

12 November 2010

TO: Puente Hills Landfill Native Habitat Preservation Authority, Citizens Technical Advisory Committee

FROM: Oil Field Draft EIR Subcommittee

SUBJECT: EVALUATION OF THE WHITTIER MAIL OIL FIELD DEVELOPMENT PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

The Oil Field Subcommittee of the Citizens Technical Advisory Committee (CTAC) has reviewed the Whittier Main Oil Field Development Project Draft Environmental Impact Report (DEIR), and finds that the document is inadequate in its environmental assessment and in its proposed mitigation measures. The inadequacies may be grouped into five broad areas, which are discussed below. The Subcommittee also provides in this letter comments on the text in the individual DEIR sections, and comments on specific proposed mitigation measures which are deficient.

After a vote at our meeting on November 11, 2010, the Oil Field Subcommittee requests that CTAC take an action to recommend that the Habitat Authority Board do the following: In its comments to the City of Whittier on this project, our Board should incorporate, as an attachment, all the comments of CTAC and recommend to the City that the DEIR be revised to correct all noted deficiencies, and then recirculated for another 60 days in order to allow adequate review by interested parties.

Areas of Inadequacy

1. The California Environmental Quality Act (CEQA) assessment is incomplete.
 - CEQA Guidelines require that the EIR evaluate any potentially significant impacts of locating development in areas susceptible to conditions as might occur with climate change (CEQA Guidelines Section 15126.2 and OPR Final Statement of Reasons for SB97). The DEIR does not include this evaluation.
 - Impacts to habitat and recreation from installing the proposed right turn ingress/egress lanes for the new access road from Colima Road are not evaluated.
 - The number and types of trees to be removed or disturbed are not listed or evaluated.
 - The amount of total grading (i.e., cut, fill, and offsite transport) for each alternative is not listed.
 - The impacts of constructing new trails to mitigate recreation impacts to existing trails are not evaluated.
2. Impacts lack complete mitigation measures.
 - Additional mitigation measures are necessary to further mitigate impacts.
 - Suggested additional mitigation measures are noted in the comments for specific impacts.
3. Mitigation measures lack sufficient specificity to allow an adequate evaluation of their effectiveness and impacts.
 - Phrases such as “all feasible means” (BIO-4a) and “other community activities” (AQ-4) are inadequate; the “feasible means” and “other community activities” must be identified, discussed and evaluated.

- Vague mitigation measures are noted in the comments for specific impacts.
4. Mitigation measures are contradictory and/or may not be allowed.
- The DEIR states there will be no construction during bat maternity season, but mitigation measures discuss the removal of trees during bat maternity season. (BIO-4g)
 - An Incidental Take Statement (ITS) may not be the correct document that would result from a consultation with the US Fish and Wildlife Service. It is believed that an ITS is only issued to another federal agency, and that consultation with Fish and Wildlife would properly result in some other document.
 - Contradictory and/or questionable mitigation measures are noted in the comments for specific impacts.
5. The land use and policy consistency analysis is severely flawed.
- Some cited General Plan policies do not apply to the proposed Project, while in others the Project is erroneously determined to be consistent with the Plan.
 - Flawed analyses are noted in the comments for specific policies within the Comments on DEIR Sections below.

In addition, the City objective of minimizing impacts to less-than-significant levels has not been met.

Comments on DEIR Sections

Section 2 Project Description

- Fails to adequately and completely describe Habitat Authority projects on the project site, i.e., restoration, maintenance, management, and proximate recreation use.
- Claims seven acres of land will be disturbed for the Project (p. 2.1), but the Executive Summary shows from 11½ - 12 acres will be disturbed (p. ES-4). Table 2.3 has different figures totaling 19.6 acres and doesn't include fuel modification zones. DEIR needs to list, in table format, all disturbed areas, the size of each disturbed area, the reason for the disturbance (e.g., structure, bermed basin, washdown outflow, storage, road, fuel modification, temporary use, etc.), and the total disturbed area for the Project. Suitable maps should be provided with legends adequate to determine the proposed uses for each of these areas.
- States that the County of Los Angeles Fire Department "may require a fuel modification zone (FMZ) around each pad area" (p. 2-11). Ascertaining whether this is a requirement cannot be left until later, but must be determined now and the impacts evaluated.
- Earthmoving and support equipment for clearing well sites is stated as operating eight hours per day (p. 2-15), but Table 2.5 states the equipment will operate six hours per day (p. 2-18). Clarify.
- States that "[d]isturbed areas associated with site clearing would be approximately equal in size to the final pad area", but Table 2-3 shows that the disturbed areas are 40 percent larger than the final operations area. A 40-percent difference is not "approximately equal in size". Revise wording.
- States dump trucks will carry 12 cubic yards (yd³) of soil (p. 2-21), but the typical construction project utilizes dump trucks with a capacity of eight or 10 yd³; verify the size of the dump trucks utilized and evaluate, as this significantly impacts the number of truck trips required to haul excess dirt offsite.

- States that the concrete and water slurry waste from washing down trucks and concrete pumps “would be collected in lined, bermed ponds for the water to evaporate”, and that the residue would be “shipped offsite for proper disposal” (p. 2-29). Explain whether the slurry is toxic to wildlife, and what “proper disposal” means. If the slurry is toxic to wildlife or poses a threat of entrapment and/or drowning, implement mitigation measures to prevent accidental exposure to the slurry and ponds, and to prevent ingestion by wildlife.

Section 3.0 Cumulative Projects

- This section lists projects that, taken with this Project, could have cumulative impacts, but never describes what those impacts might be.
- Tehachapi Renewable Transmission Project (TRTP) Segment 8A, scheduled to be constructed between 2010 and 2014, will certainly dramatically burden the biological and visual resources of the Preserve, particularly related to the permanent disturbance to the Core Habitat and the wildlife corridor that passes through the Core Habitat.
- Whittier Area Community Church has already been constructed, but the cumulative impacts on traffic and biota (lighting and intersection interference with wildlife corridor) are not listed in connection with this Project.

Section 4.1 Air Quality

- This section needs to explain in greater detail why implementation of AQ-1d cannot guarantee that NO_x pollution levels will be at less-than-significant levels for on- and off-road diesel trucks and equipment.
- The material on 4.1-33 needs to explain what is meant by and to what extent “community offsets” will be employed and exactly what the surrounding community must tolerate as air pollution increases.
- To combat the cancer risk from carbon/diesel emissions, the strategy suggested in AQ-5b doesn’t seem to square with the project schedule of operations. Which four months of the year are scheduled for operations at the Central drilling site?

Section 4.2 Biological Resources

- The Plant Communities and Associated Wildlife Species section (4.2.1.1) discusses what flora and fauna are found in certain plant communities, but it is not clear as to when this is a general discussion and when the discussion refers to what is actually found on the Project site. Specify.
- Specify which habitat classification system is being referred to on page 4.2-7, second paragraph.
- Several mitigation measures discussed in Section 4.2.4 Project Impacts and Mitigation Measures are said to reduce various impacts to less than significant with mitigation. Cite thresholds of significance used to determine when impacts to biological resources would be reduced to less than significant.
- Residual Impacts sections (p. 4.2-38; p. 4.2-39) must include long-term impacts to habitat from climate change.
- Explain in Mitigation Measure, page 4.2-40, how an Emergency Response Action Plan – which is an after-the-fact guide for responding to spills and accidents – will “limit the potential for onsite spills and associated significant impacts.”
- A discussion on page 4.2-43 about impacts to wildlife movement resulting from disturbance near the Service Tunnel states that “[w]ildlife moving to and from the Service Tunnel may be

able to take a northerly route...” CEQA does not allow conjecture; therefore, this discussion must be revised or removed and cannot be relied upon as a mitigation measure.

- Section 4.2.5 Other Issue Area Mitigation Measure Impacts, second paragraph, is confusing. If the area has not previously been disturbed, how does disturbing the grasslands “*not* increase the severity of the existing impacts” [emphasis added]? What is meant by the sentence, “This area would be primarily grassland...”? When would it be “primarily grassland”?

Section 4.3 Safety, Risk of Upset, and Hazardous Materials

- The information contained in this section seems to point to the very real potential for ground shaking and acceleration over 1g as a result of an earthquake; however, the event scenarios, impacts and mitigations all neglect to address the failure of non-pressure tanks, berms and basins that could be associated with the Central Site well location. Despite not discussing failure caused by earthquake, the DEIR views failure of berms as a low-frequency event. It would seem logical that an objective in this particular location would be to quantify what the cost of zero tolerance for crude oil spills would be.
- The DEIR does not specify in maps where emergency berms and basins would be located.

Section 4.4 Geological Resources

- Despite the acknowledgement that earthquake effects might top 1g of acceleration (and up to 1.6x vertical acceleration) and statement of significance criteria, the DEIR contends that there would be no significant effect on the Project from geologic hazards. This seems to defy logic considering the loss of non-pressurized tanks in the 1987 Whittier earthquake and the need for zero tolerance of the community of any likelihood of such an event.
- The DEIR should rethink GR-1a based on a ground acceleration above .5g. The inspections performed pursuant to GR-1d will do little if the design cannot withstand vertical accelerations on the order of 1.6g.
- With respect to the seismic retrofits proposed in GR-1d, what will be the procedure to assure that these actions take place? Since earthquake preparedness and update of codes has historically taken place on the heels of seismic events, what guarantee does the community have that the current codes will withstand the potential accelerations that could take place?
- The potential for liquefaction is deemed to be less than significant with mitigation since the DEIR declares that the project is not located on the State’s seismic hazard zone maps, even though the Whittier Narrows Fault is located less than two miles from the site and no onsite investigation was performed. It seems intuitive that construction of a major facility at the mouth of a “riparian” canyon with seasonal water flow in ungraded alluvium soil could experience liquefaction effects.
- Due to unanticipated biological consequences and slope/soil conditions, it may be impossible to repair alternative access routes as anticipated in GR-1b due to extreme slope conditions located in the Preserve to the north of the project site.

Section 4.5 Noise and Vibration

- Foliage does not attenuate sound as the DEIR claims on 4.5-4.
- Noise model assumptions and output (graphs) should be included in the DEIR.
- Considering the very low sound levels in the adjoining neighborhoods, a consistent 6 dB change in noise would be annoying to a considerable number of people.

- The DEIR should state that, under law, General Plan noise guidelines should be considered as advisory by decision makers, and as much or more weight should be assigned to testimony of neighbors.
- Using public park noise level criteria to evaluation acceptability of noise levels on Preserve lands and visitors seems intuitively unwarranted.

Section 4.6 Aesthetics and Visual Resources

- The Geological Resources Section states that historic oil and gas pipelines were left in place when production at the oil field was previously halted, but Section 4.6.1 Environmental Setting (p. 4.6-1) states that “all oil and gas equipment (e.g., tanks) has been removed.” Please verify and clarify what oil and gas equipment is still in place from previous oil production activity.
- Provide information as to whether future Fire Department activities (i.e., fuel modification) will remove the eucalyptus trees that could shield these industrial sites.
- Provide conceptual landscape plans and plant palette.

Section 4.7 Transportation and Circulation

- Please clarify whether the procedures utilized by the City of Whittier Public Works Department to analyze the traffic impacts of the Project were already in place or whether they were adopted specifically for this project, and provide information on when the procedures were adopted.
- Discuss the decision to assign 1,200 vehicles per hour (vph) lane capacity to Mar Vista instead of the more conservative and realistic level of 1,000 vph. Likewise, Colima should have been analyzed at a secondary level of 2,800 vph.
- Explain why “on-site” observations were not utilized to reveal LOS F behavior on both Mar Vista and Colima.
- A preliminary design study should have been included regarding feasibility of adding left/right turn lanes to the very local street, Mar Vista.

Section 4.11 Land Use and Policy Consistency Analysis

- Whittier General Plan, Land Use Element
 - Goal 1, Policy 1.1: The proposed Project could make portions of the City and Preserve more desirable, but not around or on the Project site and not soon. The Project has qualified consistency with the Policy.
 - Goal 1, Policy 1.2: The proposed Project does not meet all the “ands” of the Policy, and therefore is inconsistent with the Policy.
 - Goal 4, Policy 4.1: This Goal applies to existing industrial areas, not to one that has been abandoned for nearly two decades. The proposed Project is inconsistent with this Policy.
 - Goal 4, Policy 4.3: The proposed Project utilizes “buffering techniques”, not buffer zones, and therefore is inconsistent with the Policy.
 - Goal 5, Policy 5.1: Mitigation to lessen impacts does not avoid the impacts of the proposed Project, the Project does not retain parks and recreation areas, and it does not provide a wide range of safe, attractive and accessible recreation opportunities. The proposed Project is inconsistent with the Policy.
 - Goal 6, Policy 6.4: The proposed Project removes important ecological resources, and therefore is inconsistent with the Policy.

- Goal 6, Policy 6.5: Mitigation to offset the loss of open landscape in the Preserve does not promote preservation. The proposed Project is inconsistent with the Policy.
- Goal 8, Policy 8.2: The proposed oil field is not an existing institutional land use; the existing land use on site is a habitat preserve. It is also questionable as to whether an oil field should be considered an institutional use along with churches and schools, rather than an industrial use. The proposed Project is inconsistent with the Goal.
- Whittier General Plan, Housing Element
 - Goal 1, Policy 1.8: The Preserve is not community recreation, and the proposed Project is not subject to Quimby Act parkland requirements. The Policy does not apply to the proposed Project.
- Whittier General Plan, Transportation Element
 - Goal 1, Policy 1.2: If the installation of right-turn lanes on Colima Road to accommodate truck ingress/egress for the proposed Project is considered road widening, as stated in the DEIR, then the proposed Project is inconsistent with the Policy.
 - Goal 4, Policy 4.3: No new trails are being constructed, and existing trails are impacted by the proposed Project. The proposed Project is inconsistent with the Policy.
 - Goal 6, Policy 6.1: The proposed Project is not sensitive to existing wildlife and their habitats as it does not avoid the sensitive resources. The proposed Project is inconsistent with the Policy.
 - Goal 6, Policy 6.2: The proposed Project takes place in open space; therefore, the Policy does not apply.
- Whittier General Plan, Environmental Resource Management Element
 - Goal 1, Policy 1.2: The proposed Project does not conserve soil, but exports to a landfill at least 23,000 cubic yards of soil. The proposed Project is inconsistent with the Policy.
 - Goal 1, Policy 1.4: The oil field is in the process of being rehabilitated; restoration of the site after the proposed Project has reached the end of a second, new phase of oil production is not the intent of the Policy. The proposed Project is inconsistent with the Policy.
 - Goal 1, Policy 1.5:
 - ◊ Typographical error? What is “negative vegetation”?
 - ◊ Areas of existing native vegetation, wildlife habitat and visual beauty are being removed, not preserved. The proposed Project is inconsistent with the Policy.
 - Goal 3, Policy 3.3: An “understanding” is not “participate with”. The proposed Project is inconsistent with the Policy.
 - Goal 3, Policy 3.5: An “understanding” is not “work with”; the proposed Project does not preserve open space, and therefore is inconsistent with the Policy.
 - Goal 4, Policy 4.2: The proposed Project does not make a priority of preserving open space land for resource retention and recreational use, and does not retain the open space of the Project site. The proposed Project is inconsistent with the Goal and Policy.
 - Goal 4, Policy 4.4: Ecological features are removed; therefore, the proposed Project is inconsistent with the Goal and Policy.
 - Goal 4, Policy 4.5: The public and semi-public rights-of-way exist without the Project – multiple-use which compliments the continuity of other designated open space areas is not being added. The Policy does not apply to the proposed Project.

- Goal 4, Policy 4.6: Purchasing back the open space so it may be used for oil production is not acquiring open space. The proposed Project is inconsistent with the Policy.
- Goal 5, Policy 5.2: The proposed Project is not expanding recreation opportunities, and is not involved in coordinating the use of parks and school programs and facilities. The Policy does not apply.
- Goal 5, Policy 5.3: The proposed Project will remove recreation resources. Minimizing impacts is not integrating recreation planning efforts to conserve natural resources. The proposed Project is inconsistent with the Policy.
- Goal 5, Policy 5.5: Placing an oil production operation in a Preserve and using the existing recreation trails – which are also used by wildlife – to further the operation will not encourage the use of those trails. The proposed Project is inconsistent with the Policy.
- Goal 5, Policy 5.10: The Policy does not anticipate using parkland for oil production. The proposed Project is inconsistent with the Policy.
- Goal 7, Policy 7.2 and Policy 7.3: Mitigation measures for the proposed Project do not minimize “any impacts”; many impacts are still significant and unavoidable after mitigation. The proposed Project is inconsistent with the Policies.
- Whittier General Plan, Air Quality Element
 - Goal 4, Policy 4.1: No circulation plans have been provided for the Truck Loading Facility east of the Central Site and no mitigation measures related to onsite circulation are included, so it is not possible to conclude that, “Truck queuing would be discouraged.” Therefore, the proposed Project is inconsistent with the Policy.
- Whittier General Plan, Public Safety Element
 - Goal 3, Policy 3.3: Stating that the proposed Project site is within the service area of the Whittier Police Department and County Fire Department is not maintaining and enhancing safety and emergency services in the City. The Policy as analyzed does not apply.
- Habitat Authority Resource Management Plan, Biological Resources Element
 - Goal BIO-4: It is possible that all habitat in the Preserve will be restored eventually, even without the proposed Project. It is conjecture to state that proposed mitigation measures “would enhance and restore other areas within the Preserve that would otherwise not be restored”; therefore, the analysis should be revised or removed.
 - Goal BIO-5: The proposed Project does not propose a monitoring or tracking program for the health of the habitat. The proposed Project is inconsistent with the Goal.
- Habitat Authority Resource Management Plan, Public Use Element
 - Goal USE-1: Creating new trails to mitigate for the loss of existing, well-used trails is not protecting the Preserve’s natural resources; more resources would be removed to create new trails. The proposed Project is inconsistent with the Goal.
 - Goal USE-2: The proposed Project does not affect the existing protection system of the Preserve; therefore, the Goal does not apply.
 - Goal USE-3: The proposed Project alters existing trail system use, and does not create a trail system. There is no broad public use benefit to having oil trucks on trails with hikers and wildlife. The proposed Project is inconsistent with the Goal.
 - Goal USE-4: The proposed Project has impacts that negatively impact all three prongs of the Goal. Therefore, the proposed Project is inconsistent with the Goal.

- Los Angeles County Draft General Plan
 - It is not acceptable to conduct an analysis of the policies in a draft document. The entire section must be revised to include an analysis of existing County General Plan policies.

Section 4.12 Fire Protection and Emergency Services

- Fire protection and emergency response resources related to the proposed Project cannot be evaluated based on a statement that “the County reportedly would provide the initial response”. Provide clear information on which agency will provide the initial response.

Section 4.14 Recreation

- The Note for Figure 4.14-3 says, “At the time of the study, the trail was impassible at the half-way point...”; however, neither the Figure nor the Note state the name of the impassible trail. Please add the name of the trail.

Section 8 Summary of Mitigation Measures and Mitigation Monitoring Plan

- Subsection 8.3 states that, “Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely.” Standards in an environmental assessment cannot be “implicit”; they must be clearly stated.
- Table 8-2, Biological Resources:
 - ◊ The timing for Impacts BIO-1 and BIO-2a should be changed to reflect that restoration planting should occur in November when locally-indigenous vegetation is dormant.
 - ◊ The Habitat Authority should be added as a Responsible Party under Mitigation Measures BIO-4b, BIO-4d, BIO-4g, and BIO-4i.
 - ◊ The timing for Mitigation Measure BIO-4e should be changed to reflect that it applies to construction work between December 1 and September 30, which incorporates the nesting season for raptors, songbirds, and bats.
- Table 8-5, Noise and Vibration: The Habitat Authority should be added as a Responsible Party under Mitigation Measure N-1c.
- Table 8-6, Aesthetics and Visual Resources: The Habitat Authority should be added as a Responsible Party under Mitigation Measure AE-1a.
- Table 8-9, Cultural Resources and Archeology: The City of Whittier should be added as a Responsible Party under Mitigation Measure CR-1.
- Table 8-11, Land Use and Policy Consistency Analysis: The Habitat Authority should be added as a Responsible Party under Impacts LU-3, LU-4, and LU-6.
- Table 8-14, Recreation: The Habitat Authority should be added as a Responsible Party under Impacts REC.1, REC.2, and REC.4.

Comments On The Proposed Mitigation Measures

SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 4.1 Air Quality

- AQ-1a:
 - ◊ Ground cover in disturbed areas should not be replaced “as quickly as possible”, but should be replaced in the first November after construction begins.

- ◊ The threshold for declaring a wind event must be provided in the environmental assessment.
- AQ-1b/1c: Clarify in the assessment whether the soil binders are toxic to wildlife, and develop mitigation measures if the binders are toxic.
- AQ-1d: All “on-road” construction equipment should be subject to the same mitigation measure as off-road construction equipment.
- AQ-4: List and evaluate “other community activities”; mitigation measures cannot be vague and must provide adequate information to allow evaluation.

Section 4.2 Biological Resources

- BIO-4a: List and evaluate “all feasible means”; mitigation measure is vague and does not provide adequate information.
- BIO-4b: Project lighting should have the least impact on wildlife as possible, and include limits on lumens, the type of fixture, and the color, as recommended by the International Dark-Sky Association and in the Dutch paper, “Green Light for Nocturnally Migrating Birds.”
- BIO-4d: Add that the plants utilized in the landscaping plan shall be as approved by the County Fire Department.
- BIO-4e: Add raptors and bats to the list of nesting species; extend the breeding season to December 1 through September 30; instead of roping construction boundaries, utilize hurricane fencing and signage; require the Project proponent to retain a biologist to monitor nests during construction activity, and give the biologist the authority to halt construction activities if nesting birds or bats are disturbed.
- BIO-4f: Please clarify – is this Mitigation Measure saying a survey and buffer will only be conducted/established if trees are to be felled? Nests should be buffered whether or not trees are being felled; instead of roping construction boundaries, utilize hurricane fencing and signage; require the Project proponent to retain a biologist to monitor nests during construction activity, and give the biologist the authority to halt construction activities if nesting birds or bats are disturbed.
- BIO-4g:
 - ◊ Revise to state that tree removal or relocation shall be scheduled between October 1 and February 28, outside of the maternity roosting season.
 - ◊ Revise to state that if the bat specialist determines that roosting bats may be present, that it is preferable to leave the tree in place until the young bats have left the nest.
 - ◊ Revise to state that trees determined to be maternity roosts must be left in place until the young bats have left the nest.
 - ◊ List and evaluate the possible actions undertaken to safely exclude roosting bats prior to disturbance.
 - ◊ List and evaluate the number and type of trees expected to be removed and/or relocated.
 - ◊ The summary report prepared by the bat specialist documenting all monitoring activities must be provided to the Habitat Authority.
- BIO-4h:
 - ◊ Specify if the Resource Management Plan (RMP) referred to is the Habitat Authority’s RMP.
 - ◊ Explain why the native screening vegetation is necessary.

- BIO-4j: Require construction crews and oilfield workers to undergo an annual training program given by the Habitat Authority on how to protect the Preserve's natural resources, to be paid for by the Project proponent.
- A baseline for noise in the Preserve must be established, and operations should be shut down if noise criteria are exceeded in the Preserve.

Section 4.3 Safety, Risk of Upset, and Hazardous Materials

- SR-1: Add site security measures to address the safe and proper handling and storage of the hazardous materials used for construction and operation of the oil field.
- SR-1 (5): Contact information and site access limitations should be posted in specific locations easily visible to the public, should be provided to neighboring residents within a set radius, and should be placed in Preserve information kiosks and on the Habitat Authority and City websites.
- Add: Require installation of a meteorological station to monitor wind speed and direction, and assign a Responsible Party to service the station and access the information in the event of a hazardous materials release emergency.

Section 4.6 Aesthetics and Visual Resources

- AE-1a: The landscaping plan shall include, but is not limited to, the best time to plant locally-indigenous species.
- AE-1b: Clarify from where the structures must be visible: Anywhere? Any trail? The landfill?

Section 4.8 Hydrology and Water Resources

- WR-5a: "More often as needed" is not a mitigation measure. Determine, explain and evaluate under what conditions more frequent inspections shall be conducted.
- WR-5b: The applicant should also be required to properly maintain pipelines outside the Preserve.
- WR-5d: Describe the size of and construction materials for the berms, evaluate the impacts of installing the berms, and develop mitigation measures.

LESS THAN SIGNIFICANT WITH MITIGATION MEASURES

Section 4.1 Air Quality

- AQ-3c: Contact information should be provided to neighboring residents within a set radius, and should be placed in Preserve information kiosks and on the Habitat Authority and City websites.
- AQ-3e: Discuss whether the odor suppressant is toxic, and provide mitigation measures if it is.
- AQ-5b: Clarify whether the four months runs consecutively, and what criteria will be used to determine in which four months drilling will be allowed. One criterion should be whether sensitive species are breeding, nesting, migrating, or occupying the area as a nursery site.

Section 4.2 Biological Resources

- BIO-1a: Mitigation cannot be put off to the future: Identify and evaluate other areas where coastal sage scrub may be replaced.
- BIO-1b: The applicant must regularly monitor revegetated areas for invasive species and ensure that invasives are promptly removed on a regular basis.
- BIO-2a:
 - ◇ Clarify what flora and fauna are in the 0.10 acres that are being permanently impacted.

- ◇ Areas that currently do not support riparian vegetation may not be appropriate for introducing riparian vegetation. Identify the areas where “replacement” will occur so that they may be evaluated.
- BIO-3:
 - ◇ Mitigating impacts must apply to all locally-indigenous species, not just special-status wildlife species.
 - ◇ The Measure starting with “Procedures for timely re-establishment of vegetation...” is an incomplete sentence. Please complete.

Section 4.4 Geological Resources

- GR-3: Soils used to replace adverse soils should be locally-obtained, and could perhaps provide a use for some of the excess graded material destined for offsite transport.
- GR-5b: Uncertified fill should only be removed and replaced if it poses a safety risk to structures.
- GR-6b/7a/7b: Use only local dirt; no terrace slopes over 10 feet high; no creosote-treated wood, no soil cement.
- GR-9a: Graded slopes should be contour- or landform-graded to mimic natural contours.
- GR-9b: Stockpiled material should only be placed on already-disturbed sites; no undisturbed areas shall be utilized for storage.

Section 4.5 Noise and Vibration

- N-1c: The area for relocation must be identified and impacts evaluated now.
- N-2a: The Noise Reduction Plan should be reviewed by the Habitat Authority.
- N-2c: Must identify and evaluate now the “additional mitigation” that will be required “if the noise criteria are exceeded.”

Section 4.6 Aesthetics and Visual Resources

- AE-5a: Limit the lumens, light type and color to minimize impacts to wildlife.

Section 4.7 Transportation and Circulation

- T-1d: Must clarify and evaluate methods to limit truck and employee access.
- T-1e: Clarify what is meant by “existing and Project land”; is Project land not existing?

Section 4.8 Hydrology and Water Resources

- WR-1b:
 - ◇ Do not use invasive species in the bioswales.
 - ◇ Wildlife should be protected from accessing the detention ponds to prevent accidental drowning or drinking of toxic substances.
 - ◇ Develop a schedule for cleaning out detention ponds and disposing of the waste.
- WR-1c: Develop a schedule for cleaning out catch basins and disposing of the waste.
- WR-1d: State how often water quality testing will be performed and how the results will be used.
- WR-2a:
 - ◇ The Habitat Authority should review and approve the use of mulch, hydroseed, geotextiles and mats.

- ◊ Do not locate tire wash areas near stream courses or other wildlife water sources.
- WR-4d: Clarify what “properly discarded” is.
- WR-4g: Must explain and evaluate “all necessary precautions and preventative measures”.

Section 4.12 Fire Protection and Emergency Services

- FP-1b: Determine, explain and evaluate the criteria for a notification-level event.
- FP-2a: Determine what the Fire Department requires and use the minimum clearance in order to preserve natural resources.

LESS THAN SIGNIFICANT IMPACTS

Section 4.4 Geological Resources

- GR-4b: Evaluate the impacts of utilizing compacted soils in areas to be revegetated.

Section 4.10 Wastewater

- WAS-1a: Capacity must be evaluated now in order to determine impacts.