

October 2023 | Final Environmental Impact Report
State Clearinghouse No. 2022020137

LA PUERTA SCHOOL SITE SPECIFIC PLAN

City of Claremont

Prepared for:

City of Claremont

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1. Introduction

1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (California Code of Regulations §§ 15000 et seq.).

According to the CEQA Guidelines, Section 15132, the FEIR shall consist of:

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

This document contains responses to comments received on the DEIR for the La Puerta School Site Specific Plan during the public review period, which began July 26, 2023, and closed September 8, 2023. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the Lead Agency. This document and the circulated DEIR comprise the FEIR, in accordance with CEQA Guidelines, Section 15132.

1.2 FORMAT OF THE FEIR

This document is organized as follows:

Section 1, Introduction. This section describes CEQA requirements and content of this FEIR.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the DEIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number (A-1 through A-4 for letters received from agencies and organizations, and R-1 through R-12 for letters received from residents). Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

1. Introduction

Section 3. Revisions to the Draft EIR. This section contains revisions to the DEIR text as a result of the comments received by agencies and interested persons as described in Section 2, and/or errors and omissions discovered subsequent to release of the DEIR for public review.

The responses to comments contain material and revisions that will be added to the text of the FEIR. The City of Claremont staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the DEIR for additional public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. None of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of DEIRs should be "... on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. 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) 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, "Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility." Section 15204 (e) states, "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 public agencies will be forwarded to those agencies at least 10 days prior to certifying the environmental impact report. The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

2. Response to Comments

Section 15088 of the CEQA Guidelines requires the Lead Agency (City of Claremont) to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepared written responses.

This section provides all written comments received on the DEIR and the City of Claremont's responses.

Comments are numbered for reference. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underlined text for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the DEIR during the public review period.

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
Agencies & Organizations			
A1	California Department of Transportation	August 30, 2023	2-2
A2	The Metropolitan Water District of Southern California	September 7, 2023	2-7
A3	California Department of Fish and Wildlife	September 8, 2023	2-13
A4	Morongo Band of Mission Indians	September 20, 2023	2-35
Residents			
R1	Luis Miguel Blas	July 25, 2023	2-39
R2	John Moylan	July 28, 2023	2-43
R3	Sean Cochran	August 3, 2023	2-47
R4	Marcyn Del Clements	August 4, 2023	2-51
R5	Phyllis Eschleman	September 3, 2023	2-55
R6	Mike Eschleman	August 4, 2023	2-59
R7	Mike Eschleman	September 3, 2023	2-63
R8	Joyce Sauter	September 3, 2023	2-67
R9	Charles Hoffman	September 3, 2023	2-73
R10	Paul Stapp	September 3, 2023	2-77
R11	Robb Bell	September 3, 2023	2-85
R12	Steve Goldwater	September 5, 2023	2-91

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2. Response to Comments


LETTER A1 – California Department of Transportation (2 pages)

A-1

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

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

Gavin Newsom, Governor



*Making Conservation
a California Way of Life.*

August 30, 2023

Brad Johnson
Community Development Director
City of Claremont
207 Harvard Avenue
Claremont, CA 91711

RE: La Puerta School Site Specific
Plan – EIR (Draft EIR)
SCH #2022020137
GTS #07-LA-2023-04282
Vic. LA Multiple

Dear Brad Johnson,

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project applicant is seeking the City of Claremont's approval of the proposed project, which facilitates the development of 56 single-family detached homes. Approximately 10 of the homes would include integral attached accessory dwelling units. The project site was previously used as a public intermediate school, prior to the purchase of the property by Trumark Homes from the Claremont Unified School District (CUSD) Board. Although the DEIR analyzes development of up to 58 single-family homes, the project applicant is seeking approval of a tentative tract map to subdivide the Project Area into 56 residential lots for individual ownership. The site is adjacent to La Puerta Sports Park and vehicular access to the Project Area would be provided via a stop-controlled entry drive along Forbes Avenue, which would feed into a looped low-speed private street.

After reviewing the EIR, Caltrans has the following comments:

Caltrans concurs with Policy 4-3.1 to install sidewalks where missing and make improvements to existing sidewalks for accessibility purposes, particularly near schools and activity centers. Our organizational policy supports designers in their application of guidance to achieve goals of developing complete streets which serve all members of the community and shift the focus on vehicle movement to comfortable and convenient forms of mobility. At the new entry drive and Forbes Avenue intersection, a substantially clear line of sight must be maintained between the driver of a vehicle waiting at the stop sign and the driver of an approaching vehicle. To ensure safety for pedestrians, bicyclists, and motorists, proposed improvements to non-vehicular development include examples of effective physical design such as protected Class IV bikeways, wider sidewalks, curb extensions, pedestrian refuge islands, landscaping, street furniture, reduced crossing distances, roadway narrowing, flashing beacons, and refreshed or new

A1-1

"Provide a safe and reliable transportation network that serves all people and respects the environment"

2. Response to Comments

Brad Johnson
August 30, 2023
Page 2

crosswalks. Caltrans planners and engineers are available to partner on implementing design elements that improve safety and mobility for communities seeing new residential development. A1-1
Count'd

Caltrans acknowledges and supports development that ultimately helps Californians to meet its climate, transportation, and livability goals. However, the project creates a new supply of personal car storage at the existing destination, encouraging further automobile usage as a primary form of transportation. If surface parking must be built, it is recommended that it does not face the street directly. More streetscapes that encourage recreational walking and transit can be produced when active frontage is against the sidewalk and parking is shifted to the rear or interior of the site. As the project currently has no plans to add or upgrade bike lanes and nearby transit stops, additional strategies to promote the existing complete street facilities include public directions prioritizing the City's rideshare modes, and locating information such as current maps, routes, and schedules for public transit routes within one-half mile of the project site where residents and visitors may easily view. A1-2

Finally, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods. A1-3

If you have any questions, please contact project coordinator Anthony Higgins, at anthony.higgins@dot.ca.gov and refer to GTS #07-LA-2023-04282.

Sincerely,

Miya Edmonson

MIYA EDMONSON
LDR Branch Chief

cc: State Clearinghouse

"Provide a safe and reliable transportation network that serves all people and respects the environment"

2. Response to Comments

A1. Response to Comments from California Department of Transportation, Miya Edmenson, LDR Branch Chief, dated August 30, 2023.

A1-1 The commenter stated that Caltrans is in concurrence with the installation and improvement of sidewalks that provide accessibility to all users. The comment is acknowledged and no response is necessary.

The commenter also stated that at the new entry drive and Forbes Avenue intersection, a clear line of sight must be maintained between the driver of a vehicle waiting at the stop sign and the driver of an approaching vehicle. Hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) as a result of development accommodated by the La Puerta School Site Specific Plan (Specific Plan) were analyzed under Impact 5.14-1 (pages 5.14-7 and 5.14-8) and Impact 5.14-3 (page 5.14-14) of Section 5.14, *Transportation*, of the DEIR. As stated in Section 5.14, at the new entry drive and Forbes Avenue intersection, a substantially clear line of sight must be maintained between the driver of a vehicle waiting at the stop sign and the driver of an approaching vehicle. Sight distance is the continuous length of roadway visible to the driver. Based on a review of aerial photography and Google street maps, there are no restrictions blocking the view from the proposed location of the proposed entry drive and north- and southbound traffic on Forbes Avenue, and sufficient sight distance would be provided. Compliance with the City's established design standards would ensure that hazards due to design features would not occur and that the placement of the vehicular access and circulation improvements would not create a conflict for motorists, pedestrians, or bicyclists traveling along Forbes Avenue.

A1-2 The commenter recommended that surface parking not face the street directly and instead be shifted to the rear or interior of the site; these parking strategies help encourage recreational walking and other forms of transit. The comment is acknowledged and no response is necessary; however, the following is offered to clarify these issues.

As shown in Figure 3-2, *Conceptual Site Plan*, and described in Chapter 3, *Project Description*, of the DEIR, parking for residents would be provided in parking garages, on private driveways, and internal to the site along the private street. There are no surface parking lots/areas proposed. The proposed sidewalks internal to the site and the public sidewalk along Forbes Avenue would encourage project residents to walk; the sidewalks would also connect to the existing Thompson Creek Trail, which abuts the northern boundary of the Project Area, encouraging recreational walking for future project residents.

Project residents would have access to rideshare modes available in the City (e.g., Claremont Dial-a-Ride) and via applications (e.g., Uber, Lyft); they would also have access to nearby Foothill Transit bus lines and stops (within a reasonable walking distance), and the Claremont Metrolink Station (within a reasonable driving distance). Current maps,

2. Response to Comments


routes, and schedules for public transit routes of Foothill Transit and Metrolink are available online and in printed form.

- A1-3 The commenter notes that the use of over-sized transport vehicles on State highways requires a Caltrans permit. The comment is acknowledged and no response is necessary; however, the following is offered to clarify this issue. In the event that the use of oversized-transport vehicles on state highways is required during project construction, the project applicant will be required to obtain all necessary Caltrans transportation permits.

2. Response to Comments

LETTER A2 – The Metropolitan Water District of Southern California (3 pages)

A-2



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

September 7, 2023

VIA EMAIL

Mr. Brad Johnson
Community Development Director
City of Claremont
207 Harvard Avenue
Claremont, CA 91711

Dear Mr. Johnson:

Notice of Availability for the La Puerta School Site Specific Plan

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Notice of Availability and Draft Environmental Impact Report for the La Puerta School Site Specific Plan. The project proposes to amend the Claremont General Plan land use map to change the land use designation of the project area from Public to Residential 6 (residential with a maximum density of 6 units per acre). Additionally, the project proposes to amend the City's zoning map to change the land use designation from Public to Specific Plan. Finally, the proposed adoption of the La Puerta School Site Specific Plan would permit development of residential uses consistent with the proposed General Plan designation and provide implementation procedures/mechanisms and development and design standards to guide future development of the Project.

Metropolitan owns and operates facilities within and adjacent to the proposed Project Limits. As shown on the attached map, Metropolitan's Rialto Pipeline, an approximately 96-inch inside-diameter untreated water pipeline, runs along the Thompson Creek Trail within Metropolitan fee-owned property along the north Project boundary. Metropolitan is concerned with potential impacts to these facilities and rights-of-way that may result from implementation of the proposed Project.

Metropolitan must be allowed to maintain its rights-of-way and access to its facilities and properties at all times, in order to repair and maintain the current condition of those facilities. In order to avoid potential conflicts with Metropolitan's rights-of-way, we require that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval. Metropolitan will not permit procedures that could subject the pipes to excessive vehicle, impact, or vibratory loads. Any future design plans associated with this Project should be submitted to the attention of Metropolitan's Substructures Team. Approval of the Project should be contingent on Metropolitan's approval of design plans for portions of the proposed Project that could impact its facilities.

A2-1

700 N. Alameda Street, Los Angeles, California 90012 • Mailing Address: Box 54153, Los Angeles, California 90054-0153 • Telephone (213) 217-6000

2. Response to Comments

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Mr. Brad Johnson
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September 7, 2023

Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by contacting Metropolitan's Substructures Team at EngineeringSubstructures@mwdh2o.com. To assist the City of Claremont in preparing plans that are compatible with Metropolitan's facilities and rights-of-way, enclosed is a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easement of The Metropolitan Water District of Southern California." Please note that Metropolitan's facilities and rights-of-way must be fully shown and identified as Metropolitan's on all designs or plans submitted.

A2-2

Metropolitan requests that the City of Claremont avoid any potential impacts that may occur to the Rialto Pipeline due to implementation of the proposed Project or where applicable, and propose mitigation measures to offset any potential impacts. It will also be necessary for the City of Claremont to consider Metropolitan's Rialto Pipeline in its project planning.

A2-3

Metropolitan encourages projects within its service area to include water conservation measures. While Metropolitan continues to build new supplies and develop means for more efficient use of current resources, projected population and economic growth will increase demands on the current system. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports mitigation measures such as using water efficient fixtures, drought tolerant landscaping, and reclaimed water to offset any increase in water use associated with the proposed Project.

A2-4

We appreciate the opportunity to provide input to your planning process and look forward to receiving future plans and documentation for this Project. If we can be of further assistance, please contact Jolene Ditmar at (213) 217-6184 or at jditmar@mwdh2o.com.

Very truly yours,

Diane Doesserich

Diane Doesserich
Manager, Environmental Planning Section

JD:ds
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Enclosures:

- 1) Location Map of Metropolitan's Rialto Pipeline within the Project Limits
- 2) Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of The Metropolitan Water District of Southern California

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2. Response to Comments



2. Response to Comments

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2. Response to Comments

A2. Response to Comments from The Metropolitan Water District of Southern California, Diane Doesserich, Manager, Environmental Planning Section dated September 7, 2023.

A2-1 The commenter stated that Metropolitan owns and operates the Rialto Pipeline, an approximately 96-inch inside diameter untreated water pipeline that runs along the Thompson Creek Trail, which abuts the norther project site boundary. The commenter stated that Metropolitan is concerned with potential impacts to this facility and right-of-way that may result from implementation of the Specific Plan.

As described in Chapter 3, *Project Description*, of the DEIR, with the exception of the offsite sewer and drainage improvements proposed in the southern end of the adjacent La Puerta Sports Park to the west, all other improvements would occur within the confines of the development area covered by the Specific Plan. No improvements or work would occur beyond the northern site boundary, which abuts the Thompson Creek Trail. Also, no encroachment into any areas beyond the northern site boundary is proposed or would be required. Therefore, no impacts to Metropolitan's 96-inch water pipeline or right-of-way would occur as a result of development accommodated by the Specific Plan.

A2-2 The commenter noted that detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by contacting Metropolitan's Substructures Team. The commenter also included a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easement of The Metropolitan Water District of Southern California" as an enclosure to the comment letter. The comment is acknowledged and no response is necessary.

A2-3 The commenter requested that the City of Claremont avoid any potential impacts that may occur to the Rialto Pipeline due to implementation of the Specific Plan. See response to Comment A2-1.

A2-4 The commenter stated that Metropolitan encourages projects within its service area to include water conservation measures. The comment is acknowledged and no response is necessary; however, the following is offered to clarify this issue.

Development accommodated by the Specific Plan would include water conservation measures and features in accordance with the requirements of CALGreen and the Claremont Sustainable City Plan. For example, as outlined in Chapter 3, *Project Description*, of the DEIR, some of the sustainability measures that would be included with development accommodated by the Specific Plan include but are not limited to:

- Low-flow water fixtures and energy efficient appliances and materials shall be installed per CALGreen requirements.
- The landscape shall be climate appropriate and designed for low water consumption.

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- Smart technology shall be used for irrigation controls.

As stated in Section 5.16, *Utilities and Service Systems*, of the DEIR, proposed development would also be required to comply with the requirements of Chapter 8.30, *Water Conservation*, and Chapter 16.131, *Water Efficient Landscape Requirements*, of the Claremont Municipal Code.

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LETTER A3 – California Department of Fish and Wildlife (18 pages)



2. Response to Comments

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

A3-1
Cont'd

Project Description and Summary

Objective: The Project proposes the adoption of a General Plan Amendment and a zone change, in addition to, approval of a Tentative Tract Map and a Specific Plan. The Amendment would involve amending the Claremont General Plan land use map to change the land use designation from Public to Residential 6 (residential with a maximum density of 6 units per acre). The City's zoning map would be amended to change the zoning designation from Public to Specific Plan. Additionally, the proposed Specific Plan would permit the development of 58 single-family residences consistent with the proposed general plan designations. Approval of the tentative tract map would allow the parcel to be subdivided into residential lots for individual ownership and would create a separate legal parcel for the adjacent La Puerta Sports Park. Each proposed residence would be two stories with a two-car garage, driveway, and a private yard. Approximately 10 residences would include an integral attached accessory dwelling unit. Vehicular access to the Project site would be provided via an entry drive along Forbes Avenue, which would connect to interior private streets. Moreover, a proposed sewer line would be installed underground along the southern end of site, adjacent to La Puerta Sports Park, and will connect to the existing sewer main at Indian Hill Boulevard. In addition to a sewer line, the Project proposes off-site drainage improvements to La Puerta Sport Park's v-ditch drainage. Improvements include reconstruction of approximately 170 linear feet of the v-ditch drainage and installment of a storm drain outlet. The storm drain outlet would carry runoff from the Project site directly to the v-ditch and ultimately to a parkway culvert on Indian Hill Boulevard. Lastly, landscaping and utilities would be installed throughout the Project site.

A3-2

Two alternatives to the proposed Project include a "no project with no development" alternative and a, "no project with the existing General Plan" alternative. Under the "no project with no development" alternative, the

2. Response to Comments

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Specific Plan would not be implemented, and no development would occur on the Project site. The existing conditions would remain under this alternative. Under the "no project with the existing general plan" alternative, the existing General Plan land use and public zoning designations would remain. The Project site would be developed with any of the uses permitted under a public designation.

A3-2
Cont'd

Location: The 9.58-acre Project site is located at 2475 Forbes Avenue in the City of Claremont, Los Angeles County. The Project site is bound by Thompson Creek Trail to the north, Forbes Avenue to the east, La Puerta Sports Park to the west, and Navarro Drive to the south. The Assessor's Parcel Number associated with the Project site and La Puerta Sports Park is 8670-003-900.

Comments and Recommendations

CDFW appreciates the effort the City has made to address nesting birds, raptors, and reptile species, as outlined in CDFW's comments on the Notice of Preparation of a DEIR, dated March 2, 2022. CDFW offers the recommendations below to assist the City in adequately identifying the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. CDFW recommends the City consider our comments and recommendations when preparing an environmental document that may provide adequate and complete disclosure of the Project's potential impacts on biological resources [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003(i), 15151].

A3-3

Specific Comments

Comment #1: Impacts on coast live oak (*Quercus agrifolia*) trees

Issue: The Project proposes the removal of an undisclosed number of coast live oak trees without providing appropriate avoidance, minimization, or mitigation measures.

A3-4

Specific impacts: The Project proposes the removal of all trees on site, which will result in temporary or permanent impacts for wildlife that utilize the trees as habitat. In addition, Project activities that involve removal of trees or parts of trees have the potential to result in the spread of tree pests and diseases into areas not currently exposed to these stressors.

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Why impacts would occur: According to the DEIR, “[a] few scattered native laurel sumac shrubs and coast live oak trees are scattered within and adjacent to the ornamental vegetation” (page 5.3-10). Upon approval of the Specific Plan and commencement of the proposed Project, all trees on site will be removed. Coast live oak trees and woodlands have a positive ecological relationship with a variety of wildlife species, including urban wildlife, and provide ecological benefits to an environment, including providing nesting and perching habitat for approximately 170 species of birds (Griffin and Muick 1990). In addition to habitat, acorn production from coast live oak trees provide foraging opportunities for wildlife. Removal of all coast live oaks and other trees would eliminate the ecological benefits these trees provide to urban wildlife within and adjacent to the site.

Furthermore, the DEIR does not provide compensatory mitigation to offset the loss of coast live oak trees. The DEIR states that the removal of trees is not subject to policies outlined in the City's Tree Policy Manual because the Project is located on private property. Although the Project may avoid tree provisions set forth in the Chapter 12.26 of the Claremont Municipal Code, coast live oak trees are of local significance within Los Angeles County. According to Los Angeles County's [Chapter 22.174 Oak Tree Permits](#), oak trees are recognized as, “... significant historical, aesthetic, and ecological resources, and one of the most picturesque trees in Los Angeles County, lending beauty and charm to the natural and manmade, landscape enhancing the value of property, and the character of the communities in which they exist...” (LAC 2023). Given the local and regional significance of coast live oak trees, the DEIR should propose compensatory mitigation by replanting coast live oak trees throughout the Project site.

Coast live oak trees are also highly susceptible to various tree pests and diseases, including gold spotted oak borer (GSOB; *Agrilus coxalis*). A minimization measure to develop and implement an Invasive Pest and Disease Management Plan is currently not proposed in the DEIR. The DEIR mentions that an Infectious Tree Disease Management Plan will not be proposed unless City trees along Forbes Avenue are removed or impacted. However, tree pests and pathogens such as GSOB are not biased to City trees just outside the Project boundary. Without an Invasive Pest and Disease Management Plan, removal of trees and landscaping activities may result in the introduction of pests, pathogens, or diseases to surrounding areas (e.g., La Puerta Sports Park).

A3-4
Cont'd

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Evidence impacts would be significant: Oak trees and woodlands are protected by the Oak Woodlands Conservation Act (pursuant under Fish and Game Code sections 1360- 1372) and Public Resources Code section 21083.4, due to the historic and on-going loss of these resources. Currently, coast live oak has a reduced range largely due to development and are often vulnerable to environmental effects of projects. Inadequate or lack of avoidance, minimization, and mitigation measures for impacts to special status plant species, such as coast live oak, may not minimize the Project's direct, indirect, and cumulative impacts to biological resources.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: Tree Replacement – The City shall revise the La Puerta School Site Specific Plan to discuss the maximum amount of coast live oaks which will be removed and incorporate compensatory mitigation for the species. Compensatory mitigation shall consist of on-site creation that is protected and managed in perpetuity (e.g., not part of general landscaping), or off-site creation.

Mitigation Measure #2: Invasive Pest and Disease Management Plan – To prevent the spread of invasive pests and diseases, the City shall revise the DEIR to incorporate the following minimization measures:

1. prior to tree removal, a certified arborist shall evaluate trees for infectious tree diseases including but not limited to sudden oak death, thousand cankers disease, and Fusarium dieback disease;
2. prior to tree removal, a certified arborist shall evaluate trees for pests including but not limited to thousand canker fungus, walnut twig beetle, polyphagous shot hole borer, and GSOB;
3. if a certified arborist determines trees are impacted by infectious pests or diseases, the certified arborist shall prepare an Infectious Tree Disease Management Plan or develop a detailed, robust, enforceable, and feasible list of preventative measures. A plan/list shall provide measures relevant for each tree pest or disease observed. To avoid the spread of infectious tree pests and diseases, infected trees shall not be transported from the Project site without first being treated using best available management practices described Infectious Tree Disease Management Plan or list of preventative measures; and,

A3-4
Cont'd

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4. if possible, all tree material, especially infected tree material, shall be left on site. The material could be chipped for use as ground cover or mulch. Pruning and power tools shall be cleaned and disinfected before use to prevent introducing pathogens from known infested areas, and after use to prevent spread of pathogens to new areas.

A3-4
Cont'd

Comment #2: Impacts on Burrowing Owls (*Athene cunicularia*)

Issue: The Project may impact over-wintering burrowing owls, which is designated as a species of special concern (SSC).

Specific impacts: Project ground-disturbing activities such as vegetation removal will result in habitat destruction and may lead to death or injury of individuals. Project construction and activities may also disrupt foraging behavior.

Why impacts would occur: The DEIR acknowledges that within the disturbed portion of the Project site, "...there are several piles of concrete debris with openings, which represent suitable refugia for the species" (page 5.3-9). The DEIR proposes mitigation measure BIO-1 to perform a pre-construction survey prior to Project activities. The mitigation measure, as presented, may not reduce impacts to a level less than significant if burrowing owls are detected on site. The measure proposes capture and relocation (translocation) of burrow owls if they are present within the Project site. According to [CDFW's Staff Report on Burrowing Owl Mitigation](#), the efficacy of translocating burrowing owls is not well studied and is generally not recommended by CDFW (CDFW 2012). Additionally, translocation of burrowing owls may result in long term consequences related to subsequent survival and breeding success. The mitigation measure should be revised to prescribe consultation with CDFW to determine appropriate avoidance and minimization measures if burrowing owls are determined to be present.

A3-5

Moreover, the DEIR does not discuss mitigation for loss of habitat. In addition to using the concrete debris onsite, it is possible that burrowing owls may also utilize other more natural areas for burrowing and foraging habitat. If the Project removes this habitat for burrowing owls, then regional cumulative impacts to burrowing owl habitat would occur. The DEIR should incorporate a mitigation measure that outlines replacement of burrowing owl habitat.

Evidence impacts would be significant: A SSC is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

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1. if the species is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
2. if the species is listed as threatened or endangered under Endangered Species Act (ESA)-, but not CESA-, threatened, or endangered;
3. if the species meets the State definition of threatened or endangered but has not formally been listed;
4. if the species is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and/or,
5. if naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA-threatened or -endangered status (CDFW 2023a).

A3-5
Cont'd

CEQA provides protection not only for CESA-listed species, but for any species including but not limited to SSC that can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive or special status species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species by CDFW.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #3: Mitigation Measure BIO-1 – The City should revise Mitigation Measure BIO-1 by incorporating the underlined language and removing the language with strikethrough:

Prior to the initiation of ground-disturbing on-site grading activities within any phase of the La Puerta School Site Specific Plan resulting in direct impacts to disturbed habitat, the project applicant shall perform a preconstruction survey for burrowing owls that shall be conducted 14 days prior to construction activities throughout the Project site within the disturbed regions of the phased action area. The preconstruction survey shall be conducted by a qualified biologist. If ground-disturbing activities are delayed or suspended for more than 14 days after the preconstruction survey, the Project site proposed area of disturbance shall be resurveyed for burrowing owls.

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If owls are determined to be present within or adjacent to the Project site phased construction footprint during the preconstruction survey, the Project applicant shall prepare an Impact Assessment and Burrowing Owl Mitigation Plan prior to commencing ground-disturbing activities. The Project applicant shall contact CDFW and submit a final Burrowing Owl Mitigation Plan for approval. they shall be captured and relocated by a qualified biologist. The preconstruction survey and mitigation plan and any relocation activity shall be conducted in accordance with the California Department of Fish and Wildlife (CDFW) Staff Report on Burrowing Owl Mitigation, 2012. According to CDFW guidelines, mitigation actions will be conducted from September 1st to January 31st, which is prior to the nesting season. However, burrowing owl nesting activity is variable, and as such the time frame will be adjusted accordingly. Should eggs or fledglings be discovered in any owl burrow, the burrow cannot be disturbed (pursuant to CDFW guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own). Occupied burrows shall not be disturbed during the nesting season (February 1st through August 31st) and a non-disturbance buffer shall be demarcated within 500 feet of the burrowing owls' nest to avoid abandonment of the young. Personnel working on the Project, including all contractors working onsite, shall be instructed on the presence of occupied burrows, area sensitivity, and adherence to no-disturbance buffers, unless a qualified biologist approved by CDFW verifies through non-invasive methods that either:

- The adult birds have not begun egg laying and incubation; or
- The juveniles from the occupied burrows are foraging independently and are capable of independent survival.

If the biologist is unable to verify one of the above conditions, then no disturbance shall occur within 300 feet of the burrowing owls' nest during the breeding season to avoid abandonment of the young.

Mitigation Measure #4: Compensatory Mitigation – If the Project will impact habitat supporting burrowing owls, the Project applicant shall offset impacts on habitat supporting a SSC at no less than a 3:1 mitigation ratio. The Project applicant shall set aside replacement habitat either onsite or offsite at a mitigation ratio approved by CDFW. Replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity, which should include an appropriate endowment to provide for the long-term management of mitigation lands.

A3-5
Cont'd

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Additional Recommendations

Nesting Birds. CDFW recommends the City revise Mitigation Measure BIO-2 by incorporating the underlined language and removing the language with strikethrough:

To avoid impacts to nesting birds (~~including burrowing owl and peregrine falcon~~) and raptors within or adjacent to the development area covered by the La Puerta School Site Specific Plan (Project Area) and to comply with the California Department of Fish and Game (CDFG) Codes 3503 & 3513 and the Migratory Bird Treaty Act (MBTA), clearing shall occur between non-nesting (or non-breeding) season for birds and raptors (generally September 1~~st~~ to December 31st). If this avoidance schedule is not feasible, the alternative shall be to carry out such activities under the supervision of a qualified biologist. This shall entail the following:

- A qualified biologist shall conduct a pre-construction nesting bird and raptor survey within 72 hours ~~no more than 14 days~~ prior to initiating ground disturbance activities. The survey shall consist of full coverage of the Project site proposed disturbance limits and up to a 500-foot buffer area, ~~determined by the biologist and considering the species nesting in the area and the habitat present.~~ If no active nests are found, no additional measures are required.
- If occupied nests are found, their locations shall be mapped, species documented, and, to the extent feasible, the status of the nest (e.g., incubation of eggs, feeding of young, near fledging) recorded. The biologist shall establish a no-disturbance buffer around each active nest. A minimum 300-foot no-disturbance buffer shall be placed around each active bird nest. For raptors, the no-disturbance buffer shall be expanded to 500 feet and 0.5 mile for special status species (e.g., CESA-listed), if feasible. The buffer ~~area~~ will be determined by the biologist based on the species present, ~~surrounding habitat,~~ and sensitivity to type of construction activities proposed in the area. Personnel working on the Project, including all contractors working on site, shall be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest

A3-6

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is no longer active and has informed the construction supervisor that activities may resume.

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

A3-6
Cont'd

Mitigation and Monitoring Reporting Plan. CDFW recommends the City update the Project's proposed Biological Resources Mitigation Measures and condition the environmental document to include mitigation measures recommended in this letter. CDFW provides comments to assist the City in developing mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear in order for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A).

Filing Fees

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

A3-7

Conclusion

We appreciate the opportunity to comment on the Project to assist the City in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any

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forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Julisa Portugal, Environmental Scientist, at Julisa.Portugal@wildlife.ca.gov or (562) 330-7563.

Sincerely,

DocuSigned by:

C3D446ECB7C14DE...

Jennifer Turner, signing for

David Mayer
Environmental Program Manager
South Coast Region

ec: CDFW
Jennifer Turner, San Diego – Jennifer.Turner@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator, Sacramento

OPR
State Clearinghouse – State.Clearinghouse@opr.ca.gov

References:

- [CDFW] California Department of Fish and Wildlife. 2012. Staff Report on Burrowing Owl Mitigation. Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>
- [CDFW] California Department of Fish and Wildlife. 2023a. Threatened and Endangered Species. Available at: <https://wildlife.ca.gov/Conservation/CESA>
- [CDFW] California Department of Fish and Wildlife. 2023b. Submitting Data to the CNDDDB. Available from: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.
- [CDFW] California Department of Fish and Wildlife. 2023c. Combined Rapid Assessment and Releve Form. Available from: <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>
- Griffin, J.R. and Muick P.C. 1990. California native oaks: past and present. Fremontia 18:4-12

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[LAC] Los Angeles County. 2023. Chapter 22.174 – Oak Tree Permits. Available at:
https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT22PLZO_DIV8PERELEAC_CH22.174OATRPE

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Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into the Project's environmental document.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
MM-BIO-1-Tree Replacement	The City shall revise the La Puerta School Site Specific Plan to discuss the maximum amount of coast live oaks which will be removed and incorporate compensatory mitigation for the species. Compensatory mitigation shall consist of on-site creation that is protected and managed in perpetuity (e.g., not part of general landscaping), or off-site creation.	Prior to final CEQA document and Project activities	City/Project Applicant
MM- BIO-2- Invasive Pest and Disease Management Plan	<p>To prevent the spread of invasive pests and diseases, the City shall revise the DEIR to incorporate the following minimization measures:</p> <ol style="list-style-type: none"> 1. prior to tree removal, a certified arborist shall evaluate trees for infectious tree diseases including but not limited to sudden oak death, thousand cankers disease, and Fusarium dieback disease; 2. prior to tree removal, a certified arborist shall evaluate trees for pests including but not limited to thousand canker fungus, walnut twig beetle, 	Prior to final CEQA document and Project activities	City/Project Applicant

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	<p>polyphagous shot hole borer, and GSOB;</p> <p>3. if a certified arborist determines trees are impacted by infectious pests or diseases, the certified arborist shall prepare an Infectious Tree Disease Management Plan or develop a detailed, robust, enforceable, and feasible list of preventative measures. A plan/list shall provide measures relevant for each tree pest or disease observed. To avoid the spread of infectious tree pests and diseases, infected trees shall not be transported from the Project site without first being treated using best available management practices described Infectious Tree Disease Management Plan or list of preventative measures; and,</p> <p>4. if possible, all tree material, especially infected tree material, shall be left onsite. The material could be chipped for use as ground cover or mulch. Pruning and power tools shall be cleaned and disinfected before use to prevent introducing pathogens from known infested areas, and after use to prevent spread of pathogens to new areas.</p>		
MM-BIO-3-Mitigation Measure BIO-1	Prior to the initiation of ground-disturbing activities within any phase of the La Puerta School Site Specific Plan resulting in direct impacts to disturbed habitat, the project applicant shall perform a preconstruction survey	Prior to and during Project activities	Project Applicant/ Qualified biologist

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	<p>for burrowing owls that shall be conducted 14 days prior to construction activities throughout the Project site. The preconstruction survey shall be conducted by a qualified biologist. If ground-disturbing activities are delayed or suspended for more than 14 days after the preconstruction survey, the Project site shall be resurveyed for burrowing owls.</p> <p>If owls are determined to be present within or adjacent to the Project site during the preconstruction survey, the Project applicant shall prepare an Impact Assessment and Burrowing Owl Mitigation Plan prior to commencing ground-disturbing activities. The Project applicant shall contact CDFW and submit a final Burrowing Owl Mitigation Plan for approval. The preconstruction survey and mitigation plan shall be conducted in accordance with the California Department of Fish and Wildlife (CDFW) Staff Report on Burrowing Owl Mitigation, 2012. Should eggs or fledglings be discovered in any owl burrow, the burrow cannot be disturbed (pursuant to CDFW guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own). Occupied burrows shall not be disturbed during the nesting season (February 1st through August 31st) and a non-disturbance buffer shall be demarcated within 500 feet of the burrowing owls' nest to avoid abandonment of the young. Personnel working on the Project, including all contractors working onsite, shall be instructed on the presence of occupied</p>		
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	burrows, area sensitivity, and adherence to no-disturbance buffers.		
MM-BIO-4-Compensatory Mitigation	If the Project will impact habitat supporting burrowing owls, the Project applicant shall offset impacts on habitat supporting a SSC at no less than a 3:1 mitigation ratio. The Project applicant shall set aside replacement habitat either onsite or offsite at a mitigation ratio approved by CDFW. Replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity, which should include an appropriate endowment to provide for the long-term management of mitigation lands.	Prior to Project activities	Project Applicant
MM-BIO-5-Nesting Birds	<p>To avoid impacts to nesting birds and raptors within or adjacent to the development area covered by the La Puerta School Site Specific Plan (Project Area) and to comply with the California Department of Fish and Game (CDFG) Codes 3503 & 3513 and the Migratory Bird Treaty Act (MBTA), clearing shall occur between non-nesting (or non-breeding) season for birds and raptors (generally September 1 to December 31st). If this avoidance schedule is not feasible, the alternative shall be to carry out such activities under the supervision of a qualified biologist. This shall entail the following:</p> <ul style="list-style-type: none"> A qualified biologist shall conduct a pre-construction nesting bird and raptor survey within 72 hours prior to initiating ground disturbance activities. The survey shall consist of full coverage 	Prior to and during Project activities	Project Applicant/ Qualified biologist

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	<p>of the Project site and up to a 500-foot buffer area. If no active nests are found, no additional measures are required.</p> <ul style="list-style-type: none">• If occupied nests are found, their locations shall be mapped, species documented, and, to the extent feasible, the status of the nest (e.g., incubation of eggs, feeding of young, near fledging) recorded. The biologist shall establish a no-disturbance buffer around each active nest. A minimum 300-foot no-disturbance buffer shall be placed around each active bird nest. For raptors, the no-disturbance buffer shall be expanded to 500 feet and 0.5 mile for special status species (e.g., CESA-listed), if feasible. The buffer area will be determined by the biologist based on the species present and sensitivity to construction activities proposed in the area. Personnel working on the Project, including all contractors working on site, shall be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the construction supervisor that activities may resume.		
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REC-1 - Data	CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database (i.e., California Natural Diversity Database) which may be used to make subsequent or supplemental environmental determinations. Information on special status species should be submitted to the CNDDDB by completing and submitting CNDDDB Field Survey Forms. Information on special status native plant populations and sensitive natural communities, the Combined Rapid Assessment and Relevé Form should be completed and submitted to CDFW's Vegetation Classification and Mapping Program.	Prior to Project activities	Qualified Biologist
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A3. Response to Comments from California Department of Fish and Wildlife, Environmental Program Manager, Environmental Program Manager dated September 8, 2023.

A3-1 CDFW provided a summary of their role as a state agency in the protection of biological resources in California, as well as their role and purpose under CEQA. The commenter also outlined the provisions under the Fish and Game Code for the project applicant to obtain appropriate authorization if the project results in a “take.” The comment is acknowledged and no response is necessary.

A3-2 The commenter provided a summary of the proposed project, which is detailed in Chapter 3, *Project Description*, of the DEIR. The comment is acknowledged and no response is necessary.

A3-3 The commenter stated that CDFW appreciates the effort the City has made to address nesting birds, raptors, and reptile species, as outlined in CDFW’s comments on the Notice of Preparation of a DEIR, dated March 2, 2022. The comment is acknowledged and no response is necessary.

The commenter also stated that CDFW recommends the City consider their comments and recommendations when preparing an environmental document that may provide adequate and complete disclosure of the project’s potential impacts on biological resources. The project’s impacts on biological resources were fully disclosed in Chapter 5.5, *Biological Resources*, of the DEIR and the supporting Biological Resources Technical Report, which was included as Appendix C of the DEIR.

A3-4 The commenter asserted that project development proposes the removal of an undisclosed number of coast live oak trees without providing appropriate avoidance, minimization, or mitigation measures. This comment overstates and mischaracterizes the project’s impacts, as discussed below.

The project’s impacts on biological resources, including all trees existing within the confines of the development area covered by the Specific Plan, were disclosed, and analyzed in Chapter 5.5, *Biological Resources*, of the DEIR and the supporting Biological Resources Technical Report, which was included as Appendix C of the DEIR.

No mature or heritage coast live oak trees were documented within or adjacent to the project site. Individual oak trees documented onsite were less than six inches in diameter and did not occur in numbers or distribution that would have warranted characterization as a woodland habitat. The City does not regulate the removal of trees (including oak trees) on private property and the project site is not subject to compliance with the County of Los Angeles oak tree ordinances (which are only effective in unincorporated county areas).

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The Oak Woodlands Conservation Act (pursuant under Fish and Game Code sections 1360- 1372) mandates the Wildlife Conservation Board to establish a grant program designed to protect and restore oak woodlands using conservation easements, cost-share and long-term agreements, technical assistance and public education and outreach. The program provides incentives designed to foster the conservation of oak woodlands in a manner that promotes local priorities while sustaining the economic viability of farming and ranching operations. The Act was not established to assess impacts, mitigation and/or determine significance of impacts respective of CEQA.

In summary, no impact to mature or heritage coast live oak trees or woodlands would occur as a result of project implementation and no mitigation for impacts to oak trees is required or proposed.

The comment does not provide significant new information that would give rise to a new significant environmental impact; a substantial increase in the severity of an environmental impact; or suggest a project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the project.

A3-5

The commenter requested that Mitigation Measures BIO-1 of the DEIR related to preconstruction surveys for burrowing owls be updated in accordance with CDFW's recommendations outlined in this comment. In response to the commenter, mitigation measure BIO-1, included in Section 5.3, *Biological Resources*, of the DEIR, has been modified to include select recommended changes to the preconstruction survey including approach to mitigating impacts. It should be noted that a no-disturbance buffer, as requested by CDFW, cannot be established offsite due to the fact that authorization to access the adjacent properties and enforce avoidance areas cannot be accomplished. If applicable, temporary no-disturbance buffer areas would be established onsite. The revised mitigation measure is described in more detail in Section 3, *Revisions to the Draft EIR*, of this FEIR.

In response to CDFW's comment about a commitment to a mitigation ratio, this was not included due to the fact that the species has not been documented onsite, no impacts have been identified, and updated Mitigation Measure BIO-1 includes the following requirement during which a mitigation approach would be reviewed and approved by CDFW: "If owls are determined to be present within or adjacent to the Project site during the preconstruction survey, the Project applicant shall prepare an Impact Assessment and Burrowing Owl Mitigation Plan prior to commencing ground-disturbing activities. The Project applicant shall contact CDFW and submit a final Burrowing Owl Mitigation Plan for approval."

The comment does not provide significant new information that would give rise to a new significant environmental impact; a substantial increase in the severity of an

2. Response to Comments

environmental impact; or suggest a project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the project.

- A3-6 The commenter requested that Mitigation Measures BIO-2 of the DEIR related to nesting birds and raptors be updated in accordance with CDFW's recommendations outlined in this comment. In response to the commenter, mitigation measure BIO-2, included in Section 5.3, *Biological Resources*, of the DEIR, has been modified to include select recommended changes to the preconstruction nesting bird survey. It should be noted that a no-disturbance buffer, as requested by CDFW, cannot be established offsite due to the fact that authorization to access the adjacent properties and enforce avoidance areas cannot be accomplished. If applicable, temporary no-disturbance buffer areas would be established onsite. The revised mitigation measure is described in more detail in Section 3, *Revisions to the Draft EIR*, of this FEIR.

The comment does not provide significant new information that would give rise to a new significant environmental impact; a substantial increase in the severity of an environmental impact; or suggest a project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the project.

- A3-7 The commenter stated that the project, as proposed, would have an impact on fish and/or wildlife, and an assessment of filing fees is necessary and are required to be paid upon filing of the Notice of Determination (NOD). The City of Claremont will ensure that the project applicant pays the necessary CDFW filing fee for EIR's at the time the NOD is filed with the Los Angeles County Clerk.

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LETTER A4 – Morongo Band of Mission Indians (1 page)

A4	
<hr/> TRIBAL HISTORIC PRESERVATION OFFICE <hr/>	
<p>VIA ELECTRONIC MAIL</p> <p>bjohnson@ci.claremont.ca.us</p> <p>Brad Johnson Community Services Director City of Claremont 207 Harvard Avenue Claremont CA 91711</p> <p>September 20, 2023</p> <p>Re: Notice of Availability for La Puerta School Site Specific Plan</p> <p>The Morongo Band of Mission Indians (Tribe/MBMI) Tribal Historic Preservation Office received your letter regarding the above referenced Project. The proposed Project is not located within the boundaries of the ancestral territory or traditional use area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians.</p> <p>Thank you for notifying the MBMI about this project. MBMI encourages your consultation with tribes more closely associated with the lands upon which the project is located.</p> <p>Respectfully,</p> <p><i>Bernadette Ann Brierty</i></p> <p>Bernadette Ann Brierty Tribal Historic Preservation Officer Morongo Band of Mission Indians</p> <p>CC: Morongo THPO</p>	<p>MORONGO BAND OF MISSION INDIANS</p> 
<p>12700 Pumarra Road – Banning, CA 92220 – (951) 755-5259 – Fax (951) 572-6004 – THPO@morongo-nsn.gov</p>	

2. Response to Comments

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2. Response to Comments

A4. Response to Comments from Morongo Band of Mission Indians, Bernadette Ann Brierty, dated September 20, 2023.

A4-1 The commenter stated that the project site is not within the boundaries of the ancestral territory or traditional use area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians. The comment is acknowledged and no response is necessary.

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LETTER R1 – Luis Miguel Blas (2 pages)

R1

Nhi Atienza

From: Luis Miguel Blas [REDACTED]
Sent: Tuesday, July 25, 2023 4:45 PM
To: Nhi Atienza; Mariana Blas; Rodrigo Blas; Mike Blas
Subject: Re: The wrongful La Puerta Project

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, I am glad you let me know about your future planning in the la Puerta Park area
Totally disagree with your idea, I think the community of Claremont needs Parks and recreation areas, my kids
and my family enjoy our community because of the clean air and lovely agreeen areas for you guys o destroy
green areasthat benefit our environment to just please your earnings at the city hall, that doesn't sound right and
Iam voting NO on building on top of nature. Please fill free to contact me anytime.
Thank you, hope you guys leave nature all as is.

R1-1

Luis Miguel Blas
[REDACTED]
Claremont, CA 91711
[REDACTED]

[Enviado desde AOL en Android](#)

El mar, 25 de jul de 2023 a la(s) 4:26 p. m., Nhi Atienza
<natienza@ci.claremont.ca.us> escribió:

Good afternoon,

The attached notice is for your review and file.

If you should have any questions, please contact Community Development Director, Brad Johnson at
(909) 399-5470 or via email at bjohnson@ci.claremont.ca.us.

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Nhi Atienza | Senior Administrative Assistant
City of Claremont | Community Development Department
207 Harvard Avenue | Claremont, CA 91711
(909) 399-5484 | natienza@ci.claremont.ca.us
www.claremontca.org | Follow Us! @CityofClaremont

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2. Response to Comments

R1. Response to Comments from Luis Miguel Blas, dated July 25, 2023.

- R1-1 The commenter expressed general concern regarding the Specific Plan's implementation and the conversion of green space. The commenter also suggested that the City needs more parks and recreation areas. However, the commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The Specific Plan has been analyzed extensively in the DEIR, including related to parks and recreational space (see Section 8.3, *Recreation*, of Chapter 8, *Impacts Found Not to be Significant*). The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.

2. Response to Comments

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2. Response to Comments

LETTER R2 – John Moylan (1 page)

R2

Nhi Atienza

From: Brad Johnson <bjohnson@ci.claremont.ca.us>
Sent: Friday, July 28, 2023 3:19 PM
To: Eric Norris; Jorge Estrada
Subject: Fwd: La Puerta School Site Specific Plan Draft EIR

Sent from my iPhone

Begin forwarded message:

From: John Moylan [REDACTED]
Date: July 28, 2023 at 1:06:38 PM PDT
To: Brad Johnson <bjohnson@ci.claremont.ca.us>
Subject: La Puerta School Site Specific Plan Draft EIR

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Johnson, I am a La Puerta neighbor and Claremont resident of over 20 years at [REDACTED]. I reviewed the draft EIR and have 2 formal public comments:

5.1 Aesthetics -- The view of the hillsides while walking on Forbes or driving North on Forbes will be degraded. The draft EIR says it will not, and that is not true. Further, the view from the Thomson Creek Trail section between Indian Hill and Miramar goes directly past the proposed development. Members of the public, walking or biking down this path will experience significantly degraded views. R2-1

5.16-4. Water resources. There is clearly inadequate water resources for any new construction in Claremont. Over the past several years water cutbacks have cost the city significant mature landscaping. Existing Claremont residents have been penalized and inconvenienced by poor water resource planning. The city should not approve additional development in La Puerta or anywhere else without obtaining additional water resources. R2-2

John Moylan
[REDACTED]
Claremont. CA. 91711

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2. Response to Comments

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2. Response to Comments

R2. Response to Comments from John Moylan, dated July 28, 2023.

- R2-1 The commenter expressed his concerns regarding views of the hillsides as seen to passerby from Forbes Avenue and Thompson Creek Trail. The hillsides referenced here are those associated with Sycamore Canyon Park, which are afforded to the northwest from the project site, Forbes Avenue (which forms the western project site boundary), and Thompson Creek Trail (which forms the northern project site boundary).

A comprehensive analysis of the Specific Plan's impact on scenic views and resources is detailed in Section 5.1, *Aesthetics*, of the DEIR. As discussed in Section 5.1, implementation of the Specific Plan would have a less than significant impact on scenic vistas, including those of the hillsides of Sycamore Canyon Park. As stated in Section 5.1, Forbes Avenue offers backdrop views of Sycamore Canyon Park to motorists and passersby traveling north on Forbes Avenue; views of the park area and features are afforded to the northwest. Development accommodated by the Specific Plan (two-story single-family homes on Forbes Avenue) would obstruct views of Sycamore Canyon Park from motorists or passersby traveling north on Forbes Avenue (which forms the eastern Project Area boundary). However, views of Sycamore Canyon Park are already partially obstructed from certain vantage points along Forbes Avenue by mature trees within and abutting the project site. Forbes Avenue is also not designated as a view corridor in the Claremont General Plan.

As stated in Section 5.1, views of the Claremont Wilderness Park from Thompson Creek Trail would not be impeded or impacted in any way as a result of development that would be accommodated by the Specific Plan, as views are to the north and the project site is south of the Thompson Creek Trail. Existing views of the hillsides of Claremont Wilderness Park from Thompson Creek Trail are already partially obstructed by mature trees, block walls and residential structures that abut the northern boundary of the Thompson Creek Trail.

- R2-2 The commenter raised concerns about water supply and stated that there are inadequate water resources to support any new development in Claremont. The commenter also stated that the City should not approve additional development associated with the Specific Plan or anywhere else without obtaining additional water resources.

A comprehensive analysis of the Specific Plan's impact on water supply is detailed in Section 5.16, *Utilities and Service Systems*, of the DEIR. As demonstrated in Subsection 5.16.2, *Water Supply and Distribution Systems*, implementation of the Specific Plan would have a less than significant impact on water supply. Available water supplies are sufficient to serve development accommodated by the Specific Plan and reasonably foreseeable future development during normal, dry, and multiple dry years. A Statement of Water Services (will serve letter) from Golden State Water Company (the City's water supplier) was included as Appendix J2 to the DEIR. The letter confirmed that GSWC will be able

2. Response to Comments

to adequately supply water to development accommodated by the Specific Plan via the proposed onsite water infrastructure system.

2. Response to Comments

LETTER R3 – Sean Cochran (1 page)

R3

Nhi Atienza

From: Brad Johnson <bjohnson@ci.claremont.ca.us>
Sent: Thursday, August 3, 2023 12:30 PM
To: Eric Norris; Jorge Estrada
Subject: Fwd: La Puerta Development - street lighting question

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: August 3, 2023 at 12:04:17 PM PDT
To: Brad Johnson <bjohnson@ci.claremont.ca.us>
Subject: La Puerta Development - street lighting question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Johnson,

I reside at [REDACTED], Claremont. I received notice of the availability of the Environmental Impact Report regarding the La Puerta School Site Specific Plan Draft Environmental Impact Report this past week. I've checked out the following web-link provided in the notice:

[La Puerta Development | City of Claremont](#)

I cannot seem to find any reference to what sort of street lighting is proposed for usage at the development. **My recommendation is for soft light and low-profile, similar to what was installed at the Stone Canyon development off the road to Mt. Baldy.** Please, inform me as to what is being proposed or has been decided upon in this regard.

R3-1

An e-mailed reply is preferred. If mailing a reply, please send to my mailing address as follows:

Sean Cochran
[REDACTED]
[REDACTED] office

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2. Response to Comments

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2. Response to Comments

R3. Response to Comments from Sean Cochran, dated August 3, 2023.

R3-1 The commenter stated that information on the type of street lighting to be proposed as a part of development accommodated by the Specific Plan was not readily available in the DEIR. The commenter also suggested the use of soft and low-profile lighting for streetlights, similar to what was installed at the Stone Canyon development off the road to Mt. Baldy.

A comprehensive analysis of the Specific Plan's impacts on aesthetics and visual character (including those related to light and glare) is detailed in Section 5.1, *Aesthetics*, of the DEIR. As stated in Section 5.1 under Impact 5.1-4, pursuant to the provisions of Chapter 2, Land Use Regulations, and Chapter 4, Design Standards and Guidelines, of the Specific Plan, outdoor light fixtures (which would include streetlights) are required to be designed, installed, and maintained so as to direct light only onto the property on which the light source is located. For example, Section 4.10, Lighting, of Chapter 4 indicates that outdoor lights shall be functional and not create light spill, and that they shall be located and shielded so as not to impact the adjacent property owners. All proposed street lighting would meet City standards and be consistent with the surrounding area. Also, one of the requirements outlined in Section 4.10 requires that a lighting proposal be submitted for review by the Director of Community Development prior to the issuance of a building permit. The City's review of the lighting proposal would ensure that the proposed lighting plan is in conformity with the standards of Section 4.10.

Development accommodated by the Specific Plan would be required to be in compliance with the provisions of Chapter 16.154, Environmental Protective Standards, of the Claremont Municipal Code, which would ensure light and glare impacts are reduced.

As substantiated in Section 5.1, light and glare impacts as a result of implementation of the Specific Plan would be less than significant.

Also, development accommodated by the Specific Plan would be different from the Stone Canyon project in that it is not located on a hillside location above the City.

2. Response to Comments

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2. Response to Comments

LETTER R4 – Marcyn Del Clements (2 pages)

R4

Nhi Atienza

Subject: Marcyn Del Clements- La Puerta

From: noreply@ci.claremont.ca.us <noreply@ci.claremont.ca.us>
Sent: Friday, August 4, 2023 3:18 PM
To: contact <contact@ci.claremont.ca.us>
Subject: City of Claremont: Citizen Feedback Form from Website

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

A new entry to a form/survey has been submitted.

Form Name: Citizen Feedback
Date & Time: 08/04/2023 3:18 PM
Response #: 2536
Submitter ID: 12217
IP address: 108.184.169.64
Time to complete: 7 min. , 44 sec.

Survey Details

Page 1

Please select a topic from the list below:

(o) Topic Not Listed

Type Your Question or Comment:

Re: La Puerta/Trumark Homes.

Sirs, has anyone considered that the last map of the proposed housing we saw ONLY HAS ONE ROAD, (south east side) INTO AND OUT OF THE DEVELOPMENT. Certainly that would be a disaster during a disaster!

Surely Trumark could cut one house out of the design on the n/e corner, and supply a 2nd entrance/exit to the development?

There should also be an escape route/walk way, to the west, through the existing sports' park. I think I remember that, but not sure. Otherwise, how are the kids going to shag those pop flies that float to the east over the fence?

Name:

Marcyn Del Clements

R4-1

1

2. Response to Comments

Address:
[REDACTED]
City:
Claremont
State:
California
Email:
[REDACTED]
Phone:
[REDACTED]
I would like a response from the City:
<input type="radio"/> Yes
Photo
Please upload a jpeg photo if available

Thank you,
City of Claremont

This is an automated message generated by Granicus. Please do not reply directly to this email.

2. Response to Comments

R4. Response to Comments from Marcyn Del Clements, dated August 4, 2023.

R4-1 The commenter raised concerns regarding the provision of only one access road into the residential development that would be accommodated by the Specific Plan and how that could impact emergency access and escape routes during an emergency.

A comprehensive analysis of the Specific Plan's impacts on emergency access and routes is detailed in Sections 5.8, *Hazards and Hazardous Materials*, 5.14, *Transportation*, and 5.17, *Wildfire*, of the DEIR. Emergency vehicle access to the project site would be provided via a proposed residential roadway accessible from Forbes Avenue, which has been reviewed and approved as being adequate by the Los Angeles County Fire Department. Development accommodated by the Specific Plan would not alter the existing area in a way that could result in emergency evacuation impairment, such as by changing the alignments of local roadways. As substantiated in Sections 5.8, 5.14, and 5.17, impacts on emergency access and circulation as a result of implementation of the Specific Plan would be less than significant.

2. Response to Comments

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2. Response to Comments

LETTER R5 – Phyllis Eschleman (1 page)

R5

Claremont Community Development Director,

September 3, 2023

Re: La Puerta School site

Before we start changing zoning laws, let us give ADUs a chance to take root in our area. Before we make an area look like nothing around it, let's see what housing we already have for sale. There will be a day when we want more green space. Remember when we sold off the land by the high school and then needed it to build a stadium.

R5-1

La Puerta could be a beautiful sports part like many cities already have. Think of the people of Claremont, not of the builders who want to make money.

Regards,
Phyllis Eschleman
[REDACTED]
Claremont CA 91711

2. Response to Comments

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2. Response to Comments

R5. Response to Comments from Phyllis Eschleman, dated September 3, 2023.

- R5-1 The commenter expressed her general comments regarding accessory dwelling units (ADU), green space, and sports parks. However, the commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The Specific Plan has been analyzed extensively in the DEIR, including related to recreational and open space (see Section 8.3, *Recreation*, of Chapter 8, *Impacts Found Not to be Significant*) and ADUs (see Section 5.12, *Population and Housing*). The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.

2. Response to Comments

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2. Response to Comments

LETTER R6 – Mike Eschleman (1 page)

R6	
Brad Johnson, Community Development Director City of Claremont	September 3, 2023
RE: La Puerta Environmental Impact report.	
This letter addresses the increase traffic on Forbes Avenue because of adding a significant number of new houses on the La Puerta School site. I acknowledge that my first desire would be to keep the site as public land for current sports development, and for future public use for the citizen of Claremont.	R6-1
To address the traffic increase on Forbes Avenue in the Environmental Draft, I would request an additional entrance/ exit to the site be consider at the Northwest corner of the site which would flow only towards Indian Hill Blvd. Current proposal has an entrance/ exit at the southeast point of the housing development on to Forbes Ave.	R6-2
The additional access point to the site at the northwest point would travel over the current 56' foot wide vacant trail from the northwest point westward only, to Indian Hill. The trail area would be retained from the northwest point eastward to avoid a through street to Miramar Ave. and additional traffic flow from Miramar and the east.	R6-3
Forbes Ave. has less than 30 houses. With well over one hundred (100) additional vehicles flowing in and out of this development daily, it seems to make sense having access to the site from both Forbes Ave. and Indian Hill Blvd. would be a benefit to the new residents, the current neighborhood, and safety considerations for all.	R6-4
Mike Eschleman [REDACTED] Claremont CA 91711	

2. Response to Comments

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2. Response to Comments

R6. Response to Comments Mike Eschleman, dated September 3, 2023.

- R6-1 The commenter expressed a general comment regarding traffic due to implementation of the Specific Plan. The commenter also expresses a desire to leave the project site as public land for sport and public use. However, the commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.
- R6-2 The commenter requested that an additional access drive to the project site be considered at the northwest corner of the site to address the traffic increase as a result of development accommodated by the Specific Plan. A comprehensive analysis of the Specific Plan's impacts on transportation and traffic is detailed in Section 5.14, *Transportation*, of the DEIR. The analysis and findings outlined in Section 5.14 were supported by a Traffic Impacts Analysis report, which is included as Appendix I of the DEIR and was reviewed and approved by the City's Engineering Division. As discussed in Section 5.14 and the Transportation Impact Analysis report, implementation of the Specific Plan, which includes a single access drive from Forbes Avenue (see Figure 3-2, *Conceptual Site Plan*), would result in a less than significant traffic impact.

2. Response to Comments

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2. Response to Comments

LETTER R7 – Mike Eschleman (1 page)

R7

Brad Johnson, Community Development Director
City of Claremont

September 3, 2023

RE: La Puerta School Site property,

First of all, I would like to request that the city reconsider the option of changing the current La Puerta site from public to private property (as stated in the Specific Plan Environmental) so that the citizen of Claremont can keep this land for public use. There is currently a need to improve and expand the current property for sports field. In addition, by keeping this land public it would be available for future public needs to continue to improve our city. If we allow this property to be sold off now it will be gone forever.

R7-1

About twenty (20) years ago the Claremont Unified School district decided to close its Danbury school. The option to sell off the property arose at that time to private groups. The city finances appeared to be about the same as now but somehow the City and CUSD found a way to keep the property in the hands of its citizen and kept the property public. It is now the Claremont Hughes Community Center. Thank goodness they found a way. It's never too late to reconsider the use of this surplus land. Someday Claremont will wish this city council found a way keep LA Puerta public for our future.

Regards,

Mike Eschleman
[REDACTED]
Claremont CA 91711

2. Response to Comments

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2. Response to Comments

R7. Response to Comments from Mike Eschleman, dated September 3, 2023.

- R7-1 The commenter expressed his desire that the project site be designated as public land for sport and public use. However, the commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.

2. Response to Comments

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2. Response to Comments

LETTER R8 – Joyce Sauter (1 page)

R8	
<p>Sept 6, 2023 REMARKS/CONCERNS RELATED TO REVIEW OF EIR/LA PUERTA Submitted to the Planning Dept. of Claremont</p> <p>REVIEWED BY JOYCE SAUTER- [REDACTED] -CLAREMONT <i>JSS</i></p>	
<p>"project is on list of hazardous materials site but considered not significant" How so?? Site attended by Hazmat Team yrs ago for soil hazard. Where is a soil report on EIR?</p>	R8-1
<p>Geology&Soils—"unstable soil conditions & soil erosion" would impact low, low standing homes on Coalinga CT and any on Dana Ct. (Southern part of development/project) Who addresses this problem?? EIR says this is not a problem!</p>	R8-2
<p>"Plan would not expose people or structures directly to loss, injury or death involving wildland fires" Recall fire at Mt. Baldy (12:00), spread to Blaisdell by 12:15 (homes destroyed), 12:30 reached Claraboya (destroyed homes), at 12:45 fire line by LAFD at Webb School stopped the spread. (Thompson Creek Trail lost trees, homes south of trail Armstrong; King Way scorched and damaged) Homes south of Trail used garden hoses and buckets of water to save homes and property- La Puerta Scorched! EIR says NO PROBLEM??</p>	R8-3
<p>"Plan with 1 entrance/exit onto Forbes puts project in category of a "FIRE TRAP" Fire trucks going in and cars waiting to get out of project equals Maui. Need an evaluation regarding Safety made by local PD.</p>	R8-4
<p>Hundreds of homes on Baseline have auto outlets onto a 4 lane highway=Baseline Rd. approx. 60 homes on Forbes ie. La Puerta project will empty onto a 2 lane residential street just below the 'knuckle' at Miramar and Forbes. This is NOT a Transportation Problem??</p>	R8-5
<p>Air pollution emission during 15 months Construction Phase NOT addressed factually only Operational Phase. After residents move in EIR (5.2.25) are "guesswork figures"???</p>	R8-6
<p>Air Quality, CO2, contaminants etc will be on-going problems NO STATEMENTS CONSIDERING THE NUMEROUS GROUP HOMES IN IMMEDIATE AREA (1 DIRECTLY ACROSS STREET OF PROJECT FOR THE DEVELOPMENTALLY DISABLED ADULTS, MANY CARE HOMES FOR DD AND ELDER CARE ARE IN AND AROUND IMMEDIATE NEIGHBORHOOD, PLUS MANY RESIDENTS IN NEIGHBORHOOD WITH NEED ARE USING OXYGEN) Air quality continues to get worse everywhere does anyone care?? This project is adding to the problem.</p>	R8-7
<p>EIR cites a bicycle plan but no auto plan??why? Still need a traffic plan and knuckle plan for Miramar/Forbes; a fire plan; and in todays world we need an Air Quality plan that addresses the needs of those neighbors living in the area. OR did you forget us???</p>	R8-8
<p>Storm Drainage needs more info than the little mentioned in the EIR. Can't keep saying everything meets the EIR criteria based on questionable information.</p>	R8-9
<p>Aesthetics of the neighborhood and all housing north of Baseline does not include the modular homes of todays developers, we are not ready to include a Lego-Land development in the middle of North Claremont; we are not on a busy highway ie Baseline; Forbes is not a 4 lane highway, just a simple 2 lane residential street. We value each resident and are concerned with the effect of the changing air quality this development will introduce to our vulnerable neighbors (and there are many in this whole area)..</p>	R8-10
<p>I consider todays EIR is antiquated according to the many changes and concerns of todays population.</p> <p>A response from the City of Claremont to my above concerns would be appreciated.</p>	
<div style="border: 2px solid blue; padding: 5px; display: inline-block;"> <p style="color: blue; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="color: red; font-weight: bold;">SEP - 7 2023</p> <p style="color: blue; font-weight: bold; font-size: 0.8em;">DEPT. OF COMMUNITY DEV. CITY OF CLAREMONT</p> <p style="color: blue; font-weight: bold; font-size: 0.8em;">Hopm DO</p> </div>	

2. Response to Comments

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2. Response to Comments

R8. Response to Comments from Joyce Sauter, dated September 6, 2023.

R8-1 The commenter expressed her general concern about the project site being on a list of hazardous materials. The commenter also asked about the soils report and where that report can be found.

A comprehensive analysis of the Specific Plan's impacts on geology/soils and hazards/hazardous materials is detailed in Sections 5.6, *Geology and Soils*, and 5.8, *Hazards and Hazardous Materials*, of the DEIR. The Preliminary Soils and Engineering Geologic Investigation report that was prepared for the project site and in support of the Specific Plan and DEIR can be found in Appendix E of the DEIR.

The analysis and findings outlined in Section 5.8 regarding hazards and hazardous materials were supported by a number of technical studies, including a Phase I Environmental Site Assessment; Revised Work Plan, Preliminary Endangerment Assessment; Removal Action Closure Report; Limited Phase II Environmental Site Assessment; and Stockpile Sampling Results. Complete copies of these technical reports are included as Appendices F1 to F5, respectively, to the DEIR. As demonstrated in Section 5.8 and the supporting technical studies, implementation of the Specific Plan would not result in a significant impact related to hazards or hazardous materials. In 2004 the Department of Toxic Substances Control (DTSC) certified that all cleanup activity onsite was completed, and no further action is required (see Removal Action Closure Report provided as Appendix F3 of the DEIR). A summary from DTSC can be viewed here: https://www.envirostor.dtsc.ca.gov/public/profile_report?global_Id=19820086. A Phase I Environmental Site Assessment prepared for the project applicant tested all the dirt stockpiles on-site and confirmed that no recognized environmental conditions are present on the site.

R8-2 The commenter expressed concern about the soil conditions of the project site (specifically, related to unstable soils and soil erosion) and the impact that this could have on the environment. A comprehensive analysis of the Specific Plan's impacts on geology/soils is detailed in Section 5.6, *Geology and Soils*, of the DEIR. The Preliminary Soils and Engineering Geologic Investigation report that was prepared for the project site and in support of the Specific Plan and DEIR can be found in Appendix E of the DEIR. The Geotechnical Investigation was prepared to evaluate the feasibility of developing the site; it included an evaluation of soil suitability, infiltration rates, liquefaction potential, and preliminary structural design of streets and pad/foundations. As discussed in Section 5.6 and the supporting Geotechnical Investigation, with implementation of the design parameters of the Geotechnical Investigation, compliance with the provisions of the California Building Code and Claremont Municipal Code, and implementation of a Stormwater Pollution Prevention Plan, impacts related to unstable soils (and all other soils conditions) and erosion were determined to be less than significant.

2. Response to Comments

- R8-3 The commenter expressed concerns regarding wildfires and the provision of only one access road into the residential development that would be accommodated by the Specific Plan and how that could impact emergency access and escape routes during an emergency.

A comprehensive analysis of the Specific Plan's impacts on wildfires and emergency access and routes is detailed in Sections 5.8, *Hazards and Hazardous Materials*, 5.14, *Transportation*, and 5.17, *Wildfire*, of the DEIR. For example, as stated in Section 5.8, emergency vehicle access to the project site would be provided via a proposed residential roadway accessible from Forbes Avenue, which has been reviewed and approved as being adequate by the Los Angeles County Fire Department. Development accommodated by the Specific Plan would not alter the existing area in a way that could result in emergency evacuation impairment, such as with altering traffic routes. As discussed in Sections 5.8, 5.14, and 5.17, impacts to emergency access and circulation as a result of implementation of the Specific Plan would be less than significant. As also discussed in Section 5.17, implementation of the Specific Plan would not substantially impair an adopted emergency response plan or emergency evacuation plan and would not exacerbate wildfire risks or expose people or structures to significant risks from a wildfire.

- R8-4 The commenter expressed concerns regarding the traffic generated as a result of implementation of the Specific Plan; specifically, the amount of vehicles that would use Forbes Avenue as a result of the development of the proposed residential development.

A comprehensive analysis of the Specific Plan's impacts on transportation and traffic is detailed in Section 5.14, *Transportation*, of the DEIR. The analysis and findings outlined in Section 5.14 were supported by a Traffic Impacts Analysis report, which is included as Appendix I of the DEIR and was reviewed and approved by the City's Engineering Division. As demonstrated in Section 5.14 and the Transportation Impact Analysis report, implementation of the Specific Plan, which includes a single access drive from Forbes Avenue (see Figure 3-2, *Conceptual Site Plan*), would result in a less than significant traffic impact. The Transportation Impact Analysis report demonstrates that impacts to Forbes Avenue or any other roadway or intersection (those that were analyzed in the study area of the traffic study) as a result of implementation of the Specific Plan would be less than significant. In their review of the Transportation Impact Analysis report, the City's Engineering Division determined that the roadways and intersections analyzed were adequate to accommodate the additional traffic that would be generated by the development that would be accommodated by the Specific Plan.

- R8-5 The commenter expressed concerns about air quality impacts during construction and operation phase of development accommodated by the Specific Plan. The commenter went on to assert that the construction impact analysis was not addressed factually and "guesswork figures" were used for the analysis and that existing sensitive receptors in the project area were not considered in the analysis.

2. Response to Comments

A comprehensive analysis of the Specific Plan's impacts air quality impacts, for both the construction and operation phase, is detailed in Section 5.2, *Air Quality*, of the DEIR. The comment is incorrect in suggesting that the construction-phase air quality analysis was not addressed factually and was based on "guesswork figures." The analysis and findings outlined in Section 5.14 were supported by a quantitative analysis and modeling of the potential air quality impacts that could result for the duration of the anticipated construction phase. The quantitative modeling files are included as Appendix B of the DEIR. As discussed under Impact Statement 5.2-4 of Section 5.14, development accommodated by the Specific Plan could expose sensitive receptors (which include the surrounding sensitive uses, including abutting and nearby residential uses) to substantial pollutant concentrations during construction if no mitigation measures were implemented. As stated in Section 5.14, with the implementation of Mitigation Measures AQ-1 and AQ-2, construction-related emissions would be reduced to a level of less than significant.

- R8-6 The commenter asserted that an "auto plan," "traffic plan," "fire plan," and "air quality plan" are needed. It is not clear what is being referred to by the commenter regarding these plans as no details were provided on what these plans are or should be. However, and as noted in Comments R8-3, R8-4, and R8-5, a comprehensive analysis of the Specific Plan's impacts on air quality, traffic and fires is detailed in Sections 5.2, *Air Quality*, 5.8, *Hazards and Hazardous Materials*, 5.14, *Transportation*, and 5.17, *Wildfire*, of the DEIR. The commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.
- R8-7 The commenter asserted that storm drainage needs more information than that provided in the DEIR. A comprehensive analysis of the Specific Plan's impacts hydrology and water quality, which includes drainage, is included in Section's 5.9, Hydrology and Water Quality, and 5.16, Utilities and Service Systems, of the DEIR. The analysis and findings outlined in these sections were supported by a Preliminary Hydrology Report and Preliminary Low Impact Development Plan, which are included as Appendices G1 and G2 of the DEIR and were reviewed and approved by the City's Engineering Division. As demonstrated in Sections 5.16 and 5.9 and the supporting engineering studies, implementation of the Specific Plan would not result in a significant impact related to drainage flow quantities or capacities of existing drainage facilities.
- R8-8 The commenter expressed general concerns regarding aesthetic and air quality impacts. However, the commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.

2. Response to Comments

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2. Response to Comments

LETTER R9 – Charles Hoffman (1 page)

R9

Nhi Atienza

From: Brad Johnson
Sent: Friday, September 8, 2023 4:46 PM
To: Eric Norris
Cc: Nhi Atienza
Subject: Fwd: La Puerta/Trumark Homes Draft Environmental Impact Report (DEIR)

Sent from my iPad

Begin forwarded message:

From: Charles Hoffman [REDACTED]
Date: September 8, 2023 at 4:39:25 PM PDT
To: Brad Johnson <bjohnson@ci.claremont.ca.us>
Subject: La Puerta/Trumark Homes Draft Environmental Impact Report (DEIR)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Johnson:

My name is Charles Hoffman and I am a resident of Claremont.

I reviewed the DEIR and I support this project. The land has been vacant for far too long and this is a reasonable development that is largely consistent with the surrounding area. This project is better than the builders' remedy project filed by Trumark, and it is also better than the 137 units referenced in the 6th Cycle Housing Element, both of which would be inconsistent with the character of the neighborhood.

Sincerely,

Charles Hoffman

R9-1

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2. Response to Comments

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2. Response to Comments

R9. Response to Comments from Charles Hoffman, dated September 8, 2023.

- R9-1 The commenter expressed support for implementation of the Specific Plan. The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. The comment is acknowledged and no response is necessary.

2. Response to Comments

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2. Response to Comments

LETTER R10 – Paul Stapp (3 pages)

R10

Nhi Atienza

From: Brad Johnson
Sent: Friday, September 8, 2023 4:46 PM
To: Eric Norris
Cc: Nhi Atienza
Subject: Fwd: Comments on La Puerta Development

Sent from my iPad

Begin forwarded message:

From: "Stapp, Paul" [REDACTED]
Date: September 8, 2023 at 4:42:20 PM PDT
To: Brad Johnson <bjohnson@ci.claremont.ca.us>
Cc: EB STAPP [REDACTED]
Subject: Comments on La Puerta Development

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Dear Mr. Johnson,

Below please find my comments on the planned development for the La Puerta School Site. Please note that these comments apply to the lowest housing density proposed (56 detached single-family homes) and would be expected to be even more significant for the plans with higher density of units.

5.1 Aesthetics

1. The site is near to and connected to the Wilderness Park, which provides critical open space, recreational space, and wildlife habitat for the region. Surrounding homes are at a lower density than is proposed. The neighborhood is suburban, not urbanized. The report mischaracterizes the extent of urbanization and disturbance of the site to minimize the impact of the development.

R10-1

2. Despite efforts to limit lighting, there will be nothing to prevent homeowners in the new development from using light types and lighting levels that increase light levels significantly. This will impact existing residents and wildlife that are sensitive to light pollution. The area between the proposed site and the Wilderness Park/Trail is dark at night, when the Sports Park is not used at late hours. This cannot be considered less than significant.

R10-2

3. Why are we still planting non-native, water-hungry plants in new developments in Claremont? There are many options for native plants that are attractive and will use less water.

R10-3

5.3 Biological Resources

4. The site was surveyed on what appears to be a single day in June 2022, which is during the typical dry season for the region, making it susceptible to missing many species, including spring-breeding birds and

R10-4

1

2. Response to Comments

<p>any ephemeral species and pollinators. It is therefore not surprising that the survey did not find many of the nocturnal species that are known to or would be logically expected to live at the site or use them for foraging or movement, including mammalian carnivores, great-horned owls, bats, other lizards and snakes (in fact no mammals were seen, based on the Faunal Compendium). Merely stating that the vegetation is non-native and disturbed is meaningless; this would disqualify much of the open space in coastal southern California, which has abundant wildlife. This cursory survey is completely inappropriate for surveying wildlife in an area of this size. Moreover, the site is merely claimed to not be a Wildlife Corridor or significant wildlife habitat, despite its adjacency to Wilderness Park open spaces and Thompson Creek trail. No data are provided, despite the frequency with which wildlife are seen to move between the Park and this site (the fences pose little obstacle to most species and there are openings in the gates). The cursory and inconclusive nature of this survey call into question the abilities of anyone the project developers would consider a “qualified biologist”. In short, impacts on wildlife have not been assessed with any rigor.</p>	R10-4 Cont'd
<p>5. Likewise, it is patently false that no open space, wildlife habitat, or movement corridor are located adjacent to the Project Site. The Thompson Creek trail is immediately adjacent and animals move frequently along this trail to the north of the site. There will be significant lighting effects. Again, the presence of fencing and the presence of only non-native vegetation and disturbed conditions are irrelevant to many wildlife species in the region, which regularly use these habitats, especially at night, when the Sports Park is usually dark (as is the lower density of existing homes). Based on the housing plans, the development will result in significant light pollution immediately adjacent to the Wilderness Park and Thompson Creek Trail.</p>	R10-5
<p>6. The mitigation plan for burrowing owls, as described, is insufficient. More details on capture and translocation must be provided, including the eventual translocation sites to ensure that they are similar and close enough to not disrupt population connectivity. There are much more detailed and recent set of guidelines and recommendations available for burrowing owl re-locations, e.g. the California Energy Commission 2020 report, so it is not clear why the report cites the 2012 CDFW guidelines.</p>	R10-6
<p>5.11 Noise</p> <p>7. There are homes on 3 sides of the site. Construction and development will create significant noise for these homes. Construction should be limited to no earlier than 8 am and no later than 6 pm to minimize disruptions for these families.</p>	R10-7
<p>5.14 Traffic</p> <p>8. Traffic impacts were based counts at intersections taken on the Thursday of Easter week 2022, when road traffic from schools and workers was undoubtedly lower than peak. Moreover, to attempt to account for errors in sampling, they made substitute counts on 30 and 31 June, in the middle of summer when schools (all fed from north by Baseline Rd) were out of session. Neither sets of sampling dates capture the peak traffic on these roads or especially on Baseline. Remarkably, no impacts were estimated for Baseline Road, which experiences high levels of traffic from vehicles trying to circumvent congestion on I-210, and stoppages between Mills and Towne Ave at lights during school drop-off hours (multiple elementary schools and CHS are fed by south-bound traffic on Baseline). There is also significant traffic increases on Baseline from recent development projects all along this busy street. The traffic estimates are likely to be marked underestimates of impacts. Traffic surveys must be repeated during realistic times to be meaningful. The development represents a significant source of inconvenience to residents along Forbes, Miramar and Bonnie Brae and all along Baseline, and will certainly result in more accidents on Baseline and at these interactions, which are crossed by students, bicyclists, and their families.</p>	R10-8

2. Response to Comments

These concerns have not been satisfactorily addressed in the EIR. The conclusion that the impacts are less than significant are not supported by the surveys and analyses reported and the mitigation measures proposed are insufficient.

Sincerely,

Dr. Paul Stapp

Claremont

2. Response to Comments

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2. Response to Comments

R10. Response to Comments from Paul Stapp, dated September 8, 2023.

R10-1 The commenter expressed concerns regarding the proposed density of the proposed residential development and stated that the surrounding neighborhoods are characterized as suburban and not urban. This comment does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.

The commenter also asserted that the DEIR mischaracterizes the extent of urbanization and disturbance of the site to minimize the impact of the proposed development. . It appears that the commenter is drawing a distinction between "suburban" and "urbanized," which suggests that suburban areas are not "urban." It should be noted that "suburban" is a type of urban development. Therefore, the site is properly characterized in the DEIR.

In response to the commenters' statement that the DEIR mischaracterizes the extent of urbanization and disturbance of the site, this is incorrect as the DEIR analyzed the impacts of the entire project site being disturbed and developed. The DEIR also considered impacts that could occur beyond the confines of the project site as a result of implementation of the Specific Plan, including topics such as but not limited to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Transportation.

R10-2 The commenter expressed concerns regarding lighting impacts of development accommodated by the Specific Plan on the surrounding uses and users. The commenter specifically asserted that there will be "... nothing to prevent homeowners in the new development from using light types and lighting levels that increase light levels significantly."

A comprehensive analysis of the Specific Plan's impacts on aesthetics and visual character (including those related to light and glare) is detailed in Section 5.1, *Aesthetics*, of the DEIR. As stated in Section 5.1 under Impact 5.1-4, pursuant to the provisions of Chapter 2, Land Use Regulations, and Chapter 4, Design Standards and Guidelines, of the Specific Plan, outdoor light fixtures (which would include streetlights) are required to be designed, installed, and maintained so as to direct light only onto the property on which the light source is located. For example, Section 4.10, Lighting, of Chapter 4 indicates that outdoor lights shall be functional and not create light spill, and that they shall be located and shielded so as not to impact the adjacent property owners. Also, one of the requirements outlined in Section 4.10 requires that a lighting proposal be submitted for review by the Director of Community Development prior to the issuance of a building permit. The City's review of the lighting proposal would ensure that the proposed lighting plan is in conformity with the standards of Section 4.10.

2. Response to Comments

Development accommodated by the Specific Plan would be required to be in compliance with the provisions of Chapter 16.154, Environmental Protective Standards, of the Claremont Municipal Code, which would ensure light and glare impacts are reduced.

As discussed in Section 5.1, light and glare impacts as a result of implementation of the Specific Plan would be less than significant.

R10-3 The commenter expressed a general concern about the planting of non-native, water-hungry plants in new developments in Claremont. As stated in Section 3.1.1.11, Sustainability, of Chapter 3, Project Description, of the DEIR, one of the strategies that would be implemented by the Specific Plan to implement Goal Area 4 of the Claremont Sustainable City Plan and support sustainable design and construction methods would be the installation of landscaping that is climate appropriate and designed for low water consumption. The Specific Plan includes sustainable development practices through its inclusion of low water use landscape. As outlined in Section 5.16, *Utilities and Service Systems*, of the DEIR and stated in Chapter 2, Land Use Regulations, of the Specific Plan, water-wise landscape principles shall be utilized and all landscape installation shall be consistent with the provisions of Chapter 16.131 (Water Efficient Landscape Requirements) of the Claremont Municipal Code.

R10-4 The commenter asserted that the cursory biological survey conducted for the project site is “completely inappropriate” for surveying wildlife in an area of this size and due to its surroundings. The commenter also asserted that the DEIR’s determination that the project site does not qualify as a wildlife habitat or corridor is incorrect and that impacts on wildlife “have not been assessed with any rigor.”

The project’s impacts on biological resources, including impacts to wildlife habitat and corridors, were disclosed and comprehensively analyzed in Chapter 5.5, *Biological Resources*, of the DEIR and the supporting Biological Resources Technical Report, which was included as Appendix C of the DEIR. The Biological Resources Technical Report was prepared by a certified biologist specializing in biological resource assessments. The report is not a cursory biological survey as suggested by the commenter. The commenter did not provide any substantive reasoning, data, or research as to why the Biological Resources Technical Report (BRTR) is flawed and or should be considered a cursory survey. Preparation of the BRTR was done in compliance with all applicable protocols (described in the BRTR). The biologist who prepared the BRTR conducted an in-person walking survey of the entire project site; conducted a thorough review of pertinent scientific literature was conducted, geologic and soil maps were examined to identify local soil types that may support sensitive plant species; aerial photograph, topographic maps, and vegetation and rare plant maps prepared by previous studies in the region were used to determine community types and other physical features that may support sensitive plants/wildlife, uncommon taxa, or rare communities that occur within the project site; and California Department of Fish and Wildlife (CDFW) and US Fish and Wildlife

2. Response to Comments

Service (USFWS) database reviews were conducted. As discussed in Section 5.5 and the Biological Resources Technical Report, implementation of the Specific Plan would have a less than significant impact on biological resources with implementation of Mitigation Measures BIO-2 and BIO-2 related to burrowing owls and nesting birds, respectively. All other biological resource impacts (e.g., wildlife corridors and habitats) were determined to be less than significant.

CDFW received a copy of the DEIR during the 45-day public review period. CDFW provided a comment letter but did not comment on or disagree with the DEIRs and Biological Resources Technical Report assessment and determination that implementation of the Specific Plan would not result in an significant impacts on wildlife corridors and habitats.

R10-5 See response to Comment R10-4 in response to the comments about wildlife habitats and corridors.

The commenter asserted that development accommodated by the Specific Plan will result in significant light pollution immediately adjacent to the Wilderness Park and Thompson Creek Trail. The light that would emanate from the project site as a result of development accommodated by the Specific Plan would in no way spill onto or affect any nighttime activities of the Wilderness Park, due to the distance of the park from the site. See also response to Comment R10-2 regarding lighting impacts.

R10-6 The commenter asserted that the mitigation plan for burrowing owls, as described in DEIR, is insufficient. See response to Comment R10-4.

CDFW, in their review of the DEIR and Biological Resources Technical Report, requested revisions to Mitigation Measure BIO-1 related to preconstruction surveys for burrowing owls. In response to CDFW's recommended revisions, mitigation measure BIO-1, included in Section 5.3, *Biological Resources*, of the DEIR, has been modified to include the recommended changes. The revised mitigation measure is described in more detail in Section 3, *Revisions to the Draft EIR*, of this FEIR. With the revisions, Mitigation Measure BIO-2 more than adequately mitigates any potential impacts to burrowing owls.

R10-7 The commenter raised general concerns about how construction and development associated with the development accommodated by the Specific Plan will create significant noise for these surrounding homes. The commenter also recommended that construction should be limited to no earlier than 8 am and no later than 6 pm to minimize disruptions for these families.

A comprehensive analysis of the Specific Plan's construction- and operational-related impacts is detailed in Section 5.11, *Noise*, of the DEIR. The analysis and findings outlined in Section 5.11 were supported by a quantitative analysis and modeling of the potential noise impacts that could result for the duration of the anticipated construction phase. The

2. Response to Comments

quantitative modeling files are included as Appendix H of the DEIR. As substantiated in Section 5.11, construction-related noise impacts were determined to be less than significant. Regarding the suggested limitation on the hours of construction, construction would occur between the hours of 7:00 am and 8:00 pm on weekdays and Saturdays pursuant to the provisions of Section 16.154.020, Noise and Vibration Standards, of the Claremont Municipal Code. The DEIR did not identify a noise impact, which would require the imposition of more restrictive hours of construction than are provided in the Claremont Municipal Code.

R10-8 The comment asserts that the traffic counts taken on Thursday, April 14, 2022, were inaccurate because traffic was counted on “Thursday of Easter week,” apparently suggesting that traffic counts would be artificially low because school was not in session. However, both the Claremont Colleges and Claremont Unified School District schools were open the day that traffic was counted. There were no weekday holidays the week that the counts were collected. The date of the traffic count surveys was consistent with standard traffic engineering practice as well as the guidance in the City’s Transportation Analysis guidelines.

The comment also asserts that the traffic counts that were re-surveyed in June are invalid, due to being in the summer. However, these counts were adjusted using industry standard methodology to account for the school closure; the adjustment factors were validated with counts taken when schools were open. The adjusted counts were coordinated with and reviewed by City traffic engineering staff and accepted as valid.

The comment also implies that impacts on Baseline Road were not identified due to the date of the traffic counts. As noted in the Traffic Impact Analysis (TIA), which is included as Appendix I to the DEIR, the addition of project traffic on Baseline Road is minimal, causing either no change to the delay at studied intersections, or minimal delay that would not be considered a project impact. This evaluation is based on the number of trips added to Baseline Road and would be the same even if higher traffic counts were utilized in the analysis. The comment also asserts that the project would represent a significant source of “inconvenience” to residents in the area, thereby resulting in more accidents. Based on the level of service analysis provided in the TIA, the level of inconvenience would be minimal as the actual delay to traveling vehicles in the neighborhood would be less than one second per vehicle. The TIA identifies safety improvements for pedestrians and bicyclists at Forbes Avenue/Miramar Avenue and at the midblock crosswalk on Indian Hill Boulevard at Thompson Creek Trail. With implementation of these safety improvements, which will be included as conditions of approval, safety for pedestrians and bicyclists would be improved at these locations.

2. Response to Comments

LETTER R11 –Rob Bell (2 pages)

R11

Nhi Atienza

From: Brad Johnson
Sent: Friday, September 8, 2023 2:44 PM
To: Eric Norris
Cc: Nhi Atienza
Subject: Fwd: DEIR Public Review Comments - La Puerta School Site Development

FYI

Sent from my iPad

Begin forwarded message:

From: Robb [REDACTED]
Date: September 8, 2023 at 2:31:41 PM PDT
To: Brad Johnson <bjohnson@ci.claremont.ca.us>
Subject: DEIR Public Review Comments - La Puerta School Site Development

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Mr. Johnson, Community Development Director

Comments on the La Puerta School Site Development DEIR are presented following:

- | | |
|---|-------|
| <p>1. Utilities and Service Systems
The statement of water service from the Golden State Water Company for the proposed development only certifies that the proposed water distribution system will be adequate during normal operating conditions for the water system of the subdivision as provided in Chapter 20.16 of Title 20 of the Los Angeles County (Water Code). Analysis should be provided, including a supporting certification, that demonstrates that the existing water systems for the surrounding neighborhoods will not be adversely impacted and will continue to satisfy the requirements of the Los Angeles County Water Code.</p> | R11-1 |
| <p>2. Utilities and Service Systems
The statement of water service (Will Serve Letter) from the Golden State Water Company for the proposed development expired on May 13, 2023. Recertification should be provided by Golden State Water Company.</p> | R11-2 |
| <p>3. Hydrology and Water Quality
Three drywells are indicated to be used for low-flow storm water quality treatment and disposal. The preliminary size (diameter/depth) of the drywells is not indicated. Analysis should be provided to demonstrate that the total volume and number of drywells is sufficient for the anticipated flows.</p> | R11-3 |
| <p>4. Hydrology and Water Quality
Drywell design should consider depth of historic high groundwater levels indicated at the site and provide required regulatory vertical separation below bottom of drywells and historic high</p> | R11-4 |

2. Response to Comments

groundwater in accordance with local environmental authorities, including the Regional Water Quality Control Board.

R11-4
cont'd

5. Hydrology and Water Quality

Analysis should be provided to demonstrate that sufficient space exists for the three drywells in the location proposed on Figure 5.9-2 – Water Quality Management Map.

R11-5

6. Hydrology and Water Quality

It should be demonstrated that the location of the proposed drywells on Figure 5.9-2 – Water Quality Management Map is sufficient for at least 100% expansion of the proposed size/number of drywells when the effective design life of the drywells has been reached.

R11-6

7. Hydrology and Water Quality

The results of the preliminary on-site soil infiltration testing should be provided to substantiate that the soils are conducive for infiltration and to support the required capacity of the drywells.

R11-7

8. Hydrology and Water Quality

The maintenance of source control BMPs is indicated to the responsibility of the property owner/operator. The mechanism that will govern and implement this maintenance should be clarified.

R11-8

9. Transportation

The proposed development includes ADUs without any apparent off-street parking for these units, based on Figure 3-2 – Conceptual Site Plan. Since the interior street loop is represented to be a private road, on-street parking would be the only parking alternative for the ADUs; this development is not closely located to many public transportation options (other than bus service on Baseline Road), leaving personal vehicles as the practical transportation mechanism. The analysis for transportation impacts should clarify the transportation/parking needs of ADU occupants.

R11-9

10. Public Services

The proposed development includes ADUs without any associated off-street parking. Since the interior street loop is represented to be a private road, on-street parking would be the only parking alternative for the ADUs. The Project Description (Chapter 3) also indicates that on-street parking will be permitted by guests. The fire safety analysis should discuss the acceptability of the on-street parking at night by the Local Fire Authority.

R11-10

11. Public Services

The design of the interior streets of the development are represented to be in compliance with the City of Claremont Public Works Construction Standards. The exhibits in Chapter 3 all indicate that the curves within the interior streets do not comply with the City's standard "knuckle" design. The fire safety analysis should discuss the acceptability of these curve configurations with respect to turning radii for fire-fighting equipment with the Local Fire Authority.

R11-11

Respectfully submitted,
Robb Bell

Sent from [Mail](#) for Windows

2. Response to Comments

R11. Response to Comments from Rob Bell, dated September 8, 2023.

R11-1 The commenter reiterated a statement from the Golden State Water Company (GSWC) in their Statement of Water Service provided for the project applicant (provided as Appendix J2 of the DEIR). Specifically, that water service from GSWC for the proposed project only certifies that the proposed water distribution system will be adequate during normal operating conditions for the water system of the project. The commenter requested that an analysis should be provided that demonstrates that the existing water systems for the surrounding neighborhoods will not be adversely impacted and will continue to satisfy the requirements of the Los Angeles County Water Code.

Pursuant to the California Environmental Quality Act (CEQA), the environmental impact report is only required to analyze a project's impacts on the environment. Pursuant to CEQA, a comprehensive analysis of the Specific Plan's impact on water distribution systems is detailed in Section 5.16, *Utilities and Service Systems*, of the DEIR. As demonstrated in Section 5.16, implementation of the Specific Plan would not result in a significant impact on the existing water distribution system that would serve the project site. In their issuance of a Statement of Water Service (a "will serve letter"), the proposed water distribution system (within the boundaries of the project site) for the proposed project will be adequate during normal operating conditions for the water system of the project as provided in Chapter 20.16 of Title 20 of the Los Angeles County (Water Code) and as shown on the plans and specifications approved by the Department of Public Works. As a part of their review and determination, GSWC evaluates their existing water distribution system in Forbes Avenue in order to come to a determination that service would be able to be provided. If there were any issues or concern regarding the water distribution system in Fores Avenue and beyond, GSWC would have made this known to the project applicant. Therefore, an analysis that demonstrates that the existing water systems for the surrounding neighborhoods will not be adversely impacted is not required.

R11-2 The commenter noted that the statement of water service (Will Serve Letter) from GSWC for the proposed project expired on May 13, 2023, and therefore, recertification should be provided by GWSC. In response to the commenter, GWSC on September 26, 2023, issued an updated Will Serve Letter, which can be found in Appendix A of this Final EIR.

R11-3 The commenter asserted that the preliminary size (diameter/depth) of the drywells is not indicated in the DEIR and that an analysis should be provided to demonstrate that the total volume and number of drywells is sufficient for the anticipated flows. A detailed analysis was prepared to determine the capacity and sizing of the underground infiltration chamber, vault, and dry well. The studies that were prepared to determine size, depth and capacity can be found in the Preliminary Hydrology Report and Preliminary Low Impact Development Plan, which supported the analysis and findings provided in Section 5.9, *Hydrology and Water Quality*, of the DEIR and are included in Appendices G1 and G2, respectively, of the DEIR. As substantiated in Section 5.9 and the aforementioned

2. Response to Comments

technical studies, the capacity and sizing of the underground infiltration chamber, vault, and dry well, as proposed, would be adequate to handle the anticipated flows from development that would be accommodated by the Specific Plan.

- R11-4 The commenter asserted that the drywell design should consider depth of historic high groundwater levels indicated at the site and provide required regulatory vertical separation below bottom of drywells and historic high groundwater. See response to Comment R11-3, above. The depth, sizing, and capacity of the proposed dry well included analyzing existing and historic groundwater depths.
- R11-5 The commenter asserted that analysis should be provided to demonstrate that sufficient space exists for the three drywells in the location proposed, as shown in Figure 5.9-2, *Water Quality Management Map*, of Section 5.9, *Hydrology and Water Quality*, of the DEIR. The underground storage and infiltration design, as provided in the Preliminary Hydrology Report and Preliminary Low Impact Development Plan (which are included in Appendices G1 and G2, respectively, of the DEIR), included determining that the site has the required space for all underground structures.
- R11-6 The commenter asserted that it should be demonstrated that the location of the proposed drywells is sufficient for at least 100% expansion of the proposed size/number of drywells when the effective design life of the drywells has been reached. The Preliminary Low Impact Development Plan (which is included in Appendix G2 of the DEIR) and proposed dry well design conform to local, regional, and state requirements, including the potential need for future expansion.
- R11-7 The commenter asserted that the results of the preliminary on-site soil infiltration testing should be provided to substantiate that the soils are conducive for infiltration and to support the required capacity of the drywells. Two infiltration studies were prepared to determine the suitability of the soils for infiltration. These studies (Preliminary Low Impact Development Plan, which is included in Appendix G2 of the DEIR, and Preliminary Geotechnical Investigation Including Field Infiltration Testing, which is included as Appendix B to this Final EIR) provided the infiltration rates at various depths to determine proper sizing and adequate storage during rain events.
- R11-8 The commenter requested that the mechanism that will govern and implement the maintenance of the source control BMPs should be clarified. The homeowner's association to be established will be responsible for maintaining the BMPs once the residential development is completed. This is controlled via the CC&R's and property manager.
- R11-9 The commenter asserted that the proposed development includes accessory dwelling units (ADUs) without any apparent off-street parking for these units. The commenter also asserted that since the interior street loop is represented to be a private road, on-street parking would be the only parking alternative for the ADUs. The commenter also stated

2. Response to Comments

that the analysis for transportation impacts should clarify the public transportation/parking needs of ADU occupants.

. Parking for the ADUs would be provided pursuant to the ADU parking provisions of Section 16.333.060.B.3.b of the Claremont Zoning Standards. Therefore, implementation of the Specific Plan will comply with City requirements for ADU parking, which will be accommodated on a driveway and/or on-street (consistent with the Zoning Code).

Regarding the public transportation impacts that could occur as a result of implementation of the Specific Plan, Section 5.14, *Transportation*, provides a comprehensive analysis of the potential impact to public transit. The public transit analysis provided in this section was inclusive of all future project residents, including those of the ADUs. As substantiated in Section 5.14, impacts to public transit were determined to be less than significant.

R11-10 The commenter asserted that the fire safety analysis should discuss the acceptability of the on-street parking at night (which would accommodate both visitors and residents of the ADUs) by the local fire authority. The Los Angeles County Fire Department (LACFD) reviewed and approved the proposed project's conceptual plan (see Figure 3-2, *Conceptual Site Plan*), which would permit parking along the internal street system, as being adequate for fire access and circulation.

R11-11 The commenter asserted that the design of the interior streets of the development are represented to be in compliance with the City of Claremont Public Works Construction Standards, but that the curves within the interior streets do not comply with the City's standard "knuckle" design. The commenter also asserted that the fire safety analysis should discuss the acceptability of these curve configurations with respect to turning radii for fire-fighting equipment with the local fire authority.

It should be noted that the site plan design provided in the exhibits in Chapter 3 are conceptual and not the final design. Final design and approval of the site plan and internal streets will require review and approval by the City's Engineering Division and LACFD. Through this process, the City and LACFD will ensure that the internal streets are designed and constructed in adherence with all City and LACFD standards, including the City's Public Works Construction Standards 1049 and 1050. See also response to Comment R11-10 regarding fire safety analysis.

2. Response to Comments

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2. Response to Comments

LETTER R12 – Steve Goldwater (2 pages)

Comments on Draft EIR		R12
<p>1. Executive Summary</p> <p>1.5.2 Alternate developments of the project area – A new public school. The school district has no plan available that shows how or where the hundreds or thousands of new students moving into the district as a result of state mandates on housing will be schooled. Decreasing student count is a short-term issue. In the past the school district has proposed both a magnet high school a new elementary school for the site. Declaring the site surplus is strictly a financial grab by the school district for the short term. The site has been for sale for approaching 10 years.</p>		R12-1
<p>Table 1-1 Impact 5.2-3 The traffic study was done on the day before Spring Break for the Claremont School District. People had already left town for a break. Also, a number of students were attending school from home due to COVID lowering the trips to school. In addition, the base year chosen to escalate projected traffic to 2023/2024 levels was 2012, a year before much of the new construction on baseline was completed. Also considering the number of bedrooms in these new houses there will more school children and I believe the estimate of the number of trips per households is too low. School trips would peak in the 7:00 to 9:00 morning hours as used n the study but afternoon trips would likely peak in the 12:00 to 3:00 period.</p>		R12-2
<p>The local streets off Forbes to the west have measurable traffic due to people not wanting to turn onto Baseline. If a traffic light is not justified then No Right Turn signs during peak hours except local traffic should be place on the three streets that go west off of Forbes.</p>		R12-3
<p>I don't know where this comment goes.</p> <p>Since the School District started to disturb the land at the La Puerta site 3 years ago the neighborhood including the sports park has been severely impacted by gophers and moles. Between my neighbor to the north and myself we spent close to \$1,000 on traps, gas flares, gadgets and exterminators. If you want to see the effects look at the property at the NW corner of Forbes and Navarow. Once construction starts and until the last house is landscaped the area needs rodent coverage paid for by the contractor and or HOA. This is not a trifling problem. I understand there has been a t least one broken foot/leg at the sports park due to a hole.</p>		R12-4

2. Response to Comments

2. 5.132 Chapter 4: Design Guidelines

Aesthetics – The developer is planning to bring in fill. The existing homes south of the project area were built with cross lot drainage. No fill should be used if it impacts the mountain views of the homes to the south.

R12-5



2. Response to Comments

R12. Response to Comments from Steve Goldwater, dated September 5, 2023.

R12-1 The commenter suggested the possibility of the project site being developed as a school. The commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The comment will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.

R12-2 The comment asserts that the traffic counts taken on Thursday, April 14, 2022, were inaccurate because traffic was counted on "Thursday of Easter week," apparently suggesting that traffic counts would be artificially low because school was not in session. However, both the Claremont Colleges and Claremont Unified School District schools were open the day that traffic was counted. There were no weekday holidays the week that the counts were collected. The date of the traffic count surveys was consistent with standard traffic engineering practice as well as the guidance in the City's Transportation Analysis guidelines.

The comment also asserts that the traffic counts that were re-surveyed in June are invalid, due to being in the summer. However, these counts were adjusted using industry standard methodology to account for the school closure; the adjustment factors were validated with counts taken when schools were open. The adjusted counts were coordinated with and reviewed by City traffic engineering staff and accepted as valid.

The comment also implies that impacts on Baseline Road were not identified due to the date of the traffic counts. As noted in the Traffic Impact Analysis (TIA), which is included as Appendix I to the DEIR, the addition of project traffic on Baseline Road is minimal, causing either no change to the delay at studied intersections, or minimal delay that would not be considered a project impact. This evaluation is based on the number of trips added to Baseline Road and would be the same even if higher traffic counts were utilized in the analysis. The comment also asserts that the project would represent a significant source of "inconvenience" to residents in the area, thereby resulting in more accidents. Based on the level of service analysis provided in the TIA, the level of inconvenience would be minimal as the actual delay to traveling vehicles in the neighborhood would be less than one second per vehicle. The TIA identifies safety improvements for pedestrians and bicyclists at Forbes Avenue/Miramar Avenue and at the midblock crosswalk on Indian Hill Boulevard at Thompson Creek Trail. With implementation of these safety improvements, which will be included as conditions of approval, safety for pedestrians and bicyclists would be improved at these locations.

R12-3 The commenter raised concerns about traffic impact to local streets west of Forbes. The commenter also asserted that either a traffic light or no-right-turn signs during peak hour should be placed on the three streets that go west of Forbes.

A comprehensive analysis of the Specific Plan's impacts on transportation and traffic is detailed in Section 5.14, *Transportation*, of the DEIR. The analysis and findings outlined in

2. Response to Comments

Section 5.14 were supported by a Traffic Impacts Analysis report, which is included as Appendix I of the DEIR and was reviewed and approved by the City's Engineering Division. As demonstrated in Section 5.14 and the Transportation Impact Analysis report, implementation of the Specific Plan would result in a less than significant traffic impact. Based on the analysis and findings of the traffic analysis, it was determined that no traffic-related improvements (including traffic signals and/or signage) were required to implement the Specific Plan.

- R12-4 The commenter raised concerns about gophers, mole and rodent issues that may arise once construction activities commence on the project site. The commenter does not raise any specific comments regarding the DEIR's evaluation of environmental issues. The comment is acknowledged and will be provided to the City for its consideration as part of its decision-making for the Specific Plan. No response is necessary.
- R12-5 The comment provided here is in reference to the design guidelines chapter (Chapter 4) of the specific plan and not directed at the DEIR. However, in response to the comment that no fill should be used if it impacts mountain views of the homes to the south, impacts on visual/scenic resources was adequately analyzed in Section 5.1, *Aesthetics*, of the DEIR. As stated in Section 5.1 (see page 5.1-8), views of Claremont Wilderness Park and San Gabriel Mountains are also available from approximately seven single-family homes that abut the southern boundary of the Project Area. As shown in Figure 3-2, Conceptual Site Plan, the proposed design of the new residential community would include a landscape buffer and a private street along the southern Project Area boundary. The introduction of two-story single-family structures and trees through the Project Area would partially obstruct views of the Claremont Wilderness Park and San Gabriel Mountains. However, the provision of a landscape buffer and private street immediately adjacent to the southern Project Area boundary would help minimize the obstruction of views of these scenic features by providing an ample gap between the existing single-family homes to the south and the first row of residential homes within the Project Area. The provision of two north-south private streets and the north-south linear spaces that would be provided between the single-family homes (see Figure 3-2, *Conceptual Site Plan*, of the DEIR) would provide view windows towards these scenic features. Private views of the mountains from residences are not protected by the Claremont General Plan or any City ordinance.

3. Revisions to the Draft EIR

3.1 INTRODUCTION

This section contains revisions to the DEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of DEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the DEIR. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the DEIR. Changes made to the DEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

3.2 DEIR REVISIONS IN RESPONSE TO WRITTEN COMMENTS

The following text has been revised in response to comments received on the DEIR.

Pages 5.13-15 and 5.13-16, Section 5.3, *Biological Resources*. The following mitigation measure was revised in response to Comment A3-5, from the California Department of Fish and Wildlife.

5.3.6 Mitigation Measures

Impact 5.3-1

BIO-1 Prior to the initiation of ~~on-site grading~~ ground disturbing activities within any phase of the La Puerta School Site Specific Plan resulting in direct impacts to disturbed habitat, the project applicant shall perform a preconstruction survey for burrowing owls that shall be conducted 14 days prior to construction activities ~~within the disturbed regions of the phased action area throughout the project site.~~ The preconstruction survey shall be conducted by a qualified biologist. If ground-disturbing activities are delayed or suspended for more than 14 days after the preconstruction survey, the ~~proposed area of disturbance~~ project site shall be resurveyed for burrowing owls.

If owls are determined to be present within or adjacent to the ~~phased construction footprint,~~ they shall be captured and relocated by a qualified biologist project site during the preconstruction survey, the project applicant shall prepare an Impact Assessment and Burrowing Owl Mitigation Plan prior to commencing ground-disturbing activities. The project applicant shall contact the California Department of Fish and Wildlife (CDFW) and submit a final Burrowing Owl Mitigation Plan for approval. The preconstruction survey and ~~any~~

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~~relocation activity mitigation plan~~ shall be conducted in accordance with the ~~California Department of Fish and Wildlife (CDFW) Staff Report on Burrowing Owl Mitigation, 2012. According to CDFW guidelines, mitigation actions will be conducted from September 1st to January 31st, which is prior to the nesting season. However, burrowing owl nesting activity is variable, and as such the time frame will be adjusted accordingly.~~ Should eggs or fledglings be discovered in any owl burrow, the burrow cannot be disturbed (pursuant to CDFW guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own). Occupied burrows shall not be disturbed during the nesting season (February 1st through August 31st) ~~unless a qualified biologist approved by CDFW verifies through non-invasive methods that either:~~ and an onsite temporary no-disturbance buffer shall be demarcated within 500 feet or extend to the project site boundary if less than 500 feet of the burrowing owls' nest to avoid abandonment of the young. Personnel working on the project, including all contractors working onsite, shall be instructed on the presence of occupied burrows, area sensitivity, and adherence to onsite temporary no-disturbance buffers.

- ~~■ The adult birds have not begun egg laying and incubation; or~~
- ~~■ The juveniles from the occupied burrows are foraging independently and are capable of independent survival.~~

~~If the biologist is unable to verify one of the above conditions, then no disturbance shall occur within 300 feet of the burrowing owls' nest during the breeding season to avoid abandonment of the young.~~

Page 5.13-16, Section 5.3, *Biological Resources*. The following mitigation measure was revised in response to Comment A3-6, from the California Department of Fish and Wildlife.

5.3.6 Mitigation Measures

Impact 5.3-1

- BIO-2 To avoid impacts to nesting birds (~~including burrowing owl and peregrine falcon~~) and raptors within or adjacent to the development area covered by the La Puerta School Site Specific Plan (Project Area) and to comply with the California Department of Fish and Game (CDFG) Codes 3503 & 3513 and the Migratory Bird Treaty Act (MBTA), clearing shall occur between non-nesting (or non-breeding) season for birds and raptors (generally September 16th to December 31st). If this avoidance schedule is not feasible, the alternative shall be to carry out such activities under the supervision of a qualified biologist. This shall entail the following:
- A qualified biologist shall conduct a pre-construction nesting bird and raptor survey ~~no more than 14 days~~ within 72 hours prior to initiating ground disturbance activities. The survey shall consist of full coverage of the ~~proposed disturbance limits~~ project site and ~~up to a 500-foot buffer area, determined by the biologist and considering the species~~

3. Revisions to the Draft EIR

~~nesting in the area and the habitat present adjacent nesting habitat will be surveyed from the Project site boundary.~~ If no active nests are found, no additional measures are required.

- If occupied nests are found, their locations shall be mapped, species documented, and, to the extent feasible, the status of the nest (e.g., incubation of eggs, feeding of young, near fledging) recorded. The biologist shall establish a no-disturbance buffer around each active nest. A minimum 300-foot temporary onsite no-disturbance buffer shall be placed around each active bird nest. For raptors and special status species, the temporary onsite no-disturbance buffer shall be expanded to 500 feet or extend to the project site boundary if less than 500 feet, if feasible. The buffer ~~area~~ will be determined by the biologist based on the species present, ~~surrounding habitat~~, and ~~type of~~ sensitivity to construction activities proposed in the area. Personnel working on the project, including all contractors working on site, shall be instructed on the presence of nesting birds, area sensitivity, and adherence to the temporary onsite no-disturbance buffers. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the construction supervisor that activities may resume.

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