT)

Table 4.12-3 in the 2006 recirculated DEIR for the adjacent West Coyote Hills Specific Plan project stated the following:

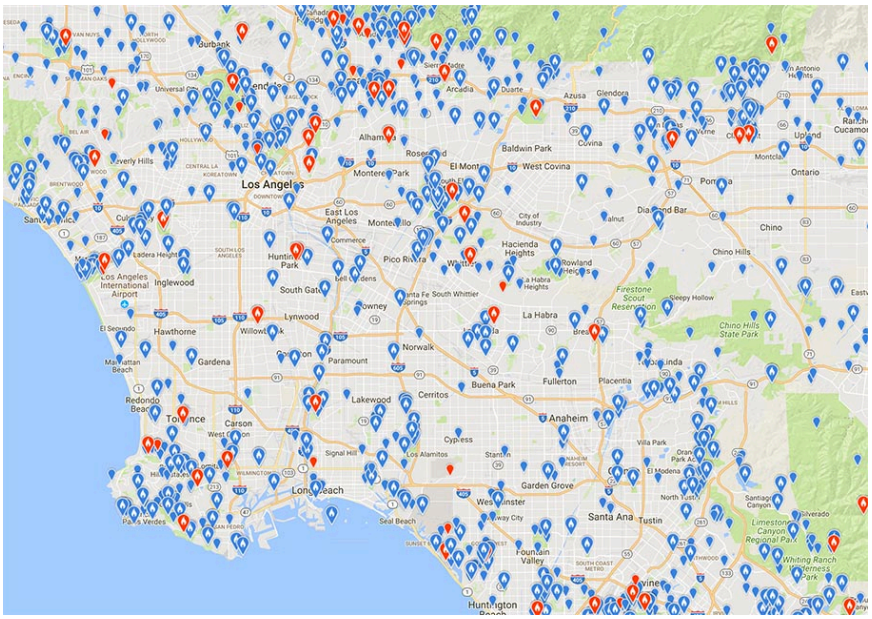
Cooper's hawk *Accipiter cooperii*	USFWS: None CDFG: Species of Concern	Riparian, forest	Present - At least four pairs have been observed nesting on site in pepper and eucalyptus trees. They have generally been distributed across the site in isolated canyons or larger groves of trees. Others observed nesting in eucalyptus and pepper trees on adjacent lands.

I observed an adult Cooper's Hawk circling over the northeastern part of the golf course on March 27, 2018. The Rancho La Habra Specific Plan DEIR should have identified Cooper's Hawk as a common resident breeder in the local area, and a species very likely to nest and forage on the project site.

HAMILTON-4

Sharp-shinned Hawk (Accipiter striatus)

DEIR Table 3.5-1b states that this hawk has "moderate" potential for occurrence on the site, and "low" potential for nesting. As reflected in eBird data, Sharp-shinned Hawks occur widely throughout southern California:



Map showing eBird records of Sharp-shinned Hawk in coastal southern California (www.eBird.org). As shown, Sharp-shinned Hawks winter widely throughout the region. They do not, however, breed anywhere in the region.

HAMILTON-5

Table 4.12-3 in the 2006 recirculated DEIR for the adjacent West Coyote Hills Specific Plan project stated the following:

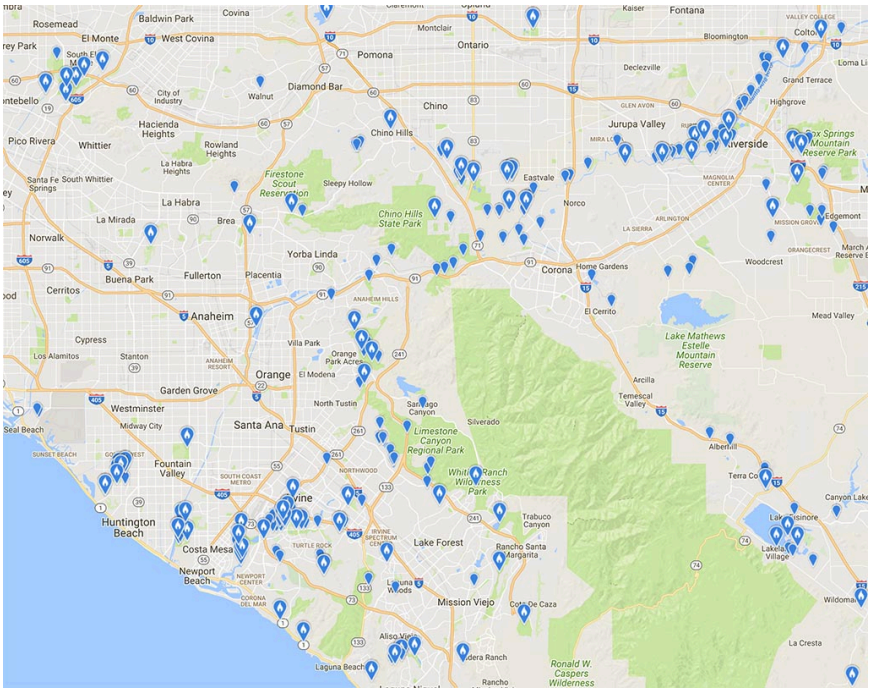
Sharp-shinned hawk *Acccipiter striatus*	USFWS: None CDFG: Species of Concern	Woodlands	Present -Numerous individuals have been observed to roost and forage on-site during the winter. Present only as migrant, does not breed on-site.

The Rancho La Habra Specific Plan DEIR should have identified the Sharp-shinned Hawk as a widespread wintering species that presumably occurs regularly on the project site fall through spring, but that does not nest in the project region.

HAMILTON-6

Least Bell's Vireo (Vireo bellii pusillus)

DEIR Table 3.5-1b states that this listed bird species "is generally restricted to major river systems in San Diego County." This statement is egregiously and demonstrably false. See, for example, eBird data for the project site and surrounding areas:



Map showing eBird records of Least Bell's Vireo in Orange County and surrounding areas (www.eBird.org). As shown, the species has been recorded at numerous locations in Orange County, as well as in eastern Los Angeles and western Riverside Counties.

The DEIR states that the Least Bell's Vireo has "low" potential to occur in the site's riparian habitat, claiming that the habitat is "extremely dense and not suitable for the species." DEIR Table 3.5-1b also states that the Yellow-breasted Chat has no potential to occur on the site because "Riparian habitat on-site is narrower and less dense than required for this species to occur." These contradictory statements cannot both be true. In fact, as the photo on the following page shows, riparian woodlands on the project site appear to be potentially suitable for both of these special-status bird species, and others.

HAMILTON-6 (CONT)

Photo taken March 27, 2018, showing the main strip of willow-dominated riparian woodland on the project site. The habitat's species composition, size, and structure are all suitable for use by Least Bell's Vireos, Yellow-breasted Chats, and/or Yellow Warblers.

To determine the status of the Least Bell's Vireo on a site containing potentially suitable habitat, CEQA lead agencies typically require project proponents to conduct a series of focused surveys during the nesting season (April to August). The DEIR does not report any such surveys, and so the DEIR fails to cite an adequate basis for its characterization of the Least Bell's Vireo as being unlikely to occur on the site. To fulfill the minimum requirements of CEQA, the City should require the project proponent to conduct surveys for the Least Bell's Vireo, and other riparian birds, during spring/summer 2018.

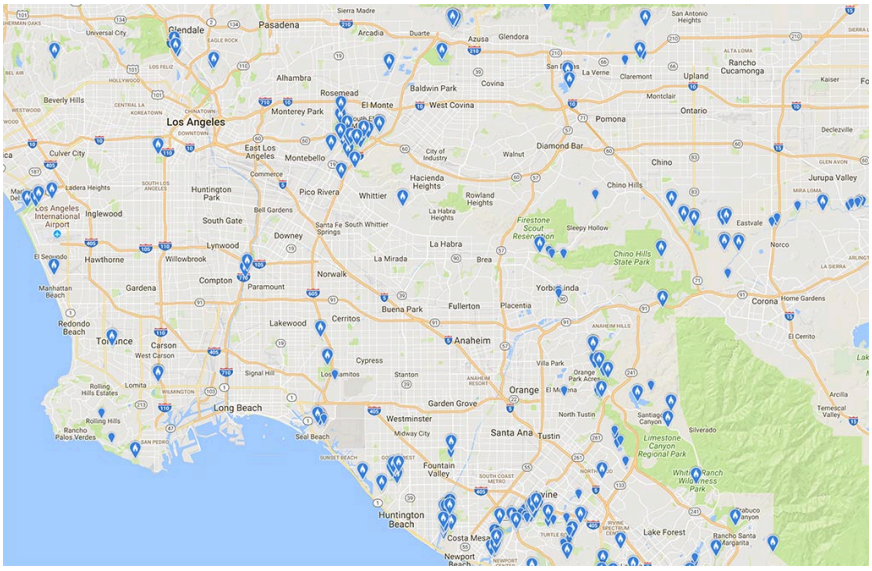
HAMILTON-7

Yellow-breasted Chat (Icteria virens)

DEIR Table 3.5-1b states, "Riparian habitat on-site is narrower and less dense than required for this species to occur." As noted previously, the same table states that the Least Bell's Vireo has low potential to occur in the site's riparian habitat because the habitat is "extremely dense and not suitable for the species." In reality, riparian woodlands on the project site provide potentially suitable habitat for both of these special-status bird species (see photo on the previous page).

HAMILTON-7 (CONT)

The following map shows records of the Yellow-breasted Chat in Orange County and surrounding areas from 2015 to 2018:



Map showing eBird records of Yellow-breasted Chat in Orange County and surrounding areas, 2015 to 2018 (www.eBird.org).

DEIR Table 3.5-1b states, "Nearest observation is from Yorba Linda in 2014." In fact, small numbers breed annually at sites scattered throughout the Chino-Puente Hills, including areas in the vicinity of the Rancho La Habra project site. For example, I recorded two Yellow-breasted Chats on the Arroyo Pescadero Trail— located in the Whittier Hills, twice as close to the site as Yorba Linda is — on June 2, 2017 (https://ebird.org/view/checklist/S37372632).

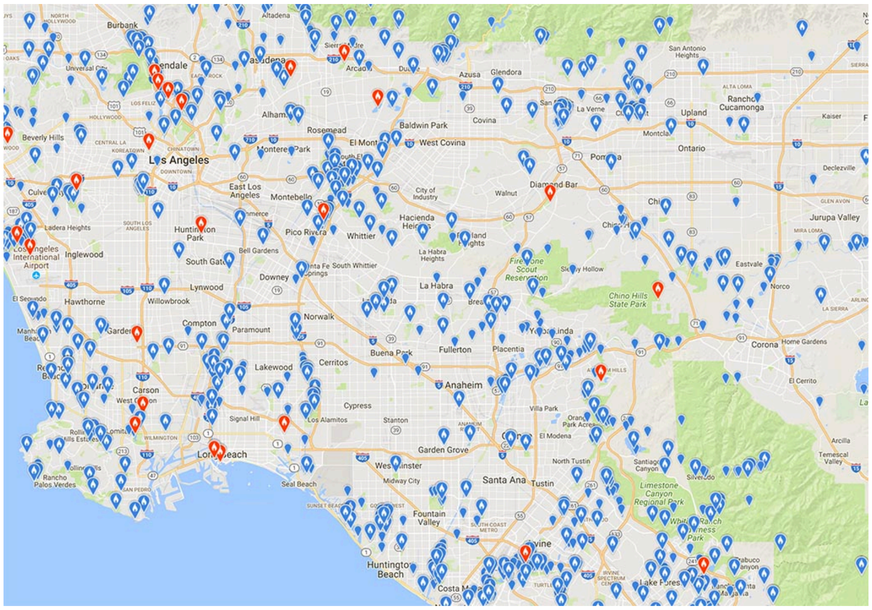
The DEIR, as written, fails to cite an adequate basis for its characterization of the Yellow-breasted Chat as being absent from the site. To fulfill the minimum requirements of CEQA, the City should require the project proponent to conduct surveys for riparian birds during spring/summer 2018.

HAMILTON-8

Yellow Warbler (Setophaga petechia)

DEIR Table 3.5-1b states that this warbler has "moderate" potential to occur within riparian vegetation on the site and claims, "Nearest observation was in 2005 in Yorba Linda." The map on the following page shows records of the Yellow Warbler in Orange County and surrounding areas from 2006 to 2018.

HAMILTON-8 (CONT)



Map showing eBird records of Yellow Warbler in Orange County and surrounding areas, 2006 to 2018 (www.eBird.org).

Yellow Warblers are common, widespread migrants that breed uncommonly to fairly commonly in riparian areas. Two were recorded at Ralph B. Clark Regional Park on July 6, 2017 (https://ebird.org/view/checklist/S37998383), less than a mile south of the site. Given the midsummer timing of this record, and the presence of multiple birds, there is a good chance that the species nested there.

The DEIR, as written, fails to cite an adequate basis for its characterization of the Yellow Warbler as having only moderate potential to occur on the site. To fulfill the minimum requirements of CEQA, the City should require the project proponent to conduct surveys for riparian birds during spring/summer 2018.

HAMILTON-9

PROPOSED IMPACTS TO SENSITIVE HABITAT AREAS

The existing golf course, plus 300 homes and associated roads and infrastructure, were constructed under the 1992 La Habra Hills Specific Plan. Mitigation for that project's significant adverse impacts to biological resources took the form of establishing and conserving native habitats in the golf course area. In 2009, the State of California placed a conservation easement/deed restriction upon 11.43 acres of sensitive habitats on the project site. An excerpt from the deed restriction, at the top of the next page, describes the conserved areas as "having great importance to the State of California."

HAMILTON-9 (CONT)

RECITALS

A. Declarant is the sole owner in fee simple of certain real property containing approximately three hundred (300) acres, located in the City of La Habra, County of Orange, State of California (the "Property"). Declarant intends to record over an 11.43-acre portion of the Property (the "Conservation Area") this Deed Restriction to protect fish and wildlife resources having wildlife and habitat values of great importance to the State of California. The Conservation Area is legally described in Exhibit "A" and shown on Exhibit "B" attached hereto and incorporated herein by this reference and includes 2.27 acres of coastal sage scrub (Parcels A-1 and A-2), 3.52 acres of southern willow scrub (Parcels A-4, A-8 and A-9), 1.4 acres of mulefat scrub (Parcel A-10), 2.0 acres of oak woodland (Parcel A-5), 0.52 acres of freshwater marsh (Parcel B-1 through B-5), and 1.72 acres of open water (Pond 1 and Pond 2).

HAMILTON-10

Figure 2-11 in the DEIR, reproduced below, shows the 11.43 acres of deed-restricted conservation areas, most of which would be directly impacted by construction of the proposed project (the cross-hatched areas would be graded), and the rest of which would be subject to fragmentation, increased intensity of human use, and other "indirect" adverse effects.

RANCHO LA HABRA SPECIFIC PLAN EIR

Figure 2-11: Deed Restriction Boundaries

Source: Google Earth Pro; Carlson SLS

HAMILTON-10 (CONT)

As DEIR Table 3.5.3 shows, grading and other adverse effects upon sensitive communities would extend beyond the 11.43 acres of deed-restricted conservation areas:

Table 3.5-3
Loss of Sensitive Habitat Due to Project

Vegetation Community	Existing within Project Site (Acres)	Total Removed (Acres Inside Grading Limits)	Total Avoided (Acres Outside Grading Limits)
Coastal Sage Scrub	10.67	5.92	4.75
Riparian Woodland	3.78	2.45	1.33
Mulefat Scrub	2.28	1.93	0.35
Emergent Wetland	0.72	0.53	0.19
Open Water	2.27	1.59	0.68
Total	**19.72**	**12.42**	**7.30**

Proposed Impacts Violate the General Plan

HAMILTON-11

Policy BR 1.1 of the City's General Plan states:

> **Biological Resource Protection.** Conserve and protect wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course.

Project implementation would grade nearly all of the sensitive habitat areas on the Westridge Golf Course, rather than conserving and protecting them, and thus project implementation would clearly violate Policy BR 1.1 of the General Plan.

Planning Area 6, in the western part of the project site, is proposed to provide "open space uses, including conversion of the existing golf course clubhouse to a City-owned Community Center, a small outdoor amphitheater, habitat conservation areas, passive recreation areas for hiking and wildlife viewing, picnic areas, tot lots" (DEIR page ES-2). The inclusion of "habitat conservation areas" in this laundry list of land uses, most of which are incompatible with effective restoration and conservation of sensitive habitats and wildlife populations, indicates the low priority given to biological resource issues by the City and applicant — again, in direct contradiction to Policy BR 1.1 of the General Plan.

HAMILTON-12

Page 7-7 lists eight "Applicant's project objectives," No. 3 of which is given as:

> Provide a range of public park and recreational facilities, such as a Community Center, open turf, playground areas, picnicking and quiet enjoyment space, trail systems with fitness facilities and view overlooks, and nature trails with educational signage, that exceed the City's local park code requirements for the proposed project;

Thus, not only does the proposed project fail to "conserve and protect" sensitive habitat areas, but it has been specifically designed to provide various amenities — most of them

HAMILTON-12 (CONT) unrelated to conservation of sensitive resources — **in excess** of those required by the City's local park code.

HAMILTON-13 Finally, No. 6 in the "Applicant's project objectives" affirms that any concept of conserving sensitive natural resources, even those supposedly protected in perpetuity under a conservation easement and recorded deed restriction, represents nothing more than an afterthought:

> Preserve, restore, and conserve natural habitat on the project site to the extent practicable considering the other competing project objectives;

HAMILTON-14 To reiterate, the deed restriction covering parts of the project site describes the conserved areas as "having great importance to the State of California." Policy BR 1.1 of the General Plan prioritizes the conservation and protection of "wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course." The proposed approach to this project is to remove nearly all of the sensitive habitat areas on the Westridge Golf Course, and to provide minimal biological mitigation "to the extent practicable considering the other competing project objectives." Such an approach conflicts with the City's General Plan and fails to recognize the "great importance" of deed-restricted habitat conservation areas that were established as CEQA mitigation.

HAMILTON-15 **Policy BR 1.13** of the City's General Plan states:

> **Site Assessments.** Require site assessments for developments that may adversely affect sensitive biological resources and ensure that individual projects incorporate mitigation measures, as necessary, to reduce impacts.

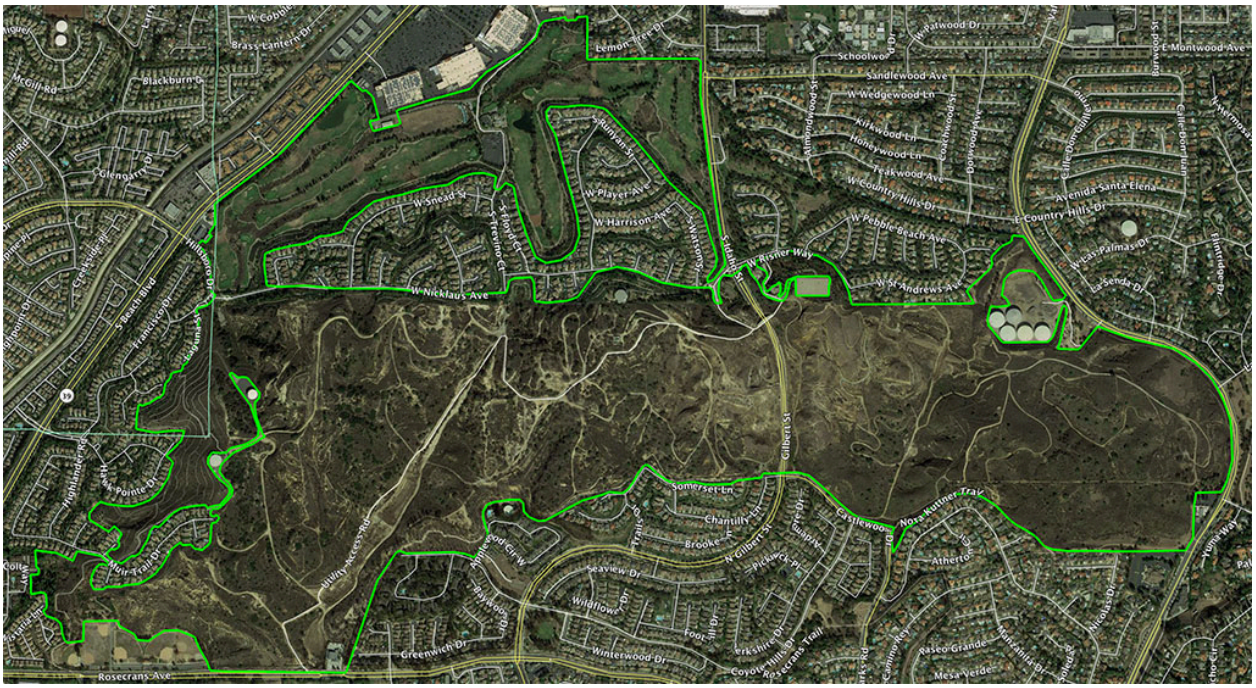
HAMILTON-16 The DEIR, as written, fails to cite an adequate basis for its characterization of the Least Bell's Vireo, Yellow-breasted Chat, Yellow Warbler, and Western Pond Turtle as being unlikely to occur on the site. To fulfill the minimum requirements of CEQA, and to achieve consistency with Policy BR 1.13 of the General Plan, the City should require the project proponent to conduct riparian bird surveys, and turtle surveys, during spring/summer 2018.

Inadequate Analysis of Cumulative Impacts

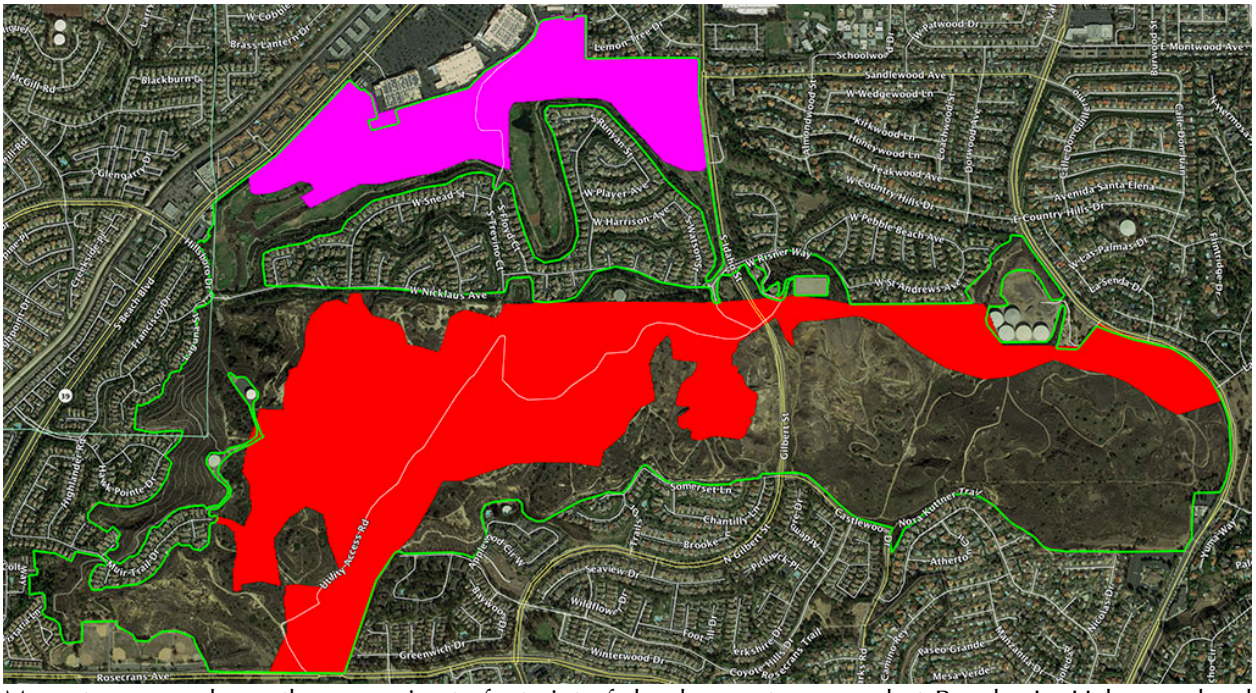
HAMILTON-17 To understand why equal-area replacement of sensitive habitats cannot adequately mitigate the adverse effects of the proposed project, we must consider the effects of this project together with those of the approved West Coyote Hills Specific Plan project ("Cumulative Project 17" in the DEIR). As defined in Section 15355, a cumulative impact results from the combination of the project evaluated in the EIR together with other projects causing related impacts.

The first exhibit below shows the project site and West Coyote Hills Specific Plan Area (site of Cumulative Project 17) as they currently exist, and the second exhibit shows the same areas after planned/proposed build-out of the two projects (the West Coyote Hills project has already been approved by the City of Fullerton).

HAMILTON-18



As shown above, the Rancho La Habra Specific Plan project site and the West Coyote Hills Specific Plan project site, together, include approximately 853 acres of largely "unbuilt" open space.



Magenta screen shows the approximate footprint of development proposed at Rancho La Habra, and red screen shows the approved grading for up to 760 residences in the West Coyote Hills.

HAMILTON-19

The DEIR fails to include an exhibit comparable to the bottom image on the previous page of this letter. Instead, the DEIR purports to provide the required cumulative impact analysis on page 6-12:

> Cumulative Project 17 could involve removal and/or modification of areas that have the potential to contain coastal sage scrub and riparian resources. As the proposed project and Cumulative Project 17 proceed, natural habitats and sensitive wildlife species would be adversely affected through conversion of habitat to urbanized environments. However, both the proposed project and Cumulative Project 17 would be required to mitigate impacts such that no net loss of habitat values occurs. Because no net loss of habitat values would occur within either project, the combined effect of the proposed project and Cumulative Project 17 would be a less-than-significant cumulative impact. However, should Cumulative Project 17 fail to mitigate impacts to a less-than-significant level, a significant cumulative impact would result.

Note that this "analysis" fails to consider or discuss any **cumulative** effects that can be expected as the result of implementing two large projects within what amounts to an "island" of natural and quasi-natural open space surrounded by existing development. Rather, both projects are considered in a vacuum, with an assumption that 1:1 replacement of coastal sage scrub and riparian habitats will result in "no net loss of habitat values," so long as the mitigation areas are sited properly relative to development.

HAMILTON-20

The theory of insular biogeography (MacArthur and Wilson 1967) proposes that, for biogeographical purposes, an insular environment or "island" is any area of habitat suitable for a specific ecosystem, surrounded by an expanse of unsuitable habitat. The number of species found on such an island, absent any consideration of disturbance, is determined by immigration and extinction. Immigration and emigration are affected by the distance of an island from a source of colonists. The rate of extinction on the island is related to the island's size. Larger islands typically support larger patches of habitats, reducing the potential for extinction due to chance events. Larger islands may also have greater habitat heterogeneity, increasing the number of species that can survive there.

For biogeographical purposes, fragments of habitat surrounded by development function as "islands," and in southern California such areas have been studied to evaluate wildlife population dynamics in these areas. Specialist species, such as the federally threatened Coastal California Gnatcatcher (*Polioptila californica californica*), have an increased risk of extirpation in isolated habitat remnants because the specialized vegetative structures and/or interspecific relationships on which they depend are more vulnerable to disruption in these areas (Vaughan 2010). In studies of the coastal sage scrub and chaparral systems of coastal southern California, fragment area and age (time since isolation) were the most important landscape predictors of the distribution and abundance of native plants (Soulé et al. 1992), scrub-breeding birds (Soulé et al. 1988; Crooks et al. 2001), native rodents (Bolger et al. 1997b), and invertebrates (Suarez et al. 1998; Bolger et al. 2000). Edge effects and habitat fragmentation are among the principal threats to persistence of biological diversity (Soulé 1991).

HAMILTON-21

Fragmentation generally increases the amount of development edge per unit land area, and species that are sensitive to "edge effects" (discussed subsequently in this comment letter) can experience reduced effective area of suitable habitat (Temple and Cary 1988). This can lead to increased probability of extirpation/extinction in fragmented landscapes (Woodroffe and Ginsberg 1998). For example, within fragmented coastal sage scrub ecosystems the diversity of native bees (Hung et al. 2015) and native rodents (Bolger et al. 1997b) is lower, and decomposition and nutrient cycling are significantly reduced (Treseder and McGuire 2009), compared with larger core reserves.

Similarly, habitat fragmentation and alterations of sage scrub habitats likely have reduced both the genetic connectivity and diversity of coastal-slope populations of the Cactus Wren in southern California (Barr et al. 2015). Both Bell's Sparrows (*Artemisiospiza belli)* and California Thrashers (*Toxostoma redivivum*) show strong evidence of direct, negative behavioral responses to edges in coastal sage scrub; that is, they are edge-averse (Kristan et al. 2003), and California Thrashers and California Quail (*Callipepla californica)* were found to be more vulnerable to extirpation with smaller fragment size of the habitat patch (Bolger et al. 1991), demonstrating that both behavioral and demographic parameters can be involved.

HAMILTON-22

Other species in coastal sage scrub ecosystems, particularly the Cactus Wren and likely the Coastal California Gnatcatcher and San Diego pocket mouse (*Chaetodipus fallax*), appear to be vulnerable to fragmentation, but for these species the mechanism is probably associated only with extirpation vulnerability from habitat degradation and isolation rather than aversion to the habitat edge (Kristan et al. 2003). Bolger (et al. 1997b) found that San Diego coastal sage scrub and chaparral canyon fragments under 60 acres that had been isolated for at least 30 years support very few populations of native rodents, and they suggested that fragments larger than 200 acres in size are needed to sustain native rodent species populations.

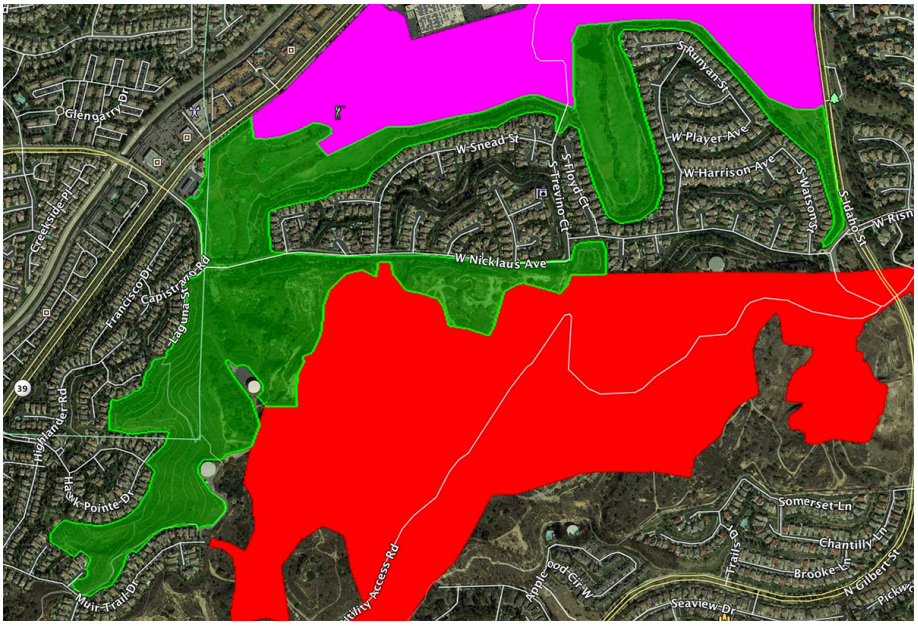
HAMILTON-23

The Rancho La Habra and West Coyote Hills specific plan areas, taken together, represent an 853-acre "island" of natural and quasi-natural open space surrounded by developed areas. After build-out of both projects, the "island" containing the combined open spaces of both sites would amount to approximately 143 acres. As shown at the top of the next page, less than half of this area, approximately 64 acres, would be on the Rancho La Habra project site.

HAMILTON-24

The published research discussed previously predicts that, by greatly reducing the size of the island of open space, the proposed actions will increase the rate of extirpation of relatively sedentary, scrub-dependent bird species, such as the Coastal California Gnatcatcher, which are not well-suited to moving into and out of the "island" through developed areas. Furthermore, as discussed subsequently, the post-project open space area that includes the southern part of the Rancho La Habra site would consist largely of narrow, manufactured slopes wedged between housing tracts, supporting non-native landscaping that would be subjected to ongoing fuel modification impacts and various other edge effects (discussed in the next section of this letter).

HAMILTON-25



The block of open space that would be left after build-out of the two projects, shown in green, would measure approximately 143 acres, and would be subject to extensive edge effects from surrounding development.

Despite these important considerations, the project biologists suggest that both the West Coyote Hills and Rancho La Habra projects would be implemented without any significant impacts to biological resources, so long as the ecologically sensitive habitats experience "no net loss" and some consideration is given to siting of the replacement habitats. The DEIR assumes negligible adverse effects from (a) greatly reducing the overall area of natural and quasi-natural open space available to wildlife, and (b) subjecting the remaining fragments of natural and quasi-natural habitats to extremely high levels of edge effects. Such an assumption has no legitimate factual basis.

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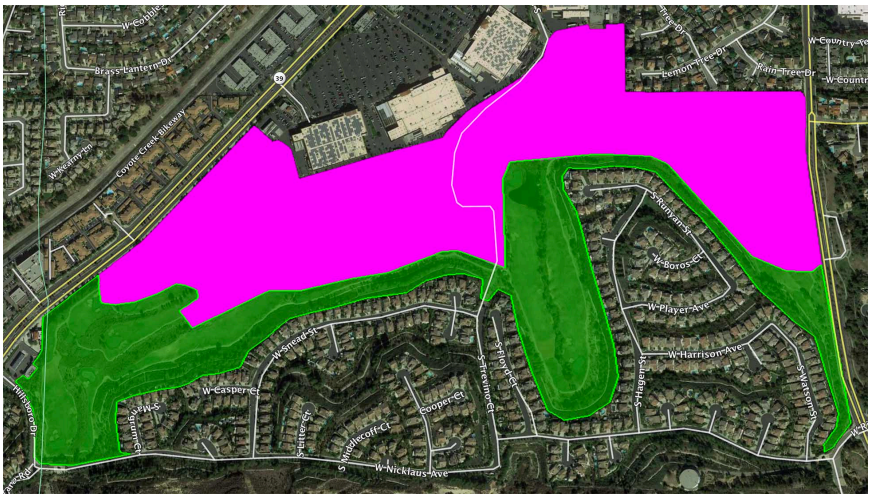
Inadequate Analysis of Edge Effects

HAMILTON-26

As discussed previously, implementation of the proposed project would greatly reduce the existing area of natural and quasi-natural habitats available to wildlife on the project site, from approximately 145 to 64 acres. Furthermore, as shown below, virtually all of the on-site open space remaining after construction would be situated within 300 feet of one or more development edges.



Following project implementation, approximately 64 acres of natural and quasi-natural open space would remain on the site (shown in green). Virtually all of this preserved open space would be subject to adverse effects related to proximity to the 3.73 miles of development edge around the perimeter of the open space area.

HAMILTON-27

Wildlife populations attempting to utilize habitats along development edges are subject to numerous generally adverse effects, collectively referred to as "edge effects." The DEIR fails to provide a thorough review of the relevant published, peer-reviewed research exists concerning the impacts of development edges upon native plants and wildlife. The DEIR's discussion of potential edge effects, on page 3.5-53, is limited to the following:

- Construction and subsequent use of trails, signage, viewing areas, the Community Center, and the amphitheater would change the degree, intensity, duration, and focus of human activity within the development footprint. The parks, trails, Community Center, and amphitheater could introduce large groups, including children, focused on more diverse and wide-ranging outdoor activity, compared to existing conditions that include few children and single-focus recreation at the golf course, and the occasional use of the clubhouse and outdoor patios for group events. Increased intensity and duration of use, and change in the focus of human activity, could degrade the quality of sensitive habitat by disturbing or displacing active nests.
- Proposed lighting features, trail signs, and educational kiosks installed along Specific Plan trails or in parks would increase the number and availability of perches and create increased predatory pressure compared to existing conditions. Birds of prey would be able to use perches as a base for hunting activities, and signs or poles to support lighting would afford additional opportunities for birds of prey to focus on nesting birds in the development footprint as a source of food. This could degrade the quality of nesting habitat overall or could result in reduction in the population of special-status birds in the development footprint.

HAMILTON-27 (CONT)

- Management of the proposed fuel modification zone would include removing existing vegetation and trees and re-planting to meet fire safety guidelines. Tree trimming, tree cutting, and the associated noise and human activity in the proposed fuel modification zone could cause nesting birds and special-status bats within the landscaped slopes to abandon nests or roosts and could result in the loss of individual animals.

HAMILTON-28

These very limited discussions in the DEIR fail to identify all of the potentially significant edge effects attendant to the proposed project, and are therefore inadequate under CEQA. Following is a summary of relevant published research on the effects of development edge and habitat fragmentation upon ecological communities. Each of the effects discussed below is directly relevant to analysis of the biological impacts of the proposed Rancho La Habra project.

HAMILTON-29

Urbanization typically includes residential, commercial, industrial, and road-related development (i.e., the "built" environment). At the perimeter of the built environment is an area known as the urban/wildland interface, or "development edge." In ecology, "edges" are places where natural communities interface, vegetation or ecological conditions within natural communities interact (Noss 1983), or patches with differing qualities abut one another (Ries and Sisk 2004). "Edge effects" are spillover effects from the adjacent human-modified matrix that cause physical gradients in light, moisture, noise, etc. (Camargo and Kapos 1995; Murcia 1995, Sisk et al. 1997) and/or changes in biotic factors such as predator communities, density of human-adapted species, and food availability (Soulé et al. 1988; Matlack 1994; Murcia 1995; Ries and Sisk 2004). Edge-related impacts may include:

- Introduction/expansion of invasive exotic vegetation carried in from vehicles, people, animals or spread from backyards or fuel modification zones adjacent to wildlands.
- Higher frequency and/or severity of fire as compared to natural fire cycles or intensities.
- Companion animals (pets) that often act as predators of, and/or competitors with, native wildlife.
- Creation and use of trails that often significantly degrade the reserve ecosystems through such changes as increases in vegetation damage and noise.
- Introduction of or increased use by exotic animals which compete with or prey on native animals.
- Influence on earth systems and ecosystem processes, such as solar radiation, soil richness and erosion, wind damage, hydrologic cycle, and water pollution that can affect the natural environment.

Any of these impacts, individually or in combination, can result in the effective loss or degradation of habitats used for foraging, breeding or resting, with concomitant adverse effects on population demographic rates of sensitive species.

Edge effects that emanate from the human-dominated matrix can increase the extinction probability of isolated populations (Murcia 1995; Woodroffe and Ginsberg 1998). Harrison and Bruna (1999) reviewed a suite of studies dealing with fragmentation and edge effects and identified a general pattern of reduction of biological diversity in fragmented habitats compared with more intact ones, particularly in regard to habitat specialists. While physical effects associated with edges were predominant among species impacts, they found evidence for indirect effects including altered ecological interactions. Fletcher et al. (2007) found that distance from edge had a stronger effect on species than did habitat patch size, but they acknowledged the difficulty in separating those effects empirically. Many southern California plant and animal species are known to be sensitive to fragmentation and edge effects; that is, their abundance declines with fragment size and proximity to an edge (Wilcove 1985; Soulé et al. 1992; Bolger et al. 1997a,b; Suarez et al. 1998; Burke and Nol 2000; Henle et al. 2004).

HAMILTON-29 (CONT)

Wildlife populations are typically changed in proximity to edges, either by changes in their demographic rates (survival and fecundity), or through behavioral avoidance of or attraction to the edge (Donovan et al. 1997; Sisk et al. 1997; Ries and Sisk 2004). For example, coastal sage scrub areas within 250 meters of urban edges consistently contain significantly less bare ground and more coarse vegetative litter than do more "intermediate" or "interior" areas, presumably due increased human activity/disturbance of the vegetation structure near edges (Kristan et al. 2003). Increases in vegetative litter often facilitate growth of non-native plants, particularly grasses, resulting in a positive feedback loop likely to enhance plant invasion success (Wolkovich et al. 2009). In another coastal southern California example, the abundance of native bird species sensitive to disturbance is typically depressed within 200 to 500 meters of an urban edge, and the abundance of the disturbance-tolerant species is elevated up to 1000 meters from an urban edge, depending on the species (Bolger et al. 1997a).

Habitat fragmentation is usually defined as a landscape scale process involving habitat loss and breaking apart of habitats (Fahrig 2003). Habitat fragmentation is among the most important of all threats to global biodiversity; edge effects (particularly the diverse physical and biotic alterations associated with the artificial boundaries of fragments) are dominant drivers of change in many fragmented landscapes (Laurance and Bierregaard 1997; Laurance et al. 2007). Fragmentation decreases the connectivity of the landscape while increasing both edge and remnant habitats. Urban and agricultural development often fragments wildland ecosystems and creates sharp edges between the natural and human-altered habitats.

Edge effects for many species indirectly reduce available habitat use or utility in surrounding remaining areas; these species experience fine-scale functional habitat losses (e.g., see Bolger et al. 2000; Kristan et al. 2003; Drolet et al. 2016). Losses of coastal sage scrub in southern California have resulted in the increased isolation of the remaining habitat fragments (O'Leary 1990). Fragmentation has a greater relative negative impact on specialist species (e.g., the Coastal Cactus Wren, *Campylorhynchus brunneicapillus*) that have strict vegetation structure and area habitat requirements (Soulé et al. 1992).

HAMILTON-29 (CONT)

Another effect related to increase in development edge is a concomitant increase in human-tolerant "mesopredators," such as raccoons (*Procyon lotor*), opossums (*Didelphis virginiana*), and domestic cats (*Felis catus*), in the ecosystem. In southern California, such species are efficient predators on birds and other vertebrates in coastal sage scrub and chaparral systems and elsewhere (Crooks and Soulé 1999). The mammalian carnivores more typically detected in coastal southern California habitat fragments are resource generalists that likely benefit from the supplemental food resources (e.g., garden fruits and vegetables, garbage, direct feeding by humans) associated with residential developments. Although some carnivores within coastal sage scrub natural community fragments seem tolerant of disturbance, these fragments have (either actually or effectively) already lost an entire suite of predator species, including mountain lion, bobcats (*Lynx rufus*), spotted skunks (*Spilogale gracilis*), long-tailed weasels (*Mustela frenata*), and badgers (*Taxidea taxus*) (Crooks 2002). In studies of coastal sage scrub fragments, exotic cover and distance to the urban edge were the strongest local predictors of native and exotic carnivore distribution and abundance (Crooks 2002). Most "interior" sites within such fragments are still relatively near (within 250 meters of) urban edges (Crooks 2002).

IMPACT ANALYSES MUST ADDRESS FRAGMENTATION & EDGE EFFECTS

HAMILTON-30

As discussed previously, following implementation of the proposed Rancho La Habra Specific Plan project and the approved West Coyote Hills Specific Plan project, the 64 remaining acres of on-site "unbuilt" open space would exist as part of a 143-acre fragment of habitat surrounded by development. A large volume of published research indicates that such a small fragment of open space would have very low potential to support viable populations of resident special-status bird species such as the Coastal California Gnatcatcher. Furthermore, since this unbuilt open space would consist almost entirely of manufactured slopes located within 300 feet of the development edge, the project would have severe edge effects upon wildlife populations that would remain in the site's open space conservation area. These edge effects would also limit the ability of the on-site open space to provide effective conservation of sensitive wildlife populations. Since the DEIR does not describe, analyze, or mitigate for these potentially significant project impacts, it is therefore deficient as a CEQA document.

INADEQUATE SIGNIFICANCE ANALYSIS

HAMILTON-31

The significance analysis for Impact BIO-1, provided on page 3.5-53 the DEIR, acknowledges significant impacts to sensitive habitats due to outright removal of habitat and certain changes in land use around preserved and restored habitat areas:

> Significant impacts for which mitigation is required would result from the following:
>
> - Site grading, which would directly remove special-status species habitat in the development footprint;
> - Construction of the proposed parks, trails, and Community Center, and habitat enhancement in upland and riparian conservation areas, which would create physical changes to soils and drainage and increase the degree of potential human en-

HAMILTON-31 (CONT)

croachment into special-status species habitat, resulting in a decline in quality or quantity of existing habitat;

- Use of the public trails, parks, Community Center, amphitheater, and wildlife viewing kiosks, which could cause soil compaction or increased erosion, due to increased intensity and duration of human encroachment into special-status species habitats, and thereby cause a decrease in habitat quality or total area of habitat;
- Buildout of the Specific Plan and on-going management of the fuel modification zone, which could result in damage to or destruction of active bird nests and special-status bat species roosting in large trees in the development footprint.

HAMILTON-32

As discussed previously, the DEIR's impact analysis fails to account for reductions in wildlife habitat value that would result from each of the following:

- Grading most of multiple stands of sensitive habitat but leaving small fragments ungraded (see Figure 2-11, reproduced on page 7 of this letter).
- Reducing the overall area of natural and quasi-natural open space on the project site, due to project implementation.
- Planned reduction of the area of natural and quasi-natural open space in the adjacent West Coyote Hills, due to implementation of the approved West Coyote Hills Specific Plan project (a foreseeable cumulative effect).
- Construction of a trail and proposed night-lighting through the proposed conservation area in the western part of the project site.

In addition, the DEIR fails to account for temporal impacts to native wildlife populations during the period after sensitive habitat areas would be removed and before on-site mitigation habitats would be restored.

The DEIR must be revised to adequately analyze each of these potentially significant impacts, and must provide mitigation adequate to reduce each to below the level of significance.

MITIGATION MEASURES VAGUE AND INADEQUATE

Mitigation for Significant Impacts to Sensitive Species and Habitats

HAMILTON-33

As discussed previously, the DEIR proposes grading impacts to 12.42 acres of ecologically sensitive habitats, 11.43 acres of which occur within deed-restricted conservation areas.

HAMILTON-34

An additional 7.30 acres of sensitive habitats would be subject to potentially significant impacts from habitat fragmentation, edge effects, and increased intensity of human use, as well as the cumulative impacts resulting from the planned implementation of the Rancho La Habra and West Coyote Hills projects.

HAMILTON-35

Mitigation Measure BIO-1a states:

> In-Kind Replacement of Special-Status Species Habitat. Any special-status species habitat that cannot be avoided during site development shall be replaced in-kind. The applicant shall purchase credits at a U.S. Fish and Wildlife Service (USFWS)/California Department of Fish and Wildlife (CDFW) approved mitigation bank or fund the creation and preservation of habitat at an off-site location such as the West Coyote Hills to demonstrate a minimum replacement ratio of at least 1:1 and meets the state regulatory agency's performance standard of "no net loss" for direct loss of special-status species habitat within the development footprint. Compensation shall be detailed on an acreage-specific basis and shall include a habitat mitigation and monitoring plan, which shall be developed in coordination and compliance with state and federal regulatory agency performance standards of "no net loss."

Given that the DEIR failed to adequately characterize and analyze various forms of potentially significant impacts (those resulting from cumulative loss of open space, habitat fragmentation, and edge effects), a reader can have no understanding of what the DEIR means when it refers to "no net loss" of habitat values. Given that the DEIR failed to describe the nature of all of the biological impacts, and how those impacts will limit the ability of the post-project open space to support viable populations of sensitive wildlife species, the City has no legitimate basis for demonstrating that "no net loss" of wildlife habitat value would result from project implementation.

Mitigation Measure BIO-1a implies that sensitive habitats removed outright would be replaced at a 1:1 ratio, at an off-site location, perhaps in the West Coyote Hills. As discussed previously, that off-site area is planned to undergo extensive impacts from implementation of the planned West Coyote Hills Specific Plan project. This raises the following questions:

- Doesn't the West Coyote Hills project require all available mitigation acreage to mitigate its own extensive significant impacts to sensitive biological resources?
- Where in the West Coyote Hills would it be appropriate and useful to create more than a dozen acres of the sensitive communities to be removed or otherwise significantly impacted on the Rancho La Habra site (coastal sage scrub, riparian woodland, mulefat scrub, emergent wetland, and open water), and could the proposed off-site mitigation result in impacts to valuable natural resources already present in the areas where mitigation would ultimately take place?

HAMILTON-36

Page ES-12 states:

> Since the deed restriction was established to mitigate impacts of the previously approved and constructed La Habra Hills Specific Plan build out, the proposed Ranch La Habra Specific Plan project includes a request to the California Department of Fish and Wildlife to release portions of the existing deed restriction placed on the golf course property as mitigation for development of the golf course and adjacent Westridge residential community, with the intention to relocate some areas subject to the current deed restriction to an upland conservation area to be established in the western portion of the project site.

HAMILTON-36 (CONT)

This language, concerning establishment of an "upland conservation area" on the site directly contradicts that in Mitigation Measure BIO-1a, which states, "The applicant shall purchase credits at a U.S. Fish and Wildlife Service (USFWS)/California Department of Fish and Wildlife (CDFW) approved mitigation bank or fund the creation and preservation of habitat at an off-site location such as the West Coyote Hills . . ."

To comply with CEQA, the EIR must specify the locations where the mitigation for these impacts will take place, and must specify the performance standards that must be satisfied in order to demonstrate successful mitigation of the impact to below the level of significance. Otherwise, the public and decision-makers can have no way of evaluating the adequacy, appropriateness, or feasibility of the proposed mitigation measure.

HAMILTON-37

Mitigation BIO-1b simply affirms that active bird nests will be avoided, in compliance with the California Fish and Game Code, which includes two provisions that address the disruption of nesting birds, intentionally or otherwise:

> **3503.** It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.
>
> **3503.5.** It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

A measure that simply points to an existing law is not a valid form of CEQA mitigation, as it provides no form of mitigation beyond that which already exists.

HAMILTON-38

Mitigation Measure BIO-1c requires "avoidance and replacement of special-status plants." No special-status plants have been found on the project site, and none are likely to exist there given that the area was mass-graded in the recent past, and so this measure seems to be of no practical value.

HAMILTON-39

Mitigation Measure BIO-1e requires "finding and relocating Western Pond Turtles." Any turtles found "in work areas" would be captured and relocated "to nearby suitable habitat (the closest water body) out of harm's way (e.g., upstream or downstream from the work area)." This is not an effective way to handle this issue. Western Pond Turtles require extensive uplands adjacent to their aquatic habitats in order to lay eggs and reproduce. Mitigation for the project's potential impacts to this California Species of Special Concern should not take the form of searching for turtles after the project is approved and then moving them to random locations if they are found. The City should require focused turtle surveys now, to determine whether the species occurs on the site. If the species occurs on the site, the impacts to this species should be acknowledged in the EIR, and an effective and carefully considered mitigation measure should be identified for consideration by the public and decision-makers.

HAMILTON-40

Mitigation Measure BIO-1f requires setbacks and erosion protection for coastal sage scrub and riparian woodland. Under this measure, all "viewing areas, signage, benches, the amphitheater, or other park features shall be located at least 50 feet from the edge of

HAMILTON-40 (CONT)

coastal sage scrub and 50 feet from the edge of riparian woodland habitat conservation areas." The City's strategy seems to be to identify 1:1 equal-area replacement of sensitive habitats, and to claim that 50-foot setbacks from various adjacent land uses will effectively offset the project's significant impacts to biological resources resulting from loss of open space, habitat fragmentation, and edge effects, as well as temporal loss of habitat during the time when replacement habitat is becoming established. This measure clearly does not adequately compensate for the various categories of impact discussed herein.

HAMILTON-41

Mitigation Measure BIO-2b states:

> Where grading or removal of sensitive natural habitats cannot be avoided, compensation shall be provided to demonstrate that no net loss of sensitive natural communities would occur as a result of build-out of the Specific Plan.

Mitigation Measure BIO-2d states:

> Where direct removal of vegetation within Clean Water Act Sections 404 and 401 and California Fish and Game Code Section 1602 jurisdictional areas would occur, suitable habitat replacement shall be provided to meet the required performance standard of no net loss of sensitive habitats, including regulatory jurisdictional areas.

How are these two measures different than Mitigation Measure BIO-1a? The same objections registered for BIO-1a apply equally to BIO-2b and to BIO-2d.

HAMILTON-42

Mitigation Measure BIO-2c requires preparation of a habitat conservation and protection plan for the upland and riparian conservation areas being proposed. The plan would include measures to reduce adverse effects from "any proposed lighting adjacent within 150 feet of the upland or riparian conservation areas." Please refer to Figure 23 in the DEIR, "Lighting Plan," reproduced on the following page.

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HAMILTON-42 (CONT)

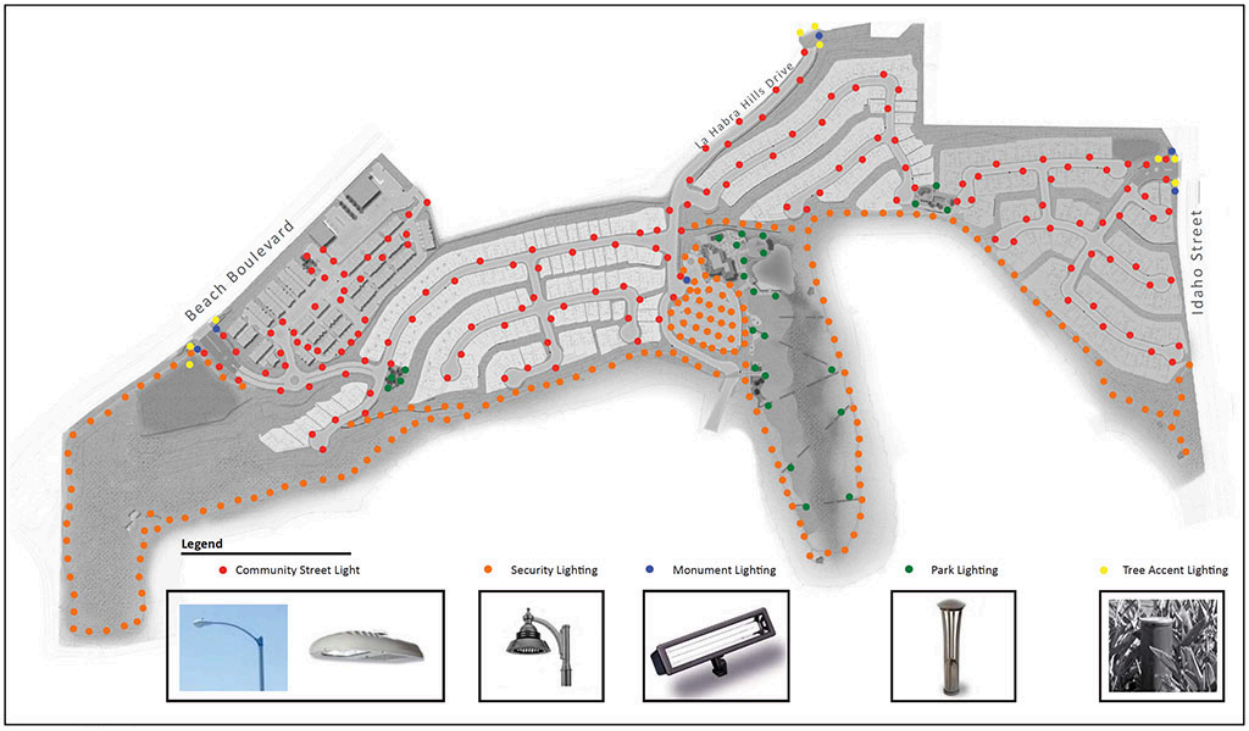

Figure 23: Lighting Plan
Source: BrightView Design Group (11/10/2017).

Rancho La Habra SPECIFIC PLAN Page | 87

As shown in Figure 23, above, the Specific Plan proposes to surround both the upland and riparian conservation areas with "security lighting." The gratuitous addition of extensive lighting around the perimeters of these areas would further compromise any ecological value of these two small, highly edge-constrained "conservation areas."

THE PROPOSED PROJECT VIOLATES THE CITY'S GENERAL PLAN

HAMILTON-43

Pages 3.5-48 and 3.5-70 of the DEIR state that, under the City's **Threshold BIO-5**, the proposed project would have a significant effect if it were to "Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance." The DEIR analyzes the project's consistency with this CEQA Threshold by noting an inconsistency with Policy BR 1.8 of the City's General Plan:

> Encourage the preservation of trees in existing and new development projects that are suitable nesting and roosting habitat for resident and migratory bird species.

The DEIR goes on to acknowledge that, because project grading would result in the loss of numerous trees that constitute suitable nesting and roosting habitat for resident and migratory bird species, such removal would represent a significant impact. To address this impact, the DEIR identifies **Mitigation Measure BIO-5**, which calls for various forms of landscaping, thereby replacing the lost trees over time and reducing the identified impact to below the level of significance.

HAMILTON-43 (CONT)

Remarkably, however, the DEIR fails to note any inconsistency with Policy BR 1.1 of the City's General Plan:

> **Biological Resource Protection.** Conserve and protect wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course.

Project implementation would grade nearly all of the sensitive habitat areas on the Westridge Golf Course, rather than conserving and protecting them, and thus the City cannot approve this project without directly contradicting Policy BR 1.1 of its own General Plan. The DEIR's impact analysis is deficient in failing to acknowledge this inconsistency with **Threshold BIO-5**.

Alternatives Analysis Lacks Figures, Specificity

HAMILTON-44

The DEIR fails to provide any figures depicting project alternatives, or any tables indicating differences in sensitive habitats that would be impacted by different project configurations. This makes evaluation of the DEIR's alternative analysis effectively impossible.

HAMILTON-45

The DEIR at page ES-58 states that the "No Project – No Development Alternative" would avoid all of the significant impacts of the proposed project, including inconsistency with the La Habra General Plan, and would also reduce all other environmental effects of the proposed Specific Plan with the exception of water use.

HAMILTON-46

Of the other alternatives, the DEIR identifies Alternative 4 (Reduced Density Residential/Nine-Hole Golf Course with 144 dwelling units) as environmentally superior since it would avoid the significant impacts of the proposed project, reduce other impacts compared to the proposed project, meet City project objectives, and partially meet most applicant objectives. This alternative is described as involving development of the western part of the golf course into as many as 120 single-family-detached dwelling units and 194 townhomes or condominiums, but keeping the eastern part intact. This alternative could, conceivably, avoid impacts to all of the sensitive habitats over which the State of California holds a conservation easement/deed restriction. Without a figure illustrating the alternative plan, however, it is not possible to make a determination. The revised DEIR should provide figures showing each of the alternatives considered in the DEIR, so that the public and decision-makers can properly evaluate the different alternatives.

Conclusion

HAMILTON-47

As detailed in this letter, the DEIR for the Rancho La Habra Specific Plan includes numerous erroneous statements concerning the status and distribution of special-status species on the project site and in the region. Additional surveys for riparian bird species and Western Pond Turtles should be conducted in spring/summer 2018 in order to provide adequate information on the status of these species in the specific plan area.

HAMILTON-48 The DEIR's impact analysis fails to acknowledge various important impacts to sensitive biological resources. This includes various forms of edge effects that would compromise the ecological value of any mitigation areas that the project proponent might attempt to establish on the project site.

HAMILTON-49 The proposed on-site "conservation areas" that the DEIR sets forth as potential mitigation sites would not only be subject to severe edge effects, but would occur within a very small "island" of natural and quasi-natural open space after the planned build-out of the West Coyote Hills Specific Plan. The DEIR fails to acknowledge the generally low viability of sensitive wildlife populations in such small, edge-impacted areas.

HAMILTON-50 The DEIR's most important mitigation measures, addressing the proposed loss of large areas of sensitive habitats that were placed under conservation easements and deed-restrictions, lack necessary specificity. The measures are too vague to allow the public and decision-makers to evaluate whether they would effectively address the project's potentially significant impacts — or whether they could, or should, be implemented at all.

HAMILTON-51 The DEIR's alternatives analysis includes no figures depicting conceptual development footprints of the various alternatives. In this way, as well, the CEQA document deprives the public and decision-makers of any opportunity to make a good-faith, reasoned analysis of the different potential projects that the City has evaluated in the specific plan area.

HAMILTON-52 Since the inadequacies in this CEQA document forestall the public's ability to perform its vital review role, I recommend that its deficiencies be remedied and that an adequate DEIR be circulated for public review.

I appreciate the opportunity to evaluate the CEQA documentation for this important project. Please call me at 562-477-2181 if you have questions or wish to further discuss any matters; you may send e-mail to robb@hamiltonbiological.com.

Sincerely,

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

Attachments: Literature Cited
Appendix A, Curriculum Vitae

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Appendix A

Expertise

Endangered Species Surveys
General Biological Surveys
CEQA Analysis
Population Monitoring
Vegetation Mapping
Construction Monitoring
Noise Monitoring
Open Space Planning
Natural Lands Management

Education

1988. Bachelor of Science degree in Biological Sciences,
University of California,
Irvine

Professional Experience

1994 to Present. Independent Biological Consultant, Hamilton Biological, Inc.

1988 to 1994. Biologist, LSA Associates, Inc.

Permits

Federal Permit No. TE-799557 to survey for the Coastal California Gnatcatcher and Southwestern Willow Flycatcher

MOUs with the California Dept. of Fish and Game to survey for Coastal California Gnatcatcher and Southwestern Willow Flycatcher

California Scientific Collecting Permit No. SC-001107

Robert A. Hamilton

President, Hamilton Biological, Inc.

Robert A. Hamilton has been providing biological consulting services in southern California since 1988. He spent the formative years of his career at the firm of LSA Associates in Irvine, where he was a staff biologist and project manager. He has worked as an independent and on-call consultant since 1994, incorporating his business as Hamilton Biological, Inc., in 2009. The consultancy specializes in the practical application of environmental policies and regulations to land management and land use decisions in southern California.

A recognized authority on the status, distribution, and identification of birds in California, Mr. Hamilton is the lead author of two standard references describing aspects of the state's avifauna: *The Birds of Orange County: Status & Distribution* and *Rare Birds of California.* Mr. Hamilton has also conducted extensive studies in Baja California, and for seven years edited the Baja California Peninsula regional reports for the journal *North American Birds*. He served ten years on the editorial board of *Western Birds* and regularly publishes in peer-reviewed journals. He is a founding member of the Coastal Cactus Wren Working Group and in 2011 updated the Cactus Wren species account for *The Birds of North America Online*. Mr. Hamilton's expertise includes vegetation mapping. From 2007 to 2010 he worked as an on-call biological analyst for the County of Los Angeles Department of Regional Planning. From 2010 to present he has conducted construction monitoring and focused surveys for special-status bird species on the Tehachapi Renewable Transmission Project (TRTP). He is a former member of the Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC).

Mr. Hamilton conducts general and focused biological surveys of small and large properties as necessary to obtain various local, state, and federal permits, agreements, and clearances. He also conducts landscape-level surveys needed by land managers to monitor songbird populations. Mr. Hamilton holds the federal and state permits and MOUs listed to the left, and he is recognized by federal and state resource agencies as being highly qualified to survey for the Least Bell's Vireo. He also provides nest-monitoring services in compliance with the federal Migratory Bird Treaty Act and California Fish & Game Code Sections 3503, 3503.5 and 3513.

Board Memberships, Advisory Positions, Etc.

Coastal Cactus Wren Working Group (2008–present)

Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC) (2010–2014)

American Birding Association: Baja Calif. Peninsula Regional Editor, North American Birds (2000–2006)

Western Field Ornithologists: Associate Editor of Western Birds (1999–2008)

California Bird Records Committee (1998–2001)

Nature Reserve of Orange County: Technical Advisory Committee (1996–2001)

California Native Plant Society, Orange County Chapter: Conservation Chair (1992–2003)

Professional Affiliations

American Ornithologists' Union

Cooper Ornithological Society

Institute for Bird Populations

California Native Plant Society

Southern California Academy of Sciences

Western Foundation of Vertebrate Zoology

Mr. Hamilton is an expert photographer, and typically provides photo-documentation and/or video documentation as part of his services.

Drawing upon a robust, multi-disciplinary understanding of the natural history and ecology of his home region, Mr. Hamilton works with private and public land owners, as well as governmental agencies and interested third parties, to apply the local, state, and federal land use policies and regulations applicable to each particular situation. Mr. Hamilton has amassed extensive experience in the preparation and critical review of CEQA documents, from relatively simple Negative Declarations to complex supplemental and recirculated Environmental Impact Reports. In addition to his knowledge of CEQA and its Guidelines, Mr. Hamilton understands how each Lead Agency brings its own interpretive variations to the CEQA review process.

Representative Project Experience

From 2008 to present, Mr. Hamilton has served as the main biological consultant for the Banning Ranch Conservancy, a local citizens' group opposed to a large proposed residential and commercial project on the 400-acre Banning Ranch property in Newport Beach. Mr. Hamilton reviewed, analyzed, and responded to numerous biological reports prepared by the project proponent, and testified at multiple public hearings of the California Coastal Commission. In September 2016, the Commission denied the application for a Coastal Development Permit for the project, citing, in part, Mr. Hamilton's analysis of biological issues. In March 2017, the California Supreme Court issued a unanimous opinion (*Banning Ranch Conservancy v. City of Newport Beach*) holding that the EIR prepared by the City of Newport Beach improperly failed to identify areas of the site that might qualify as "environmentally sensitive habitat areas" under the California Coastal Act. In nullifying the certification of the EIR, the Court found that the City "ignored its obligation to integrate CEQA review with the requirements of the Coastal Act."

In 2014/2015, on behalf of Audubon California, Mr. Hamilton collaborated with Dan Cooper on *A Conservation Vision for the Los Cerritos Wetlands, Los Angeles County/Orange County, California*. The goals of this

Insurance

$3,000,000 professional liability policy (Hanover Insurance Group)

$2,000,000 general liability policy (The Hartford)

$1,000,000 auto liability policy (State Farm)

Other Relevant Experience

Field Ornithologist, San Diego Natural History Museum Scientific Collecting Expedition to Central and Southern Baja California, October/November 1997 and November 2003.

Field Ornithologist, Island Conservation and Ecology Group Expedition to the Tres Marías Islands, Nayarit, Mexico, 23 January to 8 February 2002.

Field Ornithologist, Algalita Marine Research Foundation neustonic plastic research voyages in the Pacific Ocean, 15 August to 4 September 1999 and 14 to 28 July 2000.

Field Assistant, Bird Banding Study, Río Ñambí Reserve, Colombia, January to March 1997.

References

Provided upon request.

comprehensive review of ongoing conceptual restoration planning by the Los Cerritos Wetlands Authority were (a) to review the conceptual planning and the restoration work that had been completed to date, and (b) to set forth additional conservation priorities for the more intensive phases of restoration that were being contemplated.

From 2012 to 2014, Mr. Hamilton collaborated with Dan Cooper on *A Conservation Analysis for the Santa Monica Mountains "Coastal Zone" in Los Angeles County*, and worked with Mr. Cooper and the County of Los Angeles to secure a certified Local Coastal Program (LCP) for 52,000 acres of unincorporated County lands in the Santa Monica Mountains coastal zone. The work involved synthesizing large volumes of existing baseline information on the biological resources of the study area, evaluating existing land use policies, and developing new policies and guidelines for future development within this large, ecologically sensitive area. A coalition of environmental organizations headed by the Surfrider Foundation selected this project as the "Best 2014 California Coastal Commission Vote" (http://www.surfrider.org/images/uploads/2014CCC_Vote_Chart_FINAL.pdf).

In 2010, under contract to CAA Planning, served as principal author of the *Conservation & Management Plan for Marina del Rey, Los Angeles County, California*. This comprehensive planning document has two overarching goals: (1) to promote the long-term conservation of all native species that exist in, or that may be expected to return to, Marina del Rey, and (2) to diminish the potential for conflicts between wildlife populations and both existing and planned human uses of Marina del Rey (to the benefit of humans and wildlife alike). After peer-review, the Plan was accepted by the Coastal Commission as an appropriate response to the varied challenges posed by colonial waterbirds and other biologically sensitive resources colonizing urban areas once thought to have little resource conservation value.

Contact Information

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Third Party Review of CEQA Documents

Under contract to cities, conservation groups, homeowners' associations, and other interested parties, Mr. Hamilton has reviewed EIRs and other project documentation for the following projects:

- Safari Highlands Ranch (residential, City of Escondido)
- Newland Sierra (residential, County of San Diego)
- Harmony Grove Village South (residential, County of San Diego)
- Vegetation Treatment Program (statewide fire management plan, California Department of Forestry and Fire Protection)
- Watermark Del Mar Specific Plan (residential, City of Del Mar)
- Newport Banning Ranch (residential/commercial, City of Newport Beach)
- Davidon/Scott Ranch (residential, City of Petaluma)
- Mission Trails Regional Park Master Plan Update (open space planning, City of San Diego)
- Esperanza Hills (residential, County of Orange)
- Warner Ranch (residential, County of San Diego)
- Dog Beach, Santa Ana River Mouth (open space planning, County of Orange)
- Gordon Mull subdivision (residential, City of Glendora)
- The Ranch at Laguna Beach (resort, City of Laguna Beach)
- Sunset Ridge Park (city park, City of Newport Beach)
- The Ranch Plan (residential/commercial, County of Orange)
- Southern Orange County Transportation Infrastructure Improvement Project (Foothill South Toll Road, County of Orange)
- Gregory Canyon Landfill Restoration Plan (proposed mitigation, County of San Diego)
- Montebello Hills Specific Plan EIR (residential, City of Montebello; 2009 and 2014 circulations)
- Cabrillo Mobile Home Park Violations (illegal wetland filling, City of Huntington Beach)
- Newport Hyatt Regency (timeshare conversion project, City of Newport Beach)
- Lower San Diego Creek "Emergency Repair Project" (flood control, County of Orange)
- Tonner Hills (residential, City of Brea)
- The Bridges at Santa Fe Units 6 and 7 (residential, County of San Diego)
- Villages of La Costa Master Plan (residential/commercial, City of Carlsbad)
- Whispering Hills (residential, City of San Juan Capistrano)
- Santiago Hills II (residential/commercial, City of Orange)
- Rancho Potrero Leadership Academy (youth detention facility/road, County of Orange)
- Saddle Creek/Saddle Crest (residential, County of Orange)
- Frank G. Bonelli Regional County Park Master Plan (County of Los Angeles)

Selected Presentations

Hamilton, R. A. Six Legs Good. 2012-2017. 90-minute multimedia presentation on the identification and photography of dragonflies, damselflies, butterflies, and other invertebrates, given at Audubon Society chapter meetings, Irvine Ranch Conservancy, etc.

Hamilton, R. A., and Cooper, D. S. 2016. Nesting Bird Policies: We Can Do Better. Twenty-minute multimedia presentation at The Wildlife Society Western Section Annual Meeting, February 23, 2016.

Hamilton, R. A. 2012. Identification of Focal Wildlife Species for Restoration, Coyote Creek Watershed Master Plan. Twenty-minute multimedia presentation given at the Southern California Academy of Sciences annual meeting at Occidental College, Eagle Rock, 4 May. Abstract published in the Bulletin of the Southern California Academy of Sciences No. 111(1):39.

Hamilton, R. A., and Cooper, D. S. 2009-2010. Conservation & Management Plan for Marina del Rey. Twenty-minute multimedia presentation given to different governmental agencies and interest groups.

Hamilton, R. A. 2008. Cactus Wren Conservation Issues, Nature Reserve of Orange County. One-hour multimedia presentation for Sea & Sage Audubon Society, Irvine, California, 25 November.

Hamilton, R. A., Miller, W. B., Mitrovich, M. J. 2008. Cactus Wren Study, Nature Reserve of Orange County. Twenty-minute multimedia presentation given at the Nature Reserve of Orange County's Cactus Wren Symposium, Irvine, California, 30 April 2008.

Hamilton, R. A. and K. Messer. 2006. 1999-2004 Results of Annual California Gnatcatcher and Cactus Wren Monitoring in the Nature Reserve of Orange County. Twenty-minute multimedia presentation given at the Partners In Flight meeting: Conservation and Management of Coastal Scrub and Chaparral Birds and Habitats, Starr Ranch Audubon Sanctuary, 21 August 2004; and at the Nature Reserve of Orange County 10th Anniversary Symposium, Irvine, California, 21 November.

Publications

Gómez de Silva, H., Villafaña, M. G. P., Nieto, J. C., Cruzado, J., Cortés, J. C., Hamilton, R. A., Vásquez, S. V., and Nieto, M. A. C. 2017. Review of the avifauna of The Tres Marías Islands, Mexico, including new and noteworthy records. *Western Birds* 47:2–25.

Hamilton, R. A. 2014. Book review: The Sibley Guide to Birds, Second Edition. *Western Birds* 45:154–157.

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Hamilton, R. A., Proudfoot, G. A., Sherry, D. A., and Johnson, S. 2011. Cactus Wren (*Campylorhynchus brunneicapillus*), *in* The Birds of North America Online (A. Poole, ed.). Cornell Lab of Ornithology, Ithaca, NY.

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2. Response to Comments from Hamilton Biological (4-2-2018)

HAMILTON-1-1 The Hamilton comment letter addresses a now outdated biological resources analysis that was updated and revised for the Partially Recirculated Draft EIR. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR (Volume 2 of the Final EIR) for the current Rancho La Habra biological resources analysis.

Hamilton Biological submitted comments addressing the Partially Recirculated Draft EIR on January 16, 2020. These comments can be found in Section 2.1.3-2 of this document, along with the City of La Habra's responses to those comments.

Griffin Cove Transportation Consulting, PLLC

March 27, 2018

Ms. Carmen Borg
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: ***Review of Traffic and Circulation Analysis***
Rancho La Habra Specific Plan Draft Environmental Impact Report
La Habra, California

Dear Ms. Borg:

GCTC-1 As requested, Griffin Cove Transportation Consulting, PLLC (GCTC) has completed a review of the "Traffic and Circulation" analysis completed with respect to the proposed Rancho La Habra Specific Plan project in La Habra, California. The proposed project is the subject of a Draft Environmental Impact Report (DEIR) prepared for the City of La Habra (Reference: Metis Environmental Group, *Rancho La Habra Specific Plan Draft Environmental Impact Report*, February 2018). The DEIR incorporates (as Appendix H) a traffic study prepared by Linscott, Law & Greenspan (LLG). (Reference: Linscott, Law & Greenspan, *Traffic Impact Analysis – Rancho La Habra*, Revised September 11, 2017)

GCTC-2 Our review focused on the technical adequacy of the "Traffic and Circulation" analysis, including the detailed procedures and conclusions documented in the LLG report.

TRAFFIC AND CIRCULATION ANALYSIS REVIEW

Our review of the traffic impact analysis for the proposed Rancho La Habra Specific Plan project revealed several issues that must be addressed prior to certification of the environmental document and approval of the project by the City of La Habra. These issues are presented below.

1. ***Traffic Volume Data*** – We identified a number of issues relating to the traffic volume data used in the analysis.

   <u>*Obsolete Intersection Traffic Volume Data*</u>

   GCTC-3 LLG p. 12 states that the intersection traffic volume data used in the analysis was collected in November 2014, December 2014, April 2015, May 2015, September 2015, October 2015, and January 2016. Thus, some of the traffic volumes are now well over three years old. The LLG report acknowledges the age of the 2014 counts and describes a procedure employed "to bring them up to current Year 2015 existing baseline conditions." Thus, even the "baseline" considered in the analysis is now three years old.

   Standard practice in the traffic engineering profession is to use traffic volume data that is not older than one year. Page 19 of the 2006 Institute of Transportation Engineers (ITE) document, *Transportation Impact Analyses for Site Development*, specifically states that:

   > *. . . traffic volume data should generally be no older than 1 year.*

   Given that the traffic study was initially completed in May 2017 (before being revised in September 2017), the guidance referenced here suggests that no counts conducted prior to 2016 should be

GCTC-3 employed in the analysis. We note that Appendix A to the LLG study includes a memorandum to the City of La Habra, which presents the scope of work for the traffic analysis. That memorandum is dated September 25, 2015, although the date of the city's approval of the scope is not presented. In any event, we believe it is reasonable to expect that no data collection conducted prior to that date should have been used in the analysis.

Intersection Counts Affected By Holiday Traffic Patterns

GCTC-4 In addition to the age of the intersection traffic volume data, a number of the counts violate industry standards with respect to when counts may be performed. Specifically, it is generally accepted that traffic counts should never be conducted during time periods when atypical traffic patterns might prevail, such as weeks containing holidays. In fact, the Caltrans *Guide for the Preparation of Traffic Impact Studies* (December 2002, p. 4) specifically states:

> *Vehicle counts should be conducted on Tuesdays, Wednesdays, or Thursdays during weeks not containing a holiday and conducted in favorable weather conditions.*

GCTC-5 Review of the traffic count data sheets presented in Appendix B to the LLG report indicates that several of the intersection counts were performed on January 21, 2016, which was the Thursday immediately following the Monday, January 18 Martin Luther King, Jr. holiday. The holiday-week locations counted on that date include:

- Walnut Street/Imperial Highway,
- Gilbert Street/Malvern Avenue, and
- Euclid Street/Malvern Avenue.

And the following two additional locations were counted on January 14, 2016, the Thursday preceding the Martin Luther King, Jr. holiday:

- Beach Boulevard/Whittier Boulevard, and
- Hacienda Road/Whittier Boulevard.

In addition, a number of other intersection counts were performed during weeks immediately preceding holidays. Although these were not technically "holiday weeks," it is reasonable to believe that traffic patterns were atypical during those weeks. In particular, the following intersections were counted on either November 19 or 20, 2014, which were the Wednesday and Thursday of the week preceding Thanksgiving week 2014:

- Beach Boulevard/Rosecrans Avenue,
- Gilbert Street/Rosecrans Avenue,
- Euclid Street/Rosecrans Avenue,
- Beach Boulevard/Hillsborough Drive,
- Beach Boulevard/Hillsborough Park Apartments,
- Idaho Street/Sandlewood Avenue,

- Euclid Street/Sandlewood Avenue,
- Santa Gertrudes Avenue/Imperial Highway,
- 1st Avenue/Imperial Highway, and
- La Habra Hills Drive/Imperial Highway.

Although these 2014 counts might have been adjusted in an attempt to "bring them up to . . . baseline conditions," such adjustments would not correct the deficiencies associated with the atypical holiday-related traffic patterns described here; in fact, application of an across-the-board growth factor would magnify the effect of the irregular traffic patterns.

GCTC-5 (CONT)

Other counts were conducted on September 1 and 2, 2015, which were the Tuesday and Wednesday prior to Labor Day weekend. Those locations included:

- Beach Boulevard/La Habra Boulevard,
- Valley View Avenue/Imperial Highway,
- Beach Boulevard/Artesia Boulevard,
- Beach Boulevard/Commonwealth Avenue,
- I-5 Northbound Ramps/Auto Center Drive,
- Beach Boulevard/Auto Center Drive, and
- I-5 Southbound Ramps/Beach Boulevard.

Golf Course Trip Generation Counts Affected By Holiday Traffic Patterns

GCTC-6

An additional set of counts was performed to establish trip generation values for the existing Westridge Golf Club. Attachment A contains "Table A – Final Golf Course Trip Generation" from LLG Appendix D, which presents a listing of the dates on which the golf course traffic counts were conducted. Several of those counts were conducted on November 25, 2014, which was the Tuesday immediately prior to Thanksgiving (November 27, 2014). Other counts were conducted on November 19 and 20, 2014, during the week preceding Thanksgiving week. Again, while that was not a "holiday week," traffic patterns might very likely have been abnormal during that week.

Other golf course counts were performed on March 31, April 1, and April 2, 2015; those dates represent the Tuesday, Wednesday, and Thursday of the week containing Good Friday and, as such, are in the week immediately preceding Easter Sunday. This raises the possibility that local schools were on Spring Break. Even if that were not the case, it is again reasonable to suggest that atypical traffic patterns might have existed during the count period.

Roadway Segment Counts Affected By Holiday Traffic Patterns

GCTC-7

The deficiencies described above with respect to the conduct of intersection traffic counts during atypical periods such as holiday weeks or weeks adjacent to holiday weeks also apply to the all of the roadway segment counts employed in the DEIR traffic analysis. Specifically, the roadway segment counts were performed on the following dates:

GCTC-7 (CONT)

- November 19, 2014 (Wednesday of the week preceding Thanksgiving week) – Segments A through W, including portions of the following roads:
  - Lambert Road (3 segments)
  - Beach Boulevard (4 segments)
  - Idaho Street (2 segments)
  - Euclid Street (3 segments)
  - Harbor Boulevard (1 segment)
  - Imperial Highway (6 segments)
  - Gilbert Street (1 segment)
  - Rosecrans Avenue (2 segments)
  - Sandlewood Avenue (1 segment)
- April 15, 2015 (Wednesday of the week following Easter week) – Segments X and Y, including:
  - Beach Boulevard (1 segment)
  - Imperial Highway (1 segment)
- September 1 or 2, 2015 (Tuesday or Wednesday of the week before Labor Day weekend) – Segments Z through FF, including portions of:
  - Beach Boulevard (5 segments)
  - Imperial Highway (1 segment)
  - Auto Center Drive (1 segment)
- January 21, 2016 (Thursday immediately following the Martin Luther King, Jr. holiday) – Segments GG through KK, including portions of:
  - Beach Boulevard (1 segment)
  - Whittier Boulevard (1 segment)
  - Gilbert Street (1 segment)
  - Euclid Street (1 segment)
  - Malvern Avenue (1 segment)

For reference, Attachment B contains the listing of study roadway segments from the LLG report (pp. 3 – 4).

GCTC-8

Freeway Traffic Volume Source Unknown

The LLG traffic impact study addresses project-related impacts on eight freeway segments, four on Interstate 5 (I-5) and four on State Route 57 (SR 57). However, no information is presented with respect to the source of the traffic volumes used in this analysis, or when the pertinent freeway counts

were performed. Were they also inappropriately conducted during holiday weeks or the weeks immediately before or after holidays?

GCTC-8 (CONT)

Alternatively, instead of being based on actual traffic counts on the freeway facilities, was the analysis based on estimated values, in which the peak-hour volumes were approximated by applying adjustment factors to daily volumes? If this is the case, there is no certainty that these estimates accurately reflect the volume of traffic prevailing on the freeway facilities at the time the traffic study was conducted, and the use of such estimated values in place of actual data must be further explained and justified.

Conclusion

GCTC-9

Because the traffic volumes represent the most critical input parameter in the intersection, roadway segment, and freeway level of service calculation process, any inaccuracies in those values directly affect the validity of the traffic impact analysis results. To the extent that the existing traffic volumes fail to represent current conditions in the study area, the corresponding level of service results reported in the DEIR are invalid, and a misleading representation of the environmental setting and project-related impacts will be provided.

New traffic volume data must be obtained for the study intersections, roadway segments, and freeway facilities described above, and the analysis must be revised to incorporate that new data.

GCTC-10

2. ***Existing Golf Course Trip Generation*** – Traffic counts were performed in the vicinity of the existing Westridge Golf Club, which will be demolished upon construction of the proposed project. Those counts were intended to be used in developing a net trip generation estimate for the proposed project. That is, the existing golf course trips were subtracted from the estimated project-related trip generation to approximate the net increase in travel associated with the proposed project. As shown in Attachment A, the golf course was found to generate an average of 2,530 trips per day, with 91 trips in the AM peak hour and 238 trips in the PM peak hour.

As noted above, we are concerned that these counts might not be valid, given the fact that they were conducted during or near the weeks containing Thanksgiving, Good Friday, and Easter Sunday.

We have reviewed the results of the counts and compared them to other available data in an attempt to determine the validity of the information. The primary source of information regarding the volume of traffic associated with a wide range of land uses is the Institute of Transportation Engineers (ITE) document, *Trip Generation Manual* (Ninth Edition, 2012). Among the land uses included in that document are golf courses. Attachment C contains relevant excerpts from the ITE publication, with the results of the Westridge counts superimposed on the ITE data plots. The excerpts in Attachment B address golf course trip generation in terms of acreage and number of holes. According to DEIR p. 1-1, the 18-hole Westridge Golf Club covers about 151 acres.

Trips Per Acre

Based on its acreage, application of the average "weekday" rate (5.04 trips per acre) in the ITE *Trip Generation Manual* suggests that Westridge should generate about 760 trips per day. Moreover, review of the data plot for that data set reveals that the highest number of trips for any golf course surveyed (which was approximately the same acreage as Westridge) was slightly over 1,500 trips per

day. This means that the Westridge Golf Club is claimed to generate over 65 percent more daily trips than any equivalent location.

Similar patterns are seen for the AM and PM peak hours. In the AM peak hour, the average ITE trip rate (0.21 trips per acre) suggests that 32 trips would occur, and a comparably-sized course generated 40 trips, according to the ITE data plot. The counts documented in the DEIR analysis reveal that Westridge generated 91 AM peak hour trips, which is substantially greater than either comparable value.

The average ITE rate for the PM peak hour (0.30 trips per acre) indicates that Westridge should generate about 45 trips. A comparably-sized golf course in the ITE database generated about 50 trips in that time period. In comparison, Westridge was found to generate 238 trips, 376 percent more than the comparable location.

Trips Per Hole

Consideration of the ITE data based on number of holes reinforces these findings, as follows:

GCTC-10 (CONT)

- Weekday trips
  - ITE average: 640 trips
  - Maximum comparable golf course: Approximately 980 trips
  - Westridge Golf Club: 2,530 trips (158 percent greater than the comparable location)
- AM peak hour
  - ITE average: 37 trips
  - Maximum comparable golf course: Approximately 55 trips
  - Westridge Golf Club: 91 trips (65 percent greater than the comparable location)
- PM peak hour
  - ITE average: 53 trips
  - Maximum comparable golf course: Approximately 73 trips
  - Westridge Golf Club: 238 trips (226 percent greater than the comparable location)

Because the Westridge Golf Club values were used to reduce the net volume of project-generated traffic, if the Westridge volumes are too large, the effect of the proposed project will be understated. As shown above, the volumes claimed for Westridge appear to be excessive when compared to other data from a reputable source.

3. ***Basic Freeway Segment Analysis*** – In addition to our questions regarding the freeway traffic volume data, we have identified two issues affecting the validity of the analysis of "basic freeway segments."

GCTC-11

Caltrans Level of Service Standard

LLG (p. 112) states the following with respect to the Caltrans level of service standard for freeway facilities:

> *Caltrans "endeavors to maintain a target LOS [level of service] at the transition between LOS "C" and LOS "D" on State highway facilities" . . .*

In other words, Caltrans considers LOS C to be acceptable, and LOS D is not. This statement accurately reflects the Caltrans level of service policy, as presented in that agency's December 2002 document, *Guide for the Preparation of Traffic Impact Studies*.

However, the LLG report goes on to say:

GCTC-11 (CONT)

> *For this analysis, LOS D is the target level of service standard and will be utilized to assess project impacts at the key study freeway segments. Based on Caltrans criteria, a Project's impact is considered significant if the Project causes the LOS to change from an acceptable LOS (i.e. LOS D or better) to a deficient LOS (i.e., LOS E or F), or increase the density on a facility operating at an unacceptable level.*

Thus, the standard employed in the LLG traffic impact analysis (i.e., LOS D) is more lenient than the standard adopted by Caltrans (i.e., LOS C). Further, the significance standard employed in the traffic impact analysis conflicts with the stated operational standard established by Caltrans, the agency that owns and controls the freeway facilities.

The analysis must be modified to reflect consideration of the correct standard for Caltrans facilities.

<u>*Incorrect Truck Percentage*</u>

GCTC-12

The basic freeway segment level of service calculations employed an across-the-board assumption of two percent trucks on the study area freeways. While this value happens to be the default assumption for "heavy vehicles" in the analysis software employed in the study, it significantly understates the actual level of truck usage.

Caltrans publishes an annual report that describes the actual truck percentage on California's state highways. Referring to the most-recent version of that document reveals that on Interstate 5 at Beach Boulevard (State Route 39), trucks constitute 9.35 percent of the existing traffic stream, over four times the default assumption used in the analysis. On State Route 57 at Imperial Highway (State Route 90), trucks represent 6.14 percent of the current traffic, over three times the default assumption. Attachment D provides the pertinent pages from the Caltrans document. (Ref.: Caltrans, *2016 Annual Average Daily Truck Traffic on the California State Highway System*, 2017.)

Application of an accurate truck percentage is important as a means to ensure that the analysis accurately reflects the characteristics of the prevailing traffic stream. Trucks have lower operating characteristics than passenger cars – they accelerate more slowly and require more distance to come to a stop. The truck percentage is used to develop a "passenger car equivalent" value that accounts for these operational deficiencies. For example, the construction traffic analysis assumed that one truck is equivalent to three passenger cars. (LLG, p.137)

The failure to accurately reflect the volume of trucks on the freeways results in an overly-optimistic representation of traffic operations on those facilities. The basic freeway segment analyses must be corrected and incorporated into a revised DEIR.

GCTC-13

4. ***Intersection Level of Service Calculations*** – One of the key parameters incorporated into the *Highway Capacity Manual* (HCM) intersection level of service calculation procedure is the peak hour

factor (PHF), which has two functions. First, it serves as an indicator of the uniformity of traffic flow throughout the peak hour period. The closer the PHF is to 1.00, the more uniform the flow. (Specifically, if the traffic volume is identical in each of the four 15-minute periods within the peak hour, the PHF will equal 1.00. Lower PHF values indicate that traffic volumes are more highly variable over the course of the hour.)

Second, and more important, application of the PHF in the level of service calculation provides an adjustment intended to represent operating conditions in the peak 15-minute period within the peak hour, thereby providing a conservative assessment of intersection operations. (Because of the way the PHF is applied, lower factors result in higher 15-minute traffic flow rates, which results in more conservative estimates of intersection delays.)

GCTC-13 (CONT)

The HCM-based intersection level of service calculations in the DEIR traffic analysis consistently included a peak hour factor of 1.00, which is the least conservative analysis approach. Given the availability of actual field data, which would reveal the actual PHF value at each study intersection, use of an assumed PHF value of 1.00 is inappropriate and could significantly understate the impacts of the project on peak traffic delays.

Further, this approach is contrary to guidance provided in the *Highway Capacity Manual* (Transportation Research Board, 2010), which states (p. 18-11):

> *. . . one peak hour factor is computed for the intersection. This factor is then applied individually to each traffic movement. Values of this factor typically range from 0.80 to 0.95.*

Review of the intersection data collection summary sheets reveals that the actual PHF values for the study intersections are as low as 0.85. We note also that the analyses of basic freeway segments and freeway merge and diverge elements (which were conducted using HCM procedures) employed PHF values less than 1.00, so the intersection analyses are inconsistent with the freeway system analyses.

The failure to incorporate appropriate PHF values in the HCM intersection level of service calculations will result in misleading indications of intersection performance.

5. ***Project Traffic Assignment*** – Traffic assignment is the process of adding project-generated traffic to the study intersections and road segments, on top of existing traffic or some other baseline. Detailed review of the project traffic assignment documented in the DEIR raises questions as to the accuracy of that process.

GCTC-14

First, we note that after adjusting for elimination of the Westridge Golf Club, as proposed, the DEIR states that the proposed project will generate a net total of 4,698 daily trips, 404 AM peak hour trips, and 407 PM peak hour trips. Despite these substantial sums, the DEIR traffic analysis further states that upon completion of the proposed project, the AM and PM peak hour traffic volumes on key segments of State Route 57 will be <u>reduced</u> by up to 13 trips per hour, compared to existing conditions. Further, absolutely no project traffic will be added to I-5 northbound north of Beach Boulevard. (LLG, Table 15-1, p. 124) These results are simply not credible.

As a result of this flawed project traffic assignment, LLG Table 15-2 suggests that completion of the proposed project will actually improve conditions on State Route 57, as the freeway density values under Existing Plus Project conditions will be lower and, therefore, better than under Existing

Conditions. (LLG, Table 15-2, p. 125) Similar results are shown for Year 2023 Cumulative Conditions (LLG Table 15-3, p. 127) and Year 2035 Buildout Conditions (LLG Table 15-4, p. 129).

The faulty project traffic assignment also afflicts the freeway merge and diverge (i.e., on- and off-ramp) analyses, where completion of the proposed project is shown to result in reduced ramp volumes at certain key locations. (LLG Tables 15-5, 15-6, and 15-7, pp. 131, 133, and 135)

The magnitude of this issue is demonstrated in DEIR Table 3.7-19 – Year 2035 Roadway Segment Level of Service Summary (DEIR p. 3.7-84 – 3.7-88). Two key segments of Imperial Highway (i.e., the primary route between the project site and SR 57) are shown to have reduced daily traffic volumes upon completion of the proposed project. Specifically, Segment L (between Idaho Street and Euclid Street) will have 169 fewer daily trips under Year 2035 Cumulative Plus Project conditions, compared to Year 2035 "no project" conditions. Similarly, Segment M (between Euclid Street and Harbor Boulevard) will have 158 fewer daily trips under those same circumstances.

GCTC-14 (CONT)

The validity of this questionable project traffic assignment can be tested using information presented in the LLG report. Figures 5-1 through 5-7 (located between pages 38 and 39) illustrate the "project traffic distribution pattern" for each of the proposed project's planning areas. The traffic distribution is the assumed percentage of project traffic that will take a given route. Table 1 summarizes these distribution factors for each project planning area for study road Segment M, which is located between Euclid Street and Harbor Boulevard. Also shown in Table 1 is the result of applying the distribution percentages to the daily trip generation value for each planning area. The sum of those individual values represents the total number of daily project-generated trips that were assigned to Segment M.

As shown, a total of 1,107 project trips are expected to travel on study road Segment M, based on direct application of the trip distribution factors. This represents 16 percent of the total (gross) project trip generation. In contrast, the actual project traffic assignment is -158 trips (i.e., a reduction of 158 daily trips). This represents a difference of 1,265 daily trips, which (apparently) represents the adjustment made to reflect elimination of the Westridge Golf Club. Those 1,265 daily trips are equivalent to exactly 50 percent of the total daily trip generation claimed for the golf club.

GCTC-15

As described above, we believe that the golf course trip generation values assumed in the traffic analysis are excessive, based on comparison to other comparable locations and the time periods during which the Westridge data was collected. Further, we believe it is questionable to assume that half of all of the Westridge traffic will approach and depart via Imperial Highway to/from the east. This dubious reduction in traffic on Imperial Highway to the east is further manifested in unrealistic traffic reductions on SR 57. The end result is overly-optimistic and unrealistic claims regarding the quality of traffic flow on those facilities, as well as at certain study intersections. Moreover, the project-related impacts are understated. This deficiency must be corrected in a revised traffic analysis.

GCTC-15 (CONT)

Table 1
Project Traffic Assignment
Study Road Segment M (Between Euclid Street and Harbor Boulevard

Planning Area	Project Traffic Distribution Percentage[1]	Planning Area Trip Generation[2]	Project Traffic Assignment
1	20%	842	168
2	20%	1,123	225
3	20%	733	147
4	20%	781	156
5	13%	2,244	292
6 – Community Center & Park	8%	887	71
6 – Restaurant	15%	318	48
	TOTAL	6,928	1,107
		ACTUAL TRAFFIC ASSIGNMENT	-158[3]
		DIFFERENCE (Golf Course Adjustment)	1,265

Notes:
[1] Source: LLG, Figures 5-1 through 5-7 – Project Traffic Distribution Pattern (by Planning Area).
[2] Source: LLG, Table 5-2 – Project Traffic Generation Forecast, p. 37.
[3] Source: DEIR, Table 3.7-19 – Year 2035 Roadway Segment Level of Service Summary, pp. 3.7-84 – 3.7-88.

GCTC-16

6. ***Freeway Merge and Diverge Analysis*** – The DEIR traffic analysis includes consideration of project-related impacts at the SR 57 interchange at Imperial Highway, including a set of "merge/diverge" calculations performed using the HCM methodology. That methodology measures the performance of the merge and diverge (i.e., on- and off-ramp) facilities based on the density of flow in a designated "ramp influence area." Density is measured in terms of passenger cars per mile per lane (pc/mi/ln).

   Among the findings of the DEIR traffic analysis is that the SR 57 southbound off-ramp to Imperial Highway would have negative density values under Existing, Existing Plus Project, Year 2023 Cumulative, and Year 2023 Cumulative Plus Project conditions. It is, of course, physically impossible to have negative density on any component of the SR 57 freeway, although we acknowledge that such a finding is mathematically possible under the HCM procedure.

GCTC-17

To test the validity of this result, we performed a limited series of calculations using the *HCS2010* software that was employed in the LLG analysis. The intent was to see if we could replicate the analysis results presented in the DEIR. We note, however, that the LLG analysis is based on Version 6.80 of the software, while we used the more up-to-date Version 6.90.

In our analysis of AM peak hour Existing Conditions, we used the same set of input parameters as in the DEIR traffic analysis, including:

- Freeway number of lanes: 5
- Ramp number of lanes: 2
- Deceleration lane length: 1,360 feet
- Freeway volume: 9,572
- Ramp volume: 1,023
- Freeway free-flow speed: 65.0 MPH
- Ramp free-flow speed: 35.0 MPH
- Peak hour factor: 0.95
- Terrain: Level
- Adjacent downstream on-ramp: 259 vehicles/hour located 1,150 feet away

As noted above, the LLG analysis documented a result of -4.5 pc/mi/ln (which was reported as 0.0 pc/mi/ln). In contrast, our analysis revealed a ramp-area density value of 7.8 pc/mi/ln.

We performed a similar comparison for the PM peak hour under Existing Conditions, again using identical input values. Rather than the LLG finding of -2.7 pc/mi/ln (which was again reported as 0.0 pc/mi/ln), we found a density value of 9.6 pc/mi/ln.

Attachment E contains our calculation sheets, as well as the corresponding sheets taken from the LLG appendix.

Although, in these cases, the level of service is unchanged, it is reasonable to expect that the flaws that are evident in these calculations also afflict the other analysis scenarios. Only by performing a revised set of calculations (using up-to-date software) will a valid set of merge/diverge analyses be provided. Thus, the DEIR traffic analysis must be modified to incorporate corrected level of service calculations for the SR 57 ramps.

GCTC-18

7. ***Deficient Construction Traffic Analysis*** – The construction traffic impacts of the proposed project are addressed beginning at DEIR p. 3.7-26, as well as in the LLG technical report (pp. 136 – 139). However, we have identified the following deficiencies in this analysis.

GCTC-19

Construction Traffic Generation Estimates

DEIR Table 3.9-9 – Project Construction-Related Traffic Generation (p. 3.7-29) summarizes the estimated volume of daily, AM peak hour, and PM peak hour traffic expected to occur during various stages of the construction process. None of the traffic estimates presented there, however, address

GCTC-20

anything other than employee trips and truck trips associated with import of soil or export of unusable material. This is simply unrealistic, as it ignores the likelihood of trips associated with delivery of supplies and materials, food trucks at break times, inspectors, supervisors, etc.

We particularly question the traffic estimates presented for the "site preparation/infrastructure installation activities" and "building construction activities" phases of the construction process. According to the DEIR table, a total of 50 daily trips will be generated during the 120-day site preparation/infrastructure installation phase of the work. At the same time, 25 AM peak hour trips (all inbound) will be generated, as will 25 PM peak hour trips (all outbound). During the four-year-long building construction phase, a total of 400 daily trips are estimated with 200 in the AM peak hour (all inbound) and 200 in the PM peak hour (all outbound).

In other words, all of the traffic during these two major work phases is claimed to occur during the two peak-hour periods; none will occur outside those two hours of the day. Again, this unrealistically ignores other likely sources of trips, such as those listed above.

Truck Trips Associated With Soil Remediation

GCTC-21

The construction traffic analysis presented in the DEIR and the LLG technical report addresses the following four general phases of activity:

- Demolition/Crushing,
- Grading/Excavation,
- Site Preparation/Infrastructure Installation, and
- Building Construction.

However, it does not appear that the construction traffic estimates fully account for on-site soil remediation activities documented within the project's soil management plan (DEIR p. 2-25 – 2-26). As described there, a total of approximately 260,000 cubic yards (cu. yd.) of petroleum hydrocarbon-contaminated soil will be removed from three "reuse areas" on the project site and relocated to one of four on-site "deep fill" locations. Those deep fill areas will then be covered by a minimum of 20 feet of additional clean soil.

Assuming that the massive voids created by removing 260,000 cu. yd. of contaminated material from the reuse areas is subsequently filled by the clean material removed from the deep fill areas (to make room for the contaminated soil), the question becomes where will the 20 feet of cover material come from?

According to the construction traffic analysis, only 15,000 cu. yd. of soil will be imported to the site, all during the grading/excavation phase of work. The 15,000 cu. yd. of soil is equivalent to 405,000 cubic feet (cu. ft.) of soil (at 27 cu. ft. per cu. yd.). At a depth of 20 feet, 405,000 cu. ft. of soil would cover an area of 20,250 square feet (0.46 acre). Referring to DEIR Figure 2-7 (p. 2-29), the 260,000 cu. yd. of contaminated soil would fill approximately half of the largest "deep fill" area (which is shown as being capable of accommodating 512,000 cu. yd. of material). Although the size of that area is not specified, it is clearly greater than 0.46 acre, given that the entire golf course covers 151 acres.

GCTC-21 (CONT)

This suggests the possibility that a substantially greater amount of imported soil will be required than has been accounted for in the construction traffic analysis. If that is the case, the number of truck trips will be greater than has been considered, and a revised analysis must be prepared and circulated for public review.

GCTC-22

8. ***Sandlewood Avenue Impacts*** – The DEIR traffic analysis presents a misleading and inaccurate assessment of project-related impacts on Sandlewood Avenue. According to the site access evaluation presented in the LLG technical report (p. 110), the proposed project includes:

> *. . . a proposed full access signalized driveway to be constructed opposite Sandlewood Avenue at Idaho Street.*

This suggests the real possibility that Sandlewood Avenue will become a primary access route for project-related traffic approaching and departing the project site, given that it is parallel to Imperial Highway and provides a direct connection to the project access point. Provision of a traffic signal at the Idaho Street/Sandlewood Avenue intersection, as proposed, will facilitate east-west through movements across that intersection, thereby ensuring that drivers entering and exiting the project site will be able to cross the intersection easily and safely.

The potential for Sandlewood Avenue to become a popular project access route is exacerbated by the fact that Imperial Highway between Idaho Street and Euclid Street (i.e., study segment L) is projected to have substantial congestion upon completion of the proposed project. The level of congestion on the study area road segments was defined in terms of a volume/capacity (V/C) ratio. A V/C ratio of 1.00 would indicate that a road segment is operating exactly at capacity, and values greater than that mean that traffic demand exceeds the capacity of the road segment. According to the DEIR traffic analysis, Imperial Highway between Idaho Street and Euclid Street is projected to operate at LOS E or F upon completion of the proposed project, with V/C ratios ranging from 0.976 to 1.204, as follows:

- Existing Plus Project: V/C = 0.976 / LOS E (DEIR Table 3.7-13, p. 3.7-45)
- Year 2023 Plus Project: V/C = 1.136 / LOS F (DEIR Table 3.7-16, p. 3.7-64)
- Year 2035 Plus Project: V/C = 1.204 / LOS F (DEIR Table 3.7-19, p. 3.7-85)

In other words, that segment of Imperial Highway is projected to have traffic volumes equivalent to 97 to 120 percent of its physical capacity. In the year 2023, traffic demand on this segment of Imperial Highway is expected to exceed the road's capacity by over 8,000 vehicles per day, and by 2035 it is projected to exceed capacity by 12,000 vehicles per day, according to the DEIR traffic forecasts. Since a road cannot accommodate more traffic than its capacity allows, those "excess" vehicles have to go somewhere and nearby parallel routes such as Sandlewood Avenue represent the most likely alternate destinations.

The DEIR traffic analysis suggests that this substantial diversion of traffic can easily be accommodated by Sandlewood Avenue (study segment W), which is projected to have a V/C ratio of only 0.121 under Year 2035 Plus Project conditions. (DEIR Table 3.7-19, p. 3.7-87) Unfortunately, the DEIR traffic analysis has completely mischaracterized Sandlewood Avenue as a "commuter arterial" with a daily capacity of 12,500 vehicles per day. In reality, Sandlewood Avenue is a local residential street (at most, a residential collector), with numerous residential driveways along its north

edge. Attachment F provides several Google Earth images to illustrate the characteristics of this street.

Also included in Attachment F is Figure 3-2 from the *City of La Habra General Plan 2035* "Mobility/Circulation" section, which illustrates the "functional classification" of the city's roads. Functional classification describes the role of a particular road within the overall system. Arterial roads, for example, serve longer trips, tend to provide only limited local access (i.e., few driveways), have little or no on-street parking, and carry the largest traffic volumes. In contrast, local streets are intended primarily to serve local access needs, with low speeds, plentiful on-street parking and driveways, and relatively low traffic volumes.

General Plan Figure 3-2 illustrates the city's arterial street system, including commuter arterials such as the DEIR assumes Sandlewood Avenue to be. Careful review of this figure reveals that Sandlewood Avenue is not, in fact, a commuter arterial. This fact is further reinforced by review of the road classification definitions provided on p. 3-7 of the *City of La Habra General Plan 2035*:

GCTC-23

- *Commuter Arterial – A Commuter Arterial is designated as a two-lane undivided, unrestricted access roadway, with a typical right-of-way width of 60 feet and a roadway width from curb-to-curb of 40 feet.*
- *Local Street – A Local Street is designated as a non-arterial street with two lanes and on-street parking. Local Streets generally have direct residential or commercial frontage, and are intended to serve adjacent land uses only. These streets are not intended to serve through traffic traveling from one street to another. The typical right-of-way width of Local Streets varies, but is generally 60 feet. Curb-to-curb width also varies, but is generally 40 feet.*

Although a Commuter Arterial and a Local Street may have similar dimensions, they are distinctly different species, particularly with respect to operating speed and the existence of local access driveways. For example, Imperial Highway immediately east of Idaho Street has a posted 45 MPH speed limit, while Sandlewood Avenue is posted 25 MPH in the corresponding location. Furthermore, as noted above, Sandlewood Avenue has numerous residential driveways along its north side. Moreover, given the presence of directly abutting residential uses and the likely presence of pedestrians and, especially, children, a different sort of traffic analysis is required. Simply addressing the physical capacity of Sandlewood Avenue without accounting for the specific needs and concerns of the residents along that street is not sufficient.

The DEIR traffic analysis must be revised to incorporate a corrected and more meaningful analysis of the potential impacts of the proposed project on Sandlewood Avenue.

GCTC-24

9. ***Queuing Analysis*** – The LLG technical report includes an evaluation of the project site access system. (LLG pp. 110 – 114) Included is an analysis of queue lengths at the project access locations and selected intersections, including the following specific intersections:

- Beach Boulevard/Hillsborough Park Apartments (southbound left turn),
- Idaho Street/Sandlewood Avenue (northbound left turn),
- Beach Boulevard/Imperial Highway (dual westbound left turn),
- La Habra Hills Drive/Imperial Highway (westbound left turn), and

- Beach Boulevard/Proposed Retail Driveway (southbound left turn).

GCTC-24 (CONT)

Review of the detailed queuing analysis calculation sheets (LLG Appendix J) raised several questions regarding this analysis.

First, we note that we were unable to locate the calculation sheets for Beach Boulevard/Imperial Highway. None are located in LLG Appendix J and the intersection calculation sheets presented in other appendices contain no queue length estimates. Thus, we were unable to assess the validity of the queue length findings for that critical location, where queues were found to exceed 600 feet in length.

Second, we found that the queue length estimates presented in LLG Table 13.2 (p. 114) understate the actual projections shown on the *Synchro* intersection analysis calculation sheets for the westbound left turn at the intersection of La Habra Hills Drive/Imperial Highway. Under most analysis scenarios, the *Synchro* queue length estimate for that location has a footnote stating that the actual queue length will be longer than the indicated value. For example, under Existing Plus Project conditions, LLG Table 13-2 indicates that the estimated PM peak hour queue length will be approximately 348 feet. In reality, though, the *Synchro* calculation sheet shows the 95th-percentile queue as "#348." According to the footnotes on the calculation sheet, the "#" indicates that the:

> *95th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.*

Thus, the statement that the queue is 348 feet is erroneous. In fact, the queue will probably be longer than this, as it will continue to build over time, given that the approaching volume exceeds the capacity of the movement.

Similar results are shown for both the AM ad PM peak hours under Year 2023 Plus Project and Year 2035 Plus Project conditions. In each case, the values indicated in LLG Table 13-2 (up to 458 feet) understate the queue lengths that can realistically be expected to occur.

In summary, the queue length estimates presented in the DEIR traffic analysis misinterpret and understate the analysis results. A reasonable likelihood exists that the actual queue lengths will be longer than the reported values. This will create operational and safety deficiencies that were not addressed in the DEIR traffic analysis, particularly if the resulting queues extend out of the left-turn pocket and obstruct the through traffic lane, creating the potential for rear-end collisions.

GCTC-25

10. ***Queue Lengths at Project Access Gates*** – All of the project's vehicular access points will be secured with gates. Although the site access evaluation described above addressed queue lengths at selected locations, it ignored the queues created by vehicles entering the project and waiting for the gates to open. Thus, there is no assurance that adequate separation will be provided between the entrance gates and the public right-of-way. If that spacing is insufficient, vehicles will queue back into the public street, thereby creating a safety issue that has not been evaluated in the DEIR. A credible queue length analysis must be provided for these critical locations.

GCTC-26

11. ***Mitigation Measure Feasibility*** – A number of the intersection impacts have been determined to be significant and unavoidable, primarily because the location of the impacted intersection is beyond the jurisdiction of the City of La Habra; therefore, there is no certainty that the needed mitigation measures will ever be accomplished. We would also note that many of these mitigation measures require right-of-way acquisition, so that even if the affected jurisdiction (whether Caltrans or a

GCTC-27 neighboring city) agrees to the implementation of the measure, the identified improvement will likely continue to be infeasible due to the inability to obtain the necessary land.

This applies, for example, to the intersection of Beach Boulevard/Rosecrans Avenue in the City of La Mirada. The recommended improvement at this location under Existing Plus Project conditions involves widening the road, which will require right-of-way acquisition. Although this impact was defined as significant and unavoidable because of its location in La Mirada, Mitigation Measure TRA-1.2b (DEIR p. 3.7-38) calls for payment of fair share fees to the City of La Mirada (to be distributed, in turn, to the City of La Mirada) as a contribution toward needed improvements at this intersection. Such partial payments will accomplish no meaningful mitigation, however, unless the remainder of the funds needed to complete the improvement are also available. In any event, the difficulty in acquiring the necessary right-of-way will almost certainly render this mitigation measure infeasible, so the project-related impact will remain unmitigated. This also applies to Mitigation Measure TRA-1.5 for this intersection under Year 2023 Cumulative Plus Project conditions (DEIR p. 3.7-57) and to Year 2035 Plus Project conditions (DEIR p. 3.7-77).

CONCLUSION

GCTC-28 Our review of the Traffic and Circulation analysis completed in connection with the proposed Rancho La Habra Specific Plan project revealed several issues affecting the validity of the conclusions presented in the Draft Environmental Impact Report. These issues must be addressed prior to approval of the proposed project and its environmental documentation by the City of La Habra.

We hope this information is useful. If you have questions concerning any of the items presented here or would like to discuss them further, please feel free to contact me at (906) 847-8276.

Sincerely,

GRIFFIN COVE TRANSPORTATION CONSULTING, PLLC

Neal K. Liddicoat, P.E.
Principal

Attachments

ATTACHMENT A

"TABLE A – FINAL GOLF COURSE TRIP GENERATION"
(Source: Linscott, Law & Greenspan, *Traffic Impact Analysis – Rancho La Habra*, Appendix D, Revised September 11, 2017.)

Table A
Final Golf Course Trip Generation

Segment	Day	Daily	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
Golf Course	Tuesday (11/25/14)	2810	47	28	75	117	142	259
	Wednesday (11/19/14)	2182	37	42	79	95	175	270
	Thursday (11/20/14)	2371	42	22	64	105	141	246
	Tuesday (3/31/15)	2569	82	27	109	94	111	205
	Wednesday (4/1/15)	2583	67	35	102	130	133	263
	Thursday (4/2/15)	2667	73	45	118	82	105	187
Total Golf Course Trip Generation (Average)		**2530**	**58**	**33**	**91**	**104**	**134**	**238**

Trip Gen Calculations for 11-19-14 through 11-25-14

Segment	Day	Daily	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
A. Golf Course Roadway s/o La Habra Hills Dr	Tuesday (11/25/14)	3930	84	64	148	140	228	368
	Wednesday (11/19/14)	3447	55	91	146	192	214	406
	Thursday (11/20/14)	3698	65	78	143	149	191	340
B. Golf Course Roadway n/o Residential Gate	Tuesday (11/25/14)	1120	37	36	73	23	86	109
	Wednesday (11/19/14)	1265	18	49	67	97	39	136
	Thursday (11/20/14)	1327	23	56	79	44	50	94

Segment	Day	Daily	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
Golf Course	Tuesday (11/25/14)	2810	47	28	75	117	142	259
	Wednesday (11/19/14)	2182	37	42	79	95	175	270
	Thursday (11/20/14)	2371	42	22	64	105	141	246
Total Golf Course Trip Generation (Average)		**2454**	**42**	**31**	**73**	**106**	**153**	**258**

Trip Gen Calculations for 3-31-15 through 4-2-15

Segment	Day	Daily	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
A. Golf Course Roadway s/o La Habra Hills Dr	Tuesday (3/31/15)	3238	92	73	165	117	130	247
	Wednesday (4/1/15)	3302	77	68	145	156	154	310
	Thursday (4/2/15)	3351	87	85	172	109	123	232
B. Golf Course Roadway n/o Residential Gate	Tuesday (3/31/15)	669	10	46	56	23	19	42
	Wednesday (4/1/15)	719	10	33	43	26	21	47
	Thursday (4/2/15)	684	14	40	54	27	18	45

Segment	Day	Daily	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
Golf Course	Tuesday (3/31/15)	2569	82	27	109	94	111	205
	Wednesday (4/1/15)	2583	67	35	102	130	133	263
	Thursday (4/2/15)	2667	73	45	118	82	105	187
Total Golf Course Trip Generation (Average)		**2606**	**74**	**36**	**110**	**102**	**116**	**218**

ATTACHMENT B

Study Roadway Segments
(Source: Linscott, Law & Greenspan, *Traffic Impact Analysis – Rancho La Habra*, Revised September 11, 2017, pp. 3 - 4.)

10. Beach Boulevard at Imperial Highway (LH)[2]
11. La Habra Hills Drive at Imperial Highway (LH)
12. Idaho Street at Imperial Highway (LH)
13. Euclid Street at Imperial Highway (LH)
14. Harbor Boulevard at Imperial Highway (LH/F)[3]
15. Beach Boulevard at Lambert Road (LH)
16. Idaho Street at Lambert Road (LH)
26. Beach Boulevard at Auto Center Drive (BP)
27. I-5 SB Ramps at Beach Boulevard (BP)[3]
28. Beach Boulevard at Whittier Boulevard (LH)[3]
29. Hacienda Road at Whittier Boulevard (LH)
30. Walnut Street at Imperial Highway (LH)
31. Gilbert Street at Malvern Avenue (F)
32. Euclid Street at Malvern Avenue (F)

Key Roadway Segments

A. Lambert Road between Beach Boulevard and Idaho Street (LH)
B. Lambert Road between Idaho Street and Euclid Street (LH)
C. Lambert Road between Euclid Street and Harbor Boulevard (LH)
D. Beach Boulevard between Lambert Road and Imperial Highway (LH)
E. Idaho Street between Lambert Road and Imperial Highway (LH)
F. Euclid Street between Lambert Road and Imperial Highway (LH)
G. Harbor Boulevard between Lambert Road and Imperial Highway (LH)
H. Imperial Highway between Santa Gertrudes Avenue and 1st Avenue (LM)
I. Imperial Highway between 1st Avenue and Beach Boulevard (LH)
J. Imperial Highway between Beach Boulevard and La Habra Hills Drive (LH)
K. Imperial Highway between La Habra Hills Drive and Idaho Street (LH)
L. Imperial Highway between Idaho Street and Euclid Street (LH)
M. Imperial Highway between Euclid Street and Harbor Boulevard (LH)
N. Idaho Street between Imperial Highway and Sandlewood Avenue (LH)
O. Euclid Street between Sandlewood Avenue and Imperial Highway (LH)
P. Gilbert Street between Sandlewood Avenue and Rosecrans Avenue (F)
Q. Euclid Street between Sandlewood Avenue and Rosecrans Avenue (F)
R. Beach Boulevard between Imperial Highway and Hillsborough Apt (LH)
S. Beach Boulevard between Hillsborough Apt and Hillsborough Drive (LH)
T. Beach Boulevard between Hillsborough Drive and Rosecrans Avenue (LM)
U. Rosecrans Avenue between Beach Boulevard and Gilbert Street (F)
V. Rosecrans Avenue between Gilbert Street and Euclid Street (F)
W. Sandlewood Avenue between Idaho Street and Euclid Street (LH)
X. Beach Boulevard between Rosecrans Avenue and La Mirada Boulevard/Malvern Avenue (BP)
Y. Imperial Highway between La Mirada Boulevard and Santa Gertrudes Avenue (LM)
Z. Beach Boulevard between Lambert Road and La Habra Boulevard (LH)
AA. Imperial Highway between Valley View Avenue and La Mirada Boulevard (LM)
BB. Beach Boulevard between La Mirada Boulevard/Malvern Avenue and Artesia Boulevard (BP)
CC. Beach Boulevard between Artesia Boulevard and Commonwealth Avenue (BP)
DD. Beach Boulevard between Commonwealth Avenue and Auto Center Drive (BP)
EE. Auto Center Drive between Beach Boulevard and I-5 NB Ramps (BP)

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2 Orange County Congestion Management Program (CMP) intersection.

3 Orange County Congestion Management Program (CMP) intersection.

FF. Beach Boulevard between Auto Center Drive and I-5 SB Ramps (BP)
GG. Beach Boulevard between La Habra Boulevard and Whittier Boulevard (LH)
HH. Whittier Boulevard between Beach Boulevard and Hacienda Road (LH)
II. Gilbert Street between Rosecrans Avenue and Malvern Avenue (F)
JJ. Euclid Street between Rosecrans Avenue and Malvern Avenue (F)
KK. Malvern Avenue between Gilbert Street and Euclid Street (F)

Figure 1-1 presents a Vicinity Map, which illustrates the general location of the proposed Project and depicts the study locations and surrounding street system. The Volume-Capacity (V/C) and Level of Service (LOS) investigations at these key locations were used to evaluate the potential traffic impacts associated with area growth, cumulative projects and the proposed Project. When necessary, this report recommends intersection and/or roadway improvements that may be required to accommodate future traffic volumes and restore/maintain an acceptable Level of Service and/or mitigate the impact of the project.

Included in this Traffic Impact Analysis are:

- Existing traffic counts,
- Estimated project traffic generation/distribution/assignment,
- Estimated cumulative project traffic generation/distribution/assignment,
- Daily, AM and PM peak hour capacity analyses for existing conditions,
- Daily, AM and PM peak hour capacity analyses for existing plus project conditions,
- Daily, AM and PM peak hour capacity analyses for future (Year 2023) conditions without and with project traffic,
- Daily, AM and PM peak hour capacity analyses for future (Year 2035) conditions without and with project traffic,
- Caltrans Analysis,
- Recommended Improvements,
- Site Access Evaluation,
- Congestion Management Program (CMP) Analysis, and
- Caltrans Basic Freeway Segment Analysis.

This analysis is also consistent with the traffic impact study requirements of the *2015 Orange County Congestion Management Program* (CMP). The CMP specifies the following two thresholds for formulating the study scope of a CMP-based evaluation:

- **To determine whether a development project requires a CMP traffic impact analysis:**
  The CMP requires that a traffic impact analysis be conducted for any project generating 2,400 or more daily trips (this threshold is reduced to 1,600 or more daily trips if the project will have direct access to a CMP link).

- **To identify which CMP intersections and/or roadway segments (i.e. arterials and freeway mainline segments) will need to be evaluated for project impacts:**
  The CMP-based traffic impact analysis should include any CMP intersections and/or roadway segments where the development project could add trips corresponding to 3% or more of existing capacity (i.e., LOS E).

ATTACHMENT C

Excerpts from
Trip Generation Manual
(Institute of Transportation Engineers, 9th Edition, 2012)

TRIP GENERATION MANUAL

9th Edition • Volume 2: Data

Trip Generation Rates, Plots and Equations

- Port and Terminal (Land Uses 000–099)
- Industrial (Land Uses 100–199)
- Residential (Land Uses 200–299)
- Lodging (Land Uses 300–399)
- Recreational (Land Uses 400–499)

ite
Institute of Transportation Engineers

Golf Course
(430)

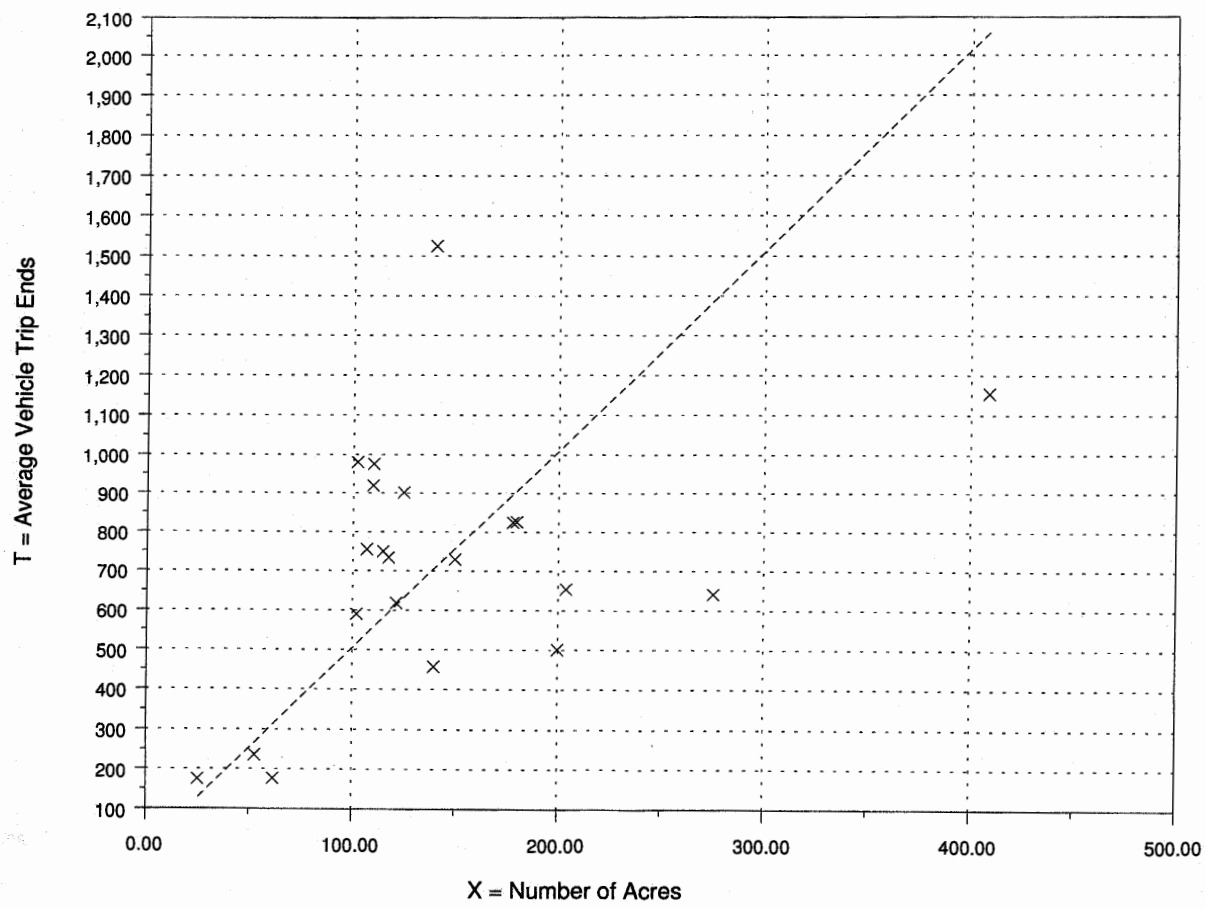
Average Vehicle Trip Ends vs: Acres
On a: Weekday

Number of Studies: 24
Average Number of Acres: 143
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Acre

Average Rate	Range of Rates	Standard Deviation
5.04 2,530 *	2.33 - 10.89	3.37

Data Plot and Equation



× Actual Data Points

------ Average Rate

Fitted Curve Equation: Not given

R^2 = ****

* Approximate Westridge Golf Club count

Golf Course
(430)

Average Vehicle Trip Ends vs: Acres
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

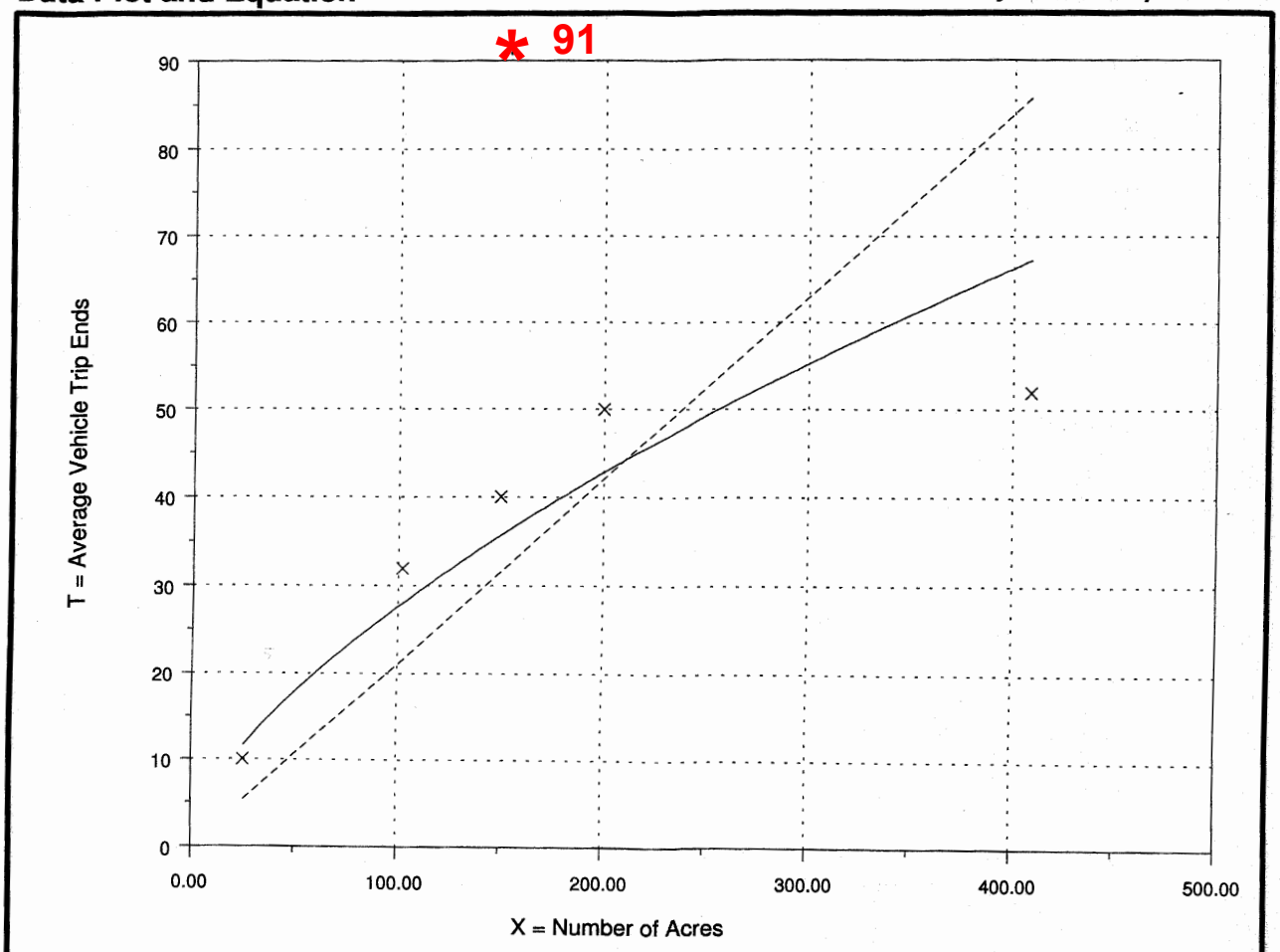
Number of Studies: 5
Average Number of Acres: 177
Directional Distribution: 74% entering, 26% exiting

Trip Generation per Acre

Average Rate	Range of Rates	Standard Deviation
0.21	0.13 - 0.39	0.46

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



Fitted Curve Equation: Ln(T) = 0.63 Ln(X) + 0.40

R^2 = 0.92

* **Approximate Westridge Golf Club count**

Golf Course
238 * (430)

Average Vehicle Trip Ends vs: Acres
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

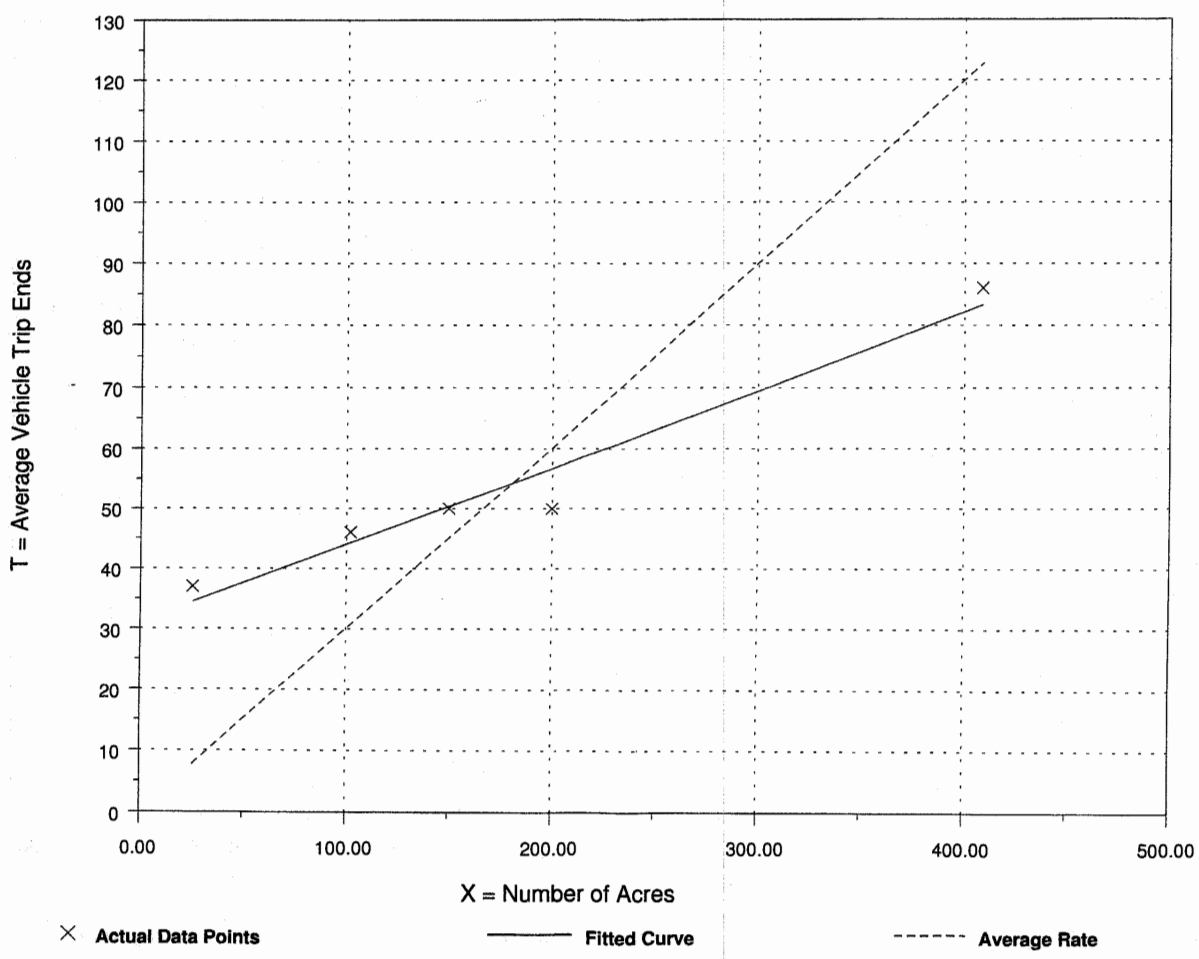
Number of Studies: 5
Average Number of Acres: 177
Directional Distribution: 34% entering, 66% exiting

Trip Generation per Acre

Average Rate	Range of Rates	Standard Deviation
0.30	0.21 - 1.45	0.59

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



Fitted Curve Equation: T = 0.13(X) + 31.30

R^2 = 0.96

* **Approximate Westridge Golf Club count**

* 2,530

Golf Course
(430)

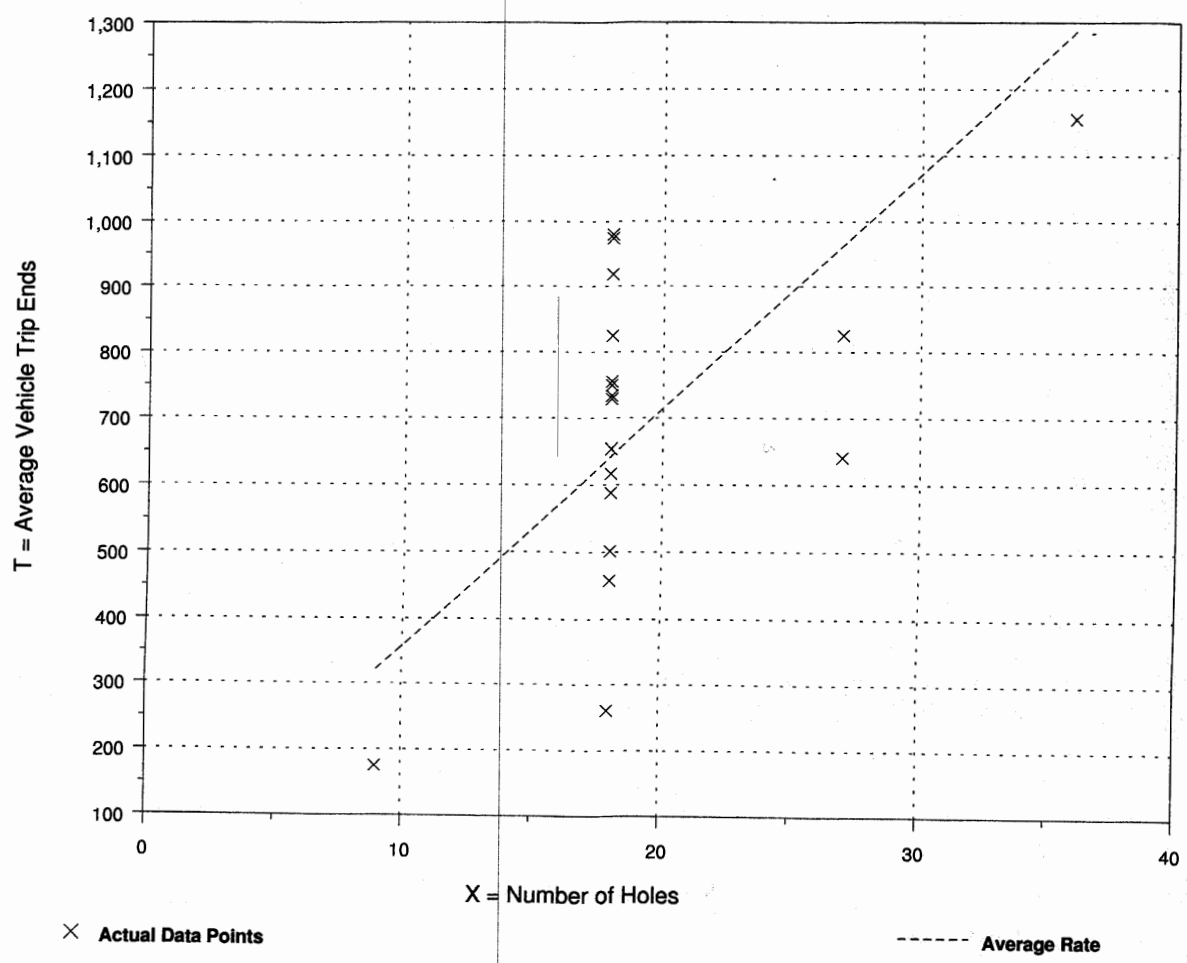
Average Vehicle Trip Ends vs: Holes
On a: Weekday

Number of Studies: 18
Average Number of Holes: 20
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Hole

Average Rate	Range of Rates	Standard Deviation
35.74	14.50 - 54.44	12.12

Data Plot and Equation



× Actual Data Points

------ Average Rate

Fitted Curve Equation: Not given

R^2 = ****

* Approximate Westridge Golf Club count

Golf Course
(430)

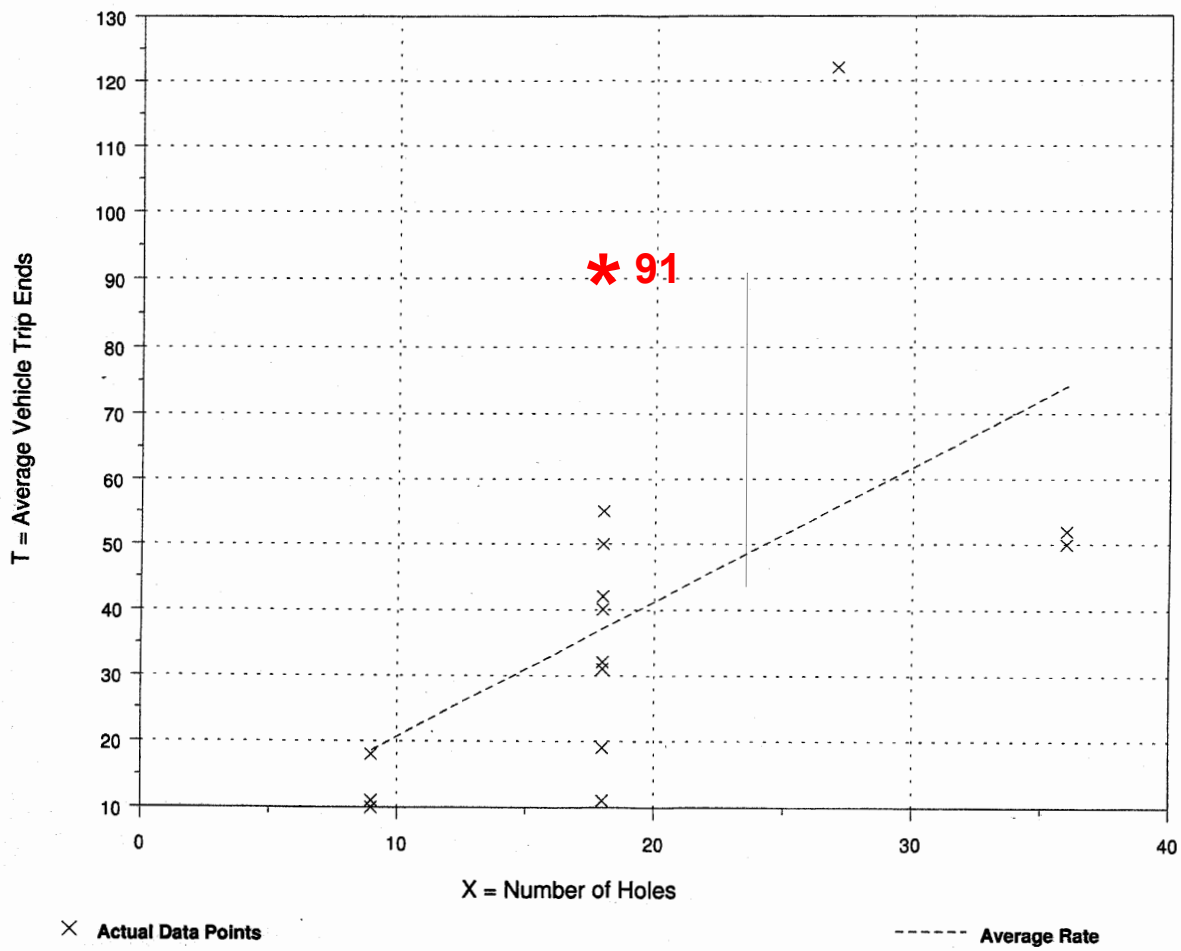
Average Vehicle Trip Ends vs: Holes
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 15
Average Number of Holes: 19
Directional Distribution: 79% entering, 21% exiting

Trip Generation per Hole

Average Rate	Range of Rates	Standard Deviation
2.06	0.61 - 4.52	1.74

Data Plot and Equation



Fitted Curve Equation: Not Given

R^2 = ****

* Approximate Westridge Golf Club count

* 238

Golf Course
(430)

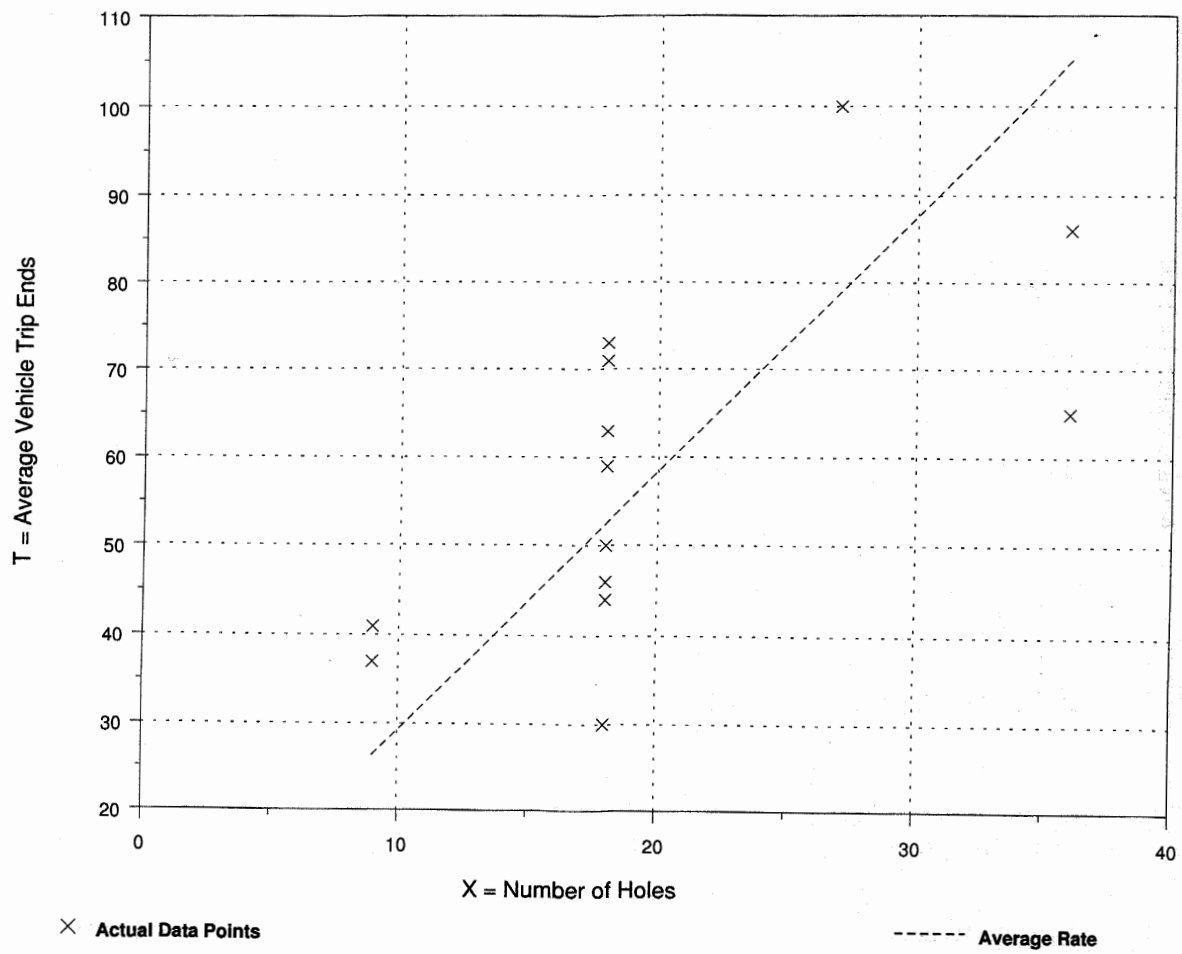
Average Vehicle Trip Ends vs: Holes
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 14
Average Number of Holes: 20
Directional Distribution: 51% entering, 49% exiting

Trip Generation per Hole

Average Rate	Range of Rates	Standard Deviation
2.92	1.67 - 4.56	1.86

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

* Approximate Westridge Golf Club count

ATTACHMENT D

Excerpts from
2016 Annual Average Daily Truck Traffic on the California State Highway System
(Caltrans, 2017)

2016

Annual Average Daily Truck Traffic on the California State Highway System

Compiled by
Traffic Data Branch

State of California
California State Transportation Agency
Department of Transportation

Prepared in cooperation with the
U.S. Department of Transportation
Federal Highway Administration

RTE	DIST	CNTY	POST MILE	LEG	DESCRIPTION	VEHICLE AADT TOTAL	TRUCK AADT TOTAL	TRUCK % TOT VEH	TRUCK AADT By Axle 2	TRUCK AADT By Axle 3	TRUCK AADT By Axle 4	TRUCK AADT By Axle 5+	TOTAL % By Axle 2	TOTAL % By Axle 3	TOTAL % By Axle 4	TOTAL % By Axle 5+	EAL 2-WAY (1000)	YEAR VER/ EST
5	12	ORA	38.915	A	LINCOLN AVE	265400	25479	9.60	15873	2166	1529	5911	62.30	9	6	23	3019	82E
5	12	ORA	42.1	B	FULLERTON, JCT. RTE. 91	242200	7507	6.20	3979	863	210	2455	53.00	12	3	33	1097	91E
5	12	ORA	42.1	A	FULLERTON, JCT. RTE. 91	242200	11323	9.35	5185	850	556	4732	45.79	8	5	42	1974	03E
5	12	ORA	43.43	O	JCT. RTE. 39; BEACH BLVD	167500	15661	9.35	7171	1176	769	6545	45.79	8	5	42	2730	03E
5	07	LA	0	A	ORANGE/LOS ANGELES COUNTY LINE	171000	13851	8.10	6730	1032	676	5413	48.59	7	5	39	2297	11E
5	07	LA	6.848	B	SANTA FE SPRINGS, JCT. RTE. 605	192000	13920	7.25	6764	1037	679	5440	48.59	7	5	39	2309	11E
5	07	LA	6.848	A	SANTA FE SPRINGS, JCT. RTE. 605	228000	15230	6.68	6978	1831	550	5871	45.82	12	4	39	2519	11E
5	07	LA	10.876	A	COMMERCE, GARFIELD AVE INTERCHANGE	219000	17892	8.17	8178	1496	907	7311	45.71	8	5	41	3079	11E
5	07	LA	13.784	B	COMMERCE, JCT. RTE. 710	232000	18282	7.88	8357	1528	927	7470	45.71	8	5	41	3146	11E
5	07	LA	13.784	A	COMMERCE, JCT. RTE. 710	244000	15616	6.40	6576	1780	448	6812	42.11	11	3	44	2810	12E
5	07	LA	16.474	B	LOS ANGELES, JCT. RTE. 60	250000	19200	7.68	10355	2010	553	6282	53.93	10	3	33	2796	15V
5	07	LA	16.474	A	LOS ANGELES, JCT. RTE. 60	234000	15678	6.70	5779	1660	453	7786	36.86	11	3	50	3108	12E
5	07	LA	18.452	B	LOS ANGELES, JCT. RTE. 10	228000	15460	6.78	4888	1512	450	8610	31.62	10	3	56	3347	12E
5	07	LA	18.452	A	LOS ANGELES, JCT. RTE. 10	234000	14695	6.28	3875	1318	429	9073	26.37	9	3	62	3450	12E
5	07	LA	20.444	B	LOS ANGELES, JCT. RTE. 110	220000	14411	6.55	3800	1293	421	8897	26.37	9	3	62	3383	12E
5	07	LA	20.444	A	LOS ANGELES, JCT. RTE. 110	283000	14178	5.01	3739	1272	414	8753	26.37	9	3	62	3329	12E
5	07	LA	22.548	B	LOS ANGELES, JCT. RTE. 2	278000	14178	5.10	3739	1272	414	8753	26.37	9	3	62	3329	12E

RTE	DIST	CNTY	POST MILE	LEG	DESCRIPTION	VEHICLE AADT TOTAL	TRUCK AADT TOTAL	TRUCK % TOT VEH	TRUCK By Axle 2	TRUCK By Axle 3	AADT By Axle 4	TOTAL 5+	% By Axle 2	TRUCK By Axle 3	AADT By Axle 4	5+	EAL 2-WAY (1000)	YEAR VER/ EST
57	12	ORA	15.6	A	ANAHEIM, JCT. RTE. 91	279300	17151	6.14	5793	1398	432	9528	33.78	8	3	56	3682	08E
57	12	ORA	19.858	B	BREA, JCT. RTE. 90	245000	15045	6.14	5082	1226	379	8358	33.78	8	3	56	3230	08E
57	12	ORA	19.858	A	BREA, JCT. RTE. 90	238600	14652	6.14	4949	1194	369	8140	33.78	8	3	56	3146	08E
57	07	LA	R0	A	ORANGE/LOS ANGELES COUNTY LINE	212000	15688	7.40	5084	1453	491	8660	32.41	9	3	55	3371	11E
57	07	LA	R4.518	B	DIAMOND BAR, NORTH JCT. RTE. 60	208000	7696	7.40	2494	713	241	4248	32.41	9	3	55	1654	11E
57	07	LA	R4.518	A	DIAMOND BAR, NORTH JCT. RTE. 60	130000	6838	5.26	2380	896	301	3261	34.80	13	4	48	1335	12E
57	07	LA	R7.719	B	POMONA, JCT. RTES. 10/71	157000	11524	7.34	5693	1270	472	4089	49.40	11	4	35	1796	14V
57	07	LA	R7.719	A	POMONA, JCT. RTES. 10/71	171000	14843	8.68	4984	1179	742	7938	33.58	8	5	53	3131	12E
57	07	LA	R10.272	B	SAN DIMAS, COVINA AVE INTERCHANGE	171000	14843	8.68	4984	1179	742	7938	33.58	8	5	53	3131	12E
57	07	LA	R11.791	B	GLENDORA, JCT. RTE. 210	152000	6597	8.68	2215	524	330	3528	33.58	8	5	53	1391	12E
58	05	SLO	0	A	JCT. RTE. 101	4950	307	6.20	176	33	24	74	57.30	11	8	24	38	10E
58	05	SLO	6.889	B	JCT. RTE. 229 NORTHEAST	1000	54	5.40	26	20	0	8	48.80	37	0	15	6	10E
58	05	SLO	6.889	A	JCT. RTE. 229 NORTHEAST	1000	141	14.00	71	0	23	47	50.60	0	16	33	22	10E
58	05	SLO	24.544	A	CAMMATTI CREEK	900	156	17.30	75	0	27	54	48.10	0	17	35	25	10E
58	05	SLO	45.2	A	SODA LAKE RD	400	85	21.30	66	0	0	19	78.10	0	0	22	9	10E
58	06	KER	15.41	B	JCT. RTE. 33	160	26	16.67	17	2	1	6	64.00	8	4	24	3	15V
58	06	KER	15.42	A	JCT. RTE. 33	1750	554	31.66	338	30	12	174	61.01	5	2	31	76	15V

ATTACHMENT E

Level of Service Calculation Sheets
State Route 57 Southbound/Imperial Highway Off-Ramp

RAMPS AND RAMP JUNCTIONS WORKSHEET

General Information / Site Information

Analyst	NKL	Freeway/Dir of Travel	SR 57 Southbound
Agency or Company	GCTC	Junction	Imperial Hwy Off-Ramp
Date Performed	3/14/2018	Jurisdiction	
Analysis Time Period	AM Peak Hour	Analysis Year	Existing

Project Description Rancho La Habra

Inputs

Upstream Adj Ramp		Freeway Number of Lanes, N	5	Downstream Adj Ramp	
☐ Yes	☐ On	Ramp Number of Lanes, N	2	☑ Yes	☑ On
☑ No	☐ Off	Acceleration Lane Length, L_A		☐ No	☐ Off
L_{up} =	ft	Deceleration Lane Length L_D	1360	L_{down} =	1150 ft
V_u =	veh/h	Freeway Volume, V_F	9572	V_D =	259 veh/h
		Ramp Volume, V_R	1023		
		Freeway Free-Flow Speed, S_{FF}	65.0		
		Ramp Free-Flow Speed, S_{FR}	35.0		

Conversion to pc/h Under Base Conditions

(pc/h)	V (Veh/hr)	PHF	Terrain	%Truck	%Rv	f_{HV}	f_p	$v = V/PHF \times f_{HV} \times f_p$
Freeway	9572	0.95	Level	2	0	0.990	1.00	10177
Ramp	1023	0.95	Level	2	0	0.990	1.00	1088
UpStream								
DownStream	259	0.95	Level	2	0	0.990	1.00	275

Merge Areas

Estimation of v_{12}

$V_{12} = V_F (P_{FM})$

L_{EQ} = (Equation 13-6 or 13-7)

P_{FM} = using Equation (Exhibit 13-6)

V_{12} = pc/h

V_3 or V_{av34} pc/h (Equation 13-14 or 13-17)

Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☐ No

Is V_3 or V_{av34} > 1.5 * V_{12}/2 ☐ Yes ☐ No

If Yes, V_{12a} = pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_{FO}		Exhibit 13-8		

Flow Entering Merge Influence Area

	Actual	Max Desirable		Violation?
V_{R12}		Exhibit 13-8		

Level of Service Determination (if not F)

$D_R = 5.475 + 0.00734\, v_R + 0.0078\, V_{12} - 0.00627\, L_A$

D_R = (pc/mi/ln)

LOS = (Exhibit 13-2)

Speed Determination

M_S = (Exibit 13-11)

S_R= mph (Exhibit 13-11)

S_0= mph (Exhibit 13-11)

S = mph (Exhibit 13-13)

Diverge Areas

Estimation of v_{12}

$V_{12} = V_R + (V_F - V_R)P_{FD}$

L_{EQ} = (Equation 13-12 or 13-13)

P_{FD} = 0.260 using Equation (Exhibit 13-7)

V_{12} = 2922 pc/h

V_3 or V_{av34} 2610 pc/h (Equation 13-14 or 13-17)

Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☑ No

Is V_3 or V_{av34} > 1.5 * V_{12}/2 ☑ Yes ☐ No

If Yes, V_{12a} = 3256 pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_F	8142	Exhibit 13-8	9400	No
$V_{FO} = V_F - V_R$	7054	Exhibit 13-8	9400	No
V_R	1088	Exhibit 13-10	4000	No

Flow Entering Diverge Influence Area

	Actual	Max Desirable		Violation?
V_{12}	2922	Exhibit 13-8	4400:All	No

Level of Service Determination (if not F)

$D_R = 4.252 + 0.0086\, V_{12} - 0.009\, L_D$

D_R = 7.8 (pc/mi/ln)

LOS = A (Exhibit 13-2)

Speed Determination

D_s = 0.526 (Exhibit 13-12)

S_R= 52.9 mph (Exhibit 13-12)

S_0= 65.7 mph (Exhibit 13-12)

S = 59.9 mph (Exhibit 13-13)

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RAMPS AND RAMP JUNCTIONS WORKSHEET

General Information / Site Information

Analyst	ML	Freeway/Dir of Travel	SR-57 SB
Agency or Company	LLG Engineers	Junction	Imperial Hwy Off-Ramp
Date Performed	11/14/2016	Jurisdiction	
Analysis Time Period	AM Peak Hour	Analysis Year	Existing

Project Description 2-14-3531-1 Westridge Residential Development, La Habra

Inputs

Upstream Adj Ramp
☐ Yes ☐ On
☑ No ☐ Off
L_{up} = ft
V_u = veh/h

Freeway Number of Lanes, N	5
Ramp Number of Lanes, N	2
Acceleration Lane Length, L_A	
Deceleration Lane Length L_D	1360
Freeway Volume, V_F	9572
Ramp Volume, V_R	1023
Freeway Free-Flow Speed, S_{FF}	65.0
Ramp Free-Flow Speed, S_{FR}	35.0

Downstream Adj Ramp
☑ Yes ☑ On
☐ No ☐ Off
L_{down} = 1150 ft
V_D = 259 veh/h

Conversion to pc/h Under Base Conditions

(pc/h)	V (Veh/hr)	PHF	Terrain	%Truck	%Rv	f_{HV}	f_p	$v = V/PHF \times f_{HV} \times f_p$
Freeway	9572	0.95	Level	2	0	0.990	1.00	10177
Ramp	1023	0.95	Level	2	0	0.990	1.00	1088
UpStream								
DownStream	259	0.95	Level	2	0	0.990	1.00	275

Merge Areas

Estimation of v_{12}

$V_{12} = V_F (P_{FM})$

L_{EQ} = (Equation 13-6 or 13-7)
P_{FM} = using Equation (Exhibit 13-6)
V_{12} = pc/h
V_3 or V_{av34} pc/h (Equation 13-14 or 13-17)
Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☐ No
Is V_3 or V_{av34} > 1.5 * V_{12}/2 ☐ Yes ☐ No
If Yes, V_{12a} = pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_{FO}		Exhibit 13-8		

Flow Entering Merge Influence Area

	Actual	Max Desirable		Violation?
V_{R12}		Exhibit 13-8		

Level of Service Determination (if not F)

$D_R = 5.475 + 0.00734\, v_R + 0.0078\, V_{12} - 0.00627\, L_A$

D_R = (pc/mi/ln)
LOS = (Exhibit 13-2)

Speed Determination

M_S = (Exibit 13-11)
S_R= mph (Exhibit 13-11)
S_0= mph (Exhibit 13-11)
S = mph (Exhibit 13-13)

Diverge Areas

Estimation of v_{12}

$V_{12} = V_R + (V_F - V_R)P_{FD}$

L_{EQ} = (Equation 13-12 or 13-13)
P_{FD} = 0.260 using Equation (Exhibit 13-7)
V_{12} = 2922 pc/h
V_3 or V_{av34} 2610 pc/h (Equation 13-14 or 13-17)
Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☑ No
Is V_3 or V_{av34} > 1.5 * V_{12}/2 ☑ Yes ☐ No
If Yes, V_{12a} = 3256 pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_F	8142	Exhibit 13-8	9400	No
$V_{FO} = V_F - V_R$	7054	Exhibit 13-8	9400	No
V_R	1088	Exhibit 13-10	4000	No

Flow Entering Diverge Influence Area

	Actual	Max Desirable		Violation?
V_{12}	2922	Exhibit 13-8	4400:All	No

Level of Service Determination (if not F)

$D_R = 4.252 + 0.0086\, V_{12} - 0.009\, L_D$

D_R = -4.5 (pc/mi/ln)
LOS = A (Exhibit 13-2)

Speed Determination

D_s = 0.526 (Exhibit 13-12)
S_R= 52.9 mph (Exhibit 13-12)
S_0= 65.7 mph (Exhibit 13-12)
S = 59.9 mph (Exhibit 13-13)

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RAMPS AND RAMP JUNCTIONS WORKSHEET

General Information / Site Information

Analyst	NKL	Freeway/Dir of Travel	SR 57 Southbound
Agency or Company	GCTC	Junction	Imperial Hwy Off-Ramp
Date Performed	3/14/2018	Jurisdiction	
Analysis Time Period	PM Peak Hour	Analysis Year	Existing

Project Description Rancho La Habra

Inputs

Upstream Adj Ramp		Freeway Number of Lanes, N	5	Downstream Adj Ramp	
☐ Yes	☐ On	Ramp Number of Lanes, N	2	☑ Yes	☑ On
☑ No	☐ Off	Acceleration Lane Length, L_A		☐ No	☐ Off
L_{up} =	ft	Deceleration Lane Length L_D	1360	L_{down} =	1150 ft
V_u =	veh/h	Freeway Volume, V_F	10184	V_D =	446 veh/h
		Ramp Volume, V_R	1339		
		Freeway Free-Flow Speed, S_{FF}	65.0		
		Ramp Free-Flow Speed, S_{FR}	35.0		

Conversion to pc/h Under Base Conditions

(pc/h)	V (Veh/hr)	PHF	Terrain	%Truck	%Rv	f_{HV}	f_p	$v = V/PHF \times f_{HV} \times f_p$
Freeway	10184	0.95	Level	2	0	0.990	1.00	10827
Ramp	1339	0.95	Level	2	0	0.990	1.00	1424
UpStream								
DownStream	446	0.95	Level	2	0	0.990	1.00	474

Merge Areas

Estimation of v_{12}

$V_{12} = V_F (P_{FM})$

L_{EQ} = (Equation 13-6 or 13-7)

P_{FM} = using Equation (Exhibit 13-6)

V_{12} = pc/h

V_3 or V_{av34} pc/h (Equation 13-14 or 13-17)

Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☐ No

Is V_3 or V_{av34} > 1.5 * $V_{12}/2$ ☐ Yes ☐ No

If Yes, V_{12a} = pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_{FO}		Exhibit 13-8		

Flow Entering Merge Influence Area

	Actual	Max Desirable		Violation?
V_{R12}		Exhibit 13-8		

Level of Service Determination (if not F)

$D_R = 5.475 + 0.00734\, v_R + 0.0078\, V_{12} - 0.00627\, L_A$

D_R = (pc/mi/ln)

LOS = (Exhibit 13-2)

Speed Determination

M_S = (Exibit 13-11)

S_R= mph (Exhibit 13-11)

S_0= mph (Exhibit 13-11)

S = mph (Exhibit 13-13)

Diverge Areas

Estimation of v_{12}

$V_{12} = V_R + (V_F - V_R)P_{FD}$

L_{EQ} = (Equation 13-12 or 13-13)

P_{FD} = 0.260 using Equation (Exhibit 13-7)

V_{12} = 3306 pc/h

V_3 or V_{av34} 2678 pc/h (Equation 13-14 or 13-17)

Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☑ No

Is V_3 or V_{av34} > 1.5 * $V_{12}/2$ ☑ Yes ☐ No

If Yes, V_{12a} = 3464 pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_F	8662	Exhibit 13-8	9400	No
$V_{FO} = V_F - V_R$	7238	Exhibit 13-8	9400	No
V_R	1424	Exhibit 13-10	4000	No

Flow Entering Diverge Influence Area

	Actual	Max Desirable		Violation?
V_{12}	3306	Exhibit 13-8	4400:All	No

Level of Service Determination (if not F)

$D_R = 4.252 + 0.0086\, V_{12} - 0.009\, L_D$

D_R = 9.6 (pc/mi/ln)

LOS = A (Exhibit 13-2)

Speed Determination

D_s = 0.556 (Exhibit 13-12)

S_R= 52.2 mph (Exhibit 13-12)

S_0= 65.1 mph (Exhibit 13-12)

S = 59.2 mph (Exhibit 13-13)

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RAMPS AND RAMP JUNCTIONS WORKSHEET

General Information		Site Information	
Analyst	ML	Freeway/Dir of Travel	SR-57 SB
Agency or Company	LLG Engineers	Junction	Imperial Hwy Off-Ramp
Date Performed	11/14/2016	Jurisdiction	
Analysis Time Period	PM Peak Hour	Analysis Year	Existing

Project Description 2-14-3531-1 Westridge Residential Development, La Habra

Inputs

Upstream Adj Ramp		Freeway Number of Lanes, N	5	Downstream Adj Ramp	
☐ Yes	☐ On	Ramp Number of Lanes, N	2	☑ Yes	☑ On
☑ No	☐ Off	Acceleration Lane Length, L_A		☐ No	☐ Off
L_{up} =	ft	Deceleration Lane Length L_D	1360	L_{down} =	1150 ft
V_u =	veh/h	Freeway Volume, V_F	10184	V_D =	446 veh/h
		Ramp Volume, V_R	1339		
		Freeway Free-Flow Speed, S_{FF}	65.0		
		Ramp Free-Flow Speed, S_{FR}	35.0		

Conversion to pc/h Under Base Conditions

(pc/h)	V (Veh/hr)	PHF	Terrain	%Truck	%Rv	f_{HV}	f_p	$v = V/PHF \times f_{HV} \times f_p$
Freeway	10184	0.95	Level	2	0	0.990	1.00	10827
Ramp	1339	0.95	Level	2	0	0.990	1.00	1424
UpStream								
DownStream	446	0.95	Level	2	0	0.990	1.00	474

Merge Areas

Estimation of v_{12}

$V_{12} = V_F (P_{FM})$

L_{EQ} = (Equation 13-6 or 13-7)

P_{FM} = using Equation (Exhibit 13-6)

V_{12} = pc/h

V_3 or V_{av34} pc/h (Equation 13-14 or 13-17)

Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☐ No

Is V_3 or V_{av34} > 1.5 * V_{12}/2 ☐ Yes ☐ No

If Yes, V_{12a} = pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_{FO}		Exhibit 13-8		

Flow Entering Merge Influence Area

	Actual	Max Desirable		Violation?
V_{R12}		Exhibit 13-8		

Level of Service Determination (if not F)

$D_R = 5.475 + 0.00734\, v_R + 0.0078\, V_{12} - 0.00627\, L_A$

D_R = (pc/mi/ln)

LOS = (Exhibit 13-2)

Speed Determination

M_S = (Exibit 13-11)

S_R= mph (Exhibit 13-11)

S_0= mph (Exhibit 13-11)

S = mph (Exhibit 13-13)

Diverge Areas

Estimation of v_{12}

$V_{12} = V_R + (V_F - V_R)P_{FD}$

L_{EQ} = (Equation 13-12 or 13-13)

P_{FD} = 0.260 using Equation (Exhibit 13-7)

V_{12} = 3306 pc/h

V_3 or V_{av34} 2678 pc/h (Equation 13-14 or 13-17)

Is V_3 or V_{av34} > 2,700 pc/h? ☐ Yes ☑ No

Is V_3 or V_{av34} > 1.5 * V_{12}/2 ☑ Yes ☐ No

If Yes, V_{12a} = 3464 pc/h (Equation 13-16, 13-18, or 13-19)

Capacity Checks

	Actual	Capacity		LOS F?
V_F	8662	Exhibit 13-8	9400	No
$V_{FO} = V_F - V_R$	7238	Exhibit 13-8	9400	No
V_R	1424	Exhibit 13-10	4000	No

Flow Entering Diverge Influence Area

	Actual	Max Desirable		Violation?
V_{12}	3306	Exhibit 13-8	4400:All	No

Level of Service Determination (if not F)

$D_R = 4.252 + 0.0086\, V_{12} - 0.009\, L_D$

D_R = -2.7 (pc/mi/ln)

LOS = A (Exhibit 13-2)

Speed Determination

D_s = 0.556 (Exhibit 13-12)

S_R= 52.2 mph (Exhibit 13-12)

S_0= 65.1 mph (Exhibit 13-12)

S = 59.2 mph (Exhibit 13-13)

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ATTACHMENT F

Google Earth Images –
Sandlewood Avenue, La Habra, California

&

City of La Habra General Plan Update
2035 General Plan Functional Roadway Classification Map

IDAHO ST.
SANDLEWOOD AVE.
Google Earth
© 2018 Google
300 ft
N

SANDLEWOOD AVE.
Google Earth
© 2018 Google
N
100 ft

SANDLEWOOD AVE.
Google Earth
© 2018 Google
10 ft

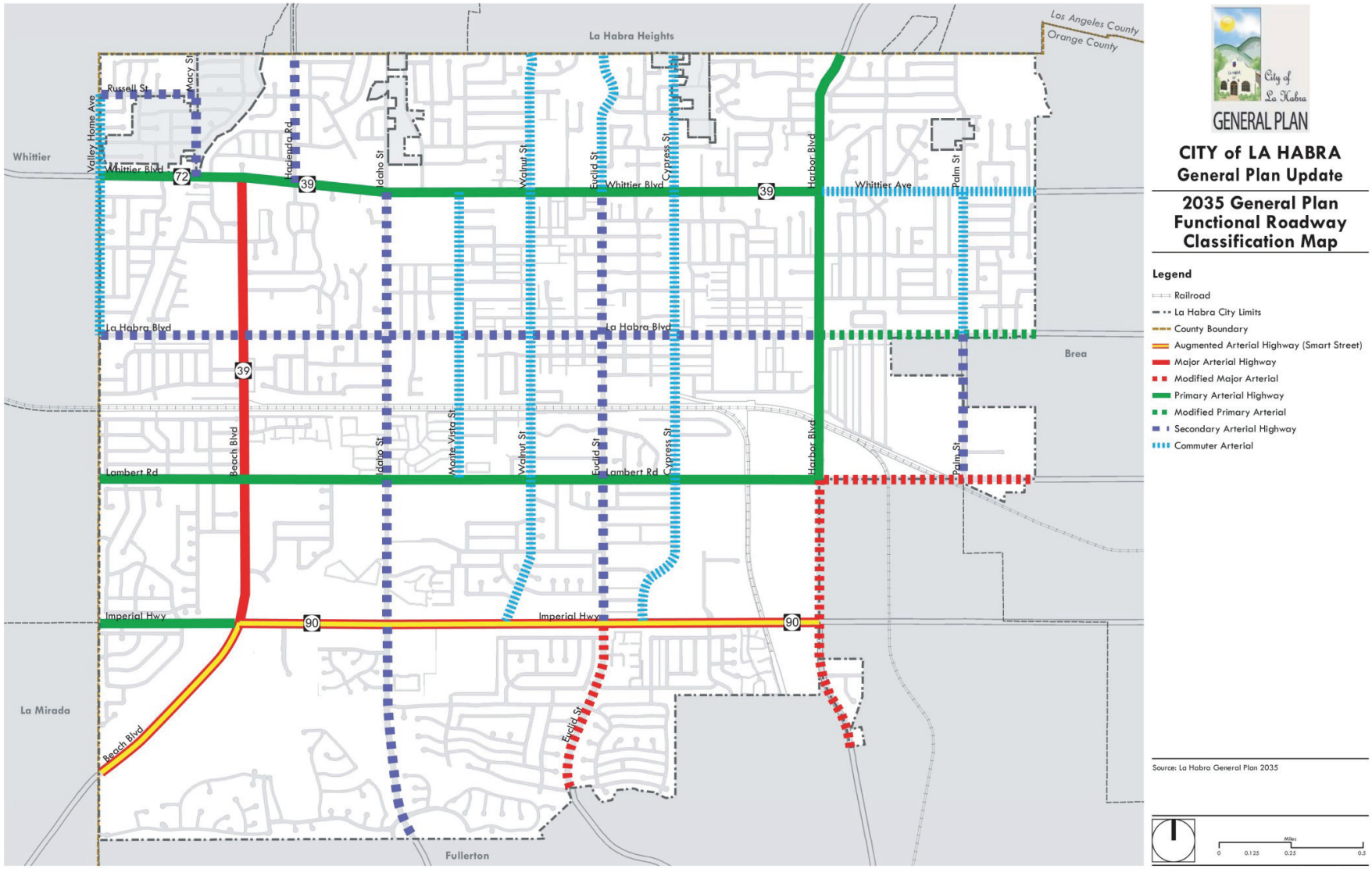
La Habra Heights
Los Angeles County
Orange County
Whittier
Brea
La Mirada
Fullerton
Russell St
Macy St
Valley Home Ave
Whittier Blvd
Hacienda Rd
Idaho St
Walnut St
Euclid St
Cypress St
Harbor Blvd
Whittier Ave
Palm St
La Habra Blvd
Beach Blvd
Monte Vista St
Lambert Rd
Imperial Hwy
72
39
90
City of La Habra
GENERAL PLAN
CITY of LA HABRA
General Plan Update
2035 General Plan
Functional Roadway
Classification Map
Legend
Railroad
La Habra City Limits
County Boundary
Augmented Arterial Highway (Smart Street)
Major Arterial Highway
Modified Major Arterial
Primary Arterial Highway
Modified Primary Arterial
Secondary Arterial Highway
Commuter Arterial
Source: La Habra General Plan 2035
Miles
0
0.125
0.25
0.5

Figure 3-2

3. Response to Comments from Griffin Cove Transportation Consulting (3-27-2018)

GCTC-1-1 The Griffin Cove comment letter addresses a now outdated traffic impact analysis that was updated and revised for the Partially Recirculated Draft EIR. See Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR (Volume 2 of the Final EIR) for the current Rancho La Habra traffic impact analysis.

O'CONNELL
LANDSCAPE MAINTENANCE

Maintaining the beauty and function of the urban landscape
We E-Verify

July 27, 2016

Jonathon Hill
Community Manager
FirstService Residential
15241 Laguna Canyon Rd
Irvine, CA 92618

Re: Westridge Community Association – Potential Maintenance Concerns and Upkeep of Property to Current Standards.

Dear Jonathon:

Per the Board's request on 7/22/16, we were asked what potential concerns we have if a new project were to be built at the base of some of our common area slopes and how it would affect maintenance. We have compiled the following concerns and the current maintenance cost that will need to be addressed:

1. Current maintenance for this area is approximately $97,000.00 with the access we have now. If we do not have access, this cost will nearly double due to having to handle the material by hand and hike it out of some areas.

2. Irrigation maintenance is another area of concern. We will need to get access or have a service agreement of some sort to allow us access if it is lost. This area affects approximately 7 controllers servicing 1,312,182 sq. ft. of landscape maintained by the HOA.The cost estimate for this would be $4,800 per year if repairs remain the same or could be higher due to more foot traffic and vandalism.The yearly water cost for these sections is approximately $32,669 .00

OCON-1

3. Slope maintenance is also an area of concern. We will need to service this area, it takes approximately 16 weeks for trimming of acacia and an additional 10 weeks for weeding and spraying. There would be an additional cost to maintain this area due to no access or minimal access. Therefore, we would like service easements throughout the new project to complete these tasks in a timely manner. Clearly, there is a large concern if there is no access.

4. V-ditches will need to be maintained and inspected regularly as well and the Board would like to know who will take responsibility if we can't get there to maintain the plant material around them.

San Diego | Orange | Los Angeles | San Bernardino | Riverside | Coachella Valley
23091 Arroyo Vista, Rancho Santa Margarita, CA 92688
License 383168 | Member CLCA, CAI, CACM
www.OCLM.com Telephone 800.339.1106

O'Connell Landscape Maintenance
Re:

5. Trees in this area will be affected for annual tree trimming if the access is minimal causing higher costs to the HOA. This area holds 539 trees in these slope areas currently.The cost would be approximately $80,850 dollars to keep the trees in current pruning program.

OCON-1 (CONT)

The total of all these areas of concern is approximately $215,319 needed annually to maintain the area in its current condition (this does not include plant replacements, tree replacement, pump repairs or irrigation upgrades).

As you can see these are also environmental concerns to the community if they are not addressed as well for the beautification of the community.

We believe these are valid concerns but as a team we can work together to keep Westridge Community Association properly maintained and looking its best as we have since the project began.

As always, if there are any questions or meetings needed, please do not hesitate to give us a call.

Sincerely

Jim Galen
Regional Vice President

4. Response to Comments from O'Connell Landscape Maintenance (7-27-2016)

OCON-1 Although this letter was submitted as a comment on the Rancho La Habra Specific Plan Draft EIR, the letter was prepared more than 1 year prior to the public release of the Draft EIR. Thus, this comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

For information purposes, the applicant has committed to the City that access to the landscaped slope consistent with the easement held by the Westridge Community Association would be maintained at all times during and following site construction consistent with the existing easement (pers. comm., Andrew Han, August 1, 2018).

2.2.3 RESPONSES TO COMMENTS FROM LOCAL PUBLIC AGENCIES AND UTILITIES

Comments and responses to the six (6) comment letters and emails that were received from local public agencies and utilities are provided on the following pages.

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OC Public Works
Integrity, Accountability, Service, Trust
Shane L. Silsby, Director

April 5, 2018 NCL-18-012

Andrew Ho
City of La Habra
Community and Economic Development
110 East La Habra Boulevard
La Habra, CA 90631

Subject: Draft Environmental Impact Report for the Rancho La Habra Specific Plan

Dear Mr. Ho:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Rancho La Habra Specific Plan. The County of Orange offers the following comments for your consideration.

OC Public Works – Environmental Resources

OCPW-1 1. Page 3.13-14 of Draft EIR and Section III, page 16 of Preliminary WQMP: Coyote Creek is identified as both Coyote Creek and Coyote Creek Channel with separate 303(d) conditions listed. These two should be combined as Coyote Creek and the current 303(d) listed contaminants are: ammonia, copper (dissolved), diazinon, indicator bacteria, lead, pH and toxicity. In addition, the most current 303(d) list should be identified as the 2012 303(d) list. The TMDLs approved by the Los Angeles Regional Water Quality Control Board (Regional Board) for Coyote Creek/San Gabriel River should also be clearly identified: TMDL for Metals and Selenium in the San Gabriel River and Impaired Tributaries (R13-004) and TMDL for indicator bacteria in the San Gabriel River, estuary and tributaries (R15-005). The project drains to these water bodies.

OCPW-2 2. Section I, page 1 and Section III, page 16 of Preliminary WQMP: The indicator bacteria TMDL (R15-005) was adopted by the Los Angeles Regional Board on July 10, 2015 and has been in effect since June 14, 2016. Therefore, it should also be identified, in addition to the metals TMDL (R13-004).

OCPW-3 3. Section II, page 5 of Preliminary WQMP and Page 3.13-22 of Draft EIR: There is an inconsistency in whether Toxic Organic Compounds (TOC) will be generated by the project. The WQMP section identified TOC as a potential pollutant while the Draft EIR does not. The inconsistency should be resolved.

OCPW-4 4. Section II, page 5 of Preliminary WQMP and Page 3.13-22 of Draft EIR: On June 2, 2017, the Santa Ana Regional Board issued an Order pursuant to California Water Code section 13383, which required Municipal Separate Storm Sewer Systems (MS4) Permittees to take initial steps

OCPW-4 (CONT)

in planning for the implementation of Resolution 2015-0019 (Trash Amendments). The first of these steps was to submit a written notice stating the MS4 Permittee's selection of the Track 1 or Track 2 compliance pathway. The City of La Habra selected Track 1. As the Draft EIR identified trash as the expected pollutant and the project with potential high density residential and commercial land use is likely to be considered "Priority Land Uses" under the Trash Amendments, the project proponent(s) should consider the City's Track 1 selection as it plans and designs BMPs for the proposed project.

If you have any questions regarding these comments, please contact Stella Shao at (714) 955-0651 in OC Environmental Resources; or Ashley Brodkin at (714) 667-8854 in OC Development Services.

Sincerely,

Richard Vuong, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Richard.Vuong@ocpw.ocgov.com

cc: Stella Shao, OC Public Works – Environmental Resources

1. Response to Comments from Orange County Public Works (4-5-2018)

OCPW-1 Section 3.13b, Water Quality, is revised as requested. The bullet points on Draft EIR (Final EIR Volume) page 3.13-16 are revised to read as follows:

> …. However, the project site is not located adjacent to (within 200 feet of) these water bodies and does not directly discharge to them. Based on the most current 303(d) list, downstream receiving waters are impaired by the following contaminants:
>
> - **Coyote Creek ~~Channel~~**: ammonia, copper (dissolved), diazinon, indicator bacteria, lead, pH, toxicity.
> - ~~**Coyote Creek**: diazinon, indicator bacteria, pH, toxicity.~~
> - **San Gabriel River (Reach 1)**: coliform bacteria, pH.
> - **San Gabriel River (Estuary):** copper, dioxin, nickel, dissolved oxygen.
> - **Alamitos Bay:** indicator bacteria.
> - **San Pedro Bay:** chlordane, DDT, polychlorinated biphenyls (PCBs), sediment toxicity.

In addition, Rows 1 through 3 of the table on page 16 of the Preliminary Water Quality Management Plan (Draft EIR Appendix N) are revised to read as follows:

Receiving Waters	~~Coyote Creek Channel,~~ Coyote Creek, San Gabriel River (Reach 1 & Estuary), Alamitos Bay, San Pedro Bay and Pacific Ocean
2012 303(d) Listed Impairments	Coyote Creek ~~Channel~~ – Ammonia, Copper (dissolved), Diazanon, Indicator Bacteria, Lead, pH, and Toxicity ~~Coyote Creek - Diazanon, Indicator Bacteria, pH, Toxicity~~ San Gabriel River (Reach 1) – Coliform Bacteria, pH San Gabriel River (Estuary) – Copper, dioxin, Nickel, Dissolved Oxygen Alamitos Bay - Indicator Bacteria San Pedro Bay – Chlorodane, DDT, PCBs, Sediment Toxicity
Applicable TMDLs	~~Heavy Metals – (Technical TMDLs)~~ San Gabriel River and Impaired Tributaries – Heavy Metals and Selenium (per R13-004, LARWQCB) San Gabriel River Estuary and Tributaries – Indicator Bacteria (R15-005, LARWQCB)

OCPW-2 Row 5 of the table on page 16 of the Preliminary Water Quality Management Plan (Draft EIR Appendix N) is revised to read as follows:

Watershed- Based Plan Conditions	
Provide applicable conditions from watershed-based plans (including WIHMPs and TMDLs)	WIHMPs: There are currently no approved WIHMPs for the San Gabriel River – Coyote Creek Watershed. TMDLs: ~~Heavy Metals – (Technical TMDLs)~~ ~~Adoption Date: July 13, 2006~~ ~~Completion Date: Ongoing~~ San Gabriel River and Impaired Tributaries – Heavy Metals and Selenium (per R13-004, LARWQCB)

OCPW-3 No change to the Preliminary Water Quality Management Plan is needed. Based on County of Orange Technical Guidance Document for Preparation of Water Quality Management Plans, the Project includes land uses where generation of toxic organic compounds (TOC) is anticipated. Draft EIR Table 3.13-2 is revised to read as follows:

Table 3.13-2
Pollutants of Concern

Pollutant	Expected from Project?	Additional Information and Comments
Suspended-Solid/Sediment	Yes	Potential sources of sediment include existing landscaping areas and disturbed earth surfaces.
Nutrients	Yes	Potential sources of nutrients include fertilizers, sediment, and trash/debris.
Heavy Metals	Yes	Potential sources of heavy metals include streets, as well as commercial and multi-family parking areas.
Pathogens (Bacteria/Virus)	Yes	Potential sources of pathogens include pets, food wastes, and landscaping/sediment areas.
Pesticides	Yes	Potential sources of pesticides include landscaping and open space areas.
Oil and Grease	Yes	Potential sources of oil and grease include streets and parked vehicles.
Toxic Organic Compounds	~~No~~ Yes	~~Toxic organic compounds are not expected to be of concern due to the predominance of residential development.~~ The Project includes land uses where generation of toxic organic compounds is anticipated.
Trash and Debris	Yes	Potential sources include common litter and trash cans from homes. Project design would incorporate trash treatment devices meeting the full capture system definition of SWRCB Resolution Order No. 2015-0019 (Trash Amendments).

Source: Hunsaker Associates, *Rancho La Habra Preliminary Water Quality Management Plan*, 2018.

OCPW-4 See Response to Comment OCPW-3. The following text is added to the third column of the last row of the table on page 5 of the Preliminary Water Quality Management Plan:

> Project design would incorporate trash treatment devices meeting the full capture system definition of SWRCB Resolution Order No. 2015-0019 (Trash Amendments).

OCTA

BOARD OF DIRECTORS

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CHIEF EXECUTIVE OFFICE

Darrell Johnson
Chief Executive Officer

April 10, 2018

Mr. Andrew Ho
Director of Community and Economic Development
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631

Subject: Notice of Availability of Draft EIR for the Rancho La Habra Specific Plan Project

Dear Mr. Ho:

The Orange County Transportation Authority (OCTA) has reviewed the Draft EIR for the Rancho La Habra Specific Plan Project. The following Active Transportation comment is provided for your consideration:

OCTA-1
- DEIR Page 2-21; while the recently approved City of La Habra Bikeway Master Plan (July 2017) does not identify a bikeway through the project site, we recommend the proposed project consider implementation of bikeways connectivity through the project site to link east-west between Beach Boulevard and Sandlewood Avenue (existing Class III bikeway). Provision of bikeways could enhance the ability to travel east-west and avoid travel along Imperial Highway, linking future project residents and residents living east of Idaho Street to Beach Boulevard, the Coyote Creek bikeway, and the OC Loop.

We appreciate the opportunity to provide input on this project. Should you have any questions or need additional information, please feel free to contact me via phone at (714) 560-5907 or by email at DPhu@octa.net.

Sincerely,

Dan Phu
Environmental Programs Manager

2. Response to Comments from Orange County Transportation Authority (4-10-2018)

OCTA-1 Comment OCTA-1 expresses the commenter's opinion regarding the location of trails within the Project site and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. As noted in this comment, the recently approved City of La Habra Bikeway Master Plan does not identify a bikeway through the Project site. Nevertheless, the Rancho La Habra Specific Plan proposes conversion of the existing golf cart path along the southerly boundary of the Project site for trail use. This trail would provide an off-street Class I trail connection from Beach Boulevard to Idaho Street south of Sandlewood Avenue.

CITY OF FULLERTON
Community Development Department

April 18, 2018

Andrew Ho, Community Development Director
City of La Habra
110 E. La Habra Boulevard
La Habra, CA 90633

SUBJECT: Comments on the Draft Environmental Impact Report for the Rancho La Habra Specific Plan

Dear Mr. Ho:

FULLERTON-1 The comments provided in this letter are regarding the Rancho La Habra Specific Plan which proposes to construct a mixed-use community consisting of three new residential neighborhoods with a maximum of 420 homes, new public community center and park and new commercial development along Beach Boulevard on what is currently the Westridge Golf Course.

FULLERTON-2 The City of Fullerton is located just south of the project area buffered by an existing single-family home development (Westridge golf course community). After a review of the Draft EIR and Mitigation Monitoring and Reporting Program, the following comments are provided:

On page 3.5-54 (Mitigation Measure BIO-1a), the EIR states that:

> *The applicant shall purchase credits at a U.S. Fish and Wildlife Service (USFWS)/California Department of Fish and Wildlife (CDFW) approved mitigation bank or fund the creation and preservation of habitat at an off-site location such as the* ***West Coyote Hills*** *to demonstrate a minimum replacement ratio of at least 1:1 and meets the state regulatory agency's performance standard of "no net loss" for direct loss of special-status species habitat within the development footprint.*

The City has conferred with the California Department of Fish and Wildlife and they have no record of an agreement between the City of Fullerton and City of La Habra allowing for off-site mitigation to occur within West Coyote Hills. Further, as part of its own mitigation responsibilities, Pacific Coast Homes (Chevron) is already required to mitigate all of the open space in the West Coyote Hills area including the Robert E. Ward Preserve. As a result, the only area within West Coyote Hills that would be available and/or eligible for off-site mitigation would be within areas currently planned for development under the Vesting Tentative Tract Map (VTTM 17609). Given the requirement for off-site preservation, and the proximity of West Coyote Hills to the subject development, the City of Fullerton strongly encourages the Developer to explore the potential to provide off-site preservation within West Coyote Hills. Please contact the City of Fullerton City Manager's Office for more information regarding this option.

If you have any questions regarding this correspondence, please contact Matt Foulkes, Planning Manager at (714) 738-6878 or by e-mail at MattF@cityoffullerton.com.

Sincerely,

Ted White

Ted White, AICP
Community Development Director

303 West Commonwealth Avenue, Fullerton, California 92832-1775
(714) 738-6547 · Fax (714) 738-3110 · Web Site: www.cityoffullerton.com

3. Response to Comments from City of Fullerton (4-18-2018)

FULLERTON-1 Comment FULLERTON-1 summarizes the Draft EIR's Project Description and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

FULLERTON-2 The Draft EIR neither asserts nor implies that the applicant reached any mitigation agreement with the California Department of Fish and Wildlife. The West Coyote Hills area was cited merely as a potential location for acquisition of off-site habitat mitigation. As noted in this comment, the potential for portions of the West Coyote Hills to be acquired as mitigation land does, in fact, exist. Section 3.5, *Biological Resources*, was subsequently updated and revised. The potential purchase of habitat mitigation land within the West Coyote Hills is no longer included in the EIR's significance conclusions. See Response to Comment CDFW-6, which includes a revision to the Significance Conclusion for Impact BIO-1.1 with Implementation of Mitigation Measures.

Lowell Joint School District

A Tradition of Excellence Since 1906

May 8, 2018

Andrew Ho
Director of Community and Economic Development
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631

Dear Mr. Ho:

Re: EIR SCH #205111045 FOR THE RANCHO LA HABRA SPECIFIC PLAN

LJSD-1

According to the DEIR, the proposed development currently has no school site included and will therefore impact school facilities by generating new students at the K-8 elementary and intermediate school levels.

This letter provides notification that this impact is projected to occur and that mitigation of these facilities impacts are required in order to provide adequate school facilities to the students generated from the proposed development.

Respectfully,

Andrea Reynolds
Assistant Superintendent of Administrative Services

AR:md

Superintendent of Schools: Jim Coombs

Board of Trustees: Darin W. Barber, William A. Hinz, Fred W. Schambeck, Anastasia M. Shackelford, Marty Tourville

11019 Valley Home Avenue, Whittier, CA 90603-3098 Phone: 562 .943.0211 Fax: 562.947.7874 Web: www. ljsd.org

4. Response to Comments from Lowell Joint School District (5-8-2018)

LJSD-1 As discussed on Draft EIR page 3.15-2, the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50) requires all new residential development projects to pay school impact fees that are considered "full and complete mitigation" under CEQA for any impacts on school capacity. The Project would be required to pay all applicable school impact fees. Payment of these required fees would constitute mitigation in full for the increased number of students resulting from Project development.

FULLERTON JOINT UNION HIGH SCHOOL DISTRICT
1051 West Bastanchury Road
Fullerton CA 92833-2247
(714) 870-2818
Facilities and Construction

E-MAIL: rancholahabra@lahabra.gov

Andrew Ho
Director of Community and Economic Development
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631

May 7, 2108

Re: **EIR SCH#2015111045 FOR THE RANCHO LA HABRA SPECIFIC PLAN**

Dear Mr. Ho:

Thank you for the opportunity to provide input on the Rancho La Habra Draft Environmental Impact Report (DEIR). We appreciate the chance to review the document and to discuss with the City of La Habra the impact that the proposed development will have on the facilities of the Fullerton Joint Union High School District and on Lowell Joint School District.

FJUHSD-1

According to the DEIR, the proposed development consists of 402 residential units, including 277 single-family homes and 125 multi-family residences, plus a potential additional 46 multi-family dwelling units. There is currently no school site included in the proposed development.

The proposed development will impact school facilities by generating new students at the high school 9-12 grade levels as well as the K-8 elementary and middle school levels.

This letter provides notification that this impact is projected to occur and that mitigation of these facilities impacts are required in order to provide adequate school facilities to the students generated from the proposed development.

Thank you. We look forward to working with you on this important issue.

Sincerely,

FULLERTON JOINT UNION HIGH SCHOOL DISTRICT
1051 West Bastanchury Road *(714) 870-2818*
Fullerton CA 92833-2247 ***Facilities and Construction***

Todd Butcher
Director of Construction
Fullerton Joint Union High School District

cc: Andrea Reynolds
Assistant Superintendent Administrative Services
Lowell Joint School District

5. Response to Comments from Fullerton Joint Union High School District (5-7-2018)

FJUHSD-1 As discussed on Draft EIR page 3.15-2, the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50) requires all new residential development projects to pay school impact fees that are considered "full and complete mitigation" under CEQA for any impacts on school capacity. The Project would be required to pay all applicable school impact fees. Payment of these required fees would constitute mitigation in full for the increased number of students resulting from Project development.

Roy Ramsland

From: SoCalGasTransmissionUtilityRequest <SoCalGasTransmissionUtilityRequest@semprautilities.com>
Sent: Tuesday, April 03, 2018 7:12 AM
To: Roy Ramsland
Subject: 0435-18NC382
Attachments: 0435-18NC382.pdf; 0435-18NC382_A.PDF

To Andrew Ho,

Attached is a letter from the Transmission Department of SoCalGas notifying you that we do not have any transmission gas lines or facilities in the vicinity of the above mentioned project.

Please see attached letter for additional information.

The reference number for this project is: DCF: 0435-18NC382. Please reference this number when contacting us.

Thank you,

Luis Ramirez
Pipeline Planning Assistant
SOCALGASTRANSMISSIONUTILITYREQUEST@SEMPRAUTILITIES.COM

SoCalGas
A Sempra Energy utility

TO HELP THE ENVIRONMENT AND TO EXPEDITE RESPONSES, PLEASE SEND FUTURE PROJECTS AND CORRESPONDING ATTACHMENTS VIA EMAIL:
SoCalGasTransmissionUtilityRequest@semprautilities.com

SoCalGas

A Sempra Energy utility

Luis Ramirez
Pipeline Planning Assistant

9400 Oakdale Ave
Chatsworth, CA 91311

LRamirez5@semprautilities.com

April 3, 2018

City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631

Email: Andrew Ho - rancholahabra@lahabraca.gov

Subject: Project Name: Rancho La Habra Specific Plan
Project Location: 1400 South La Habra Hills Drive, La Habra, Orange County, CA 90631

DCF: 0435-18NC382

SCG-1 The Transmission Department of SoCalGas does not operate any facilities within your proposed improvement. However, SoCalGas **Southeast** Distribution Region may maintain and operate facilities within your project scope.

To assure no conflict with the **Southeast** Distribution's pipeline system, please contact them at **AtlasRequests/WillServeAnaheim@semprautilities.com**

Sincerely,

Luis Ramirez
Pipeline Planning Assistant
LRamirez5@semprautilities.com
(818) 701-4546

6. Response to Comments from Southern California Gas Company (4-3-2018)

SCG-1 This comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

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2.2.4 RESPONSES TO COMMENTS FROM STATE AGENCIES, FEDERAL AGENCIES, AND TRIBAL AUTHORITIES

Comments and responses to the six (6) comment letters and emails that were received from state agencies, federal agencies, and tribal authorities are provided on the following pages.

This page intentionally left blank.

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

April 2, 2018

Mr. Andrew Ho
Deputy Director of Community & Economic Development
City of La Habra
110 East La Habra Boulevard
La Habra, California 90633
Andrewh@lahabraca.gov

ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE RANCHO LA HABRA SPECIFIC PLAN PROJECT (SCH# 2015111045)

Dear Mr. Ho:

The Department of Toxic Substances Control (DTSC) has reviewed the subject EIR. The following project description is stated in the EIR: "The project site is the current site of the Westridge Golf Club, which is adjacent to Beach Boulevard and the existing Westridge Plaza shopping center. The Westridge Golf Club was developed along with the Westridge residential community to the south pursuant to the adopted La Habra Hills Specific Plan. The currently proposed Rancho La Habra Specific Plan would remove the 151-acre project site from the La Habra Hills Specific Plan and develop the existing golf course with 402 residential dwelling units, including 277 single-family homes and 125 multi-family residences, along with either 20,000 square feet of commercial development (e.g., specialty grocery, restaurant, or general retail uses) or an additional 46 multi-family dwelling units. Also proposed are open space areas that would include public parks and private recreational areas, a community center, small amphitheater, habitat conservation areas, passive recreational uses including trails, wildlife viewing, picnic areas and tot lots on the approximately 151-acre site."

Based on the review of the submitted document DTSC has the following comments:

DTSC-1 1. If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).

DTSC-2 2. If the site was used for agricultural or related activities, residual pesticides may be present in onsite soil. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.

DTSC-3 3. DTSC recommends evaluation, proper investigation and mitigation, if necessary, on onsite areas with current or historical PCB-containing transformers.

DTSC-4 4. The EIR states, "The presence of the impacted soil beneath portions of the subject property necessitated a Tier 2 screening, consisting of a review of existing data related to the former oil production operation and designated soil reuse areas at the site. In the Tier 2 screening, EEI concluded that a Vapor Encroachment Condition can be ruled out for the former oil production operation area and soil reuse areas because site-specific invasive testing data collected during previous investigations indicated that the soil beneath the property contains crude oil contamination (not refined fuel products) with a lack of significant VOCs." DTSC is unable to evaluate whether vapor sampling and/or potential vapor intrusion risk was adequately addressed due to lack of relevant detailed information in the EIR. DTSC recommends soil gas sampling and vapor intrusion risk evaluation on sites with releases of volatile organic compounds (VOCs) and total petroleum hydrocarbons (TPHs) to confirm no residual VOC or TPH contamination remain onsite.

DTSC-5 5. The EIR states, "As a result, two of the three reuse areas will need to be removed and replaced, along with surrounding fill soils, and properly compacted prior to final grading and construction." The site should be properly characterized and remediated prior to start of construction activities. In addition, excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. In addition, if the project proposes to import soil to backfill the excavated areas, proper evaluation and/or sampling should be conducted to make sure that the imported soil is free of contamination.

DTSC-6 6. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

If you have any questions regarding this letter, please contact me at (714) 484-5380 or email at Johnson.Abraham@dtsc.ca.gov.

Sincerely,

Johnson P. Abraham
Project Manager
Brownfields Restoration and School Evaluation Branch
Site Mitigation and Restoration Program – Cypress

kl/sh/ja

cc: Governor's Office of Planning and Research (via e-mail)
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
State.clearinghouse@opr.ca.gov

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Schools Evaluation and Brownfields Cleanup
Brownfields and Environmental Restoration Program - Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2015111045

1. Response to Comments from California Department of Toxic Substances Control (4-2-2018)

DTSC-1 Comment DTSC-1 cites requirements for obtaining a National Pollutant Discharge Elimination System (NPDES) permit and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Development of the Project site would be required to secure all applicable permits.

DTSC-2 The Project site has been used for oil extraction and then as a golf course. A golf course constructed in the late 1990s (after pesticide bans) does not constitute the same level of threat as irrigated agriculture prior to 1980. Given that the Project site had been operating as an oil field in the early 1900s, there is little to no risk of organochlorine pesticides.

DTSC-3 A polychlorinated biphenyl (PCB) investigation and cleanup were undertaken by Chevron during site closure and are documented in the closure reports referenced in Response to Comment S-HAM-1, above.

DTSC-4 Previous site sampling as documented in the closure reports indicated little to no volatile organic compounds (VOC) present in site soil. However, additional VOC sampling is included in the approved Soils Management Plan.

DTSC-5 A Soils Management Plan (SMP) was prepared in September 2015 to address known environmental conditions for the site, as well as the potential for additional unknown environmental conditions that may be encountered during future site improvements for a proposed residential development. The SMP was prepared by EEI Geotechnical & Environmental Solutions (EEI) and submitted to the Orange County Health Care Agency (OCHCA) for review and comment. On October 29, 2015, the OCHCA responded to EEI regarding the SMP dated September 29, 2015. The OCHCA provided several comments regarding the SMP and requested that EEI submit an addendum to the SMP that addressed the comments. To address OCHCA comments, an SMP Addendum dated July 14, 2016 was prepared. The information provided in the addendum was deemed sufficient and the SMP received final approval by the OCHCA on September 9, 2016. The Soil Management Plan and Addendum are provided in Draft EIR Appendix M.

DTSC-6 As a standard City requirement, if during Project demolition or construction activities, previously unknown soil and/or groundwater contamination is suspected, demolition/construction activities shall cease, and remedial investigations of the suspected contamination would be undertaken. The

applicant and project contractor(s) would be required to follow measures for site remediation in accordance with the applicable regulatory agency. If any hazardous materials are discovered, a plan for their proper remediation would be prepared in accordance with applicable requirements of the California Division of Occupational Safety and Health and the County of Los Angeles Health Department.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
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Making Conservation a California Way of Life.

April 9, 2018

Andrew Ho
City of La Habra
110 East La Habra Blvd.
La Habra, CA 90631

File: IGR/CEQA
SCH: #2015111045
12-ORA-2018-00829
SR 39; PM 18.612

Dear Mr. Ho,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Draft Environmental Impact Report (DEIR) for the proposed Rancho La Habra Specific Plan which borders Beach Boulevard, otherwise known as State Route 39 (SR 39). The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability.

The project site is the current site of the Westridge Golf Club, which is adjacent to SR 39 and the existing Westridge Plaza shopping center. The Westridge Golf Club was developed along with the Westridge Residential Community to the south, pursuant to the adopted La Habra Hills Specific Plan. The proposed Rancho La Habra Specific Plan would remove the 151-acre project site from the La Habra Hills Specific Plan and develop the existing golf course with 402 residential dwelling units, including 277 single-family homes and 125 multi-family residences, along with either 20,000 square feet of commercial development (e.g., specialty grocery, restaurant, or general retail uses) or an additional 46 multi-family dwelling units. Also proposed in the plan is open space areas that would include public parks and private recreational areas, a community center, small amphitheater, habitat conservation areas, passive recreational uses including trails, wildlife viewing, picnic areas and tot lots.

The approximately 151-acre Specific Plan area (project site) is located at 1400 South La Habra Hills Drive. The project site borders SR 39 to the west and is south of Imperial Highway (SR 90). State Route 39 is overseen by Caltrans. Caltrans is the responsible agency and has the following comments:

System Planning Comments:

CALTRANS-1

1. As noted on Page 2-10, the applicant proposes to "improve the aesthetic character of the Beach Boulevard and Idaho Street frontages through landscape design consistent with the City's goals and objectives." Please ensure that landscaping plans clearly identify Caltrans right-of-way, and are circulated to Caltrans for review and concurrence. Any

CALTRANS-1 (CONT) landscaping improvements that abut Caltrans right-of-way will require an encroachment permit and must be in conformance with Chapter 900 of the Highway Design Manual (HDM).

CALTRANS-2

2. **Mitigation Measure TRA-1.1**: prior to issuance of a demolition, grading, or other permit, ensure that the Construction Management Plan is circulated and approved by Caltrans. As stated in the environmental document, construction traffic would utilize Beach Boulevard (State Route (SR) 39) and Imperial Highway (SR 90) for project site access, which are Caltrans facilities.

CALTRANS-3

3. **Impact TRA-1.2, 1.3, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, and 5** are project impacts that would occur on Caltrans facilities. The City should coordinate with Caltrans to discuss appropriate mitigation measures that may include, but is not limited to: contributing funds toward an existing construction-ready project and/or funding a Project Study Report (PSR) to study potential projects to improve the impacted intersections. It is also stated that that the applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for project-related impacts within State right-of-way. The distribution of these funds shall be discussed and coordinated with Caltrans before any Encroachment Permit will be issued.

<u>Active Transportation Comments:</u>

CALTRANS-4

4. **Impact TRA-6** in the DEIR notes that, "the proposed project would provide enhanced bicycle and pedestrian facilities within the project site." It is beneficial for the City to connect these facilities to existing facilities surrounding the project area, as this would increase regional connectivity and could promote Active Transportation in the community. Additionally, the DEIR states that about 2.6 miles of trails will be included in this Specific Plan – linkages between the Coyote Creek Bikeway and existing and proposed bicycle facilities should be considered in order to expand the bicycle network.
    - Goals AT 2.3, 2.4, and 2.6 in the Circulation Element (2014) of the City's General Plan support connecting bicycle facilities in the Specific Plan to the Coyote Creek Bikeway, which is located adjacent to the project site.
    - Goal RN 1.15 in the Circulation Element states that new development should pay its fair share towards improvements for air quality, greenhouse gas emissions, and traffic impacts generated by the development. The La Habra Municipal Code also suggests that traffic improvement fees may be used for traffic systems. The City may want to consider implementing these fees so that developments in the Specific Plan area can fund the construction of bicycle and pedestrian facilities.

CALTRANS-5

5. Imperial Middle School is located near the Specific Plan area. Multimodal challenges and potential safety measures for school zones (e.g., yellow striping, signage, etc.) should be taken into consideration when implementing the Specific Plan.

CALTRANS-6 6. The OC Loop is a regional trail network supported by Caltrans and other regional agencies. Please ensure that this project does not preclude any improvements for the OC Loop as a result of this project.

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Julie Lugaro at 657-328-6368 or Julie.lugaro@dot.ca.gov.

Sincerely,

MARLON REGISFORD
Branch Chief, Regional-IGR-Transit Planning
District 12

2. Response to Comments from California Department of Transportation (4-9-2018)

CALTRANS-1 Comment CALTRANS-1 cites requirements for obtaining Caltrans review and approval, as well as encroachment permits for any landscape improvements within Caltrans rights-of-way. This comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Development of the Project site would be required to secure all applicable approvals and permits.

CALTRANS-2 Comment CALTRANS-2 cites requirements for obtaining Caltrans review of construction traffic management plans affecting Caltrans facilities. This comment raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. Development of the Project site would be required to secure all applicable approvals.

CALTRANS-3 The Caltrans letter addresses a now outdated traffic impact analysis that, subsequent to preparation of this comment, was updated and revised as part of the Partially Recirculated Draft EIR. See Section 3.7, *Traffic and Circulation*, and Appendix H of the Partially Recirculated Draft EIR for the current Rancho La Habra traffic impact analysis.

Mitigation measures for Project-related traffic impacts on Caltrans facilities set forth in the Partially Recirculated Draft EIR require payment of a fair share fee for improvements to Caltrans facilities. The Mitigation Monitoring and Reporting Program set forth in Partially Recirculated Draft EIR Chapter 8 includes a process for coordination with Caltrans in relation to mitigation requirements for Caltrans facilities. As requested in Comment CALTRANS-3, this coordination process would be initiated prior to any request for any encroachment permit within Caltrans right-of-way.

CALTRANS-4 The recently approved City of La Habra Bikeway Master Plan does not identify a bikeway through the Project site. Nevertheless, the Rancho La Habra Specific Plan proposes conversion of much of the existing golf cart path along the southerly boundary of the Project site for trail use. This trail would provide an off-street Class I trail connection from Beach Boulevard to Idaho Street south of Sandlewood Avenue.

The proposed 2.6-mile trail proposed in the Rancho La Habra Specific Plan would connect to Beach Boulevard at the site's main entry along that roadway. It should be noted that the Coyote Creek Bikeway is located across

Beach Boulevard from the Project site and is separated from Beach Boulevard by an existing apartment complex that is approximately 330 feet in depth.

Comment CALTRANS incorrectly refers to "Goal RN 1.15 in the Circulation Element." The Circulation Element contains only one roadway network goal, which states in full:

> ***Goal RN 1***
> ***Circulation System****. Balanced circulation system coordinated with land uses to ensure the safe, efficient, and sustainable movement of people and goods in the community.*

The reference to "Goal 1.15" in this comment appears to refer to Policy RN 1.15, which states in full:

> ***RN 1.15*** ***Traffic Mitigation Fee.*** *Require a locally collected and administered traffic mitigation fee to guarantee that new development pays for its fair share toward improvements resulting in reductions in air quality, GHG emission, and traffic impacts generated by the development.*

In addition, General Plan Circulation Element Policy states:

> **RN 1.16** **Fee Allocation.** Allocate the traffic mitigation fee to pay the costs of needed transportation improvements.

Partially Recirculated Draft EIR Mitigation Measure TRA-1.2 requires payment of cityside traffic fees, while other traffic and circulation mitigation measures require payment of fair share fees for roadway and highway improvements related to Project impacts within the City of La Habra, surrounding cities, and on Caltrans facilities. Mitigation measures are also set forth in the Partially Recirculated Draft EIR addressing the Project's air quality and greenhouse gas emissions impacts.

CALTRANS-5 Comment CALTRANS-5 addresses design of multi-modal routes to Imperial Middle School and raises no substantive environmental issues regarding the adequacy of the Draft EIR or its analyses and conclusions. As shown in the Partially Recirculated Draft EIR Traffic Impact Analysis (EIR Appendix H), fewer than five vehicles are projected to cross Idaho Street to or from Sandlewood Avenue (toward or away from Imperial Middle School) during the AM or PM peak hour.

CALTRANS-6 In the vicinity of Rancho La Habra, the existing Coyote Creek Bikeway, which is located across Beach Boulevard from the Project site, approximately 330 feet northwest of the roadway right-of-way, serves as the OC Loop regional trail.

While the Project would provide a trail connection from Idaho Street to Beach Boulevard and would not preclude any improvements to the OC Loop, Rancho La Habra would not provide a trail connection through the existing apartment complex separating Beach Boulevard from the existing Coyote Creek Bikeway.

Andrew Ho

From: Turner, Jennifer@Wildlife <Jennifer.Turner@wildlife.ca.gov>
Sent: Wednesday, April 4, 2018 8:57 AM
To: Andrew Ho
Subject: Rancho La Habra Specific Plan, SCH# 2015111045

Dear Mr. Ho,

CDFW (4-4)-1 The Department is coordinating with the USFWS to provide comments on this project, and would appreciate a few extra days in order to provide thorough feedback. Is an extension to Monday, April 16 possible?

Sincerely,

Jennifer Turner
Environmental Scientist
California Department of Fish and Wildlife
3883 Ruffin Road
San Diego, CA 92123
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3. Response to Comments from California Department of Fish and Wildlife (4-4-2018)

CDFW (4-4)-1 The public review period for the Draft EIR was extended for an additional 30 days and closed on May 10, 2018.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

May 11, 2018

Mr. Andrew Ho
City of La Habra
110 East La Habra Boulevard
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andrewh@lahabraca.gov

Subject: Comments on the Draft Environmental Impact Report for the Rancho La Habra Specific Plan Project, La Habra, CA (SCH# 2015111045)

Dear Mr. Ho:

CDFW-1 The California Department of Fish and Wildlife (Department) has reviewed the above-referenced draft Environmental Impact Report (EIR) for the Rancho La Habra Specific Plan, dated February 2018. The Department provided comments on the Notice of Preparation (NOP) for the project in a letter dated December 16, 2015. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines §15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code (FGC) section 1600 *et seq*. The Department also administers the Natural Community Conservation Planning program, a California regional habitat conservation planning program.

CDFW-2 The Rancho La Habra Specific Plan (project) would remove 151 acres from the existing La Habra Hills Specific Plan (SCH# 1992101743) for the purpose of developing three new residential neighborhoods (402 total homes), linked via trails through open space, in addition to community and commercial use elements. The project site is currently occupied by Westridge Golf Course, at 1400 South La Habra Hills Drive, in the City of La Habra (City). The project site is located southeast of Beach Boulevard, west of South Idaho Street, and north of West Coyote Hills. Westridge Golf Course currently contains an 11.43-acre mitigation site that was conserved in perpetuity, via deed restriction, to compensate for impacts associated with permits for Phase II of the La Habra Hills Specific Plan; this deed restriction would have to be terminated in order for the project to proceed as described in the draft EIR.

The 18-hole golf course includes turf grass fairways, cart paths, access roads, parking, amenity buildings, ornamental landscaped areas, and three human-made ponds (referred to as open water; 2.27 acres). Existing natural habitats observed on the site, according to the Biological Resources section of the draft EIR, include coastal sage scrub (10.67 acres), riparian woodland (3.78 acres), mulefat scrub (2.28 acres), and emergent wetland (0.72 acre) that has established along the outer edges of the human-made ponds. The proposed project has the potential to impact 5.92 acres of coastal sage scrub, 2.45 acres of riparian woodland, 1.93 acres of mulefat scrub, and 0.53 acre of emergent wetland. The project would also impact 1.59 acres of the open water/human-made ponds.

CDFW-3 Sensitive wildlife observed on site include the coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher), listed as threatened under the federal Endangered Species Act (ESA) and a California Species of Special Concern (SSC). According to the draft EIR the tricolored blackbird (*Agelaius tricolor*; candidate; proposed listing as threatened under CESA) and the following SSC species have a moderate potential to occur on site: pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis californicus*), western yellow bat, San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), coastal cactus wren (*Campylorhynchus brunneicapillus*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Setophaga petechial*), coast horned lizard (*Phiynosoma blainvillei*), and western pond turtle (*Emys marmorata* ssp. *pallida*). Special-status plants that could potentially occur on site in the coastal sage scrub include chaparral sand verbena (*Abronia villosa* var. *aurita*), Nevin's barberry (*Berberis nevinii*), Plummer's mariposa lily (*Calochortus plummerae*), mesa Horkelia (*Horkelia cuneata* ssp. *puberula*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*), Brand's star phacelia (*Phacelia stellaris*), and white rabbit-tobacco (*Pseudognaphalium leucocephalum*). Additionally, San Bernardino aster (*Symphyotrichum defoliatum*), lucky morning glory (*Calystegia felix*), and Peruvian dodder (*Cuscuta obtusiflora* var. *glandulosa*) may occur in the drainage features. Approximately 500 linear feet of undeveloped vegetated area in the southwestern portion of the site provide an interface to the undeveloped lands of West Coyote Hills to the south.

Comments

CDFW-4 Foremost, the draft EIR does not provide sufficient disclosure or analysis of the project's potential biological impacts to allow the reviewer to determine their significance or need for mitigation. Absent the additional information and analyses identified in the following comments, the draft EIR is inadequate and conclusory (CEQA Guidelines Section 15088.5) relative to biological impacts. Based on the inadequacy of the draft EIR, as elaborated in our following comments, the Department strongly recommends that the City revise and recirculate the draft EIR for public review. The additional information and analyses identified below should be included in a recirculated EIR.

CDFW-5 The Department's issuance of a Lake and Streambed Alteration (LSA) Agreement (Agreement) will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the City's EIR for the project. To minimize additional requirements by the Department pursuant to section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

CDFW-6 Our primary concerns regarding the draft EIR include clarification of the Department's role in the "release and relocation" of the existing deed restriction areas and prior mitigation obligations, insufficiency and lack of specificity surrounding the amount and location of "relocated" mitigation, the lack of baseline habitat evaluation provided, and insufficient analysis regarding cumulative impacts—specifically in regard to West Coyote Hills. We offer the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources.

CDFW-7 1. <u>Prior LSA Agreement Obligations and the Department's Role in "Release and Relocate"</u>
The Department issued LSA Agreement No. 5-465-94 to Pacific Coast Homes in 1995

CDFW-7 (CONT)

for impacts to three tributaries to Coyote Creek associated with the Phase II of the La Habra Hills Specific Plan Project. Specifically, the project impacted 4.55 acres of mulefat scrub interspersed with other riparian and exotic species on the project site. To mitigate for the loss of 4.55 acres of riparian habitat, Agreement No. 5-465-94 required compensatory mitigation at a 2:1 ratio, including creation of 9.1 acres of new habitat within and around the drainage courses on the site. Condition 11 of the Agreement required that either a wildlife conservation easement or deed restriction be recorded on the property to protect the fish and wildlife resources of the newly created mitigation sites in perpetuity. To fulfill this requirement, a deed restriction was recorded on November 25, 2009, over an 11.43-acre portion of the property, which included 9.1 acres of riparian habitat (3.52 acres of southern willow scrub, 1.40 acres of mulefat scrub, 2.00 acres of oak woodland, 0.52 acre of freshwater marsh, and 1.72 acres of open water) and 2.27 acres of coastal sage scrub.

On November 21, 2014, the Department received LSA Notification (Notification) No. 1600-2014-0232-R5 from Standard Pacific Homes, Southern California Coastal (Applicant) for the Westridge Residential Development Project. According to the Notification, the project would grade and fill two drainages and five basins in the eastern portion of the project site and fill the pond on the western portion for construction of residential pads. Portions of the impacted areas are within the deed restriction area. Habitat types to be impacted included mulefat scrub, riparian woodland, and open water. The Department subsequently conducted a site visit with the Applicant at the Westridge Golf Course on January 20, 2015, and held a meeting in August 2015, to discuss potential removal of the deed restriction. Additional meetings were held in January and March of 2016. At that time, the Department conditionally agreed to *consider* relocation of the conserved mitigation areas (i.e., riparian areas within the deed restriction) if in-kind mitigation, at a ratio of no less that 5:1, was provided to compensate for the loss of the mitigation lands. Since the deed restriction was a requirement of Agreement No. 5-465-94, the relocated mitigation site(s) would need to be identified, approved by the Department, and acquired (if applicable) *prior* to the Applicant terminating the current deed restriction.

CDFW-8

The following phrase is mentioned several times in the draft EIR: "the applicant is requesting the California Department of Fish and Wildlife to release and relocate existing deed restrictions that were previously established on the project site" (ES-2, 2-10, 2-38). Additionally, page 5-4 states, "… a new subdivision map cannot be approved by the City nor could the proposed Rancho La Habra development project proceed in the absence of an agreement between the applicant and the California Department of Fish and Wildlife to release and relocate the existing deed restriction within the project site." As mentioned above, the Department conditionally agreed that, if the Applicant could provide appropriate replacement mitigation to compensate for removing the currently protected riparian areas, at a ratio of no less that 5:1, then we would consider "relocation." That said, it is the Applicant's responsibility and not the Department's to "relocate" or find appropriate replacement mitigation. The relocated riparian mitigation site(s) should be identified and acquired (if applicable) <u>prior</u> to the Applicant terminating the current deed restriction and prior to the City certifying the project EIR. We also expect the relocated riparian sites to be protected in perpetuity via a conservation easement.

CDFW-9

The draft EIR describes the "removal or redistribution of wildlife and habitat values protected in the existing deed restricted areas within the Rancho La Habra Specific Plan… as less than significant," (ES-12) because there would be equivalent replacement of habitat thereby resulting in no net loss. The Department disagrees with this finding as the intent and purpose of the prior mitigation (i.e., areas within deed restriction) was to provide assured, lasting conservation value to replace a permanent loss of other habitat. While the Department conditionally agreed to consider the Applicant's termination of the deed restriction for riparian areas during previous meetings, the conditions we proposed (i.e, appropriate, in-kind mitigation at no less than a 5:1 mitigation ratio) have not been met in the draft EIR. Mitigation Measure BIO-1a states that:

> "Any special status species habitat that cannot be avoided during site development shall be replaced in-kind. The applicant shall purchase credits at a [Wildlife Agencies] - approved mitigation bank or fund the creation and preservation of habitat at an off-site location such as the West Coyote Hills to demonstrate a minimum replacement ratio of at least 1:1 and meet the state regulatory agency's performance standard of "no net loss" for direct loss of special-status species habitat within the development footprint. Compensation shall be detailed on an acreage-specific basis and shall include a habitat mitigation and monitoring plan, which shall be developed in coordination and compliance with state and federal regulatory agency performance standards of "no net loss". (ES-16)

CDFW-10

The draft EIR has not demonstrated that it can replace the habitat values of the deed restricted area. The only certified, Department-approved mitigation bank whose service area extends to the project site is Soquel Canyon Mitigation Bank. Currently, this bank does not have the creation credits necessary to accommodate the in-kind mitigation required by Mitigation Measure BIO-1a. Furthermore, it is unclear how off-site mitigation at West Coyote Hills would be achieved, given no documented communication between West Coyote Hills landowners (e.g., City of Fullerton) is provided in the draft EIR. Absent evidence of a willing seller, availability of mitigation by habitat type, acreages, maps, habitat management plan, conservation mechanism, funding mechanism, identified land manager, timing of implementation, contingencies, and other relevant proposals Mitigation Measure BIO-1a is infeasible as proposed and lacks the specificity necessary to make the measure enforceable.

CDFW-11

Mitigation measures "…must be fully enforceable through permit conditions, agreements, or other legally binding instruments" (CEQA Guidelines §15126.4(2)). Without a firm, specific, written commitment to participation, planning, and/or the execution of a financial instrument to develop and remediate habitat types, the Department concludes that this mitigation measure does not bring impacts of project activities on the deed restricted area below a significant level. In order for Mitigation Measure BIO-1a to be effective, the mitigation measure needs to be rewritten to identify a timeline for completing the mitigation, and describe in as much detail as possible specific, enforceable actions and commitments to create off-site habitat at a disclosed location, with proportionate habitat types.

CDFW-12

2. Baseline Conditions and Mitigation Outside the Deed Restriction
Replacement mitigation for impacts to areas within the deed restriction should be considered separate from and in addition to, compensation for other biological resources impacted within the project site and associated with the project. The Department is concerned that the draft EIR includes insufficient information on the current status of biological resources within the project site to conclude the project will result in less than significant impacts with mitigation. For example, Mitigation Measure BIO-1a also says that:

> "compensation shall be detailed on an acreage-specific basis and shall include a habitat mitigation and monitoring plan," which will include, "baseline information, including the findings and conclusions of the Biological Assessment prepared by the applicant and submitted to the [Wildlife Agencies] as part of the regulatory permitting process". (ES-16)

Similarly Mitigation Measures BIO-1c (sensitive plants), BIO-1d (sensitive bats), and BIO-1e (western pond turtles) rely on the results of future surveys to determine if additional mitigation (i.e., in-kind replacement of sensitive plants, installation of bat boxes and/or relocation of turtles) will be required.

While the Department agrees that preconstruction surveys are appropriate to supplement data collected through surveys whose results are adequately disclosed, we consider the reliance upon future biological surveys, relocation plans, and biological assessments following project approval to be a deferral of mitigation because essential information, germane to the analysis of a proposed action on potential biological resources, is not known at the time of entitlement. If essential information to the record is lacking, an informed analysis of a project entitlement cannot be known and effective mitigation measures cannot be implemented.

CDFW-13

In compiling data for the environmental baseline, it appears the draft EIR's Appendix F relies on: 1) aerial photography, 2) occurrences of special species and sensitive habitats in the project vicinity, as reported in the California Natural Diversity Database (CNDDB)[1], and 3) direct observations during protocol gnatcatcher surveys (Cadre Environmental, November 2014; Kidd Biological, Inc., June 2016). The survey methodology used to compile the plant lists and vegetation communities described in the draft EIR is not identified and although the CNDDB is the most current and reliable tool for tracking occurrences of special status species, it contains only those records that have been reported to the Department, and does not replace the need for timely physical surveys.

CDFW-14

An accurate environmental baseline is important. The significance of an impact must be gauged against an accurate description of the "environmental setting" in and around the project site. We find the draft EIR lacking the information necessary to conclude whether or not project impacts will be less than significant with mitigation. We therefore request that the draft EIR be amended to include the results of flora and fauna surveys and

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1 The CNDDB is a statewide inventory, managed by the Department, and is routinely updated with the location and condition of the state's rare and declining species and habitats.

CDFW-14 (CONT) associated survey methodologies or protocols used for general plant and animal species surveys, as well as sensitive or listed species. Any variances from standard survey methodologies or protocols should include a rationale for the variance. Specifically, we request the following additional survey information be provided:

CDFW-15

a. Botanical Surveys. We recommend using the Department's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities*[2], updated in 2018, to conduct vegetation community mapping and sensitive plant surveys within the project site.

The draft EIR identifies vegetation communities within only a portion of the project site (Figure 3.5-2, Existing Habitats). Some areas previously restored to coastal sage scrub to offset impacts to gnatcatcher associated with the Phase II of the La Habra Hills Specific Plan Project (Glenn Lukos Associates 2005, U.S. Fish and Wildlife Service 2006), are excluded from depiction of the existing habitat. In addition, the Department is concerned that the draft EIR did not consider the habitat value that the whole of Westridge Golf Course provides to wildlife. Golf courses often provide habitat value in an otherwise urbanized setting and this is particularly relevant in regions that are otherwise largely developed such as north Orange County. The project area, while it has documented habitat value though its connectivity to West Coyote Hills and its holding of existing deed-restricted areas, also has additional habitat value in that it can contribute to sustaining populations of sensitive species through increasing native pollinators, providing vegetation for roosting/nesting birds, and supporting open space for foraging fauna (Colding and Folke 2009). Given that the project will eliminate much of the open space that currently characterizes the project site and proposes to relocate portions of mitigation currently protected under the deed restricted areas, we recommend the recirculated EIR include an analysis of the vegetation communities and associated value provided to biological resources across the entire project area.

Sensitive plant surveys should be conducted during appropriate blooming periods. Southern California habitats, including those present within the project area, have experienced variable climatic conditions from extreme drought (2012-2017) to heavy rains (2017). Single day inventories conducted during this period may not have fully captured the potential biodiversity present on site given the following constraints: 1) the drought conditions may have influenced the phenology of the plants, and plants with a viable seedbank may not have been detected due to a lack of flowering in response to the drought; and 2) even under ideal conditions, a single spring site visit is unlikely to capture multiple blooming periods of plant species within the vicinity of the project;

CDFW-16

b. Gnatcatcher surveys. The results of 2013 protocol surveys for the gnatcatcher (Glenn Lukos Associates 2013), in addition to 2014 and 2016 survey results, should be overlaid on the project footprint. Cumulatively, these surveys demonstrate that

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2 Available online: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline=1

CDFW-16 (CONT) gnatcatchers are using native habitat patches on the east side, as well as the west side of the proposed project area;

CDFW-17 c. Vireo surveys. The draft EIR concludes the CESA- and ESA-listed endangered least Bell's vireo (*Vireo bellii pusillus*, vireo) has a low potential for occurrence due to the density of the riparian habitat. Given that vireo prefer riparian habitat with a canopy, shrub understory, and herbaceous ground cover (which could be considered "dense"), we recommend that protocol surveys for the vireo be conducted within riparian woodland and that survey results be overlaid on the project footprint;

CDFW-18 d. Bat surveys. Conduct a general/rare bat survey and include a figure illustrating the survey areas and survey results overlaid on the project footprint; and,

CDFW-19 e. Western oond turtle surveys. As per protocol, conduct a western pond turtle survey and include a figure illustrating the survey areas and survey results overlaid on the project footprint.

CDFW-20 The Department recommends that the recirculated EIR, in the public record, provide results of the above mentioned biological surveys accompanied by an analysis supporting the City's enforceable mitigation measures (CEQA Guidelines § 15126.4(a) *et seq.*) as a condition of project approval.

CDFW-21 3. <u>Project Configuration and Alternatives</u>
The draft EIR identifies potential indirect adverse impacts on vegetation and wildlife outside the developed area associated with noise, human encroachment, night lighting, increases in the number of perches for birds of prey, and maintenance of the proposed fuel modification zone (3.5-52). The proposed project configuration (Figure 2-5) fragments remaining open spaces on the property and substantially increases project-related edge effects (see #4 - Indirect Impacts to Adjacent Open Space). Conservation Areas are defined in the draft EIR (3.5-2) as "portions of the project development footprint that the Specific Plan proposes to be preserved as dedicated natural habitat;" however, it is unclear whether the Conservation Areas are intended as general open space not associated with mitigation, mitigation for specific project impacts, or mitigation for impacts to deed-restricted areas. This is especially concerning in light of the draft EIR's description of "passive recreational" trails which will be used for "wildlife viewing" (ES-2). The Department requests further clarification as to the specific location, size (e.g. acreage), and function of these areas, given the proposed configuration and associated edge effects.

CDFW-22 The draft EIR discusses six alternatives including a No Project Alternative. While two alternatives (aside from the No Project Alternative) would result in less impacts on biological resources than the proposed project, the draft EIR does not provide figures to illustrate these options. Without figures it is not possible for the Department to evaluate where and what type of habitat (including habitat currently under the deed restriction) would be impacted by these proposals. The recirculated EIR therefore should provide figures of the project alternatives.

CDFW-23 To minimize habitat fragmentation and increase the value of remaining open space for wildlife, we strongly recommend that alternative configurations be evaluated that limit

CDFW-23 (CONT) development to the northeast portion of the property. A contiguous block of open space, connected to adjacent open space within West Coyote Hills, will provide habitat values analogous with the function of the existing golf course and will reduce the cumulative effects of the project (see #5 – Cumulative Impacts).

CDFW-24 4. Indirect Impacts to Adjacent Open Space
As currently proposed, mitigation measures intended to protect Conservation Areas are not adequate to ensure sensitive species, including the gnatcatcher, will continue to be supported within the project site. For example, Mitigation Measure BIO-1f provides a 50-foot buffer between coastal sage scrub (breeding habitat for the gnatcatcher) and park features (i.e., viewing areas, benches, and an amphitheater). Noise generated by an amphitheater located 50 feet from coastal sage scrub has the potential to disrupt nesting birds, depending on the location and timing of use of the amphitheater. We request the recirculated EIR include a thorough discussion of the following project elements to clarify the quality and extent of habitat for sensitive species that will be supported in the proposed Conservation Areas:

CDFW-25 a. Recreational Facilities. The general location of some of the proposed recreational facilities is included in the draft EIR (Figure 3.5-1). Please clarify the location and intended use of all recreational facilities, with consideration of proposed Mitigation Measures. Given proposed recreational facilities, identify what portions of the Conservation Areas are anticipated to support sensitive species;

CDFW-26 b. Fuel Modification Zones. In its section entitled Significance Conclusion for Impact HAZ-8, the draft EIR states that, "the proposed project includes a Fire Management Plan (Figure 3.12-2)" (3.12-47). Beyond this figure, a Fire Management Plan is not included with the draft EIR for public review. With respect to defensible space, the recirculated EIR should fully describe and identify the location, acreage, and composition of defensible space within the proposed project footprint. The City, through its planning processes, should ensure that defensible space is provided and accounted for within proposed development areas, and not included in Conservation Areas. Impacts to native vegetation communities to create defensible space should be treated as permanent impacts and mitigated as such. The regular disturbance associated with thinning vegetation in fuel modification zones increases the extent of non-native weedy species and has the potential to result in the spread of weedy species to Conservation Areas. Therefore, we recommend that fuel modification zones be planted and maintained with native vegetation that is on Orange County Fire Authority's list of approved species for fuel modification zones[3] and that maintenance be restricted to removing non-native species and species that pose an unacceptable fire risk;

CDFW-27 c. Night Lighting. As currently proposed, lighting will be directed away from sensitive habitats (Mitigation BIO-2c), but will also be included within Conservation Areas (Mitigation Measure BIO-1f). Night lighting may increase predation risk to

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3 http://www.ocfa.org/_uploads/pdf/guidec05.pdf (see Attachment 8, species with Code o: native to Orange County)

CDFW-27 (CONT)

gnatcatchers and other sensitive avian species by increasing visibility for predators. Increased nighttime light levels also may disrupt the daily behavioral patterns and energy budgets of species located within the Conservation Areas; therefore, night lighting should be excluded from areas intended to provide habitat for wildlife, including the gnatcatcher. Please clarify the change in ambient light conditions that are expected within Conservation Areas given proposed measures to minimize night lighting; and,

CDFW-28

d. Landscape Design. The draft EIR states that, "the Specific Plan includes details on landscape design that promote the use of drought-tolerant plant material" (3.2-32). We recommend the Project use native plants in its landscape design and include a native plant palette in the recirculated EIR. Use of native plants in landscaping not only avoids spread of invasive species, but also provides additional benefits such as the attraction of native pollinators and reduced water consumption. The Department recommends that appropriate native plants be used to the greatest extent feasible in landscaped areas. The applicant should not plant, seed, or otherwise introduce invasive exotic plant species to landscaped areas adjacent to and/or near native habitat areas. Exotic plant species not to be used include those species listed on the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory. This list includes (but is not limited to) the following: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom.

CDFW-29

5. <u>Cumulative Impacts</u>

The Department considers West Coyote Hills, located south of the project site, to be a refugia for many species, including but not limited to: vireo, gnatcatcher, burrowing owl (*Athene cunicularia;* SCC), coastal cactus wren, loggerhead shrike, northern harrier (*Circus cyaneus*; SSC), tricolored blackbird, and coastal western whiptail (*Aspidoscelis tigris stejnegeri*; SSC). A variety of sensitive habitat types, such as coastal sage scrub and cactus scrub, and plants such as San Bernardino aster, are present as well. Cumulative impacts of the project on biological resources are discussed in relationship to the development associated with West Coyote Hills, designated in the draft EIR as Cumulative Project 17:

> "Cumulative Project 17 could involve removal and/or modification of areas that have the potential to contain coastal sage scrub and riparian resources. As the proposed project and Cumulative Project 17 proceed, natural habitats and sensitive wildlife species would be adversely affected through conversion of habitat to urbanized environments. However, both the proposed project and Cumulative Project 17 would be required to mitigate impacts such that no net loss of habitat values occurs. Because no net loss of habitat values would occur within either project, the combined effect of the proposed project and Cumulative Project 17 would be a less than-significant cumulative impact. However, should Cumulative Project 17 fail to mitigate impacts to a less-than-significant level, a significant cumulative impact would result." (6-12)

The West Coyote Hills Vesting Tentative Tract Map application No. 17609 (VTTM; SCH# 1997051056) describes the development of up to 757 residential units, plus commercial and circulation elements on 208.6 acres of the 510-acre West Coyote Hills property. We

CDFW-29 (CONT) are unclear as to how it was concluded that the development of the proposed project and the West Coyote Hills VTTM would have a less-than-significant impact on biological resources in the region, given the large acreages being developed on adjacent parcels and the drastic decrease in contiguous open space that will occur as a result.

CDFW-30 The Project draft EIR also does not address how the decrease in open space and large increase in recreation and trail use will impact biological resources in the remaining natural and "open space" habitats. The West Coyote Hills VTTM and the Rancho La Habra Specific Plan combined will create over 1,100 new residences, which will result in a dramatic increase in recreational activities. Impacts to wildlife as a result of recreation include wildlife fleeing in response to recreationists, including those that lawfully, passively use trails. This can result in energetic and physiological costs, temporal and/or spatial displacement from preferred environments or otherwise suitable habitats, reductions in reproduction rates and population levels, and ultimately an alteration in species composition and diversity (Hammitt et al. 2015). The impact of passive trail use and recreation will be further exacerbated in that the amount of open space available to existing wildlife resources will be decreased by approximately 300 acres between the two projects.

CDFW-31 Cumulatively, remaining open space within the proposed project area and the West Coyote Hills contains the largest concentration of gnatcatchers in northern Orange and Southern Los Angeles counties. The majority of this area is within designated critical habitat for the gnatcatcher (Unit 9, 72 FR 72010). Unit 9 includes lands containing core gnatcatcher populations and areas important for connectivity in the Montebello, Chino/Puente Hills, and Coyote Hills area. A total of 13.6 acres of native vegetation, including a minimum of 5.9 acres of coastal sage scrub, was restored within the Westridge Golf Course to contribute towards maintaining a core gnatcatcher population in this area (U.S. Fish and Wildlife Service 1995). The Cumulative Impacts section of the draft EIR states:

> "While the proposed project would remove 5.92 acres of coastal sage scrub habitat, the proposed project includes establishment of an 11.6-acre upland conservation area for the preservation, enhancement and restoration of coastal sage scrub. Furthermore, the majority of the coastal sage scrub within the project site is located in the central and eastern portions of the site, and is not contributing to maintaining a viable California gnatcatcher population. It is the southwest portion of the project site, with its proximity to the West Coyote Hills and consistent utilization as nesting habitat that is important to the long-term viability of the California gnatcatcher population in the area. The proposed project includes preservation and creation of more coastal sage scrub in this location than exists today, which would contribute to the continued viability of the existing California gnatcatcher populations in the area. Thus, the proposed project's contribution to a significant cumulative impact on coastal sage scrub would not be cumulatively considerable." (6-13)

CDFW-32 The recirculated EIR should include an in-depth discussion of this effort in the Biological Resources section. A mitigation measure should also be included, and it should describe in as much detail as possible specific, enforceable actions and commitments to the creation/restoration of coastal sage scrub habitat at a specific on-site location (i.e.,

CDFW-33 (CONT) figures, coordination with the Department, a Habitat Mitigation and Monitoring Plan, etc.). The upland conservation areas should be designed to limit fragmentation between the proposed project site and West Coyote Hills to the extent possible by eliminating trails and associated lighting that bisect these areas.

CDFW-34 To further reduce cumulative impacts we recommend improving the corridor for large mammal movement (e.g., coyotes) between the proposed project site and West Coyote Hills by installing a wildlife crossing under the road that bisects the two properties (Nicklaus Avenue). Large predators, in particular, play an important role in maintaining the ecological integrity of remaining open space areas in southern California (Soulé et al. 1988, Crooks and Soulé 1999). The presence of coyotes and bobcats has been shown to be negatively associated with the distribution and abundance of smaller predators (e.g., raccoons and feral cats) that often prey upon songbirds (Crooks and Soulé 1999).

CDFW-35 Given the large loss in contiguous open space and a large anticipated increase in recreational trail users, the Department concludes that cumulative impacts of the project on biological resources are cumulatively considerable (CEQA Guidelines §15065(a)(3)). We therefore recommend that the recirculated EIR be amended to include a thorough detailed discussion and analysis of cumulative impacts that focuses on the decrease in open space and the increase in recreation. Appropriate mitigation for the project's contribution to any significant cumulative impacts should be included.

CDFW-36 The Department is available to assist the City in addressing our concerns. We request an opportunity to review and comment on any response that the City has to our comments and to receive notification of the forthcoming hearing date for the project (CEQA Guidelines; §15073(e)). If you have any questions regarding these comments, please contact Jennifer Turner of the Department at (858) 467-2717.

Sincerely,

Marilyn Fluharty for:

Gail K. Sevrens
Environmental Program Manager
South Coast Region

ec: Christine Medak, U.S. Fish and Wildlife Service
Scott Morgan, State Clearinghouse

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4. Response to Comments from California Department of Fish and Wildlife (5-11-2018)

CDFW-1-1 The California Department of Fish and Wildlife comment letter addresses a now outdated biological resources analysis that, subsequent to preparation of this comment, was updated and revised as part of the Partially Recirculated Draft EIR. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR for the current Rancho La Habra biological resources analysis.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008

In Reply Refer To:
FWS-OR-95B0011-18CPA0207

May 11, 2018
Sent by Email

Mr. Andrew Ho
City of La Habra
110 East La Habra Boulevard
La Habra, California 90631

Subject: Draft Environmental Impact Report for the Rancho La Habra Specific Plan Project, La Habra, California

Dear Mr. Ho:

USFWS-1 We have reviewed the Draft Environmental Impact Report (EIR) for the proposed Rancho La Habra Specific Plan Project in the City of La Habra, Orange County, California and offer the following comments in accordance with our responsibility to conserve species listed under the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq*.).

The proposed project includes the development of three new residential neighborhoods, commercial development, public parks, recreational areas, trails, a community center, amphitheater, and associated infrastructure within a 151-acre site. The proposed site includes an existing18-hole golf course (Westridge Golf Course) with fairways, man-made ponds, ornamental landscaping, and about 17.45 acres of native vegetation[1] restored between fairways.

USFWS-2 Native habitat was restored within the Westridge Golf Course, in part, to offset impacts to the federally threatened coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher) associated with development of Phase II of the La Habra Hills Specific Plan Project (Service 1995). Gnatcatchers have occupied native vegetation patches on both the east and west sides of the golf course in the past,[2] and these areas of suitable habitat contribute to a larger core population of gnatcatchers, located to the south of the site, within the West Coyote Hills.

A portion of the proposed project site (11 acres) and the West Coyote Hills (510 acres) are located within designated critical habitat for the gnatcatcher (Unit 9, 72 FR 72010). Unit 9 includes lands containing core gnatcatcher populations and areas important for connectivity in the Montebello, Chino/Puente Hills, and Coyote Hills area.

USFWS-3 Our primary concern with respect to this project is the need to address potential impacts to the federally endangered least Bell's vireo (*Vireo bellii pusillus*; vireo), habitat previously restored for

[1] Native vegetation includes coastal sage scrub (10.67 acres), riparian woodland (3.78 acres), mulefat scrub (2.28 acres), and emergent wetland (0.72 acre).
[2] Draft EIR Figure 3.5-3, Glenn Lukos Associates 2013

USFWS-3 (CONT) the gnatcatcher, and gnatcatcher designated critical habitat. The Draft EIR concludes that vireos have a low potential for occurrence on site due to the density of habitat. Vireos require understory vegetation for nesting so the basis for this determination is not clear. We recommend focused surveys for the vireo be conducted within suitable habitat, including about 6 acres of riparian woodland and mulefat scrub. If vireos are documented during these surveys, please coordinate with our office for recommendations on measures to avoid and minimize impacts to this species.

USFWS-4 Specific areas within the project site were previously restored to coastal sage scrub to offset impacts to gnatcatcher associated with the Phase II of the La Habra Hills Specific Plan Project (Glenn Lukos Associates 2005; Service 2006).Those areas should be identified as coastal sage scrub on Figure 3.5-2 (Existing Habitats).

USFWS-5 Specific measures are identified in the Draft EIR to limit structures and trails that could obstruct wildlife movement and to limit vegetation management within the interface between the proposed project site and West Coyote Hills. In addition, the project will include an 11.6-acre upland conservation area for the preservation, enhancement and restoration of coastal sage scrub, located primarily within designated critical habitat and adjacent to West Coyote Hills. Preservation of a larger, contiguous block of habitat adjacent to open space within the West Coyote Hills would better support gnatcatcher occupation of project-site designated critical habitat over the long term. Careful design of recreational amenities to limit fragmentation and disturbances to preserved habitat would also improve the potential for the project site to support gnatcatchers.

USFWS-6 The existing corridor for wildlife movement between the proposed project site and West Coyote Hills would also benefit by installing a wildlife crossing under Nickclaus Avenue. Large predators, such as coyotes, play an important in maintaining the ecological integrity of remaining open space areas in southern California (Soulé *et al*. 1988; Crooks and Soulé 1999). The presence of coyotes and bobcats has been shown to be negatively associated with the distribution and abundance of smaller predators (e.g., raccoons and feral cats), which often prey upon songbirds (Crooks and Soulé 1999), including the gnatcatcher. A larger contiguous block of open space that supports large predator movement will help to minimize the overall loss of open space within the project area and maintain the function of designated critical habitat for the gnatcatcher.

USFWS-7 We appreciate the opportunity to comment on the Draft EIR and would welcome an opportunity to meet with the project proponents prior to release of the Final EIR to discuss ways to further minimize project-related impacts to federally listed species. If you have any questions regarding these comments, please contact Christine Medak of this office at (760) 431-9440 ext. 298.

Sincerely,

KAREN GOEBEL
Digitally signed by KAREN GOEBEL
Date: 2018.05.11 16:50:26 -07'00'

Karen A. Goebel
Assistant Field Supervisor

cc:
Jennifer Turner, California Department of Fish and Wildlife

LITERATURE CITED

Crooks, K. and M. Soule. 1999. Mesopredator release and avifaunal extinctions in a fragmented system. Nature 400:563-566.

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Soulé, M.E., D.T. Bolger, A.C. Roberts, R. Sauvajot, J. Wright, M. Sorice, and S. Hill. 1988. Reconstructed dynamics of rapid extinctions of chaparral-requiring birds in urban habitat islands. Conservation Biology 2:75-92.

5. Response to Comments from U.S. Fish and Wildlife Service (5-11-2018)

USFWS-1 The May 11, 2018 U.S. Department of Fish and Wildlife comment letter addresses what is now an outdated biological resources analysis that was updated and revised as part of the Partially Recirculated Draft EIR. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR for the current Rancho La Habra biological resources analysis. See Responses to Comments USFWS-1 through USFWS-7 provided by the USFWS in its January 7, 2020 comments on the Partially Recirculated Draft EIR (see Section 2.1, Responses to Comments on the Partially Recirculated Draft EIR).

USFWS-2 Comment USFWS-2 provides factual information regarding the location of critical habitat areas and raises no substantive issues regarding the adequacy of the Draft EIR or its analyses and conclusions.

USFWS-3 Focused surveys for least Bell's vireo were, in fact, undertaken. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR. See also Response to Comment USFWS-3 in Section 2.1, Responses to Comments on the Partially Recirculated Draft EIR.

USFWS-4 This comment addresses a now outdated biological resources analysis that was updated and revised as part of the Partially Recirculated Draft EIR. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR for the current Rancho La Habra biological resources analysis. See Responses to Comments USFWS-1 through USFWS-7 provided by the USFWS in its January 7, 2020 comments on the Partially Recirculated Draft EIR (see Section 2.1, Responses to Comments on the Partially Recirculated Draft EIR).

USFWS-5 This comment addresses a now outdated biological resources analysis that was updated and revised as part of the Partially Recirculated Draft EIR. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR for the current Rancho La Habra biological resources analysis. See Responses to Comments USFWS-1 through USFWS-7 provided by the USFWS in its January 7, 2020 comments on the Partially Recirculated Draft EIR (see Section 2.1, Responses to Comments on the Partially Recirculated Draft EIR).

USFWS-6 This comment addresses a now outdated biological resources analysis that was updated and revised as part of the Partially Recirculated Draft EIR. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR for the current Rancho La Habra biological resources analysis. See Responses to Comments USFWS-1 through USFWS-7 provided by the USFWS in its January 7,

2020 comments on the Partially Recirculated Draft EIR (see Section 2.1, Responses to Comments on the Partially Recirculated Draft EIR).

USFWS-7 This comment addresses a now outdated biological resources analysis that was updated and revised as part of the Partially Recirculated Draft EIR. See Section 3.5, *Biological Resources*, and Appendix F of the Partially Recirculated Draft EIR for the current Rancho La Habra biological resources analysis. See Responses to Comments USFWS-1 through USFWS-7 provided by the USFWS in its January 7, 2020 comments on the Partially Recirculated Draft EIR (see Section 2.1, Responses to Comments on the Partially Recirculated Draft EIR).

GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

City of La Habra

April 12, 2018

Re: AB52 Consultation request for the Rancho La Habra Specific Plan Located at 1400 South La Habra Hills Dr. La Habra Orange County

To whom this may concern,

GABRIEL-1

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning belonging to or inherited from, which is a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission (NAHC), ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. This is the reason the NAHC will always refer the lead agency to the respective Native American Tribe of the area because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. Therefore, to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

Consultation appointments are available on Wednesdays and Thursdays at our offices at 910 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email gabrielenoindians@yahoo.com to schedule an appointment.

** Prior to the first consultation with our Tribe, we ask all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view their videos at: http://calepa.ca.gov/Tribal/Training/ or http://nahc.ca.gov/2015/12/ab-52-tribal-training/

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman | Nadine Salas, Vice-Chairman | Christina Swindall Martinez, secretary
Albert Perez, treasurer I | Martha Gonzalez Lemos, treasurer II | Richard Gradias, Chairman of the Council of Elders
PO Box 393, Covina, CA 91723 | www.gabrielenoindians.org | gabrielenoindians@yahoo.com

6. Response to Comments from Gabrieleño Band of Mission Indians – Kizh Nation (4-12-2018)

GABRIEL-1 The requested consultation occurred during an August 27, 2019 telephone conference between Mr. Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians – Kizh Nation, and Mr. Roy Ramsland, City of la Habra Planning Manager. The result of this consultation was that Draft EIR Mitigation Measures CUL-2a and CUL-2b were determined to have provided the mitigation measures requested by the Kizh Nation and that no further action was needed. Copies of correspondence between the City of La Habra and the Gabrieleño Band of Mission Indians – Kizh Nation are provided on the following pages.

City of La Habra

"A Caring Community"

PLANNING DIVISION

201 E. La Habra Boulevard
Post Office Box 337
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Office: (562) 905-9724
Fax: (562) 905-9643
www.lahabracity.com

March 15, 2016

Mr. Andrew Salas
Chairman
Gabrieleno Band of Mission Indians – Kizh Nation
PO Box 393
Covina, CA 91723

Re: AB-52 Consultation Response to the Proposed Rancho La Habra Specific Plan

Dear Mr. Salas:

This letter is to acknowledge receipt of your November 11, 2015 email regarding the proposed Rancho La Habra Specific Plan, within which you request two mitigation measures to be included in the Environmental Impact Report.

Your requests are being reviewed and prior to the release of the Draft Environmental Impact Report, we will provide you with an initial response regarding your request. We also will contact you if we have any questions or need further information from you.

Thank you for your input in this matter. It is helpful information in the formulation of the proposed project mitigation measures. We encourage your continued participation in the process for this project.

Sincerely,

Andrew Ho
Director of Economic and Community Development

Roy Ramsland

From:	Andy <gabrielenoindians@yahoo.com>
Sent:	Monday, November 16, 2015 4:21 PM
To:	Roy Ramsland
Cc:	Christina Swindall Martinez. Kizh Gabrieleno; Matt Teutimez.Kizh Gabrieleno; Gary Stickel
Subject:	Ranch La Habra specific plan/ cal Atlantic homes

Nov 16,2015

Roy Ramsland

Planning Manager

City of La Habra California

201 E. La Habra Blvd

La Habra , California, 90633

Subject: AB-52 Consultation Response to the Proposed Project Rancho La Habra Specific plan.

Dear Roy Ramsland:

On behalf of the Gabrieleno Band of Mission Indians-Kizh Nation, I would like to thank you for providing us with this opportunity to review the proposed project pursuant to AB-52. The Gabrieleno-Kizh Nation is recognized by the State of California's Native American Heritage Commission (NAHC) as being authorized to implement AB-52 within our traditional tribal territory which encompassed Los Angeles, Orange, San Bernardino, and Riverside Counties. The purpose of this letter is to provide your agency with information regarding the environmental documentation required pursuant to the California Environmental Quality Act (CEQA).

In all cases, when the Native American Heritage Commission states there are "No Records of Sacred Sites" in the project area; the NAHC will always refer lead agencies to the respective Native American Tribe because the NAHC is only aware of general information and are not the "experts" on each California Tribe. Our Elder Committee & Tribal Historians are the experts for our Tribe and are able to provide a more complete history (both written and/or oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. While the property may be located in an area that has been previously developed, numerous examples can be shared to show that there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. The recent implementation of AB52 dictates that lead agencies consult with Native American Tribes who can prove and document traditional and cultural affiliation with the area of said project in order to protect cultural resources. Our priorities are to avoid and protect without delay or conflicts – to consult with you to avoid unnecessary destruction of cultural and biological resources, but also to protect what resources still exist at the

project site for the benefit and education of future generations. For this reason, we are requesting the following two (2) mitigation measures be incorporated into the CEQA document and the mitigation monitoring and reporting program.

Mitigation Measure 1. The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined by the Gabrieleno Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and vegetation removal. The tribal monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The monitor(s) will photo-document the ground disturbing activities. The monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site ground disturbing activities are completed, or when the monitor has determined that the site has negligible potential for impacts to cultural resources.

Mitigation Measure 2. If the project site contains native vegetation that will be removed, Native American monitors or an authorized Tribal representative shall visit the area to document and distinguish native vegetation that it preferred by the Tribe. All plants preferred by the Tribe shall be made available to the Tribe prior to removal. Native vegetation is still used by the indigenous peoples for food and medicinal purposes.

If you have any questions, please feel free to contact Mr. Andy Salas at (626) 926-4131 or email him at gabrielenoindians@yahoo.com. Thank you very much.

Community Development Department
Planning Division
201 E. La Habra Blvd.
La Habra, CA 90633-0337
Telephone: 562.383-4100
FAX: 562.383-4476

October 30, 2015

Mr. Andrew Salas
Gabrieleno Band of Mission Indians – Kizh Nation
P.O. Box 393
Covina, California 91723

Subject: Rancho La Habra Specific Plan Project – AB 52 and SB 18 Consultations

Dear Mr. Salas:

The City of La Habra (City) is writing to inform you of the Rancho La Habra Specific Plan (Project) and to see if you may have information regarding the presence of Native American cultural resources at the Project site. This letter is in response to your letter requesting early project consultation, consistent with Assembly Bill 52 and Senate Bill 18. If cultural resources are anticipated, the City would like to recommend mitigation measures so that any potential impact to resources can be avoided.

CalAtlantic Homes proposes to develop a mixed-use community consisting of three residential neighborhoods and a small commercial area covering a total area of 151 acres at the current location of the existing Westridge Golf Course. Construction would involve grading, detention basin excavation, landscaping, and infrastructure improvements such as storm drains, water, sewer, and streets. The attached exhibits provide a vicinity map, topographic records search map, and a geology/paleontology survey map. Please be aware that significant grading of the site occurred at the time the golf course was created in 1997.

Archaeological staff from Paleo Solutions, Inc. conducted a cultural resources survey of the Project area on April 15, 2015 and did not find any cultural resources. A records search of previously documented resources within a one-half mile radius of the Project area was conducted at the South Central Coastal Information Center resulted in one previously documented historic-period oil retention basin brick-and-mortar foundation within the Project area, and 10 cultural resources outside of the Project boundaries. No other cultural resources were discovered within the Project area.

Any information or concerns that you may provide regarding Native American cultural resources at the Project site is very much appreciated. You may contact me at (562) 383-4100 or via e-mail at rramsland@lahabraca.gov. You may also send a letter to me in care of Roy Ramsland, Planning Manager, Community Development Department, City of La Habra, 201 E. La Habra Blvd., La Habra, California 90631. If the City of La

Habra does not receive a response within two weeks of this letter, we will follow up with another letter to verify whether or not you may have interest in the Project. Thank you very much for your time and attention.

Sincerely,

Roy Ramsland
Planning Manager

Local Government Tribal Consultation List Request

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Type of List Requested

☑ **CEQA Tribal Consultation List (AB 52)** – ***Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2***

☑ **General Plan (SB 18)** - ***Per Government Code § 65352.3.***

Local Action Type:

___ General Plan ___ General Plan Element _X_ General Plan Amendment _X_ Specific Plan _X_ Specific Plan Amendment ___ Pre-planning Outreach Activity

Required Information

Project Title:	Rancho La Habra Specific Plan Project
Local Government/Lead Agency:	City of La Habra
Contact Person:	Roy Ramsland
Street Address:	201 E. La Habra Blvd.
City:	La Habra
State/Zip:	California 90633
Phone:	(562) 383-4100
Fax:	(562) 383-4476
Email:	rramsland@lahabraca.gov

Specific Area Subject to Proposed Action

County: Orange **City/Community:** La Habra

Project Description:

CalAtlantic Homes proposes to develop a mixed-use community consisting of three residential neighborhoods and a small commercial area covering a total area of 151 acres at the current location of the existing Westridge Golf Course. The golf course will be redeveloped to accommodate trails, open spaces, parks, picnic areas, parking spaces, a community center, 420 residences, and approximately 2.6 acres of commercial space consisting of two building pads and parking.

The Project will dedicate 60 acres to residences, with entrances at Beach Boulevard, Idaho Street, and La Habra Hills Drive. The Project also proposes 90 acres toward parks and open spaces, including a public park, community center, picnic areas, trails, overlook areas, wildlife viewing areas, detention basins, and private open spaces. The remaining acreage will be dedicated to parking spaces and drop-off/pick-up areas. Construction would involve grading, detention basin excavation, landscaping, and infrastructure improvements such as storm drains, water, sewer, and streets. The property was significantly graded for the creation of the golf course in 1997.

Additional Request

☑ **Sacred Lands File Search** - ***Required Information:***

USGS Quadrangle
Name(s): La Habra 7.5'

Township: 3S **Range:** 10W **Section(s):** Unsectioned

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CHAPTER 3 REVISIONS TO THE DRAFT EIR (FINAL EIR VOLUMES 1 AND 2)

This chapter of the Final EIR identifies modifications to the Draft EIR as modified by the Partially Recirculated Draft EIR.

3.1 REVISIONS TO THE EXECUTIVE SUMMARY

3.1.1 REVISIONS TO DRAFT EIR EXECUTIVE SUMMARY (FINAL EIR VOLUME 1)

1. Impact Statement HAZ-8, revised to read as follows:

Impact HAZ-8: ~~Proposed Project site development would place new residential uses within a Very High Fire Hazard Area and intensify development along a wildland-urban interface, increasing fire hazards. Compliance with existing codes, along with implementation of the proposed Fire Management Plan as approved by the Los Angeles County Fire Department, would ensure an adequate level of fire safety.~~ The City of La Habra and the County of Los Angeles Fire Department require that development complies with building and fire codes that include sprinkler and fire hydrant requirements in new structures and remodels, standards for road widths and design to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains and fire hydrants. The City has also adopted the most recent edition of the California Building Code that includes sections on fire-resistant construction material requirements based on building use and occupancy. The proposed Project would also be required to comply with the City's Fire Code (Section 15.46 of the La Habra Municipal Code). Compliance with existing codes-would ensure an adequate level of fire safety within high fire hazard zones and along the wildland-urban interface. As a result, the impact would be *less than significant*.

2. Impact Statement GEO-1.4 is revised to read as follows:

Impact GEO-1.4: The mechanically stabilized earth (MSE) wall below proposed Lots 241 through 245 would be at risk from landslide. In addition, site grading activities would result in removal of a buttress keyway in the southern portion of the site, requiring slope stabilization and remedial grading of an

existing landslide. The impact related to risk of loss, injury, or death involving landslides would be *significant but mitigable*.

3. Mitigation Measure GEO-1.4 is revised and Mitigation Measure GEO-1.4b is added to read as follows:

Mitigation Measure GEO-1.4a: Additional geogrid reinforcement length beyond local stability requirements to be determined by the MSE wall designer and approved by the Chief Building Official shall be required to provide adequate global stability factors of safety (greater than 1.5 and 1.1 for static and pseudo-static [seismic] loading conditions, respectively, for the MSE wall located below Lots 241 through 245 of Vesting Tentative Tract Map 17845.[1]

Mitigation Measure GEO-1.4b: The planned landslide removal at Cross-Section 2-2′-2″shall be undertaken prior to excavation of the keyway back-cut slope north of the proposed landslide removal area as depicted in **Figure 3.14-3**, *Revised Portion of Cross-Section 2-2′-2″*. Additionally, the landslide removal shall be excavated in slots, or sections, where an area of landslide approximately 80 feet long (measured parallel to the slope face) is removed and replaced as compacted fill, prior to excavation of the adjacent 80-foot-wide section. A minimum of approximately 15 vertical feet of compacted fill shall be placed above the landslide rupture surface within each completed slot, prior to the next section of landslide removal. The landslide removal operation shall be performed so that no sections are left open (defined as lacking a minimum of 15 vertical feet in front of the landslide) over a weekend/holiday or when a significant rain event is predicted over the next three days. Full-time observation and testing shall be monitored by a qualified geotechnical expert during the landslide removal operation, and the expert shall provide supplemental recommendations based on observed field conditions.

4. The Significance Conclusion for Impact GEO-1.4 after Implementation of Mitigation Measures is revised to read as follows:

With the implementation of **Mitigation Measures GEO-1.4a and GEO-1.4b**, all slopes within the project site would have an adequate factor of safety both during and following site grading activities and would not pose a landslide risk, resulting in a less-than-significant impact.

5. Impact Statement LUP-2.3 is revised to read as follows:

Impact LUP-2.3 Although the proposed project would increase the citywide GHG emissions identified in the City's Climate Action Plan (CAP) by ~~5,746.61~~ 8,095.99 $MTCO_2e$ in 2026 and 7,554.69 $MTCO_2e$ in 2030 annually, the proposed project would not impede achievement of the CAP's GHG emissions reduction goals, which are based on AB 32 targets. Because (1) the proposed project

would implement all applicable GHG reduction measures set forth in the Climate Action Plan and (2) emissions per service population would be consistent with AB 32 goals as discussed in Section 3.9, *Greenhouse Gas Emissions*, the proposed project would be consistent with the adopted City's Climate Action Plan. Impacts would therefore be *less than significant*.

3.1.2 REVISIONS TO PARTIALLY RECIRCULATED DRAFT EIR EXECUTIVE SUMMARY (FINAL EIR VOLUME 2)

1. The first paragraph of Section b on page ES-5 is revised to read as follows:

The applicant, ~~CalAtlantic~~ Lennar Homes of California, has established the following Project objectives for its proposed Specific Plan development:

2. The fourth bullet point on Page ES-11 is revised to read as follows:

- **Greenhouse Gas Emissions Impact GHG-1:** The proposed Rancho La Habra Specific Plan would result in a net increase in GHG emissions of 7,554.69 $MTCO_2e$ per year, which would exceed the SCAQMD's screening threshold of 3,000 $MTCO_2e$ per year even with implementation of Although Mitigation Measures GHG-1a, GHG-1b, GHG-1c, GHG-1d, GHG-1g, and GHG-1h, and GHG-1i. In addition, because the Project would introduce increased housing in an area without major transit and increase reliance on the use of automobile travel, it would ~~and~~ therefore be inconsistent with three goals and one policy of the regional RTP/SCS.

3. Impact Statement NOI-4 is added to ES.5.1 Significant Unavoidable Impacts list to read as follows:

- **Noise and Vibration Impact NOI-4:** Project-related demolition and crushing, site grading, and infrastructure and building construction would temporarily expose persons to noise levels substantially in excess of existing conditions. Even with implementation of Mitigation Measures NOI-4a through NOI-4j, construction noise levels would remain substantially above ambient conditions and would be clearly audible to area residents.

4. Mitigation Measure BIO-1.1a on page ES-14 is revised to read as follows:

Mitigation Measure BIO-1.1a: Compensatory Replacement of Special-Status Species Habitat. The loss of coastal sage scrub, riparian woodland, and riparian scrub alliances with the potential to support special-status species within the Project site as detailed in Table 3.5-9 shall be compensated through on-site or off-site establishment/restoration/enhancement and/or off-site purchase of functionally equivalent or better habitat.

Included in the establishment/restoration/enhancement of on-site functionally equivalent or better habitat shall be a minimum of 9.86 acres of open space for preservation and enhancement of on-site coastal sage scrub wildlife habitat (preservation of 4.05 acres of existing on-site coastal sage scrub and the replacement of existing golf course greens and fairways with an additional 5.81 acres of coastal sage scrub habitat). Such on-site habitat establishment/restoration/ enhancement shall be in conformance with a Habitat Mitigation and Monitoring Plan approved by the California Department of Fish and Wildlife.

The determination of functional equivalency of on-site establishment/restoration/enhancement and/or off-site purchase shall be made by the California Department of Fish and Wildlife for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted and jurisdictional areas and by the City of La Habra for mitigation of loss of these habitats that occur outside ~~of~~ existing deed-restricted ~~areas~~ and jurisdictional areas.

It is recognized, however, that while Impact BIO-1.1a addressing upland habitats within existing deed-restricted areas is distinct from Impact BIO-1.2 and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1a), and (3) loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c).

Compensation for lost on-site habitat with functionally equivalent or better habitat shall be detailed on an acreage-specific basis in a Habitat Mitigation and Monitoring Plan (HMMP), which shall be developed in coordination and compliance with State of California and federal regulatory agency requirements. Evidence in the form of permit approvals ~~and associated mitigation and monitoring plans that meet agencies' standards~~ shall be provided to the City of La Habra ~~for review and approval~~ prior to initiation of site grading. At a minimum, the HMMP shall include:

- Baseline information, including the findings and conclusions of a Biological Assessment demonstrating that:
    - Off-site compensatory mitigation lands are functionally equivalent or better than the habitats lost on-site; and
    - On-site establishment of coastal sage scrub through restoration will result in functionally equivalent or better habitat than that lost on-site.
- Anticipated habitat enhancement goals to be achieved through compensatory actions, including mitigation site location (on-site enhancement, restoration, or off-site habitat acquisition, creation, or enhancement); and

- Measurable performance standards and criteria, including but not limited to the overall amount or percent of cover and species diversity for restoration or enhancement in the Specific Plan development footprint that must meet state and federal regulatory resources agency approval and must be documented for City review at the end of the five-year monitoring period. Should the restoration or enhancement fail to meet success criteria as defined in the HMMP, implementation of remedial restoration shall be required.
- Contingency funds (including but not limited to financial guarantee instruments such as Surety Bonds or Letters of Credit) shall be established and deposited in escrow account(s) to ensure successful implementation of the HMMP, such funds to be refunded to the applicant at the time the HMMP performance criteria are met.
    - One account in an amount to be determined by the California Department of Fish and Wildlife (CDFW) to be held by CDFW for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas.
    - Should the HMMP being overseen by the California Department of Fish and Wildlife not be adequate to address mitigation of loss of coastal sage scrub habitat outside of existing deed-restricted areas, a second escrow account is to be established with the City of La Habra in an amount to be determined by the City.

5. Mitigation Measure BIO-1.2 on page ES-18 is revised to read as follows:

Mitigation Measure BIO-1.2: Compensatory Replacement of Previously Provided Mitigation within On-Site Deed-Restricted Areas. The loss of previously provided mitigation within on-site deed-restricted areas ~~within the Project site~~ for impacts to 4.55 acres of mulefat scrub occurring during construction of the Westridge Golf Club shall be compensated through on-site establishment/restoration/enhancement and/or off-site purchase/restoration/enhancement of functionally equivalent or better habitat.

The determination of functional equivalency of on-site establishment/restoration/enhancement and/or off-site purchase/restoration/ enhancement shall be made by the California Department of Fish and Wildlife.

It is recognized, however, that while Impact BIO-1.1a addressing replacement of previously provided mitigation for impacts that occurred during construction of the Westridge Golf Club is distinct from Impact BIO-1.1a and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1a), and (3)

loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c).

Compensation for loss of on-site deed-restricted areas with functionally equivalent or better habitat shall be detailed as set forth in Mitigation Measure BIO-1.1a.

6. Mitigation Measure BIO-2b on page ES-21 is revised to read as follows:

Mitigation Measure BIO-2b: Conservation and Protection of Sensitive Habitats Avoided by Specific Plan Grading. For on-going conservation and protection of sensitive habitats that the Specific Plan proposes to avoid, the following requirements shall apply:

- A habitat conservation and protection plan for proposed upland conservation areas adjacent to the development footprint shall be prepared by a qualified biologist with implementation approved by the City of La Habra Community Development Director prior to approval of City grading permits. The habitat conservation and protection plan shall, at a minimum, include the following components to minimize the effect of night lighting on upland conservation area habitats adjacent to the development footprint.

  The following shall apply to any proposed lighting within 150 feet of the upland or riparian conservation areas:

  - Low-intensity streetlamps and low-elevation lighting poles shall be provided.
  - Internal silvering of the globe or external opaque reflectors shall be provided to direct light away from sensitive natural habitats.
  - Private sources of illumination around homes shall also be directed and/or shaded to minimize glare into sensitive habitats.
  - Light spillage from on-site development or trails shall not exceed 0.05 foot-candles within upland or riparian conservation areas.

  Common area lighting plans shall be reviewed by the City for conformance with these measures prior to installation. Private lighting restrictions shall be enforced by the property owners' association as described below.

- CC&Rs, as well as residential and commercial leases within the Project site shall prohibit building occupants from creating outdoor feeding stations for feral cats to prevent feral cat colonies from establishing and to prevent the attraction of other predatory wildlife such as coyotes, red fox, raccoon, and opossums. Such restrictions shall be monitored by a property owners' association that shall have the right to impose fines for violation of this requirement.

- As part of Community Center and Project trail improvements, interpretive signage regarding the sensitive habitats and the dangers of unleashed domestic animals shall be provided to the satisfaction of the City. Such information shall be provided in the

vicinity of the Community Center, along trails, and at wildlife viewing areas where public access is provided.

In addition, information materials shall be prepared by the applicant for review and approval by the City regarding the sensitive habitats and the dangers of unleashed domestic animals within the Project site. Such materials shall be provided to each initial homeowner by the home builder(s), to successive homeowners by the property owners' association, and to renters of for-rent multi-family dwellings by the building owner.

The property owners' association shall establish and enforce a pet policy prohibiting unleashed domestic animals outside of fully enclosed yard areas and have the right and obligation to impose fines for violation of the pet policy.

7. Mitigation Measure BIO-2c on page ES-22 is revised to read as follows:

Mitigation Measure BIO-2c: Compensatory Mitigation for Loss of Riparian and Wetland Habitat. Loss of riparian and wetland habitat that cannot be avoided during site development as detailed in Table 3.5-9 shall be compensated with provision of functionally equivalent or better habitat, which may be provided as part of Mitigation Measure BIO-1.1a.

The applicant shall prepare and implement a maintenance program as approved by the City that includes maintenance of water quality pollution-control features such as swales, sediment traps, or other passive applications of pollution prevention measures required as part of National Pollutant Discharge Elimination System (NPDES) permitting. The maintenance program shall address the management of lands adjacent to off-site coastal sage scrub habitat areas and, at minimum, shall include the following requirements, to be performed to the satisfaction of the City:

- Install temporary silt fencing or vegetative plantings between development and adjacent sensitive natural communities, specifically off-site coastal sage scrub.
- Locate fueling stations or vehicle or equipment storage and maintenance away from potentially jurisdictional areas and features, and otherwise isolate construction work areas from any identified jurisdictional features including California Fish and Game Code, U.S. Army Corps of Engineers, and Regional Water Quality Control Board jurisdictional areas.
- Ensure on-going maintenance and management in perpetuity at no expense to the City for the preserved upland areas adjacent to the development footprint, along with provisions permitting the City to enforce management and maintenance requirements and recoup costs for enforcement should such enforcement be necessary. On-going maintenance and management of upland conservation areas shall be implemented in a manner consistent with the City of La Habra's NPDES storm water discharge permit and

Regional MS4 Permit, and evidence of compliance with such permit conditions shall be provided to the City Engineer on a quarterly basis.

- Provide trash receptacles at appropriate locations and provide for regular litter removal.
- Maintain all improvements within the parks, trails, and Community Center in a safe and working condition.

8. Mitigation Measure TRA-1.2 on page ES-28 is revised to read as follows:

Mitigation Measure TRA-1.2. The applicant shall pay city-wide traffic improvement fees. Should the City Engineer identify a shortfall between the traffic improvement fees established by the Municipal Code and the actual fair share cost for providing the improvements within the City of La Habra that are identified as mitigation measures in the Rancho La Habra Specific Plan Final EIR, the City Engineer shall require payment of a fair share fee by the Project to fund construction of the improvements based on a prorated share of the Project's contribution to the need for such improvements.

9. Mitigation Measure NOI-1.1a on page ES-43 is revised to read as follows:

Mitigation Measure NOI-1.1a: Noise barriers shall be constructed in the locations identified in the Rancho La Habra Noise and Vibration Analysis Report (Partially Recirculated Draft EIR Appendix L) as exceeding applicable noise standards. In addition, to mitigate exterior noise from commercial activities within the Westridge Plaza shopping center, a 6-foot-high noise barrier that would block the line-of-sight to such activities at the first-floor elevations shall be constructed along the backyard property lines of the first row of homes along the south side of the shopping center.

10. Mitigation Measure NOI-1.1b on page ES-43 is revised to read as follows:

Mitigation Measure NOI-1.1b: To ensure that the interior sound levels of the future homes within the Project comply with the City's noise criterion, the following conditions shall be satisfied:

1. Exterior activity areas such as balconies shall be placed at the opposite side of buildings from the roadways within areas subject to a CNEL in excess of 60 dBA.
2. Windows and sliding glass doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be mounted in low air infiltration rate frames (0.5 cubic feet per minute/foot [cfm/ft.] or less per American National Standards Institute [ANSI] specifications).

3. Exterior doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be solid core with perimeter weather-stripping and threshold seals.
4. Air conditioning or mechanical ventilation shall be provided for the first row of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project to allow occupants to close doors and windows for the required acoustical isolation.
5. Roof or attic vents directly facing the traffic and commercial noise sources shall be baffled so that sound must take an indirect route when entering the attic space.

3.2 REVISIONS TO CHAPTER 1, INTRODUCTION

3.2.1 REVISIONS TO PARTIALLY RECIRCULATED DRAFT EIR (FINAL EIR VOLUME 2)

1. The final two paragraphs on page 1-3 are revised to read as follows:

Because the Draft EIR ~~has been~~ was revised in part and the City of La Habra, as lead agency, ~~is recirculating~~ recirculated only the revised portions of the EIR identified above, pursuant to CEQA Guidelines Section 15088.5 (f)(2), the City Habra ~~is requesting~~ requested that reviewers limit their comments on the Partially Recirculated Draft EIR to the revised portions of the EIR contained in ~~this~~ that document.

Following the 57-day recirculated public review period, the City of La Habra ~~will~~ prepared responses to written comments that were received on the Draft EIR during the initial public review period as well as written comments received during the recirculation period that relate to the revised and recirculated portions of the Partially Recirculated Draft EIR. All comments and responses to comments ~~will~~ have been compiled into a Final EIR, as discussed below in Section 1.2(e).

2. Section d on page 1-18 is revised to read as follows:

The City filed a Notice of Completion with the Governor's Office of Planning and Research, State Clearinghouse, indicating that ~~this~~ the Partially Recirculated Draft EIR ~~has been completed and is~~ was available for review on November 22, 2019. A Notice of Availability of the EIR was published concurrently with distribution of ~~this~~ the document. The Partially Recirculated Draft EIR for the proposed Rancho La Habra Specific Plan ~~is being~~ was distributed directly to agencies, organizations, and interested groups and persons for comment during the formal public review period in accordance with Sections 15085, 15086, and 15087 of the CEQA Guidelines.

The Partially Recirculated Draft EIR ~~is~~ was also available for review at the following locations:

- La Habra City Hall, City Clerk and Community Development counters, 110 East La Habra Boulevard, La Habra, CA 90631
- La Habra Public Library, 221 East La Habra Boulevard, La Habra, CA 90631
- City website (lahabracity.gov)

Materials included in the reference sections in this Draft EIR ~~are~~ were available for review at La Habra City Hall, 110 East La Habra Boulevard, La Habra, CA 90633.

The public review period ~~begins~~ began on November 22, 2019 and ~~ends~~ ended at 5:00 p.m. on January 17, 2020 (by which time comments on the Draft EIR needed to be received by the City). During this review period, written comments regarding the content, analyses, and conclusions of the Draft EIR ~~may be~~ were submitted to the City. The City requested that these comments ~~should~~ focus upon the sufficiency of ~~this~~ the Partially Recirculated Draft EIR in identifying and analyzing the possible impacts of the proposed Rancho La Habra Specific Plan and ways in which significant effects on the environment might be avoided or mitigated (CEQA Guidelines Section 15204(a)).

Comments on the Partially Recirculated Draft EIR ~~should~~ were requested to be sent to:

Mr. Andrew Ho, Community and Economic Development Director
City of La Habra
110 East La Habra Boulevard
La Habra, CA 90631
andrewh@lahabraca.gov

3.3 REVISIONS TO CHAPTER 3, SETTING, IMPACTS, AND MITIGATION MEASURES

3.3.1 REVISIONS TO DRAFT EIR (FINAL EIR VOLUME 1) SECTION 3.2, LAND USE AND PLANNING

1. Footnote 1 on page 3.2-8 is revised to read as follows:

[1] As set forth in Section 3.9, Greenhouse Gas Emissions of the Partially Recirculated Draft EIR, the proposed project would generate an annual net increase of ~~6,037.55~~ 8,095.99 $MTCO_2e$ in 2026 and 7,554.69 $MTCO_2e$ in 2030, exceeding the ~~applicable~~ SCAQMD screening threshold of 3,000 $MTCO_2e$ as discussed in relation to Impact GHG-1. As discussed in relation to Impact GHG-2, the proposed project would implement all applicable provisions of the State of California's 2017 Scoping Plan and the City's Climate

Action Plan~~, and would generate emissions of 4.6 MTCO$_2$e per service population, which is below the per service population efficiency threshold recommended by the SCAQMD, and consistent with the service population efficiency standards needed to implement AB 32~~. ~~See~~ As discussed in relation to Impact LUP-2.3~~-and~~ Impact GHG-2, even with implementation of all applicable Greenhouse Emissions Mitigation Measures, the Project would remain inconsistent with three goals and one policy of the regional RTP/SCS ~~for additional discussion~~.

2. The following note is added to Table 3.2-1 on page 3.2-10

[a] As discussed in relation to Impacts LUP-2.3, GHG-1, and GHG-2, the proposed Project would have a significant and unavoidable impact in relation to total GHG emissions, but would nevertheless be consistent with plans and programs to reduce GHG emissions, including the City's Climate Action Plan and AB 32 GHG emissions reduction targets.

3. The consistency analysis for General Plan Policy LU 17.6 in Table 3.2-2 on page 3.2-16 is revised to read as follows:

Consistent. The proposed Specific Plan provides ~~25.1~~ 28.86 acres of public parkland, which would increase existing citywide public park acreage per 1,000 from 2.29 acres of park per 1,000 population to ~~2.64~~ 2.71 acres per 1,000 population, thereby meeting La Habra's citywide goal of 2.5 acres per 1,000 population of city-owned parkland. This occurs since the ~~25.1~~ 28.86 acres of public park land to be provided by the proposed Project exceeds the ~~3.78~~ 4.13 acres of park land required to be dedicated per the City's Municipal Code. In addition to active and passive public parks and trails, the Project would provide a public Community Center, habitat conservation areas, and wildlife viewing areas.

4. The consistency analysis for General Plan Policy OS 2.1 in Table 3.2-2 on page 3.2-26 is revised to read as follows:

Consistent. The proposed Specific Plan provides ~~25.1~~ 28.86 acres of public parkland, which would increase existing citywide public park acreage per 1,000 from 2.29 acres of park per 1,000 population to ~~2.64~~ 2.71 acres per 1,000 population, thereby achieving La Habra's citywide goal of 2.5 acres per 1,000 population of city-owned park land.

5. The consistency analysis for General Plan Policy OS 2.2 in Table 3.2-2 on page 3.2-26 is revised to read as follows:

Consistent. The proposed Project would dedicate and improve ~~25.1~~ 28.86 acres of public park land, which is substantially in excess of the ~~3.78~~ 4.13 acres of park land that would be required to be dedicated per the City's Municipal Code. In addition to active and passive public parks

and trails, the Project would provide a public Community Center, habitat conservation areas, and wildlife viewing areas.

6. The consistency analysis for General Plan Policy OS 2.10 in Table 3.2-2 on page 3.2-26 is revised to read as follows:

Consistent. The proposed Project would dedicate and improve ~~25.1~~ 28.86 acres of public parkland, which exceeds Municipal Code requirements (~~78~~ 4.13 acres at a ratio of 3.0 acres per 1,000 residents).

7. Impact Statement LUP-2.3 on page 3.2-38 is revised to read as follows:

Impact LUP-2.3: Although the proposed Project would increase the citywide GHG emissions identified in the City's Climate Action Plan (CAP) by ~~5,746.61~~ 8,095.99 $MTCO_2e$ in 2026 and 7,554.69 $MTCO_2e$ in 2030 $MTCO_2e$ annually, the proposed Project would not impede achievement of the CAP's GHG emissions reduction goals, which are based on AB 32 targets. Because (1) the proposed Project would implement all applicable GHG reduction measures set forth in the Climate Action Plan and (2) emissions per service population would be consistent with AB 32 goals as discussed in Section 3.9, *Greenhouse Gas Emissions*, the proposed Project would be consistent with the adopted City's Climate Action Plan. Impacts would therefore be *less than significant*.

3.3.2 REVISIONS TO PARTIALLY RECIRCULATED DRAFT EIR (FINAL EIR VOLUME 2) SECTION 3.5, BIOLOGICAL RESOURCES

1. The first paragraph in Section 3.5.2d of the Partially Recirculated Draft EIR is revised to read as follows:

Construction of the Westridge Golf Club pursuant to the 1992 La Habra Hills Specific Plan involved impacts on biological resources resulting in the need to provide mitigation. Mitigation was provided as part of a Lake and Streambed Alteration Agreement (LSA Agreement No. 5-465-94) dated February 23, 1995 for impacts on 4.55 acres of mulefat scrub interspersed with other riparian and exotic species on the Project site. To mitigate for the loss of 4.55 acres of riparian habitat, Agreement No. 5-465-94 required compensatory mitigation at a 2:1 ratio, including creation of 9.1 acres of new habitat within and around the drainage courses on the site.

~~in the form of~~ To fulfill this requirement, a deed restriction was recorded on November 25, 2009, over an 11.43-acre portion of ~~granted by~~ the golf course property ~~owner~~ in favor of the California Department of Fish and Game (now the CDFW). This portion of the property

included 9.1 acres of riparian habitat (3.52 acres of southern willow scrub, 1.40 acres of mulefat scrub, 2.0 acres of oak woodland, 0.52-acre of freshwater marsh, and 1.72 acres of open water) and 2.27 acres of coastal sage scrub ~~that was recorded on November 9, 2009~~. The original acreage requirement for the deed restriction was 11.43 acres in satisfaction of Conditions of Approval 5 and 11 of California Fish and Game Code Section 1603, Streambed Alteration Agreement ("Agreement Regarding Proposed Stream or Lake Alteration" No. 5-465-94) "to protect fish and wildlife in perpetuity." A total of 10.97 acres were actually included in the legal description for the various parcels located throughout the golf course as part of the recorded documentation.

2. Mitigation Measure BIO-1.1a is revised to read as follows:

Mitigation Measure BIO-1.1a: Compensatory Replacement of Special-Status Species Habitat. The loss of coastal sage scrub, riparian woodland, and riparian scrub alliances with the potential to support special-status species within the Project site as detailed in Table 3.5-9 shall be compensated through on-site or off-site establishment/restoration/enhancement and/or off-site purchase of functionally equivalent or better habitat.

Included in the establishment/restoration/enhancement of on-site functionally equivalent or better habitat shall be a minimum of 9.86 acres of open space for preservation and enhancement of on-site coastal sage scrub wildlife habitat (preservation of 4.05 acres of existing on-site coastal sage scrub and the replacement of existing golf course greens and fairways with an additional 5.81 acres of coastal sage scrub habitat). Such on-site habitat establishment/restoration/ enhancement shall be in conformance with a Habitat Mitigation and Monitoring Plan approved by the California Department of Fish and Wildlife.

The determination of functional equivalency of on-site establishment/restoration/enhancement and/or off-site purchase shall be made by the California Department of Fish and Wildlife for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted and jurisdictional areas and by the City of La Habra for mitigation of loss of these habitats that would occur outside ~~of~~ existing deed-restricted ~~areas~~ and jurisdictional areas.

It is recognized, however, that while Impact BIO-1.1a addressing upland habitats within existing deed-restricted areas is distinct from Impact BIO-1.2 and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1a), and (3) loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c).

Compensation for lost on-site habitat with functionally equivalent or better habitat shall be detailed on an acreage-specific basis in a Habitat Mitigation and Monitoring Plan (HMMP), which shall be developed in coordination and compliance with State of California and federal regulatory agency requirements. Evidence in the form of permit approvals ~~and associated mitigation and monitoring plans that meet agencies' standards~~ shall be provided to the City of La Habra ~~for review and approval~~ prior to initiation of site grading. At a minimum, the HMMP shall include:

- Baseline information, including the findings and conclusions of a Biological Assessment demonstrating that:
    - Off-site compensatory mitigation lands are functionally equivalent or better than the habitats lost on-site; and
    - On-site establishment of coastal sage scrub through restoration will result in functionally equivalent or better habitat than that lost on-site.
- Anticipated habitat enhancement goals to be achieved through compensatory actions, including mitigation site location (on-site enhancement, restoration, or off-site habitat acquisition, creation, or enhancement); and
- Measurable performance standards and criteria, including but not limited to the overall amount or percent of cover and species diversity for restoration or enhancement in the Specific Plan development footprint that must meet state and federal regulatory resources agency approval and must be documented for City review at the end of the five-year monitoring period. Should the restoration or enhancement fail to meet success criteria as defined in the HMMP, implementation of remedial restoration shall be required.
- Contingency funds <u>(including but not limited to financial guarantee instruments such as Surety Bonds or Letters of Credit)</u> shall be established and deposited in escrow account(s) to ensure successful implementation of the HMMP, such funds to be refunded to the applicant at the time the HMMP performance criteria are met.
    - One account in an amount to be determined by the California Department of Fish and Wildlife (CDFW) to be held by CDFW for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas.
    - Should the HMMP being overseen by the California Department of Fish and Wildlife not be adequate to address mitigation of loss of coastal sage scrub habitat outside of existing deed-restricted areas, a second escrow account is to be established with the City of La Habra in an amount to be determined by the City.

3. The Significance Conclusion for Impact BIO-1.1 with Implementation of Mitigation Measures is revised to read as follows:

With implementation of Mitigation Measures BIO-1.1a through BIO-1.1c, the Project's impact on special-status species with the potential to occur in the development footprint would be reduced to a less-than-significant level for the following reasons:

- Mitigation Measure BIO-1.1a requires compensation for loss of any coastal sage scrub, riparian woodland, or riparian scrub habitat within the Project site through on-site establishment/ restoration/enhancement and or off-site purchase of functionally equivalent or better habitat.
- On-site establishment of 5.81 acres of CSS habitat would be provided through restoration (see **Figure 3.5-14**).
- Off-site acquisition of functionally equivalent or better habitat to compensate for Project impacts (vacation of deed-restricted areas and loss of on-site habitat) would be required subject to the approval of CDFW in consultation with USFWS. Off-site ~~options for~~ opportunities to provide functionally equivalent habitat or better include but are not limited to the following options:
    - ~~**Mitigation Bank.** This option would include the purchase of Ephemeral Riparian Enhancement and/or of Oak Woodland Enhancement at the Soquel Canyon Mitigation Bank or an equivalent mitigation bank.~~
    - ~~**West Coyote Hills Property.** This option would include the purchase of functionally equivalent or better habitat on the West Coyote Hills property located south of the Project site in Fullerton. The City of Fullerton and the State of California have made preservation of a portion of the West Coyote Hills property a high priority, and purchase of mitigation on this site would help the state achieve its goals. As part of this option, the applicant would work with the State of California and the City of Fullerton to identify the specific property that would be appropriate to purchase independent of the specific habitat type of such property or a requirement for in-kind purchase.~~

      ~~The biological resource importance of preserving the West Coyote Hills outweighs the need to purchase similar habitat types as those existing within the deed-restricted areas of the Project site because (1) the West Coyote Hills site has higher local and regional biological importance, including suitable habitat for CAGN and least Bell's vireo; and (2) the existing vegetation within the deed-restricted areas is underperforming and unsustainable, and lacks long-term maintenance or management. The purchase of off-site credits on the West Coyote Hills property includes long-term management of the property as established by the City of Fullerton prior to development.~~

- **Puente Hills Habitat Preservation Authority.** This option would include off-site establishment or acquisition and preservation of habitat that is desired by the Puente Hills Habitat Preservation Authority (Authority). The Authority currently manages over 3,870 acres of preserved public open space, with a goal of assembly of a reserve with over 4,000 acres. The overall goal of the Authority is to manage habitat and preserve biological diversity throughout this large area. An integral aspect of this goal is to preserve and enhance opportunities for wildlife movement through the Puente Hills with connections to the Chino Hills (i.e., movement at a much larger scale than currently occurs on the existing Westridge Golf Club site). The applicant has been working with the Authority, which is in the process of identifying specific projects that would provide mitigation opportunities for Rancho La Habra. These opportunities include acquisition of several habitat linkage parcels that would be added to the Authority lands as well as restoration of lands currently within the Authority's control ~~and has executed a Memorandum of Understanding wherein the applicant would fund acquisition or establishment of CSS habitat. The Authority's priority is acquisition of lands that have been determined to have high value for establishing a wildlife corridor/linkage. Should acquisition not be immediately available due to the unwillingness of the sellers, the payment provided could then be used by the Authority for future acquisition or restoration (or combination thereof) at the Authority's discretion~~. Any restoration would be completed in accordance with the Authority's adopted Resource Management Plan. The terms and requirements of such an in-lieu-fee arrangement would need to be acceptable to the CDFW and USFWS in order to satisfy their mitigation requirements sufficiently to authorize the Project.
- **Cajon Creek Conservation Bank**. This U.S. Army Corps of Engineers-, CDFW-, and USFWS-approved mitigation bank with more than 24 listed or other special-status species has a service area that encompasses the Rancho La Habra Specific Plan area. The bank, with more than 1,200 acres, has over 1,000 credits presently available and could provide mitigation for waters of the state and U.S. as well as for the coastal California gnatcatcher.
- **Los Cerritos Wetlands Mitigation Bank.** While the Rancho La Habra Specific Plan is technically outside the service area of this mitigation bank, which is located in Long Beach, the bank is expected to have credits for sale in the next 12 months. Use of this bank as mitigation for projects outside of its service area can be permitted on a project-by-project basis.

- The identification of multiple mitigation options as described above demonstrates that acquisition of sufficient mitigation to compensate for impacts ~~on~~ to on-site resources is feasible.

Given the Project's location within a highly developed/urbanized portion of the Southern California region, it is appropriate to consider potential off-site mitigation opportunities that may ~~benefit~~ represent higher-value habitats and result in benefits to special-status ~~associated~~ species in the region. Also, it is appropriate for the CDFW and USFWS to be the arbiters for determining whether the specific selection of mitigation options constitutes "functionally equivalent or better" habitat to compensate for loss of CSS habitat within existing deed-restricted areas, as well as all riparian woodland and riparian scrub habitats, given the special attention focused on these resources by these agencies and the fact that (1) the CDFW has sole authority related to vacating existing deed restrictions and approving a Streambed Alteration Agreement to compensate for the habitat lost within the existing deed-restricted areas, (2) these agencies have approval authority for Project impacts on jurisdictional waters, and (3) both agencies have responsibilities under the federal and California Endangered Species Acts. The City would remain responsible for determining the adequacy of compensation for loss of CSS habitat outside of existing deed-restricted areas, recognizing that the combination of on-site and off-site mitigation approved by the CDFW and USFWS to compensate for impacts related to vacating existing deed restrictions and impacts on jurisdictional waters may also mitigate impacts on CSS habitat outside of existing deed-restricted areas.

Moreover, the ultimate mitigation approved by Responsible Agencies with jurisdictional authority over biological resources could consist of some combination of various amounts of on-site and off-site options that taken together represent functionally equivalent or greater habitat values than what would be impacted by the Project.

4. The Significance Conclusion for Impact BIO-1.2 is revised to read as follows:

The Project would ~~eliminate~~ remove existing deed restrictions within the Project site and thereby eliminate mitigation for the loss of 4.55 acres of riparian habitat that had been provided in perpetuity by Lake and Streambed Alteration Agreement No. 5-465-94 in 1995 and the recordation of deed restrictions over an 11.43-acre portion of the site in 2009. The Project would also directly remove approximately 9.66 acres of habitat suitable for special-status species within current CDFW deed-restricted areas. Vacating existing deed restrictions along with such grading and development would constitute a significant impact for which mitigation would be required.

5. Mitigation Measure BIO-1.2 is revised to read as follows:

Mitigation Measure BIO-1.2: Compensatory Replacement of Previously Provided Mitigation within On-site Deed Restricted Areas. The loss of previously provided mitigation within on-site deed-restricted areas ~~within the Project site~~ for impacts to 4.55 acres of mulefat scrub occurring during construction of the Westridge Golf Club shall be compensated through on-site

establishment/restoration/enhancement and/or off-site purchase/restoration/enhancement of functionally equivalent or better habitat.

The determination of functional equivalency of on-site establishment/restoration/ enhancement and/or off-site purchase/restoration/ enhancement shall be made by the California Department of Fish and Wildlife.

It is recognized, however, that while Impact BIO-1.1a addressing replacement of previously provided mitigation for impacts that occurred during construction of the Westridge Golf Club is distinct from Impact BIO-1.1a and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1a), and (3) loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c).

Compensation for loss of on-site deed-restricted areas with functionally equivalent or better habitat shall be detailed as set forth in Mitigation Measure BIO-1.1a.

6. The Significance Conclusion for Impact BIO-1.2 with Implementation of Mitigation Measures is revised to read as follows:

Because Mitigation Measure BIO-1.2 requires compensation for the loss of previously provided mitigation within on-site deed-restricted areas for impacts to 4.55 acres of mulefat scrub that occurred during construction of the Westridge Golf Club through the provision of ~~with~~ equivalent or better habitat ~~for the loss of previously provided mitigation within on-site deed-restricted areas~~, impacts would be reduced to less than significant.

7. Mitigation Measure BIO-2b is revised to read as follows:

Mitigation Measure BIO-2b: Conservation and Protection of Sensitive Habitats Avoided by Specific Plan Grading. For on-going conservation and protection of sensitive habitats that the Specific Plan proposes to avoid, the following requirements shall apply:

- A habitat conservation and protection plan for proposed upland conservation areas adjacent to the development footprint shall be prepared by a qualified biologist with implementation approved by the City of La Habra Community Development Director prior to approval of City grading permits. The habitat conservation and protection plan shall, at a minimum, include the following components to minimize the effect of night lighting on upland conservation area habitats adjacent to the development footprint.

- The following shall apply to any proposed lighting within 150 feet of the upland or riparian conservation areas:
    - Low-intensity streetlamps and low-elevation lighting poles shall be provided.
    - Internal silvering of the globe or external opaque reflectors shall be provided to direct light away from sensitive natural habitats.
    - Private sources of illumination around homes shall also be directed and/or shaded to minimize glare into sensitive habitats.
    - Light spillage from on-site development or trails shall not exceed 0.05 foot-candles within upland or riparian conservation areas.

  Common area lighting plans shall be reviewed by the City for conformance with these measures prior to installation. Private lighting restrictions shall be enforced by the property owners' association as described below.

- CC&Rs, as well as residential and commercial leases within the Project site shall prohibit building occupants from creating outdoor feeding stations for feral cats to prevent feral cat colonies from establishing and to prevent the attraction of other predatory wildlife such as coyotes, red fox, raccoon, and opossums. Such restrictions shall be monitored by a property owners' association that shall have the right to impose fines for violation of this requirement.

- As part of Community Center and Project trail improvements, interpretive signage regarding the sensitive habitats and the dangers of unleashed domestic animals shall be provided to the satisfaction of the City. Such information shall be provided in the vicinity of the Community Center, along trails, and at wildlife viewing areas where public access is provided.

  In addition, information materials shall be prepared by the applicant for review and approval by the City regarding the sensitive habitats and the dangers of unleashed domestic animals within the Project site. Such materials shall be provided to each initial homeowner by the home builder(s), to successive homeowners by the property owners' association, and to renters of for-rent multi-family dwellings by the building owner.

The property owners' association shall establish and enforce a pet policy prohibiting unleashed domestic animals outside of fully enclosed yard areas and have the right and obligation to impose fines for violation of the pet policy.

8. Mitigation Measure BIO-2c is revised to read as follows:

Mitigation Measure BIO-2c: Compensatory Mitigation for Loss of Riparian and Wetland Habitat. Loss of riparian and wetland habitat that cannot be avoided during site development as detailed in Table 3.5-9 shall be compensated with provision of functionally equivalent or better habitat, which may be provided as part of Mitigation Measure BIO-1.1a.

The applicant shall prepare and implement a maintenance program as approved by the City that includes maintenance of water quality pollution-control features such as swales, sediment traps, or other passive applications of pollution prevention measures required as part of National Pollutant Discharge Elimination System (NPDES) permitting. The maintenance program shall address the management of lands adjacent to off-site coastal sage scrub habitat areas and, at minimum, shall include the following requirements, to be performed to the satisfaction of the City:

- Install temporary silt fencing or vegetative plantings between development and adjacent sensitive natural communities, specifically off-site coastal sage scrub.
- Locate fueling stations or vehicle or equipment storage and maintenance away from potentially jurisdictional areas and features, and otherwise isolate construction work areas from any identified jurisdictional features including California Fish and Game Code, U.S. Army Corps of Engineers, and Regional Water Quality Control Board jurisdictional areas.
- Ensure on-going maintenance and management in perpetuity at no expense to the City for the preserved upland areas adjacent to the development footprint, along with provisions permitting the City to enforce management and maintenance requirements and recoup costs for enforcement should such enforcement be necessary. On-going maintenance and management of upland conservation areas shall be implemented in a manner consistent with the City of La Habra's NPDES storm water discharge permit and Regional MS4 Permit, and evidence of compliance with such permit conditions shall be provided to the City Engineer on a quarterly basis.
- Provide trash receptacles at appropriate locations and provide for regular litter removal.
- Maintain all improvements within the parks, trails, and Community Center in a safe and working condition.

9. The third full paragraph on page 3.5-105 is revised to read as follows:

Notably, La Habra General Plan Policy BR 1.1 contemplates the ~~conversion~~ conservation and protection of "sensitive plant species areas within the Westridge Golf Course." Impacts on sensitive plant species within the Westridge Golf Course are addressed in Impacts BIO-1.1 and BIO-1.2, above.

3.3.3 REVISIONS TO PARTIALLY RECIRCULATED DRAFT EIR (FINAL EIR VOLUME 2) SECTION 3.7, TRAFFIC AND CIRCULATION

1. The description of La Habra Hills Drive on page 3.7-16 of the Partially Recirculated Draft EIR is revised to read as follows:

La Habra Hills Drive is generally a two-lane, divided roadway oriented in a north-south direction from Imperial Highway south to the existing cul-de-sac, at which point it becomes a two-lane undivided private roadway. Parking is not permitted along this roadway in the vicinity of the Project site. The *prima facie* speed limit on La Habra Hills Drive is 25 mph. A traffic signal controls the study intersection of La Habra Hills Drive at Imperial Highway.

2. Mitigation Measure TRA-1.2 is revised to read as follows:

Mitigation Measure TRA-1.2: The applicant shall pay city-wide traffic improvement fees. Should the City Engineer identify a shortfall between the traffic improvement fees established by the Municipal Code and the actual fair share cost for providing the improvements within the City of La Habra that are identified as mitigation measures in the Rancho La Habra Specific Plan Final EIR, the City Engineer shall require payment of a fair share fee by the Project to fund construction of the improvements based on a prorated share of the Project's contribution to the need for such improvements.

3. Add the following text at the beginning of the Impact TRA-1.9 Mitigation Measures section:

The following improvements were identified in the Rancho La Habra Traffic Impact Analysis to mitigate cumulative Year 2035 plus Project traffic impacts (based on Caltrans methodology):

- **Beach Boulevard at Rosecrans Avenue**: Widen and/or restripe the northbound approach of Beach Boulevard by up to 12 feet to provide a fourth northbound through lane. Widen and/or restripe the southbound approach of Beach Boulevard by up to 12 feet to provide a fourth southbound through lane. Widen and/or restripe the westbound approach of Rosecrans Avenue by up to 12 feet to provide an exclusive right-turn lane. Modify the existing traffic signal as necessary. Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of these improvements is subject to the approval of Caltrans and the City of La Mirada.
- **Beach Boulevard at Imperial Highway**: Consistent with the City of La Habra General Plan, widen and/or restripe the northbound approach of Beach Boulevard by up to 12 feet to provide a fourth northbound through lane. Consistent with the City of La Habra General Plan, widen and/or restripe the southbound approach of Beach

Boulevard by up to 12 feet to provide a fourth southbound through lane. Modify the existing traffic signal as necessary. Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of these improvements is subject to the approval of Caltrans and the City of La Habra. Since the Project cannot guarantee that these improvements that are located in the City of La Habra and/or also under the jurisdiction of Caltrans will be implemented, a statement of overriding considerations will be required for this location.

- **Euclid Street at Imperial Highway**: Widen and/or restripe the southbound approach of Imperial Highway by up to 12 feet to provide an exclusive southbound right-turn lane. Modify the existing traffic signal. Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of La Habra.
- **Harbor Boulevard at Imperial Highway**: Modify the existing traffic signal and install a southbound right-turn overlap phase. The installation of this improvement is subject to the approval of Caltrans, the City of La Habra, and the City of Fullerton.
- **Beach Boulevard at Lambert Road**: Widen and/or restripe the eastbound approach of Lambert Road by up to 12 feet to provide an exclusive right-turn lane. Modify the existing traffic signal as necessary. Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of La Habra.
- **Beach Boulevard at La Mirada Boulevard/Malvern Avenue**: Widen and/or restripe the southbound approach of Beach Boulevard by up to 12 feet to provide a fourth southbound through lane. Modify the existing traffic signal as necessary. Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of this improvement is subject to the approval of Caltrans and the City of Buena Park.
- **Beach Boulevard at Artesia Boulevard**: Widen and/or restripe the southbound approach of Beach Boulevard by up to 12 feet to provide an exclusive right-turn lane. Modify the existing traffic signal as necessary and install a westbound right-turn overlap phase. Right-of-way acquisition will be required. Based on review of aerial photographs, these improvements appear to be feasible. The installation of these improvements is subject to the approval of Caltrans and the City of Buena Park.
- **Hacienda Road at Whittier Boulevard**: Widen and/or restripe the northbound approach of Hacienda Road to provide an exclusive left-turn lane. Widen and/or restripe the southbound approach of Hacienda Road to provide an exclusive left-turn lane, a shared left/through lane, and dual right-turn lanes. Modify the existing traffic signal for split-phase operation in the north-south directions. The installation of these improvements, which are planned by the City of La Habra/Caltrans as part of the

Hacienda Road/Whittier Boulevard Intersection Improvement Project, are subject to the approval of Caltrans and the City of La Habra.

Walnut Street at Imperial Highway: Consistent with the City of La Habra General Plan, install a three-phase traffic signal with protected left-turn phasing on Imperial Highway (i.e., eastbound left-turn lane). It should be noted that this key study intersection satisfies the peak hour signal warrant under existing traffic conditions (i.e., Warrant #3 described in the current California Manual on Uniform Traffic Control Devices [MUTCD]). Further, per discussions with City of La Habra staff, Caltrans has committed to install a traffic signal at this location.

3.3.4 REVISIONS TO PARTIALLY RECIRCULATED DRAFT EIR (FINAL EIR VOLUME 2) SECTION 3.11, NOISE AND VIBRATION

1. Mitigation Measures NOI-1.1a and NOI-1.1b are revised to read as follows:

Mitigation Measure NOI-1.1a: Noise barriers shall be constructed in the locations identified in the Rancho La Habra Noise and Vibration Analysis Report (Partially Recirculated Draft EIR Appendix L) as exceeding applicable noise standards. In addition, to mitigate exterior noise from commercial activities within the Westridge Plaza shopping center, a 6-foot-high noise barrier that would block the line-of-sight to such activities at the first-floor elevations shall be constructed along the backyard property lines of the first row of homes along the south side of the shopping center.

Mitigation Measure NOI-1.1b: To ensure that the interior sound levels of the future homes within the Project comply with the City's noise criterion, the following conditions shall be satisfied:

1. Exterior activity areas such as balconies shall be placed at the opposite side of buildings from the roadways within areas subject to a CNEL in excess of 60 dBA.
2. Windows and sliding glass doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be mounted in low air infiltration rate frames (0.5 cubic feet per minute/foot [cfm/ft.] or less per American National Standards Institute [ANSI] specifications).
3. Exterior doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be solid core with perimeter weather-stripping and threshold seals.
4. Air conditioning or mechanical ventilation shall be provided for the first row of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project to allow occupants to close doors and windows for the required acoustical isolation.

5. Roof or attic vents directly facing the traffic and commercial noise sources shall be baffled so that sound must take an indirect route when entering the attic space.

3.3.5 REVISIONS TO DRAFT EIR (FINAL EIR VOLUME 1) SECTION 3.12, HAZARDS AND HAZARDOUS MATERIALS

1. Impact Statement HAZ-8, revised to read as follows:

Impact HAZ-8: **~~Proposed Project site development would place new residential uses within a Very High Fire Hazard Area and intensify development along a wildland-urban interface, increasing fire hazards. Compliance with existing codes, along with implementation of the proposed Fire Management Plan as approved by the Los Angeles County Fire Department, would ensure an adequate level of fire safety.~~ The City of La Habra and the County of Los Angeles Fire Department require that development complies with building and fire codes that include sprinkler and fire hydrant requirements in new structures and remodels, standards for road widths and design to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains and fire hydrants. The City has also adopted the most recent edition of the California Building Code that includes sections on fire-resistant construction material requirements based on building use and occupancy. The proposed Project would also be required to comply with the City's Fire Code (Section 15.46 of the La Habra Municipal Code). Compliance with existing codes would ensure an adequate level of fire safety within high fire hazard zones and along the wildland-urban interface. As a result, the impact would be *less than significant*.**

2. Methodology for Impact HAZ-8, revised to read as follows:

A significant impact would occur if development were proposed within or adjacent to a high fire hazard zone or within a wildland-urban interface. To determine whether a significant impact would result from the proposed Project, the Specific Plan was evaluated against existing State of California wildland fire hazard maps, ~~as well as~~ discussion of wildland fire hazards in the La Habra General Plan and General Plan EIR, and correspondence from the Los Angeles County Fire Department.

3. Impact Assessment for Impact HAZ-8, revised to read as follows:

According to the Los Angeles County Fire Department[1], VTTM 17845 (Rancho La Habra Specific Plan) "does not exist within the very high fire hazard zone and does not qualify for fuel modification plan review." Proposed Project site development would therefore not place new residential uses within a Very High Fire Hazard Area ~~and~~ or intensify development along a wildland-urban interface. As a result, proposed residential structures would not be subject to hazards from wildland fires~~, and the potential would exist for a structural fire within the Project site to spread into adjacent wildland areas~~.

4. Significance Conclusion for Impact HAZ-8, revised to read as follows:

~~The proposed Project includes a Fire Management Plan (**Figure 3.12-2**). The plan would require fuel modification on newly constructed slopes between residential lots and the approximately 11 acres of Coastal Sage Scrub habitat in the southwest corner of the Project site and on a portion of the existing slope separating the Project site from the existing Westridge community. As a condition of approval, prior to issuance of a grading permit, the Chief Building Official would ensure that the proposed Fire Management Plan has been submitted to and review by the Los Angeles County Fire Department, and that the Fire Department has approved the plan along with any required revisions to the plan.~~

Fire suppression services in La Habra are provided by the Los Angeles County Fire Department. To help protect the City and its residents from fire hazards, the City of La Habra and the County of Los Angeles require that development complies with both building and fire codes. Provisions include sprinkler and fire hydrant requirements in new structures and remodels, road widths and configurations designed to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains and fire hydrants. The City has also adopted the most recent edition of the California Building Code that includes sections on fire-resistant construction material requirements based on building use and occupancy. The construction requirements are a function of building size, purpose, type, materials, location, proximity to other structures, and the type of fire suppression systems installed.

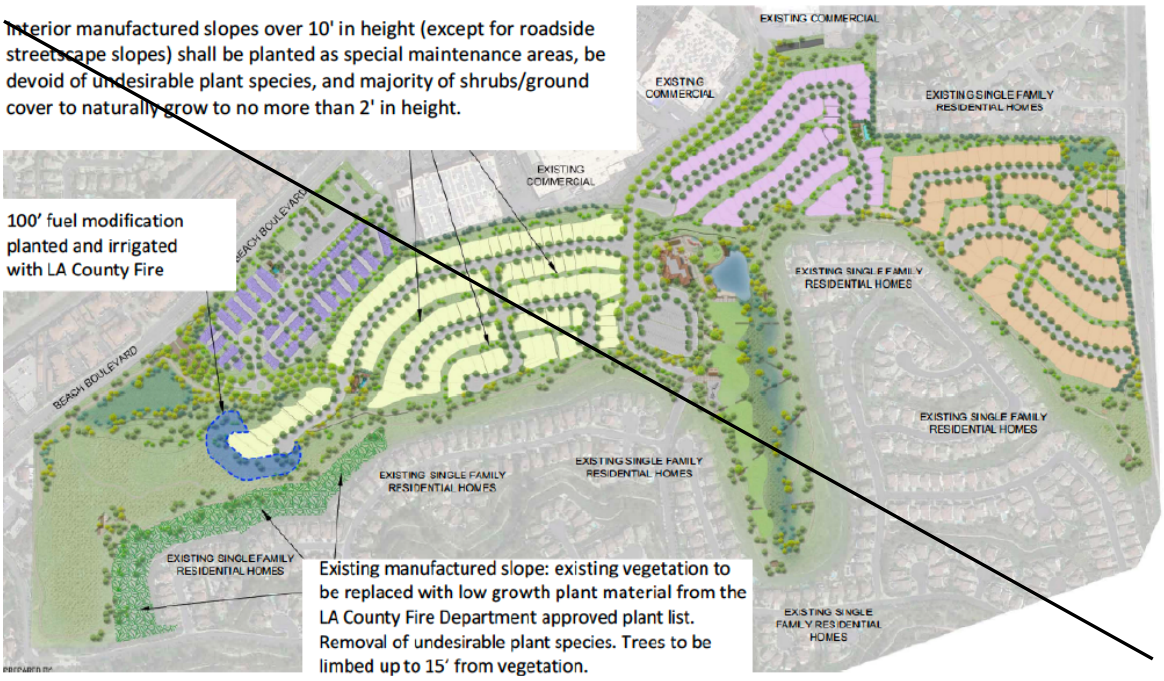
The proposed Project would also be required to comply with the City's Fire Code (Section 15.46 of the La Habra Municipal Code).

Compliance with existing codes~~, along with implementation of the proposed Fire Management Plan as approved by the Los Angeles County Fire Department,~~ would ensure an adequate level

[1] Email from Robert Walton, Los Angeles County Fire Department, to David Otais, Los Angeles County Fire Department, October 24, 2018.

of fire safety within high fire hazard zones and along the wildland-urban interface. As a result, the proposed Project would have a less-than- significant impact, and no mitigation measures are required.

~~**Figure 3.12-2 Proposed Fire Management Plan**~~



3.3.6 REVISIONS TO DRAFT EIR (FINAL EIR VOLUME 1) SECTION 3.13, HYDROLOGY AND WATER QUALITY

1. Section 3.13b, Water Quality, revised to read as follows:

…. However, the Project site is not located adjacent to (within 200 feet of) these water bodies and does not directly discharge to them. Based on the most current 303(d) list, downstream receiving waters are impaired by the following contaminants:

- **Coyote Creek ~~Channel~~**: ammonia, copper (dissolved), diazinon, indicator bacteria, lead, pH, toxicity.
- ~~**Coyote Creek**: diazinon, indicator bacteria, pH, toxicity.~~
- **San Gabriel River (Reach 1)**: coliform bacteria, pH.
- **San Gabriel River (Estuary):** copper, dioxin, nickel, dissolved oxygen.
- **Alamitos Bay:** indicator bacteria.
- **San Pedro Bay:** chlordane, DDT, polychlorinated biphenyls (PCBs), sediment toxicity.

The Los Angeles RWQCB (Region 4) has approved TMDLs for Coyote Creek/San Gabriel River that apply to those portions of Orange County that drain to Coyote Creek and the San Gabriel River.

2. Table 3.13-2 is revised to read as follows:

Table 3.13-2
Pollutants of Concern

Pollutant	Expected from Project?	Additional Information and Comments
Suspended-Solid/ Sediment	Yes	Potential sources of sediment include existing landscaping areas and disturbed earth surfaces.
Nutrients	Yes	Potential sources of nutrients include fertilizers, sediment, and trash/debris.
Heavy Metals	Yes	Potential sources of heavy metals include streets, as well as commercial and multi-family parking areas.
Pathogens (Bacteria/Virus)	Yes	Potential sources of pathogens include pets, food wastes, and landscaping/sediment areas.
Pesticides	Yes	Potential sources of pesticides include landscaping and open space areas.
Oil and Grease	Yes	Potential sources of oil and grease include streets and parked vehicles.
Toxic Organic Compounds	~~No~~ Yes	~~Toxic organic compounds are not expected to be of concern due to the predominance of residential development.~~ The Project includes land uses where generation of toxic organic compounds is anticipated.
Trash and Debris	Yes	Potential sources include common litter and trash cans from homes. Project design would incorporate trash treatment devices meeting the full capture system definition of SWRCB Resolution Order No. 2015-0019 (Trash Amendments).

Source: Hunsaker Associates, *Rancho La Habra Preliminary Water Quality Management Plan*, 2018.

3. The following text is added to the third column of the last row of the table on page 5 of the Preliminary Water Quality Management Plan (Draft EIR Appendix N):

Project design would incorporate trash treatment devices meeting the full capture system definition of SWRCB Resolution Order No. 2015-0019 (Trash Amendments).

4. Rows 1 through 3 of the table on page 16 of the Preliminary Water Quality Management Plan (Draft EIR Appendix N) are revised to read as follows:

Receiving Waters	~~Coyote Creek Channel,~~ Coyote Creek, San Gabriel River (Reach 1 & Estuary), Alamitos Bay, San Pedro Bay and Pacific Ocean

2012 303(d) Listed Impairments	Coyote Creek Channel – Ammonia, Copper (dissolved), Diazanon, Indicator Bacteria, Lead, pH, and Toxicity ~~Coyote Creek - Diazanon, Indicator Bacteria, pH, Toxicity~~ San Gabriel River (Reach 1) – Coliform Bacteria, pH San Gabriel River (Estuary) – Copper, dioxin, Nickel, Dissolved Oxygen Alamitos Bay - Indicator Bacteria San Pedro Bay – Chlorodane, DDT, PCBs, Sediment Toxicity
Applicable TMDLs	~~Heavy Metals – (Technical TMDLs)~~ San Gabriel River and Impaired Tributaries – Heavy Metals and Selenium (per R13-004, LARWQCB) San Gabriel River Estuary and Tributaries – Indicator Bacteria (R15-005, LARWQCB)

5. Row 5 of the table on page 16 of the Preliminary Water Quality Management Plan (Draft EIR Appendix N) is revised to read as follows:

Watershed-Based Plan Conditions	
Provide applicable conditions from watershed-based plans (including WIHMPs and TMDLs)	WIHMPs: There are currently no approved WIHMPs for the San Gabriel River – Coyote Creek Watershed. TMDLs: ~~Heavy Metals – (Technical TMDLs)~~ ~~Adoption Date: July 13, 2006~~ ~~Completion Date: Ongoing~~ San Gabriel River and Impaired Tributaries – Heavy Metals and Selenium (per R13-004, LARWQCB)

3.3.7 REVISIONS TO DRAFT EIR (FINAL EIR VOLUME 1) SECTION 3.14, GEOLOGY, SOILS, AND SEISMICITY

1. Impact Statement GEO-1.4 is revised to read as follows:

Impact GEO-1.4: The mechanically stabilized earth (MSE) wall below proposed Lots 241 through 245 would be at risk from landslide. In addition, site grading activities would result in removal of a buttress keyway in the southern portion of the site, requiring slope stabilization and remedial grading of an existing landslide. The impact related to risk of loss, injury, or death involving landslides would be *significant but mitigable*.

2. The second full paragraph on page 3.14-23 is revised to read as follows:

~~Proposed site grading would not cut into or otherwise modify existing perimeter slopes adjacent to the Westridge community. As stated earlier, these slopes were provided with buttress keyways and remedial grading when first constructed to ensure that stability.~~ During site grading, a buttress keyway in the southern portion of the site would be removed and an existing landslide would undergo remedial grading. Analysis of the temporary slope stability

following removal of the buttress keyway indicates a factor of safety of approximately 1.2, which would require specific actions to be undertaken to ensure slope stability following removal of the buttress keyway. Based on the results and recommendations of the Geotechnical Report and supplemental analysis, proposed site development would not adversely affect adjacent perimeter properties.

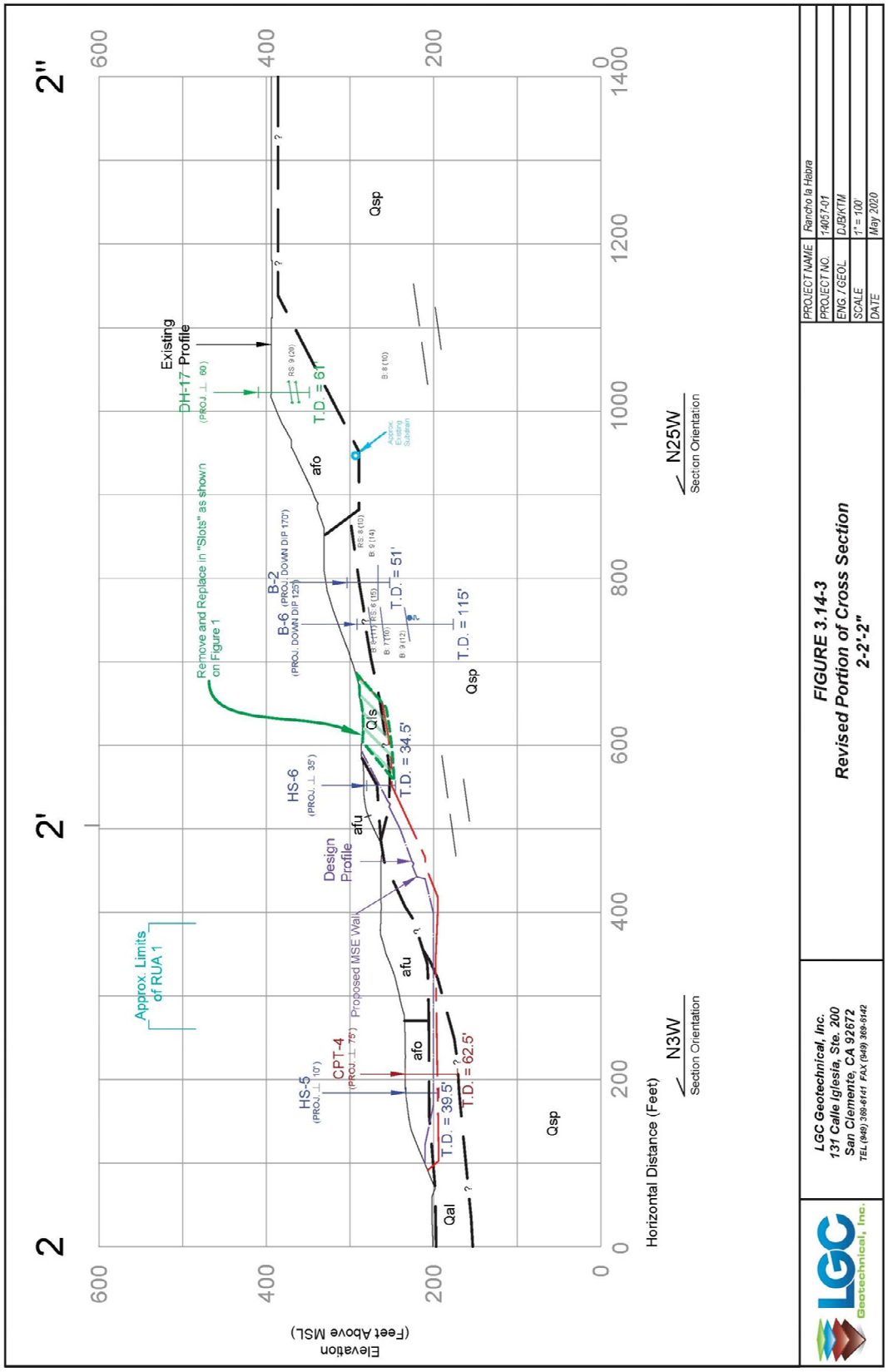
3. The Significance Conclusion for Impact GEO-1.4 is revised to read as follows:

As indicated in the Geotechnical Report and supplemental analysis, slopes within the project site would be stable and structures would not be at risk from landslide with ~~one~~ two exceptions. Reinforcement is necessary in order to provide an adequate factor of safety for the proposed MSE walls located below Lots 241 through 245 of Vesting Tentative Tract Map 17845. In addition, removal of a buttress keyway in the southern portion of the site during grading activities would require slope stabilization and remedial grading of an existing landslide. As a result, a significant impact would result, requiring mitigation.

4. Mitigation Measure GEO-1.4 is revised and Mitigation Measure GEO-1.4b is added to read as follows:

Mitigation Measure GEO-1.4a: Additional geogrid reinforcement length beyond local stability requirements to be determined by the MSE wall designer and approved by the Chief Building Official shall be required to provide adequate global stability factors of safety (greater than 1.5 and 1.1 for static and pseudo-static [seismic] loading conditions, respectively, for the MSE wall located below Lots 241 through 245 of Vesting Tentative Tract Map 17845.[1]

Mitigation Measure GEO-1.4b: The planned landslide removal at Cross-Section 2-2′-2″shall be undertaken prior to excavation of the keyway back-cut slope north of the proposed landslide removal area as depicted in **Figure 3.14-3**, *Revised Portion of Cross-Section 2-2′-2″*. Additionally, the landslide removal shall be excavated in slots, or sections, where an area of landslide approximately 80 feet long (measured parallel to the slope face) is removed and replaced as compacted fill, prior to excavation of the adjacent 80-foot-wide section. A minimum of approximately 15 vertical feet of compacted fill shall be placed above the landslide rupture surface within each completed slot, prior to the next section of landslide removal. The landslide removal operation shall be performed so that no sections are left open (defined as lacking a minimum of 15 vertical feet in front of the landslide) over a weekend/holiday or when a significant rain event is predicted over the next three days. Full-time observation and testing shall be monitored by a qualified geotechnical expert during the landslide removal operation, and the expert shall provide supplemental recommendations based on observed field conditions.


2
2'
2"
Elevation (Feet Above MSL)
600
400
200
0
Horizontal Distance (Feet)
0
200
400
600
800
1000
1200
1400
N3W
Section Orientation
N25W
Section Orientation
Approx. Limits of RUA 1
Remove and Replace in "Slots" as shown on Figure 1
Existing DH-17 Profile
(PROJ. ⊥ 60')
Design Profile
Proposed MSE Wall
HS-5
(PROJ. ⊥ 10')
CPT-4
(PROJ. ⊥ 75')
HS-6
(PROJ. ⊥ 35')
B-6
(PROJ. DOWN DIP 125')
B-2
(PROJ. DOWN DIP 172')
Approx. Existing Substation
Qal
afu
afo
Qls
Qsp
T.D. = 39.5'
T.D. = 62.5'
T.D. = 34.5'
T.D. = 115'
T.D. = 51'
T.D. = 61'
LGC Geotechnical, Inc.
131 Calle Iglesia, Ste. 200
San Clemente, CA 92672
TEL (949) 369-6141 FAX (949) 369-8142
FIGURE 3.14-3
Revised Portion of Cross Section
2-2'-2"
PROJECT NAME Rancho la Habra
PROJECT NO. 140571-01
ENG. / GEOL. DJB/KTM
SCALE 1" = 100'
DATE May 2020

5. The Significance Conclusion for Impact GEO-1.4 after Implementation of Mitigation Measures is revised to read as follows:

With the implementation of **Mitigation Measures GEO-1.4a and GEO-1.4b**, all slopes within the project site would have an adequate factor of safety both during and following site grading activities and would not pose a landslide risk, resulting in a less-than-significant impact.

3.3.8 REVISIONS TO DRAFT EIR (FINAL EIR VOLUME 1) SECTION 3.16, RECREATIONAL RESOURCES

1. Impact Assessment starting on page 3.16-11 is revised to read as follows:

The Project's proposed 277 single-family detached and 125 multi-family dwelling units would result in a need for ~~3.78~~ 4.13 acres of parkland based on the formula of 3 acres per 1,000 persons specified in Municipal Code Section 15.48.063.[2] Should Planning Area 5 be developed for residential use, the additional 46 multi-family dwelling units would increase the need for parkland from ~~3.78~~ 4.13 acres to ~~4.12~~ 4.18 acres. By comparison, the proposed Project would provide ~~25.1~~ 28.86 acres of public parkland as follows:

- Public Community Center ~~and Park~~: 3.30 acres
  - ~~A 22,500-square-foot structure providing an indoor banquet hall, kitchen, meeting, and office facilities in the existing Westridge Golf Club clubhouse~~ Approximately 22,500 square feet of building area providing indoor banquet, dining, kitchen, meeting, and office facilities in the existing Westridge Golf Club clubhouse, which is proposed to be converted to a public community center
  - Outdoor banquet, dining, and gathering space ~~on patios adjacent to an existing open water pond~~
  - ~~Kids water play, adventure play~~ Play area~~,~~ and open turf
  - Parking for daily use and special events
- Public Park and Picnic Area: ~~10.4~~ 12.79 acres
  - An extension of the Community Center and park to the south
  - Terraced multi-purpose play areas
  - Picnic areas, including benches and tables, with shade trees and views of the San Gabriel Mountains

[2] Municipal Code Section 15.48.063 specifies the use of 3.41 persons per household for single-family detached homes, 3.26 persons per household for structures with two dwelling units, 3.32 persons per household for structures with 3-4 dwelling units, and 2.51 persons per household for multi-family homes with 5 to 9 units per building.

- ~~Picnic areas, shade trees~~
- ~~Natural drainage channel, oak woodland, and native grasslands~~

- Public Linear Park: ~~10.6~~ 12.77 acres
  - 2.6 miles of trails proposed to traverse throughout the community, with connections to Idaho Street and Beach Boulevard
  - Benches, shade trees, viewing overlooks, exercise equipment
  - ~~Gardens~~

In addition to these public park and recreational facilities, ~~25.6~~ 28.07 acres of private recreational facilities are proposed, including the following:

- Planning Area 1:
  - Pool and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Area 2:
  - Pool, wading pool, and spa
  - Restrooms and showers
  - Barbeque and picnic facility
  - Shade structure
- Planning Areas 3/4:
  - Lap pool and spa
  - Restrooms and showers
  - Shade structure
- Multiple Planning Areas:
  - Passive turf play areas
  - Shade trees
  - Bench seating
  - Children's play structures
  - Trail connections

Closure of the existing Westridge Golf Club to make way for proposed residential and commercial development would result in the loss of a major recreational resource in La Habra. As noted above, the La Habra General Plan identifies the 18-hole Westridge Golf Club as the "major recreational facility in the City," and states that facility is "privately owned but restrictions have been placed by the City to assure it remains recreational open space."

While proposed golf course closure for residential and commercial development would result in the loss of 63.6 acres of open space previously approved for the La Habra Hills Specific Plan,[3] golf course closure and development would not affect the 29.5-acre community park and 2.6 acres of non-golf course open space approved for the La Habra Hills Specific Plan.

With the proposed closure of the Westridge Golf Club, the following golf courses would be available within a 5-mile radius of the Project site:

- La Mirada Golf Course: 1.25 miles west of the Project site.
- Fullerton Golf Course: 2.1 miles southeast of the Project site.
- Brea Creek Golf Course: 2.67 miles east of the Project site; nine-hole executive course.
- Coyote Hills Golf Course: 3.1 miles southeast of the Project site; semi-private with traditional memberships.
- Los Coyotes Country Club: 1.1 miles south of the Project site; members-only.
- Candlewood Country Club: 3.4 miles northwest of the Project site; members-only.

2. The first paragraph of the Significance Conclusion for Impact REC-1 is revised to read as follows:

Because the proposed Project would provide ~~25.1~~ 28.86 acres of public parkland, which is well in excess of Municipal Code requirements (~~3.78~~ 4.13 acres), along with ~~25.6~~ 28.07 acres of private recreational facilities, new residents within the Project site would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.

[3] The 63.6 acres of open space loss is based on the acreage within the Rancho La Habra Specific Plan proposed for residential and commercial use, as well as roadways.

3.4 REVISIONS TO CHAPTER 6, CUMULATIVE ENVIRONMENTAL EFFECTS

1. The first full paragraph on page 6-3 of the Partially Recirculated Draft EIR is revised to read as follows:

A total of ~~61~~ 63 closely related projects were identified within the vicinity of the project site as of August 2019 when preparation of the updated Rancho La Habra Traffic Impact Analysis was under way, whose physical environmental effects might combine with those of the proposed project to create one or more cumulative impacts. These cumulative projects are identified in **Table 6-1** and illustrated in **Figure 6-1**.

2. Figure 6-3 is revised as follows.

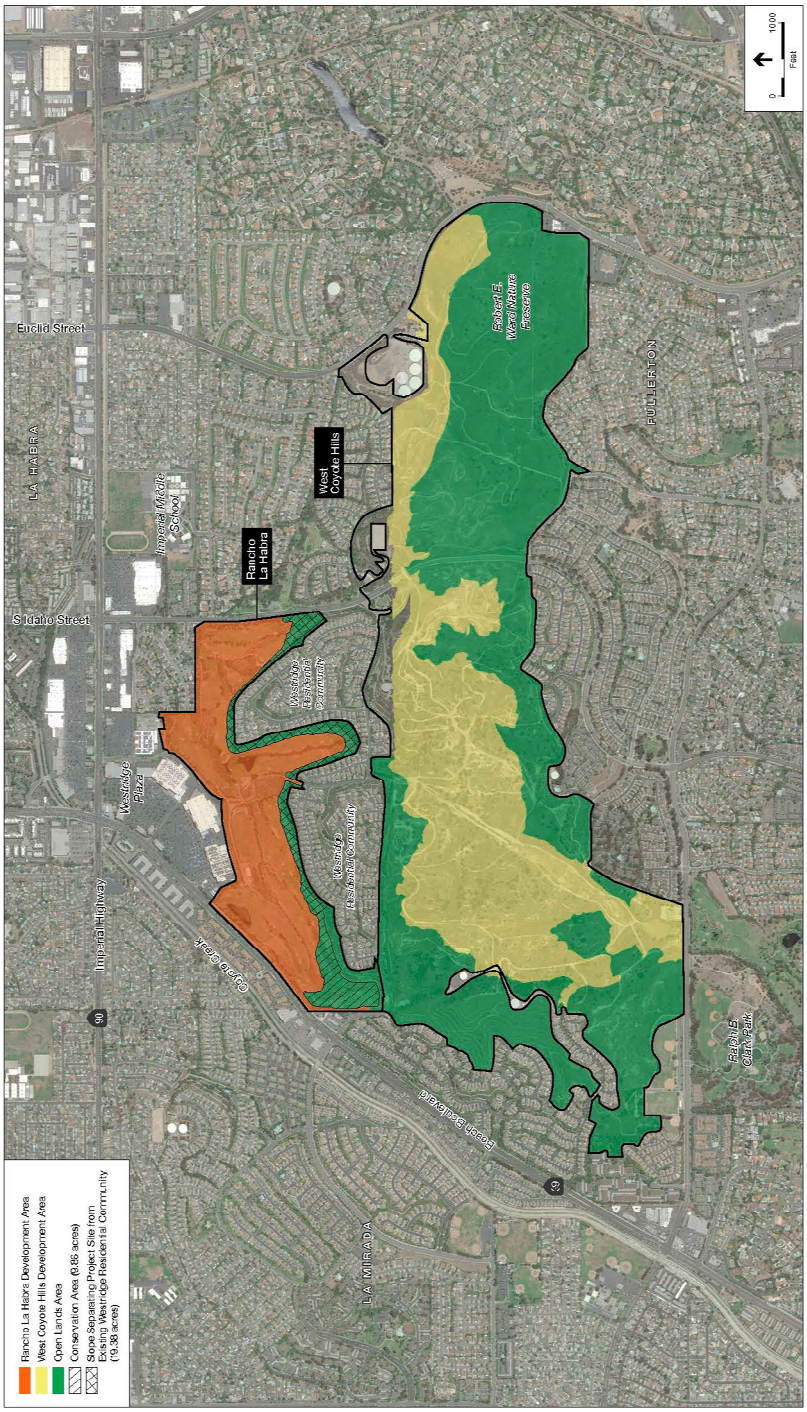


Figure 6-3: Rancho La Habra and West Coyote Hills Post-Development Cumulative Setting

Source: Hamilton Biological, Walden & Associates, Google Earth Pro, LSA

RANCHO LA HABRA SPECIFIC PLAN EIR

3.5 REVISIONS TO CHAPTER 7, ALTERNATIVES

1. Section 7.4.3a of the Draft EIR (Final EIR Volume 1), discussion under Biological Resources, is revised to read as follows:

The addition of a hotel as part of the Golf Course and Hotel Alternative would avoid impacts on the most sensitive biological resources in the central and western portions of the project site, as would the proposed project. The Golf Course and Hotel Alternative would affect less habitat than the proposed project because it would require grading of a substantially smaller area.

This alternative would eliminate the grading footprint indicated in Figure 3.5-2 (Vegetation Alliances), with the exception of the existing clubhouse area and an approximately 5- to 10-acre area immediately to the north. Because the existing golf course and existing vegetative alliances within the balance of the Project site would remain in place, the Golf Course and Hotel Alternative would permit the existing deed restrictions to remain in place, and the loss of vegetative alliances within the site would be to a small area of Mixed Scrub Shrubland Alliance north of the existing clubhouse.

2. Section 7.4.4a of the Draft EIR (Final EIR Volume 1), discussion under Biological Resources, is revised to read as follows:

The limits of grading associated with the Residential/Nine-Hole Golf Course Alternative within the western portion of the site would be similar to the proposed project, resulting in similar impacts on sensitive biological resources within that area, such as coastal sage scrub. Both this alternative and the proposed project would avoid impacts on the central riparian drainage. This alternative would also avoid impacts on existing biological resources ~~within~~ throughout the eastern portion of the project site (area east of the existing clubhouse), resulting in reduced impacts compared to the proposed project. The Residential/Nine-Hole Golf Course Alternative would also permit the majority of deed-restricted areas identified in Figure 2-11 (Deed Restriction Boundaries) to remain in place. Only the two westernmost deed-restricted areas shown in Figure 2-11 would need to be vacated for the Residential/Nine-Hole Golf Course Alternative.

3.6 REVISIONS TO CHAPTER 8, MITIGATON MONITORING & REPORTING PROGRAM

1. The bullet points starting at the bottom of page 8-1 are revised to read as follows:

- Implementation Actions, describing the specific actions that are required to be taken to implement the mitigation measure;

- ~~Monitoring Phase~~ Action is to be Taken, describing the timing of when the mitigation measure is to be implemented;
- ~~Implementation Party, identifying the party responsible for implementing the mitigation measure;~~
- ~~Enforcement~~ Agency/Entity Responsible to Verify Compliance, specifying the agency with the power to monitor and enforce implementation of the mitigation measure.~~; and~~
- ~~Monitoring Agency, identifying the agency with the power to monitor and enforce implementation of the mitigation measure, and agency responsible for determining compliance with specified mitigation measures.~~

2. The "Implementation Action(s)" and "Action is to be Completed" columns in Table 8-1, MMRP, (Final EIR Volume 2) are revised to read as follows:

Mitigation Measure BIO-1.1a "Implementation Action(s)" and "Action is to be Completed" text is revised as follows:

Implementation Action(s)	Action is to be Completed
Prior to issuance by the City of a grading permit or approval of a final subdivision map, the applicant shall: • Identify the specific acreage, location(s), and requirements for on-site and off-site mitigation that would provide "functionally equivalent habitat or better" for review and approval by CDFW; • Implement mitigation requirements to the satisfaction of CDFW, including acquisition of ~~S~~sufficient habitat land ~~shall be acquired~~ such that the California Department of Fish and Wildlife verifies that a combination of on-site establishment/restoration/ enhancement and/or off-site purchase of land will result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas and jurisdictional areas~~.~~; • Provide for permanent reservation and establish the mechanism for ultimate ownership and perpetual maintenance of a minimum of 9.86 acres of open space for preservation and enhancement of on-site coastal sage scrub wildlife habitat as approved by the City of La Habra and the California Department of Fish and Wildlife; • Obtain a new Streambed Alteration Agreement from CDFW; • Have existing deed restrictions in favor of CDFW vacated; and • Submit documentation to the City that a new Streambed Alteration Agreement has been approved by CDFW and existing deed restrictions in favor of CDFW have been vacated. Should ~~such~~ the combination of on-site establishment/restoration/enhancement and/or off-site purchase of land as mitigation for impacts to deed-restricted and jurisdictional areas not also result in functionally equivalent or better habitat than the 1.89 acres of coastal sage scrub~~, riparian woodland, and riparian scrub alliances~~ that would be lost outside of existing deed-restricted areas and jurisdictional areas, either (1) mitigation credits shall be acquired by the Project sponsor within an agency-approved mitigation bank or (2) additional coastal sage scrub shall be provided onsite at a 1:1 ratio for any such shortfall.	Prior to issuance of a grading permit or approval of a final subdivision map.

Mitigation Measure BIO-1.2 "Implementation Action(s)" and "Action is to be Completed" text is revised as follows:

Implementation Action(s)	Action is to be Completed
Prior to application to the City for a grading permit or submittal of a proposed final subdivision map, the applicant shall: • Identify the specific acreage, location(s), and requirements for on-site and off-site mitigation that would provide "functionally equivalent habitat or better" and obtain approval by CDFW; • Implement mitigation requirements to the satisfaction of CDFW, including acquisition of ~~S~~ sufficient habitat land ~~shall be acquired~~ such that the California Department of Fish and Wildlife verifies that a combination of on-site establishment/restoration/enhancement and/or off-site purchase of land will result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas and jurisdictional areas~~.~~; • Obtain a new Streambed Alteration Agreement from CDFW; • Have existing deed restrictions in favor of CDFW vacated; and • Submit documentation to the City that a new Streambed Alteration Agreement has been approved by CDFW and existing deed restrictions in favor of CDFW have been vacated. ~~Should such on-site establishment/restoration/ enhancement and/or off-site purchase of land not also result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances that would be lost outside of existing deed-restricted areas and jurisdictional areas, mitigation credits shall be acquired by the Project sponsor within an agency-approved mitigation bank at a 1:1 ratio for any such shortfall.~~	Prior to issuance of a grading permit or approval of a final subdivision map.

Mitigation Measure BIO-2b "Implementation Action(s)" text is revised as follows:

Implementation Action(s)	Action is to be Completed
Proof that in-kind replacement at a minimum 1:1 ratio of sensitive natural communities has occurred may include a City-approved on-site re-planting or habitat restoration plan that includes direction and funding of monitoring and maintenance in perpetuity at no cost to the City, and could also include In-kind replacement at a minimum 1:1 ratio of sensitive natural communities off site at an agency-approved mitigation bank. In addition, the City shall review the agreement(s) the applicant enters into to verify that establishment has been made to provide for on-going management and maintenance (at no cost to the City) in perpetuity for maintenance of on-site replacement ~~of~~ sensitive natural communities, and shall require demonstration that management is consistent with the terms included in **Mitigation Measure BIO-2a**.	Prior to issuance of a grading permit

Mitigation Measure BIO-2c "Implementation Action(s)" and "Action is to be Completed" text is revised as follows:

Implementation Action(s)	Action is to be Completed
Prior to application to the City for a grading permit or submittal of a proposed final subdivision map, the ~~The~~ applicant shall secure regulatory approvals, including an authorized Section 1602 Streambed Alteration Agreement, U.S. Army Corps of Engineers Permit and Section 7 Consultation, and a Section 401 Water Quality Certification for the Specific Plan, that	Prior to issuance of a grading permit or approval of a final subdivision map.

Implementation Action(s)	Action is to be Completed
demonstrate in-kind replacement of jurisdictional resources with resources of equal or greater habitat values ~~including their functions and values~~. The City shall confirm that proposed grading conforms to the terms and conditions of these federal and state agreements and permits, and that requirements for post-construction monitoring and reporting will be met.	

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CHAPTER 4 MITIGATION MONITORING & REPORTING PROGRAM

Section 21081.6 of the *California Public Resources Code* and Sections 15091(d) and 15097 of the *State CEQA Guidelines* require public agencies "to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment."

The following Mitigation Monitoring and Reporting Program (MMRP) is based on the mitigation measures presented in the Draft Environmental Impact Report (EIR) as modified by the Partially Recirculated Draft Environmental Impact Report prepared by the City of La Habra to analyze impacts of proposed development associated with the proposed Rancho La Habra Specific Plan (Project). The following MMRP also includes revisions to mitigation measures and their implementation developed in response to comments received on the Draft EIR and the Partially Recirculated Draft EIR during their respective public review periods. These revisions are identified in Chapter 3 of this document. As lead agency for the proposed development associated with the Rancho La Habra Specific Plan. As lead agency for the proposed Specific Plan, and pursuant to AB 3180, the City of La Habra is responsible for implementation of this MMRP.

Pursuant to the State CEQA Guidelines, a Mitigation Monitoring and Reporting Program must:

- Identify the entity that is responsible for each monitoring and reporting task, be it the City of La Habra (as lead agency), other agency (responsible or trustee agency), or a private entity (i.e., the Project sponsor);
- Be based on the project description and the required mitigation measures presented in the environmental document prepared for the Project by the lead agency (Rancho La Habra EIR); and
- Be approved by the lead agency at the same time as Project entitlement action or approvals.

An EIR has been prepared for the proposed Project that addresses the anticipated environmental impacts of development pursuant to that plan. Where significant impacts are identified, the EIR set forth measures to mitigate these impacts. It is the purpose of this MMRP to identify the implementation strategy for each mitigation measure to ensure that adopted mitigation measures are successfully implemented. Upon adoption of the MMRP by the La Habra City Council, the mitigation monitoring and reporting requirements set forth in this Chapter will become conditions of Project approvals and permits. Therefore, in accordance with the aforementioned requirements, this Chapter of the Final EIR lists each mitigation measure, describes the methods for implementation and verification for each measure, and identifies the responsible party or parties as detailed below in the MMRP Implementation section.

As shown in the following pages, each required mitigation measure for the proposed Specific Plan is listed, with accompanying notation of:

- Implementation Actions, describing the specific actions that are required to be taken to implement the mitigation measure;
- Action is to be Taken, describing the timing of when the mitigation measure is to be implemented; and
- Agency/Entity Responsible to Verify Compliance, specifying the agency with the power to monitor and enforce implementation of the mitigation measure.

The MMRP for the Rancho La Habra Specific Plan will be in place throughout all phases of the Plan's implementation. The City's existing planning, engineering, review and inspection processes will be used as the basic foundation for the MMRP procedures and will also serve to provide the documentation for the reporting program.

The substance and timing of each certification report that is submitted to the City shall be at the discretion of the City. Generally, each report will be submitted to the City in a timely manner following completion/implementation of the applicable mitigation measure and Project design feature, and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. The City, in conjunction with the Project applicant, shall assure that Project construction occurs in accordance with the MMRP. The South Coast Air Quality Management District (SCAQMD) will be responsible for the implementation of corrective actions relative to violations of SCAQMD rules associated with mitigation. Departments listed in the MMRP are all departments of the City of La Habra, unless otherwise noted.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Biological Resources			
Mitigation Measure BIO-1.1a: Compensatory Replacement of Special-Status Species Habitat. The loss of coastal sage scrub, riparian woodland, and riparian scrub alliances with the potential to support special-status species within the Project site as detailed in Table 3.5-9 shall be compensated through on-site or off-site establishment/restoration/ enhancement and/or off-site purchase of functionally equivalent or better habitat. Included in the establishment/restoration/enhancement of on-site functionally equivalent or better habitat shall be a minimum of 9.86 acres of open space for preservation and enhancement of on-site coastal sage scrub wildlife habitat (preservation of 4.05 acres of existing on-site coastal sage scrub and the replacement of existing golf course greens and fairways with an additional 5.81 acres of coastal sage scrub habitat). Such on-site habitat establishment/restoration/enhancement shall be in conformance with a Habitat Mitigation and Monitoring Plan approved by the California Department of Fish and Wildlife. The determination of functional equivalency of on-site establishment/ restoration/enhancement and/or off-site purchase shall be made by the California Department of Fish and Wildlife for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted and jurisdictional areas and by the City of La Habra for mitigation of loss of these habitats that would occur outside existing deed-restricted and jurisdictional areas. It is recognized, however, that while Impact BIO-1.1a addressing upland habitats within existing deed-restricted areas is distinct from Impact BIO-1.2 and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal	Prior to issuance by the City of a grading permit or approval of a proposed final subdivision map, the applicant shall: • Identify the specific acreage, location(s), and requirements for on-site and off-site mitigation that would provide "functionally equivalent habitat or better" for review and approval by CDFW; • Implement mitigation requirements to the satisfaction of CDFW, including acquisition of sufficient habitat land such that the California Department of Fish and Wildlife verifies that a combination of on-site establishment/ restoration/enhancement and/or off-site purchase of land will result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas and jurisdictional areas; • Provide for permanent reservation and establish the mechanism for ultimate ownership and perpetual maintenance of a minimum of 9.86 acres of open space for preservation and enhancement of on-site coastal sage scrub wildlife habitat; • Obtain a new Streambed Alteration Agreement from CDFW; • Have existing deed restrictions in favor of CDFW vacated; and	Prior to issuance of a grading permit or approval of a final subdivision map.	Director of Community and Economic Development or his/her designee.

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Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance

sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1a), and (3) loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c).
Compensation for lost on-site habitat with functionally equivalent or better habitat shall be detailed on an acreage-specific basis in a Habitat Mitigation and Monitoring Plan (HMMP), which shall be developed in coordination and compliance with State of California and federal regulatory agency requirements. Evidence in the form of permit approvals shall be provided to the City of La Habra prior to initiation of site grading. At a minimum, the HMMP shall include:
• Baseline information, including the findings and conclusions of a Biological Assessment demonstrating that:
  ○ Off-site compensatory mitigation lands are functionally equivalent or better than the habitats lost on-site; and
  ○ On-site establishment of coastal sage scrub through restoration will result in functionally equivalent or better habitat than that lost on-site.
• Anticipated habitat enhancement goals to be achieved through compensatory actions, including mitigation site location (on-site enhancement, restoration, or off-site habitat acquisition, creation, or enhancement); and
• Measurable performance standards and criteria, including but not limited to the overall amount or percent of cover and species diversity for restoration or enhancement in the Specific Plan development footprint that must meet state and federal regulatory resources agency approval and must be documented for City review at the end of the five-year monitoring period. Should the restoration or enhancement fail to meet success criteria as defined in the HMMP, implementation of remedial restoration shall be required.
• Contingency funds (including but not limited to financial guarantee instruments such as Surety Bonds or Letters of Credit) shall be
	• Submit documentation to the City that a new Streambed Alteration Agreement has been approved by CDFW and existing deed restrictions in favor of CDFW have been vacated.
	Should the combination of on-site establishment/ restoration/enhancement and/or off-site purchase of land as mitigation for impacts to deed-restricted and jurisdictional areas not also result in functionally equivalent or better habitat than the 1.89 acres of coastal sage scrub~~,~~ that would be lost outside of existing deed-restricted areas and jurisdictional areas, either (1) mitigation credits shall be acquired by the Project sponsor within an agency-approved mitigation bank or (2) additional coastal sage scrub shall be provided onsite at a 1:1 ratio for any such shortfall.		

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
established and deposited in escrow account(s) to ensure successful implementation of the HMMP, such funds to be refunded to the applicant at the time the HMMP performance criteria are met. ○ One account in an amount to be determined by the California Department of Fish and Wildlife (CDFW) to be held by CDFW for mitigation of the loss of coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas. ○ Should the HMMP being overseen by the California Department of Fish and Wildlife not be adequate to address mitigation of loss of coastal sage scrub habitat outside of existing deed-restricted areas, a second escrow account is to be established with the City of La Habra in an amount to be determined by the City.			
Mitigation Measure BIO-1.1b: Construction Avoidance of Active Bird Nests. **Coastal Sage Scrub.** If grading or soil disturbance of any kind is proposed within 50 feet of coastal sage scrub, or if upland conservation enhancement or restoration activities are proposed between March 1 and August 15, a qualified biologist shall conduct pre-construction nesting California gnatcatcher surveys. Surveys shall be conducted using USFWS focused survey protocol methods and shall be conducted during the spring breeding season during the year construction occurs. Where an active bird nest is located, a 500-foot radius surrounding the active nest shall not be disturbed until after the nest becomes inactive and the family group can be confirmed, by a qualified biologist familiar with the species, to have left the nest territory. Prior to initiating vegetation clearing of coastal sage scrub, a qualified biologist shall walk ahead of the clearing activities to flush any birds from the habitat to be cleared. **Riparian Woodland.** Proposed removal of riparian woodland within the development footprint shall be scheduled to occur during the non-breeding season for birds, which is between August 15 and January 31. If removal is scheduled to occur between February 1 and August 15, pre-construction breeding bird surveys shall be performed by a qualified	The applicant shall retain a qualified biologist acceptable to the City to conduct pre-construction nesting bird surveys as described in **Mitigation Measure BIO-1b** at the appropriate period and consistent with protocol and agency survey guidelines current at the time of construction. Any required setbacks shall be defined by the qualified biologist undertaking pre-construction surveys and shall be maintained during grading and construction.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.

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Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
biologist familiar with local bird species no later than 14 days prior to start of construction. If active nests are found during preconstruction surveys, a buffer of 250 feet shall be established and temporary fencing shall be placed to prevent encroachment into the buffer area by construction equipment or workers.			
Mitigation Measure BIO-1.1c: Setbacks and Erosion Protection for Coastal Sage Scrub. All viewing areas, signage, benches, and other park features shall be located at least 50 feet from the edge of coastal sage scrub. Low fencing or vegetative plantings positioned to prevent trail or park users from encroaching upon coastal sage scrub habitats may be included in the setback, and shall be designed in coordination with a qualified biologist of the City's choosing to confirm that proposed fencing, signage, or efforts to reduce potential habitat encroachment would not create additional perches or vegetative features used by birds of prey compared to existing conditions. In addition, construction of proposed fencing or features intended to deflect potential human encroachment onto coastal sage scrub habitat shall be subject to erosion control strategies included in the required Storm Water Pollution Prevention Plan (SWPPP), which would establish Best Management Practices (BMPs) to reduce sedimentation and erosion and prevent construction pollutants from leaving the site and the erosion and sediment control plan to be reviewed and approved by the City of La Habra prior to issuance of grading permit (see Impact HWQ-1.1 in Section 3.13, *Hydrology and Water Quality*, of the Draft EIR). Posted park rules shall identify coastal sage scrub habitats in the conservation areas and shall state that encroachment onto coastal sage scrub areas is prohibited. Educational signage and other signs proposed in the upland conservation area shall be placed away from nesting habitat to avoid introducing perches for birds of prey near special-status species nesting. Signage in public access areas shall advise that access is to approved trails, from 7:00 a.m. to 9:00 p.m. Lighting poles shall be located no closer than 50 feet from conservation areas wherever feasible. Where lighting poles cannot be located outside of setback areas, such as along permitted trails	The applicant shall provide sufficient evidence to the City in the form of plans and specifications that all stages of development meet the requirements set forth in in **Mitigation Measure BIO-1f** and the erosion control measures in EIR Section 3.13, *Hydrology and Water Quality*.	Prior to issuance of a grading permit and/or action that would permit site disturbance (whichever occurs first).	Director of Community and Economic Development or his/her designee.

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Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
within the upland habitat conservation area, such lighting poles shall be low level and designed so as to discourage birds of prey from using them as perches for hunting activities. All lighting shall be directed downward so as not to intrude into habitat areas after sundown. The lighting plan shall be reviewed by a biologist prior to installation and submitted to the City for approval to confirm conformance with this measure.			
Mitigation Measure BIO-1.2: Compensatory Replacement of Previously Provided Mitigation within On-site Deed Restricted Areas. The loss of previously provided mitigation within on-site deed-restricted areas for impacts to 4.55 acres of mulefat scrub occurring during construction of the Westridge Golf Club shall be compensated through on-site establishment/ restoration/enhancement and/or off-site purchase/ restoration/enhancement of functionally equivalent or better habitat. The determination of functional equivalency of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/ enhancement shall be made by the California Department of Fish and Wildlife. It is recognized, however, that while Impact BIO-1.1a addressing replacement of previously provided mitigation for impacts that occurred during construction of the Westridge Golf Club is distinct from Impact BIO-1.1a and that mitigation requirements for both Mitigation Measures BIO-1.1a and BIO-1.2 must be provided, a single mitigation program consisting of on-site establishment/ restoration/enhancement and/or off-site purchase/restoration/enhancement could be established to provide compensation for loss of (1) previous mitigation resulting from vacating existing deed restrictions (Mitigation Measure BIO-1.2), (2) loss of coastal sage scrub habitat both within and outside of deed-restricted areas (Mitigation Measure BIO-1.1), and (3) loss of riparian woodland and riparian scrub alliances that may also be determined to be jurisdictional waters (Mitigation Measure BIO-2c). Compensation for loss of on-site deed-restricted areas with functionally equivalent or better habitat shall be detailed as set forth in Mitigation	Prior to issuance by the City of a grading permit or approval of a proposed final subdivision map, the applicant shall: • Identify the specific acreage, location(s), and requirements for on-site and off-site mitigation that would provide "functionally equivalent habitat or better" for review and approval by CDFW; • Implement mitigation requirements to the satisfaction of CDFW, including acquisition of sufficient habitat land such that the California Department of Fish and Wildlife verifies that a combination of on-site establishment/restoration/enhancement and/or off-site purchase of land will result in functionally equivalent or better habitat than the coastal sage scrub, riparian woodland, and riparian scrub alliances within existing deed-restricted areas and jurisdictional areas~~.~~; • Obtain a new Streambed Alteration Agreement from CDFW; • Have existing deed restrictions in favor of CDFW vacated; and • Submit documentation to the City that a new streambed alteration agreement has	Prior to issuance of a grading permit or approval of a final subdivision map.	Director of Community and Economic Development or his/her designee.

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Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Measure BIO-1.1a.	approved by CDFW and existing deed restrictions in favor of CDFW have been vacated.		
Mitigation Measure BIO-2a: Preventing Degradation of Natural Communities in Development Footprint. The applicant shall avoid or minimize adverse effects on sensitive natural communities within the Project site. The measures described below shall be employed to avoid degradation of sensitive natural communities by maintaining water quality and controlling erosion and sedimentation during construction as required by compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. (See also Draft EIR Section 3.13, *Hydrology and Water Quality*, for discussion of NPDES requirements and requirements for preparation and implementation of a Storm Water Pollution Prevention Plan [SWPPP] and implementation of Best Management Practices [BMPs].)	The project applicant shall obtain appropriate storm water permits pursuant to the City of La Habra's NPDES storm water discharge permit and Regional MS4 Permit.	Prior to issuance of a grading permit and prior to any proposed implementation of restoration or enhancement in upland or riparian conservation areas.	Director of Community and Economic Development or his/her designee
The Project applicant shall comply with requirements of the City of La Habra's NPDES storm water discharge permit and Regional MS4 Permit. This shall include construction site inspection and control programs at all construction sites, with follow-up and enforcement consistent with each Permittee's respective Enforcement Response Plan, to prevent construction site discharges of pollutants and impacts on Beneficial Uses of receiving waters. The goal of Provision C.3 of the MS4 Permit is for the Permittee, such as the City of La Habra, to use its planning authorities to include appropriate source control, site design, and storm water treatment measures in new development projects to address both soluble and insoluble storm water runoff pollutant discharges and prevent increases in runoff flows from site development. This goal is to be accomplished primarily through the implementation of low impact development techniques. The Project applicant shall comply with local municipal requirements and the local storm water program as mandated under the Municipal Stormwater Permit, including, at minimum, the following measures:	The Director of Community and Economic Development and the Director of Public Works shall review and verify the agreement applicant has entered into as necessary to provide for on-going maintenance in perpetuity at no cost to the City as required by **Mitigation Measure BIO-2a**, and with compensatory terms defined should the management entity fail to perform.	Prior to recordation of the proposed Vesting Tentative Tract Map.	Director of Community and Economic or his/her designee Development and Director of Public Works or his/her designee

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
• Delineate clearing limits, easements, setbacks, sensitive or critical areas, trees, drainage courses, and buffer zones to prevent excessive or unnecessary disturbances and exposure. • Avoid excavation and grading if there is 0.5 inch of rain or more within 48 hours. • Limit on-site construction routes and stabilize construction entrance(s) and exit(s). • For any increase in impervious surface area, include establishment of vegetated swales and permeable pavement materials, preserve vegetation, re-plant with native vegetation, and evaluate and implement appropriate measures. • Provide native vegetation buffer areas where appropriate and practicable to prevent pollutants from entering off-site native habitats or water bodies. • Construct diversion dikes and drainage swales to channel runoff around the site and away from bodies of water. • Use berms and drainage ditches to divert runoff around exposed areas. • Place diversion ditches across the top of cut slopes. • Prohibit use of fertilizers or pesticides in areas with a potential runoff into adjacent native habitats. The applicant shall prepare and implement a maintenance program as approved by the City that includes maintenance of water quality pollution-control features such as swales, sediment traps, or other passive applications of pollution prevention measures required as part of NPDES permitting. The maintenance program shall address the management of lands adjacent to off-site coastal sage scrub habitat areas and, at minimum, shall include the following requirements, to be performed to the satisfaction of the City: • Install temporary silt fencing or vegetative plantings between development and adjacent sensitive natural communities, specifically off-site coastal sage scrub.			

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
• Locate fueling stations or vehicle or equipment storage and maintenance away from potentially jurisdictional areas and features, and otherwise isolate construction work areas from any identified jurisdictional features including California Fish and Game Code, U.S. Army Corps of Engineers, and Regional Water Quality Control Board jurisdictional areas. • Ensure on-going maintenance and management in perpetuity at no expense to the City for the preserved upland areas adjacent to the development footprint, along with provisions permitting the City to enforce management and maintenance requirements and recoup costs for enforcement should such enforcement be necessary. On-going maintenance and management of upland conservation areas shall be implemented in a manner consistent with the City of La Habra's NPDES storm water discharge permit and Regional MS4 Permit, and evidence of compliance with such permit conditions shall be provided to the City Engineer on a quarterly basis. • Provide trash receptacles at appropriate locations and provide for regular litter removal. • Maintain all improvements within the parks, trails, and Community Center in a safe and working condition			
Mitigation Measure BIO-2b: Conservation and Protection of Sensitive Habitats Avoided by Specific Plan Grading. For on-going conservation and protection of sensitive habitats that the Specific Plan proposes to avoid, the following requirements shall apply: • A habitat conservation and protection plan for proposed upland conservation areas adjacent to the development footprint shall be prepared by a qualified biologist with implementation approved by the City of La Habra Community Development Director prior to approval of City grading permits. The habitat conservation and protection plan shall, at a minimum, include the following components to minimize the effect of night lighting on upland conservation area habitats adjacent to the development footprint.	Proof that in-kind replacement at a minimum 1:1 ratio of sensitive natural communities has occurred may include a City-approved on-site re-planting or habitat restoration plan that includes direction and funding of monitoring and maintenance in perpetuity at no cost to the City, and could also include In-kind replacement at a minimum 1:1 ratio of sensitive natural communities off site at an agency-approved mitigation bank. In addition, the City shall review the agreement(s) the applicant enters into to verify that	Prior to issuance of a grading permit	Director of Community and Economic Development or his/her designee

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
• The following shall apply to any proposed lighting within 150 feet of the upland or riparian conservation areas: ○ Low-intensity streetlamps and low-elevation lighting poles shall be provided. ○ Internal silvering of the globe or external opaque reflectors shall be provided to direct light away from sensitive natural habitats. ○ Private sources of illumination around homes shall also be directed and/or shaded to minimize glare into sensitive habitats. ○ Light spillage from on-site development or trails shall not exceed 0.05 foot-candles within upland or riparian conservation areas. Common area lighting plans shall be reviewed by the City for conformance with these measures prior to installation. Private lighting restrictions shall be enforced by the property owners' association as described below. • CC&Rs, as well as residential and commercial leases within the Project site shall prohibit building occupants from creating outdoor feeding stations for feral cats to prevent feral cat colonies from establishing and to prevent the attraction of other predatory wildlife such as coyotes, red fox, raccoon, and opossums. Such restrictions shall be monitored by a property owners' association that shall have the right to impose fines for violation of this requirement. • As part of Community Center and Project trail improvements, interpretive signage regarding the sensitive habitats and the dangers of unleashed domestic animals shall be provided to the satisfaction of the City. Such information shall be provided in the vicinity of the Community Center, along trails, and at wildlife viewing areas where public access is provided. In addition, information materials shall be prepared by the applicant for review and approval by the City regarding the sensitive habitats and the dangers of unleashed domestic animals within the Project site. Such materials shall be provided to each initial homeowner by the home builder(s), to successive homeowners by the property owners'	establishment has been made to provide for on-going management and maintenance (at no cost to the City) in perpetuity for maintenance of on-site replacement ~~of~~ sensitive natural communities, and shall require demonstration that management is consistent with the terms included in **Mitigation Measure BIO-2a**.		

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
association, and to renters of for-rent multi-family dwellings by the building owner. The property owners' association shall establish and enforce a pet policy prohibiting unleashed domestic animals outside of fully enclosed yard areas and have the right and obligation to impose fines for violation of the pet policy.			
Mitigation Measure BIO-2c: Compensatory Mitigation for Loss of Riparian and Wetland Habitat. Loss of riparian and wetland habitat that cannot be avoided during site development as detailed in Table 3.5-9 shall be compensated with provision of functionally equivalent or better habitat, which may be provided as part of Mitigation Measure BIO-1.1a. The applicant shall prepare and implement a maintenance program as approved by the City that includes maintenance of water quality pollution-control features such as swales, sediment traps, or other passive applications of pollution prevention measures required as part of National Pollutant Discharge Elimination System (NPDES) permitting. The maintenance program shall address the management of lands adjacent to off-site coastal sage scrub habitat areas and, at minimum, shall include the following requirements, to be performed to the satisfaction of the City: • Install temporary silt fencing or vegetative plantings between development and adjacent sensitive natural communities, specifically off-site coastal sage scrub. • Locate fueling stations or vehicle or equipment storage and maintenance away from potentially jurisdictional areas and features, and otherwise isolate construction work areas from any identified jurisdictional features including California Fish and Game Code, U.S. Army Corps of Engineers, and Regional Water Quality Control Board jurisdictional areas. • Ensure on-going maintenance and management in perpetuity at no expense to the City for the preserved upland areas adjacent to the development footprint, along with provisions permitting the City to	Prior to issuance by the City of a grading permit or approval of a proposed final subdivision map, the applicant shall secure regulatory approvals, including an authorized Section 1602 Streambed Alteration Agreement, U.S. Army Corps of Engineers Permit and Section 7 Consultation, and a Section 401 Water Quality Certification for the Specific Plan, that demonstrate in-kind replacement of jurisdictional resources with resources of equal or greater habitat values. The City shall confirm that proposed grading conforms to the terms and conditions of these federal and state agreements and permits, and that requirements for post-construction monitoring and reporting will be met.	Prior to issuance of a grading permit or approval of a final subdivision map.	Director of Community and Economic Development or his/her designee

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
enforce management and maintenance requirements and recoup costs for enforcement should such enforcement be necessary. On-going maintenance and management of upland conservation areas shall be implemented in a manner consistent with the City of La Habra's NPDES storm water discharge permit and Regional MS4 Permit, and evidence of compliance with such permit conditions shall be provided to the City Engineer on a quarterly basis. • Provide trash receptacles at appropriate locations and provide for regular litter removal. • Maintain all improvements within the parks, trails, and Community Center in a safe and working condition.			
Mitigation Measure BIO-4a: Locations of Structures and Trail Features. Structures and trail features shall be situated to avoid obstructing the wildlife movement interface shown in **Figure 3.5-1**. Structures or facilities that would obstruct wildlife movement between the West Coyote Hills and the development footprint habitats shall not be placed within the interface between the Project site and adjacent undeveloped land in the West Coyote Hills.	A plan showing the specific location of all parks, trails, wildlife viewing areas, kiosks, passive recreation structures, or lighting associated with proposed trail systems along the interface between the project site and adjacent undeveloped land in the West Coyote Hills shall be prepared and approved by the Director of Community and Economic Development in compliance with the provisions of **Mitigation Measure BIO-4a**.	Prior to approval of a grading plan.	Director of Community and Economic Development or his/her designee
Mitigation Measure BIO-4b: Maintenance of Vegetative Cover along Wildlife Movement Interface. Native vegetation along the existing 500-foot-wide vegetative interface in the southern portion of the Project site shall be preserved so as to maintain cover available for wildlife using the interface to move between the West Coyote Hills and Project site habitats**.**	The applicant shall provide a planting plan and implementation schedule for the fuel management zone vegetation where it occurs adjacent to the wildlife interface area to the City, demonstrating that no reduction in the overall amount of vegetative cover available for wildlife movement use will occur. In addition, Specific Plan trail plans shall be submitted for City approval demonstrating avoidance of the wildlife interface area shown in **Figure 3.5-2**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee

Table 4-1
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Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure BIO-5: Replacement of Bird Nesting and Roosting Habitat. All Project landscaping shall be in conformance with the approved Rancho La Habra Specific Plan, Landscape Plans, and plant palette and shall incorporate replacement for landscaping lost during development (combination of native and non-native plantings) that will provide equivalent or better habitat suitable for bird nesting and roosting for resident and migratory birds. Replacement for habitat lost during Project development may be in the form of landscaped slopes, street trees, preservation and enhancement of conservation habitat areas, and landscaping of the Community Center, park, and trail areas.	The project landscape plan implementing **Mitigation Measure BIO-5** shall be reviewed by the Director of Community and Economic Development to confirm that it meets the requirements of this mitigation measure, and that there are sufficient guarantees provided to ensure its implementation.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee
Cultural Resources			
Mitigation Measure CUL-2a: A qualified archaeologist shall be retained to conduct spot-checking of site grading activities and to respond on an as-needed basis to address unanticipated archaeological discoveries. In addition, a qualified Native American Monitor shall be present on-site during construction-related ground disturbance activities, including but not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and vegetation removal. In the event that archaeological materials, including stone tools, shells, bones, glass shards, ceramics, or other materials older than 50 years in age, are encountered during ground-disturbing activities, work in the immediate vicinity of the resource shall cease until a qualified archaeologist approved by the City and a qualified Native American Monitor have assessed the discovery and appropriate treatment pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15064.5 is determined and implemented. If archaeological resources are found to be significant, the archaeologist and Native American Monitor shall determine, in consultation with the City and any local Native American groups expressing interest following notification by the City, appropriate avoidance measures or other appropriate mitigation. Pursuant to CEQA Guidelines Section	The applicant/developer shall retain a qualified archaeologist and a qualified Native American Monitor to implement the provisions of **Mitigation Measure CUL-2**, including conduct monitoring of site grading activities and responding on an as-needed basis to address unanticipated archaeological discoveries. In addition, any archaeological requirements established by the archaeologist or requirements established by the Native American Monitor evaluating the discovery shall be incorporated into development plans and included as conditions of approval.	Prior to the issuance of a grading permit and/or action that would permit site disturbance (whichever occurs first).	Director of Community and Economic Development or his/her designee.

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Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts on archaeological resources qualifying as historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as a historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2.			
Mitigation Measure CUL-2b: Prior to removal of any native vegetation from the project site, Native American monitors or representatives of the Gabrieleño Band of Mission Indians-Kizh Nation shall be invited to the project site to document and distinguish native vegetation that is preferred by the Tribe. All plants preferred by the Tribe that are proposed to be removed as part of site development shall be made available to the Tribe prior to their removal.	The applicant/developer shall provide written evidence of compliance with the provisions of **Mitigation Measure CUL-2b**.	Prior to the issuance of a grading permit and/or action that would permit site disturbance or removal of native vegetation (which-ever occurs first).	Director of Community and Economic Development or his/her designee.

Table 4-1
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Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure CUL-4: The applicant/developer shall retain a County-certified paleontologist approved by the City to conduct full-time monitoring during all earth-moving activities involving previously undisturbed sediments of the La Habra and San Pedro Formations along with periodic paleontological spot checks within excavation areas mapped as Quaternary alluvium exceeding depths of 5 feet to determine if older, paleontologically sensitive sediments are present. If such older, paleontologically sensitive sediments are present, full-time monitoring shall be implemented. If paleontological resources are encountered during ground-disturbing activities, work in the immediate vicinity of the resource shall cease until a County-certified paleontologist has assessed the discovery and appropriate treatment is determined and implemented.	The applicant/developer shall retain a County-certified paleontologist to implement the provisions of **Mitigation Measure CUL-4**. In addition, a paleontological resource monitoring plan shall be prepared for City review and approval, to be implemented as a condition of approval of the grading permit. The plan shall define the specific locations and construction activities requiring monitoring, procedures to follow for monitoring and fossil discovery, and a curation agreement with the John D. Cooper Archaeology and Paleontology Center. A report is to be prepared and published noting any findings discovered on the property. Any artifacts discovered shall be deposited in a location approved by the Director of Community Development.	Prior to the issuance of a grading permit and/or action that would permit site disturbance in soils that were not disturbed by previous golf course construction.	Director of Community and Economic Development or his/her designee.
Traffic and Circulation			
Mitigation Measure TRA-1.1: Prior to issuance of a demolition, grading or other permit, the Applicant shall prepare and implement a Construction Management Plan, subject to approval of the City Engineer or their designee to minimize construction-related traffic in the AM and PM peak hours, as well as to minimize disturbance to area residents. The Construction Management Plan shall, at a minimum, address the following: • Proposed construction phasing plan. • Traffic control for any street or lane closure, detour, or other disruption to traffic circulation to minimize the effects of such disruption. • Limit the routes that construction vehicles may utilize for the delivery of construction equipment (e.g., excavators, dozers, scrapers,	The applicant shall prepare a Construction Management Plan in accordance with the requirements of **Mitigation Measure TR-1.1a** for review and approval by the City. The construction management plan shall be made a requirement of contractors for the proposed project.	Prior to issuance of a demolition, grading, or other permit for project development.	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
backhoes, etc.) and materials (i.e., lumber, tiles, piping, windows, etc.) to access the site to Beach Boulevard and Imperial Highway (via La Habra Hills Drive)[1]. • Identify proposed construction related traffic controls and detours. • Limit the routes that construction vehicles may use to dispose of any construction debris removed from the site to Beach Boulevard and Imperial Highway (via La Habra Hills Drive). • Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets. • Requirements for the applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the City Engineer (or representative of the City Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas. • Hauling or transport of oversize loads will be allowed between the hours of 9:00 am and 3:00 pm only, Monday through Friday, unless otherwise approved in writing by the City Engineer. • No hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays. • Use of local and residential streets (other than La Habra Hills Drive to/from Imperial Highway for construction-related traffic shall be prohibited. • Haul trucks entering or exiting public streets shall at all times yield to public traffic. • If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.			

[1] Both Beach Boulevard and Imperial Highway are identified in the La Habra General Plan as truck routes.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
• All construction-related parking and staging of vehicles shall be kept off of the adjacent public roadways and will occur on-site. This Plan shall meet standards established in the current *California Manual on Uniform Traffic Control Device* as well as City of La Habra requirements.			
Mitigation Measure TRA-1.2. The Applicant shall pay citywide traffic improvement fees. Should the City Engineer identify a shortfall between the traffic improvement fees established by the Municipal Code and the actual fair share cost for providing the improvements within the City of La Habra that are identified as mitigation measures in the Rancho La Habra Specific Plan Final EIR, the City Engineer shall require payment of a fair share fee by the Project to fund construction of the improvements based on a prorated share of the Project's contribution to the need for such improvements.	The applicant shall pay applicable traffic improvement fees for the requested residential or commercial use.	Prior to the issuance of building permits for residential or commercial structures.	Director of Public Works or his/her designee.
Mitigation Measure TRA-1.3. The Applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for project-related impacts at the following intersections: • Beach Boulevard at Artesia Boulevard (within Buena Park) • Hacienda Road at Whittier Boulevard (within La Habra)	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the	Prior to the issuance of building permits for residential or commercial structures	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.		
Mitigation Measure TRA-1.5a: The Applicant shall pay fair share fees to the City of La Habra to be distributed to the City of La Mirada for project-related impacts at the following intersections: • Beach Boulevard at Rosecrans Avenue	The Director of Public Works shall confirm that: • The City of La Mirada has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If the City of La Mirada has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with the City of La Mirada to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.	Prior to the issuance of building permits for residential or commercial structures.	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure TRA-1.5b: The applicant shall pay fair share fees to the City of La Habra to be distributed to the City of Buena Park for Project-related impacts at the following intersection: • Beach Boulevard at La Mirada Boulevard/Malvern Avenue	The Director of Public Works shall confirm that: • The City of Buena Park has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If the City of Buena Park has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with the City of La Mirada to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.	Prior to the issuance of building permits for residential or commercial structures.	Director of Public Works or his/her designee.
Mitigation Measure TRA-1.6. The Applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for project-related impacts at the following intersections: • Beach Boulevard and La Mirada Boulevard/Malvern Avenue • Hacienda Road at Whittier Boulevard • Beach Boulevard at Artesia Boulevard	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements	Prior to the issuance of building permits for residential or commercial structures.	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.		
Mitigation Measure TR-1.7. The Applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for project-related impacts along the following roadway segment: • Beach Boulevard between Rosecrans Avenue and La Mirada Boulevard	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the	Prior to the issuance of building permits for residential or commercial structures	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.		
Mitigation Measure TRA-1.8a: The applicant shall pay city-wide traffic improvement fees as well as fair share impact fees at the following intersection: • Euclid Street at Imperial Highway	The applicant shall pay the required fair share impact fees concurrent with payment of city-wide traffic improvement fees.	Prior to the issuance of building permits for residential or commercial structures.	Director of Public Works or his/her designee.
Mitigation Measure TRA-1.8b: The applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts at the intersection of: • Beach Boulevard at Lambert Road	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the	Prior to the issuance of building permits for residential or commercial structures	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	applicant shall be returned to the applicant.		
Mitigation Measure TRA-1.9. The Applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for project-related impacts along the following roadway intersections: • Euclid Street and Imperial Highway • Beach Boulevard and Lambert Road	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. • The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.	Prior to the issuance of building permits for residential or commercial structures	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure TRA-1.10a: The applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for Project-related impacts along the following roadway segment: Imperial Highway between Euclid Street and Harbor Boulevard	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.	Prior to the issuance of building permits for residential or commercial structures	Director of Public Works or his/her designee.
Mitigation Measure TRA-1.10b: The applicant shall pay fair share fees to the City of La Habra to be distributed to the City of Buena Park for Project-related impacts along the following roadway segment: • Beach Boulevard between Rosecrans Avenue and La Mirada Boulevard	The Director of Public Works shall confirm that: • The City of Buena Park has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If the City of Buena Park has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant	Prior to the issuance of building permits for residential or commercial structures.	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	and the City of La Habra have made their best good faith effort to work cooperatively with the City of La Mirada to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.		
Mitigation Measure TRA-1.11. The Applicant shall pay fair share fees to the City of La Habra to be distributed to Caltrans for project-related impacts along the following freeway mainline segment: • SR-57 southbound lanes south of Imperial Highway	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the	Prior to the issuance of building permits for residential or commercial structures	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.		
Mitigation Measure TRA-1.13: The applicant shall pay to the City of La Habra the cost of reallocating additional green time to the westbound left-turn lanes at the intersection of Beach Boulevard at Imperial Highway to be distributed to Caltrans for Project-related queueing impacts at that intersection.	The Director of Public Works shall confirm that: • Caltrans has included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program; or • If Caltrans has not included improvements to the intersections for which fair share fees are to be paid in its Capital Improvements Program, both the Applicant and the City of La Habra have made their best good faith effort to work cooperatively with Caltrans to do so. The fees shall include fair share payment based on the project's share of traffic in the Year 2035 cumulative plus project scenario and provide the project's fair share for all improvements needed through 2035. Should Caltrans not commit to making the improvements for which the fair share payment is made within a reasonable time frame as determined by the La Habra Director of Public Works, the fair share fees contributed by the applicant shall be returned to the applicant.	Prior to the issuance of building permits for residential or commercial structures	Director of Public Works or his/her designee.
Air Quality			
Mitigation Measure AQ-2.1a: All off-road construction equipment, except scrapers, shall be equipped with engines that meet the U.S. Environmental Protection Agency (USEPA) Tier 4 Final Emission Standards. A minimum of	The applicant/developer shall provide written evidence to the City that contracts for site grading require implementation of the	Prior to the issuance of a grading permit and/or action that	Director of Community and Economic

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
three of the six scrapers involved in grading operations shall be equipped with engines that meet the USEPA Tier 4 Final Emission Standards. Tier 4 Final Emission Standards result in NO_X emission reductions greater than 90 percent from unmitigated levels.	requirements of **Mitigation Measure AQ-2.1a**.	would permit site disturbance (whichever occurs first).	Development or his/her designee.
Mitigation Measure AQ-2.1b: Vehicle speeds on unpaved roads shall be limited to a maximum of 15 miles per hour as a means of reducing dust and PM_{10} / $PM_{2.5}$ generation.	The applicant/developer shall provide written evidence to the City that contracts for site grading require implementation of the requirements of **Mitigation Measure AQ-2.1b**.	Prior to the issuance of a grading permit and/or action that would permit site disturbance (whichever occurs first).	Director of Community and Economic Development or his/her designee.
Mitigation Measure AQ-2.2: Soils exposed during grading operations shall be watered four times per day. In the event of drought conditions, defined as Water Shortage Stages 4 or 5 as determined by the City, use of non-water chemical stabilizers may be required by the City such that fugitive emissions reductions are comparable to watering four times per day. See also **Mitigation Measures AQ-2.1a** and **AQ-2.1b**, above.	The applicant/developer shall provide written evidence to the City that contracts for site grading require implementation of the requirements of **Mitigation Measure AQ-2.2**.	Prior to the issuance of a grading permit and/or action that would permit site disturbance (which-ever occurs first).	Director of Community and Economic Development or his/her designee.
Greenhouse Gas Emissions			
Mitigation Measure GHG-1a: All new single-family homes shall have the following installed: • Solar panels providing 1.5 watts (W) solar energy per square foot of building area (e.g., 2,000-square-foot home = 3 kilowatts [kW]) with a minimum 2 kW per home to the extent determined feasible by the City. • Solar water heaters or other efficiency technology, unless the installation is impracticable as determined by the City. Other efficiency technology would include installation of a renewable energy technology system that uses renewable energy as the primary energy source for water heating. • A minimum of one single-port electric vehicle (EV) charging station that achieves a similar or better functionality as a Level 2 charging station.	Building permit applications shall comply with Mitigation Measure GHG-1a and include energy calculations demonstrating compliance with the energy reduction requirements set forth in this mitigation measure.	Prior to issuance of building permits for single-family detached residential dwelling units.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
• Outdoor electric outlets in convenient locations to facilitate use of electric landscape equipment throughout the single-family property. In addition, initial homebuyers within the Project site shall be provided with information regarding all current SCAQMD programs designed to encourage homeowners to use electrical lawnmowers and replace gasoline-powered yard maintenance equipment with electric-powered equipment.			
Mitigation Measure GHG-1b: All new multi-family dwelling units shall be all electric, meaning that electricity is the only permanent source of energy for water heating, mechanical powering, space heating and cooling (i.e., heating, ventilation, and air conditioning [HVAC]), cooking, and clothes drying and there is no gas meter connection. All major appliances (e.g., dishwashers, refrigerators, clothes washers and dryers, and water heaters) provided and/or installed shall be electric-powered Energy Star-certified or of equivalent energy efficiency where applicable. In addition, all new multi-family homes shall have the following installed: • Solar panels providing 0.75 W solar energy per square foot of building area (e.g., 20,000-square-foot building = 15 kW), to the extent determined feasible by the City; • Electric vehicle charging equipment that achieves a similar or better functionality as a Level 2 charging station for 5 percent of the total number of parking spaces; and Outdoor electric outlets in convenient locations to facilitate use of electric landscape equipment throughout the property.	Building permit applications for multi-family dwelling units shall comply with Mitigation Measure GHG-1b and include energy calculations demonstrating compliance with the energy reduction requirements set forth in this mitigation measure.	Prior to issuance of building permits for multi-family detached residential dwelling units.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GHG-1c: The Project applicant or its designee shall establish and fund a dedicated account for the provision of subsidies for the purchase by homeowners within the first year of occupancy of a zero-emission vehicles (ZEV), as defined by the California Air Resources Board (CARB) equal to the provision of a $1,000 subsidy per residence, available on a first-come, first-served basis, for up to 50 percent of the Project's for-sale dwelling units.	The Project sponsor shall enter into a binding agreement with the City of La Habra to establish the required account, rules and procedures for the subsidy program subject to City approval and disburse funds in accordance with Mitigation Measure GHG-1c. The Project sponsor shall prepare an information	Prior to issuance of building permits for model homes.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	document to be provided to prospective homebuyers informing them of the subsidy program and the rules and procedures for obtaining the subsidy. The Project sponsor shall provide the City with quarterly reports documenting implementing of the subsidy program until funds have been expended.		
Mitigation Measure GHG-1d: All new non-residential buildings, including commercial buildings and the Community Center, shall have the following installed: • Solar panels providing at least 1 W per square foot of building area (e.g., 20,000 square feet = 20 kW), unless the installation is impracticable as determined by the City. Solar panels for the clubhouse/Community Center may be installed within adjacent parking areas. • Solar water heaters or other efficiency technology, unless the installation is impracticable as determined by the City. Other efficiency technology would include installation of a renewable energy technology system that uses renewable energy as the primary energy source for water heating. • Electric vehicle (EV) charging equipment that achieves a similar or better functionality as a Level 2 charging station with the minimum number of charging stations being no less than 7.5 percent of the total number of parking spaces. In the event that the installed charging stations provide superior functionality/technology than Level 2 charging stations, the parameters of the mitigation obligation (i.e., number of parking spaces served by EV charging stations) shall reflect the comparative equivalency of Level 2 charging stations to the installed charging stations on the basis of average charge rate per hour. For purposes of this equivalency demonstration, Level 2 charging stations shall be assumed to provide charging capabilities of 25 range	Building permit applications for the community center and commercial buildings shall comply with Mitigation Measure GHG-1d and include energy calculations demonstrating compliance with the energy reduction requirements set forth in this mitigation measure.	Prior to issuance of building permits for the community center and commercial buildings.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
miles per hour. Outdoor electric outlets in convenient locations to facilitate use of electric landscape equipment throughout the property.			
Mitigation Measure GHG-1e: The Project applicant or its designee shall provide a subsidy of $50,000 per bus for the replacement of up to a total of 3 diesel or compressed natural gas school buses with electric zero emission buses by the La Habra City School District, Lowell Joint School District, and/or Fullerton Joint Union High School District.	The Project sponsor shall provide evidence to the City that that the subsidies required by Mitigation Measure GHG-1e have been offered to the La Habra City School District, Lowell Joint School District, and Fullerton Joint Union High School Districts, which shall be given 90 days from the time a written offer of the subsidy is provided to determine whether or not to accept the subsidy.	Evidence that the subsidy has been offered to the school districts shall be provided to the City prior to issuance of the 200th residential building permit. Within 100 days after the subsidy offers have been made, the Project sponsor shall provide evidence to the City of each district's response.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GHG-1f: Parks and open space within the Project site shall be designed so as to facilitate the use of electric landscape equipment throughout the property.	The City shall review park and open space improvement plans to ensure convenient locations are provided for electrical connections and recharge of electrical landscape equipment.	Prior to issuance of grading permits.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GHG-1g: Contracts for maintenance of common open space within the Project site, as well as contracts for maintenance of multi-family residential or commercial landscaped areas within Planning Area 5, shall include requirements for use of electric landscape equipment.	The Project sponsor shall provide evidence to the satisfaction of the City that Project CC&Rs for the Project require the property's homeowners' association(s) and commercial property owner(s) to specify use of electric landscape equipment.	Prior to issuance of grading permits.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure GHG-1h: Commercial and multi-family development shall implement sufficient measures to reduce heat gain by 50 percent (CAP Measure R3-A2).	Landscape plans and site plans shall be designed to meet the provisions of this mitigation measure.	Prior to approval of landscape and site plans for commercial and/or multi-family development.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GHG-1i: Commercial development shall exceed applicable City shading requirements by a minimum of 10 percent, and plant low-emission trees (CAP Measure R3-A1).	Building permit applications shall include energy calculations demonstrating compliance with the energy reduction requirements set forth in this mitigation measure.	Prior to issuance of building permits for commercial structures.	Director of Community and Economic Development or his/her designee.
Noise and Vibration			
Mitigation Measure NOI-1.1a: Noise barriers shall be constructed in the locations identified in the Rancho La Habra Noise and Vibration Analysis Report (Partially Recirculated Draft EIR Appendix L) as exceeding applicable noise standards. In addition, to mitigate exterior noise from commercial activities within the Westridge Plaza shopping center, a 6-foot-high noise barrier that would block the line-of-sight to such activities at the first-floor elevations shall be constructed along the backyard property lines of the first row of homes along the south side of the shopping center.	Applications for building permits for Lots 2, 3, 11, 12, 28, 29, 239, 241, 243, 245, 247, 250, 253, 256, 278, or 279 shall provide confirmation that a noise barrier of sufficient height to achieve compliance with the City's 60 dB CNEL land use compatibility noise standard in single-family rear yard areas and multi-family open space areas would be constructed, recognizing both roadway and commercial noise sources.	Prior to the issuance of building permits for Lots 2, 3, 11, 12, 28, 29, 239, 241, 243, 245, 247, 250, 253, 256, 278, or 279. Prior to the issuance of certificates of occupancy for these lots, the required noise barriers shall be constructed.	Director of Community and Economic Development or his/her designee.
Mitigation Measure NOI-1.1b: To ensure that the interior sound levels of the future homes within the Project comply with the City's noise criterion, the following conditions shall be satisfied: 1. Exterior activity areas such as balconies shall be placed at the opposite side of buildings from the roadways within areas subject to a CNEL in excess of 60 dBA.	Building permit applications for Lots 2, 3, 11, 12, 28, 29, 239, 241, 243, 245, 247, 250, 253, 256, 278, and 279 will be reviewed by the City to confirm that the requirements of **Mitigation Measure NOI-1.1b** have been incorporated into building plans, and that dwelling units on these lots will meet the City's interior noise standards.	Prior to the issuance of building permits for Lots 2, 3, 11, 12, 28, 29, 239, 241, 243, 245, 247, 250, 253, 256, 278, or 279	Director of Community and Economic Development or his/her designee.

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Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
2. Windows and sliding glass doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be mounted in low air infiltration rate frames (0.5 cubic feet per minute/foot [cfm/ft.] or less per American National Standards Institute [ANSI] specifications). 3. Exterior doors of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project shall be solid core with perimeter weather-stripping and threshold seals. 4. Air conditioning or mechanical ventilation shall be provided for the first row of homes closest to the traffic and commercial noise sources along the west, east, and north sides of the Project to allow occupants to close doors and windows for the required acoustical isolation. 5. Roof or attic vents directly facing the traffic and commercial noise sources shall be baffled so that sound must take an indirect route when entering the attic space.			
Mitigation Measure NOI-1.2: To ensure that interior sound levels of future homes within the proposed project comply with the City's interior noise standards, the following requirements shall be met for residences on Lots 2, 3, 11, 12, 28, 29, 239, 278, and 279: 6. Windows and sliding glass doors shall be mounted in low air infiltration rate frames (0.5 cubic feet per minute/foot [cfm/ft.] or less per American National Standards Institute [ANSI] specifications). 7. Exterior doors of residences shall be solid core with perimeter weather-stripping and threshold seals. 8. Air conditioning or mechanical ventilation shall be provided to allow occupants to close doors and windows for the required acoustical isolation. 9. Roof or attic vents directly facing the traffic and commercial noise sources shall be baffled so that sound must take an indirect route when entering the attic space.	Building permit applications for residences on Lots 2, 3, 11, 12, 28, 29, 239, 278, or 279., the City shall verify that the requirements of **Mitigation Measure NOI-1.2** have been incorporated into building plans, and that dwelling units on these lots will meet the City's interior noise standards.	Prior to issuance of building permits for residences on Lots 2, 3, 11, 12, 28, 29, 239, 278, or 279.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure NOI-4a: All construction equipment, stationary and mobile, shall be equipped with properly operating and maintained muffling devices, intake silencers, and engine shrouds no less effective than as originally equipped by the manufacturer.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4a**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4a**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.
Mitigation Measure NOI-4b: The construction contractor shall properly maintain and tune all construction equipment to minimize noise emissions.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4b**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4b**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.
Mitigation Measure NOI-4c: Each construction contractor shall locate all stationary noise sources (e.g., generators, compressors) no closer than 50 feet from residential receptor locations to allow for natural dissipation of noise.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4c**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4c**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure NOI-4d: The on-site operation of construction equipment that generates high levels of noise, such as large bulldozers, shall be conducted no closer than 100 feet from residential receptor locations to allow for natural dissipation of noise. Within 100 feet of residential receptor locations small bulldozers not exceeding 310 horsepower shall be used.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4d**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4d**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.
Mitigation Measure NOI-4e: Construction contractors shall select and use quieter tools or construction methods whenever feasible. Examples include using plasma cutters, which produce less noise than power saws with abrasive blades and ordering precut materials to specifications to avoid on-site cutting.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4e**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4e**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.
Mitigation Measure NOI-4f: The construction contractor shall maximize, as feasible, the use of enclosures such as four-sided or full enclosures with a top for compressors and other stationary machinery, and locate activities, such as metal stud and rebar cutting, within constructed walled structures to minimize noise propagation	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4f**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4f**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure NOI-4g: The nearest edge of equipment staging areas shall be no closer than 330 feet from residential receptor locations.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4g**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4g**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.
Mitigation Measure NOI-4h: The nearest edge of outdoor materials storage areas shall be no closer than 50 feet from residential receptor locations.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4h**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4h**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.
Mitigation Measure NOI-4i: Electric power from a grid connection shall be used to run air compressors and similar power tools and to power any temporary equipment.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4i**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4i**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure NOI-4j: The construction contractor shall post a contact name and telephone number of the owner's authorized representative on-site.	The City shall review construction contracts for demolition, grading, and building construction to verify inclusions of requirements implementing **Mitigation Measure NOI-4j**. The City shall also review construction contracts for construction of project-related water, sewer, drainage, and roadway improvements to verify inclusion of requirements implementing **Mitigation Measure NOI-4j**.	Prior to issuance of demolition, grading, and building permits. Prior to permits for construction of project-related infrastructure improvements.	Director of Community and Economic Development or his/her designee. Director of Public Works or his/her designee.
Hazards and Hazardous Materials			
Mitigation Measure HAZ-2.2: Excavation, handling, and placement of contaminated soils within the project site shall be undertaken so as to achieve a residential cleanup standard of an acceptable excess cancer risk (ECR) of 1 x 10^{-5} for construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods.	The applicant shall have a human health risk assessment prepared confirming that the performance standard set forth in **Mitigation Measure HAZ-2.2** to protect construction workers, residents and workers within proposed uses on-site, and residents of adjacent neighborhoods will be achieved. The City shall review the human health risk assessment to confirm that the specified performance standard will be achieved, and also ensure that the requirements of the approved Soils Management Plan will be implemented during site grading.	Prior to issuance of grading permits.	Director of Community and Economic Development or his/her designee.
Hydrology and Water Quality			
Mitigation Measure HWQ-3: The applicant shall construct a 48-inch storm drain underneath Beach Boulevard parallel to the existing storm drain pipe that connects the on-site detention basin with the existing storm drain pipe on the west side of Beach Boulevard. The applicant shall perform the work using a jack and bore method to avoid impacts on traffic on Beach Boulevard. The applicant shall also obtain (1) approval from Caltrans to	Constructing the 48-inch storm drain, obtaining required easements and encroachment permits, and recalculating detention basin capacity and related improvements to detention basin capacity, if needed, shall be made a condition of approval of Vesting Tentative Tract Map 17845.	Prior to approval of Vesting Tentative Tract Map 17845. The required storm drain shall be constructed to the	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
jack and bore underneath Beach Boulevard and, (2) to the extent necessary, a temporary construction easement from the Hillsborough Apartment complex on the west side of Beach Boulevard. Furthermore, the applicant shall recalculate the size of the detention basin, and if additional storage is necessary, the Applicant shall show underground buried stormwater storage adjacent to the detention basin shown on the Vesting Tentative Tract Map. The final hydraulic calculations document that existing off-site storm flows and the additional on-site storm flows would not exceed the design capacity of the existing and new storm drain pipes under Beach Boulevard. All final calculations and design plans shall be approved by the City of La Habra.		satisfaction of the City prior to issuance of the first certificate of occupancy for a structure that drain across Beach Boulevard through this pipe.	
Geology, Soils, and Seismicity			
Mitigation Measure GEO-1.1: A minimum 100-foot setback for all residential structures shall be maintained from any active fault or fault splay.	The setback requirement set forth in **Mitigation Measure GEO-1.1** shall be made a condition of approval of Vesting Tentative Tract Map 17845, and no permits for construction of a structure for human occupancy shall be granted, unless it is in compliance with this mitigation measure. To confirm compliance with **Mitigation Measure GEO-1.1**: • Prior to grading, the limits of the Earthquake Fault Zone shall be staked by the project surveyor. • During grading, the project geologist shall map exposed bedrock in all areas proposed for residential development to identify any potentially active faults and/or active fault splays. Additional grading below the planned 5- to 15-foot-deep cuts within this area shall be performed if required to expose bedrock for mapping purposes.	Prior to approval of Vesting Tentative Tract Map 17845 and prior to issuance of permits for structures for human occupancy.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
	• An assessment of fault activity shall be conducted on Lots 12, 28, and 29 at the appropriate time, that shall consist of both removals to expose the surrounding bedrock and the excavation of one backhoe trench per lot, generally perpendicular to the length of the Earthquake Fault Zone. Each trench shall be excavated to a minimum of 5 feet deep to ensure a vertical observation surface for detailed mapping. If a fault is observed, it shall be evaluated for potential age of movement; in the event that no supporting age dating information is available, then structural fault setbacks shall apply to the three lots as appropriate. • The City's geotechnical reviewer shall be notified by the grading contractor to observe site grading within the Earthquake Fault Zone and confirm the geologic mapping. • The applicant shall provide confirmation for City review that the requirements of **Mitigation Measure GEO-1.1** and these implementation provisions are included in grading.		
Mitigation Measure GEO-1.3: Stiffened and/or post-tensioned slab foundations shall be used to support all new proposed development within the project site. Pre-soaking of the subgrade soils shall be required to reduce the potential impact of expansive soils.	The project geotechnical expert's recommendations, as approved by the City, shall be shown on final construction plans, and verified by the City as complete during field inspection.	Prior to issuance of a construction permit and verified by the City as complete during field inspection.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure GEO-1.4a: Additional geogrid reinforcement length beyond local stability requirements to be determined by the MSE wall designer and approved by the City shall be required to provide adequate global stability factors of safety (greater than 1.5 and 1.1 for static and pseudo-static [seismic] loading conditions, respectively, for the MSE wall located below Lots 241 through 245 of Vesting Tentative Tract Map 17845. Preliminary slope stability analysis set forth in the project geotechnical report indicates at least 6 layers of geogrid reinforcement lengths of 60 feet, with an allowable strength (after appropriate reduction factors are applied by the manufacturer) of approximately 3.5 kips per foot, spaced at a maximum vertical spacing of 2 feet, are required for adequate global factors of safety. Further refinement of the design for required global stability geogrid will occur during preparation of the 40-scale grading plan and with input from the MSE wall designer subject to approval of the City.	The grading permit application for Lots 241 through 245 shall provide sufficient calculation to confirm that the proposed MSE wall located below Lots 241 through 245 has been designed so as to provide an adequate factor of safety.	Prior to issuance of a grading permit	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-1.4b: The planned landslide removal at Cross-Section 2-2'-2" shall be undertaken prior to excavation of the keyway back-cut slope north of the proposed landslide removal area as depicted in **Figure 3.14-3**, *Revised Portion of Cross-Section 2-2'-2"*. Additionally, the landslide removal shall be excavated in slots, or sections, where an area of landslide approximately 80 feet long (measured parallel to the slope face) is removed and replaced as compacted fill, prior to excavation of the adjacent 80-foot-wide section. A minimum of approximately 15 vertical feet of compacted fill shall be placed above the landslide rupture surface within each completed slot, prior to the next section of landslide removal. The landslide removal operation shall be performed so that no sections are left open (defined as lacking a minimum of 15 vertical feet in front of the landslide) over a weekend/holiday or when a significant rain event is predicted over the next three days. Full-time observation and testing shall be monitored by a qualified geotechnical expert during the landslide removal operation, and the expert shall provide supplemental recommendations based on observed field conditions.	Evidence shall be submitted to the City that the requirements of Mitigation Measure GEO-1.4b have been incorporated into contract(s) for site grading activities.	Prior to issuance of a grading permit	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure GEO-3a: Removals of unsuitable fill material up to approximately 50 feet deep below existing grades shall be performed for the western portion of the project site and within several isolated small canyon areas at the eastern portion of the site, in accordance with recommendations of the Geotechnical Report.	The applicant shall retain a qualified geotechnical consultant, as approved by the City, to identify the precise locations and depths for removals of unsuitable fill materials. Such precise locations and depths of removals shall be noted on the final approved grading plans. The City shall confirm these locations have been precisely identified and noted on the final approved grading plans.	Prior to issuance of grading permit.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-3b: As part of remedial grading, unsuitable soils shall be removed to competent soils, temporarily stockpiled (where necessary) and replaced as properly compacted fill. Prior to placement as compacted fill, significant organic materials or other unsuitable materials shall be removed and properly exported off-site.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3b**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-3c: Any concrete material from site demolition used in general fill shall be environmentally suitable and crushed such that it is no larger than 8 inches in maximum dimension and well blended (i.e., no nesting and voids) into site fills. Any concrete material placed in MSE wall backfill areas (refer to **Mitigation Measure GEO-3i**) shall be crushed to meet gradation requirements of aggregate base in accordance with the last edition of the Greenbook: Standard Specifications for Public Works Construction. The actual depths and lateral extents of grading shall be determined by the geotechnical consultant, based on subsurface conditions encountered during grading.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3c**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-3d: Stabilization fill keyways shall be constructed for design cut slopes that are not undercut by remedial grading. Locations of the stabilization fill keyways shall be constructed in accordance with recommendations made in the Geotechnical Report, with final locations and design specifications made by the project's geotechnical consultant	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3d**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or

Table 4-1
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Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
subject to review and approval by the City. Keyways shall be shown on the final grading plans. Design cut lots, or lots with less than 5 feet of design fill, shall be overexcavated a minimum of 5 feet below respective pad grades.			his/her designee.
Mitigation Measure GEO-3e: Proposed fill slopes shall be constructed at a slope ratio of 2:1 (horizontal to vertical) or flatter so as to achieve the factors of safety recommended in the Geotechnical Report.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3e**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-3f: Fills placed deeper than 40 feet below proposed grade shall be compacted to an increased minimum relative compaction of 93 percent relative compaction. Fill shall be moisture-conditioned to be between optimum moisture content and 2 percent over optimum moisture content, pursuant to ASTM D1557.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3f**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-3g: Settlement monuments shall be installed within four weeks after completion of grading within fill areas greater than approximately 40 feet below finish grade and where significant amounts of fill are placed over left-in-place alluvium. Settlement monuments shall be read by a licensed surveyor with an off-site benchmark. The survey readings shall be obtained four times in the first two months, twice in the third month, and then once a month unless otherwise requested by the geotechnical consultant. Shallow footings and slab-on-grade foundations shall be constructed after settlement monitoring data indicate future total settlements are within tolerable limits. Tolerable limits shall include a determination by the project's geotechnical engineer, subject to review and approval by the City, that the surveyed areas would maintain a predicted 3 inches or less of settlement for the next 50 years. If a determination is made that tolerable limits are not met, either impacted areas shall be surcharged with additional fill material and surveyed for an additional three months to determine that tolerable limits are met, or construction shall be delayed until additional settlement monitoring determines that tolerable limits are met.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3g**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure GEO-3h: Additional geogrid reinforcement length (beyond local stability requirements) shall be required for adequate global stability factors of safety of the MSE retaining wall located at various areas throughout the site, as determined during final design and as approved by the City. Final design requirements including geogrid reinforcement length shall be determined by the MSE wall designer during preparation of the 40-scale grading plan and approved by the City based on the recommendation made in the Geotechnical Report. Geogrid reinforcement length requirements shall be noted on the final approved construction plans.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3h**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-3i: MSE walls and conventional retaining walls shall be backfilled with relatively sandy soils obtained from either on-site or off-site locations. Sandy soils shall comprise the geogrid zone required for local stability as determined by the MSE wall designer and approved by the City. For conventional retaining walls, the sandy import zone shall be a minimum of one-half the height of the retaining wall. These requirements shall be noted on the final approved construction plans.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3i**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.
Mitigation Measure GEO-3j: Soil samples shall be collected and tested for presence of corrosive soils at the completion of rough grading. If corrosive soils are detected with (1) pH levels of 5.5 or less, (2) chloride concentration of 500 parts per million (ppm) or greater, or (3) sulfate concentration of 2,000 ppm or greater, specific remediation methods—such as increased compressive strength for structural concrete, decreased water-to-cement ratio for structural concrete and/or encapsulation of post-tensioned cables—shall be implemented as approved by the City. Specific remediation methods shall include one or more of the above-listed options as determined by the foundation design engineer and as approved by the City. If corrosive soils are not detected at levels described above, no mitigation shall be required.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-3j**.	Prior to issuance of a grading permit.	Director of Community and Economic Development or his/her designee.
	Recommendations as required shall be noted on grading plans and construction plans for underground utilities. If corrosive soils are not detected at levels described in **Mitigation Measure GEO-3j**, no mitigation shall be required.	Prior to issuance of permits for construction of underground utilities.	Director of Public Works or his/her designee.

Table 4-1
Mitigation Monitoring and Reporting Requirements

Mitigation Measure	Implementation Action(s)	Action is to be Completed	Agency/Entity Responsible to Verify Compliance
Mitigation Measure GEO-4: Soil samples shall be collected and tested at the completion of rough grading to assess expansive soil conditions. Based on the test results, the project shall incorporate specific recommendations set forth by the foundation design engineer, subject to review and approval by the City, such as the use of stiffened and/or post-tensioned slab foundations, pre-soaking of the subgrade soils, and establishment of minimum setbacks for structures located near slopes.	The City shall verify that the grading plan implements the provisions of **Mitigation Measure GEO-4**. Recommendations as required shall be noted on grading plans and building construction plans.	Prior to issuance of a grading permit. Prior to issuance of building permits.	Director of Community and Economic Development or his/her designee.

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