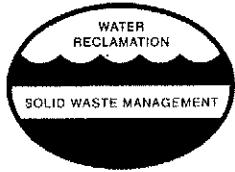


SECTION III.D

Private and Local Organizations



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

JAMES F. STAHL
Chief Engineer and General Manager

August 4, 2003
File: 31R-103.10

RECEIVED
CITY OF LOS ANGELES

AUG - 7 2003

ENVIRONMENTAL
UNIT

Jimmy C. Liao, Project Coordinator
Room 763, City Hall
Department of Regional Planning
200 North Spring Street
Los Angeles, CA 90012

Dear Mr. Liao:

Mountaingate Draft Environmental Impact Report

The Sanitation Districts have received your letter dated July 23, 2003 and offer the following comments in regard to solid waste management for the above-mentioned project within unincorporated Los Angeles County:

The Sanitation Districts are responsible for the maintenance and monitoring of Canyons 1, 2, and 3 of the Mission Canyon Landfill located to the north of the proposed project. The proposed development will not have an impact on the Sanitation Districts' maintenance and monitoring of Mission Canyon Landfill.

Very truly yours,

James F. Stahl

Monique Valenzuela
Project Engineer
Solid Waste Management Department

MMV:dhs



MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

August 25, 2003

Jimmy C. Liao
City of Los Angeles
Room 763, City Hall
Department of City Planning
200 North Spring Street
Los Angeles, CA 90012

RECEIVED
CITY OF LOS ANGELES

SEP 04 2003

ENVIRONMENTAL
UNIT

Dear Mr. Liao:

Draft Environmental Impact Report for the Mountaingate Project

The Metropolitan Water District of Southern California (Metropolitan) has received a copy of the Draft Environmental Impact Report (Draft EIR) for the Mountaingate Project. The City of Los Angeles (City) is the lead agency for this project. The proposed project is the last phase of development within the Mountaingate Community. The project applicant, Castle & Cooke California, Inc. is seeking approval to subdivide approximately 449 acres into 32 lots, of which 29 would be used to construct 29 single-family homes and the private streets. The remaining three lots would be set aside as permanent open space. The 29 single-family lots and private streets would be constructed on 25.4 acres within the 449-acre project site. The remaining approximately 424 acres would be preserved as permanent open space with no additional development permitted. Metropolitan is providing comment on this Draft EIR, as a potentially affected public agency.

Metropolitan owns and operates a facility adjacent to the proposed project site. Metropolitan's Sepulveda Feeder is a 96-inch diameter pipeline located within a fee-owned property right-of-way, just east of the project area and parallel to Interstate 405. Metropolitan is concerned with potential impacts to this facility associated with future excavation, construction, utilities or any development that may occur as a result of proposed project. Development associated with the proposed project must not restrict any of Metropolitan's day-to-day operations and/or its access to facilities. Nor can the development affect the water quality of Metropolitan supplies by allowing for non-compatible land uses. In order to avoid potential conflicts with Metropolitan's rights-of-way, we request that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval.

Mr. Jimmy Liao
Page 2
August 25, 2003

Metropolitan is also concerned with potential impacts to our fee-owned property that may occur as a result of the proposed project. Specifically, Metropolitan is concerned with the Project Open Space that may occur as a result of project implementation. The Proposed Open Space depicted on Figure IV.O.4-2 in the Draft EIR indicates that this designation along the eastern boundary of the project site occurs within Metropolitan's Sepulveda Feeder fee-owned right-of-way. Metropolitan must maintain its rights-of-way and requires unobstructed access to our facilities and properties at all times in order to repair and maintain our system. As such, Open Space designations cannot be on Metropolitan property. Metropolitan requests that the project area boundaries be revised to exclude our fee-owned property, including any use as open space.

The project applicant may obtain detailed prints of drawings of Metropolitan's pipelines and rights-of-way by calling Metropolitan's Substructures Information Line at (213) 217-6564. To assist the applicant in preparing plans that are compatible with Metropolitan's facilities and easements, we have enclosed a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of The Metropolitan Water District of Southern California." Please note that all submitted designs or plans must clearly identify Metropolitan's facilities and rights-of-way.

Metropolitan requests that the City analyze the consistency of the proposed project with the growth management plan adopted by the Southern California Association of Governments (SCAG). Metropolitan uses SCAG's population, housing and employment projections to determine future water demand.

In addition, Metropolitan encourages projects within its service area to include water conservation measures. 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.

Mr. Jimmy Liao
Page 3
August 25, 2003

We appreciate the opportunity to provide input to your planning process and we look forward to receiving a copy of the Final EIR and coordinating with you further regarding this project. If we can be of further assistance, please contact Mr. William Fong of the Environmental Planning Team at (213) 217-6899.

Very truly yours,

A handwritten signature in black ink that reads "Laura J. Simonek". The signature is written in a cursive style with a small mark above the 'i' in Simonek.

Laura J. Simonek
Manager, Asset Management
and Facilities Planning Unit

LIM/rdl
(Public Folders/EPU/Letters/25-AUG-03A.doc - Jimmy Liao)

Enclosure: Planning Guidelines

Guidelines for Developments in the
Area of Facilities, Fee Properties, and/or Easements
of The Metropolitan Water District of Southern California

1. Introduction

a. The following general guidelines should be followed for the design of proposed facilities and developments in the area of Metropolitan's facilities, fee properties, and/or easements.

b. We require that 3 copies of your tentative and final record maps, grading, paving, street improvement, landscape, storm drain, and utility plans be submitted for our review and written approval as they pertain to Metropolitan's facilities, fee properties and/or easements, prior to the commencement of any construction work.

2. Plans, Parcel and Tract Maps

The following are Metropolitan's requirements for the identification of its facilities, fee properties, and/or easements on your plans, parcel maps and tract maps:

a. Metropolitan's fee properties and/or easements and its pipelines and other facilities must be fully shown and identified as Metropolitan's on all applicable plans.

b. Metropolitan's fee properties and/or easements must be shown and identified as Metropolitan's with the official recording data on all applicable parcel and tract maps.

c. Metropolitan's fee properties and/or easements and existing survey monuments must be dimensionally tied to the parcel or tract boundaries.

d. Metropolitan's records of surveys must be referenced on the parcel and tract maps.

3. Maintenance of Access Along Metropolitan's Rights-of-Way

a. Proposed cut or fill slopes exceeding 10 percent are normally not allowed within Metropolitan's fee properties or easements. This is required to facilitate the use of construction and maintenance equipment, and provide access to its aboveground and belowground facilities.

b. We require that 16-foot-wide commercial-type driveway approaches be constructed on both sides of all streets crossing Metropolitan's rights-of-way. Openings are required in any median island. Access ramps, if necessary, must be at least 16-foot-wide. Grades of ramps are normally not allowed to exceed 10 percent. If the slope of an access ramp must exceed 10 percent due to the topography, the ramp must be paved. We require a 40-foot-long level area on the driveway approach to access ramps where the ramp meets the street. At Metropolitan's fee properties, we may require fences and gates.

c. The terms of Metropolitan's permanent easement deeds normally preclude the building or maintenance of structures of any nature or kind within its easements, to ensure safety and avoid interference with operation and maintenance of Metropolitan's pipelines or other facilities. Metropolitan must have vehicular access along the easements at all times for inspection, patrolling, and for maintenance of the pipelines and other facilities on a routine basis. We require a 20-foot-wide clear zone around all above-ground facilities for this routine access. This clear zone should slope away from our facility on a grade not to exceed 2 percent. We must also have access along the easements with construction equipment. An example of this is shown on Figure 1.

d. The footings of any proposed buildings adjacent to Metropolitan's fee properties and/or easements must not encroach into the fee property or easement or impose additional loading on Metropolitan's pipelines or other facilities therein. A typical situation is shown on Figure 2. Prints of the detail plans of the footings for any building or structure adjacent to the fee property or easement must be submitted for our review and written approval as they pertain to the pipeline or other facilities therein. Also, roof eaves of buildings adjacent to the easement or fee property must not overhang into the fee property or easement area.

e. Metropolitan's pipelines and other facilities, e.g. structures, manholes, equipment, survey monuments, etc. within its fee properties and/or easements must be protected from damage by the easement holder on Metropolitan's property or the property owner where Metropolitan has an easement, at no expense to Metropolitan. If the facility is a cathodic protection station it shall be located prior to any grading or excavation. The exact location, description and way of protection shall be shown on the related plans for the easement area.

4. Easements on Metropolitan's Property

a. We encourage the use of Metropolitan's fee rights-of-way by governmental agencies for public street and utility purposes, provided that such use does not interfere with Metropolitan's use of the property, the entire width of the property is accepted into the agency's public street system and fair market value is paid for such use of the right-of-way.

b. Please contact the Director of Metropolitan's Right of Way and Land Division, telephone (213) 250-6302, concerning easements for landscaping, street, storm drain, sewer, water or other public facilities proposed within Metropolitan's fee properties. A map and legal description of the requested easements must be submitted. Also, written evidence must be submitted that shows the city or county will accept the easement for the specific purposes into its public system. The grant of the easement will be subject to Metropolitan's rights to use its land for water pipelines and related purposes to the same extent as if such grant had not been made. There will be a charge for the easement. Please note that, if entry is required on the property prior to issuance of the easement, an entry permit must be obtained. There will also be a charge for the entry permit.

5. Landscaping

Metropolitan's landscape guidelines for its fee properties and/or easements are as follows:

a. A green belt may be allowed within Metropolitan's fee property or easement.

b. All landscape plans shall show the location and size of Metropolitan's fee property and/or easement and the location and size of Metropolitan's pipeline or other facilities therein.

c. Absolutely no trees will be allowed within 15 feet of the centerline of Metropolitan's existing or future pipelines and facilities.

d. Deep-rooted trees are prohibited within Metropolitan's fee properties and/or easements. Shallow-rooted trees are the only trees allowed. The shallow-rooted trees will not be permitted any closer than 15 feet from the centerline of the pipeline, and such trees shall not be taller than 25 feet with a root spread no greater than 20 feet in diameter at maturity. Shrubs, bushes, vines, and ground cover are permitted, but larger shrubs and bushes should not be planted directly over our pipeline. Turf is acceptable. We require submittal of landscape plans for Metropolitan's prior review and written approval. (See Figure 3).

e. The landscape plans must contain provisions for Metropolitan's vehicular access at all times along its rights-of-way to its pipelines or facilities therein. Gates capable of accepting Metropolitan's locks are required in any fences across its rights-of-way. Also, any walks or drainage facilities across its access route must be constructed to AASHTO H-20 loading standards.

f. Rights to landscape any of Metropolitan's fee properties must be acquired from its Right of Way and Land Division. Appropriate entry permits must be obtained prior to any entry on its property. There will be a charge for any entry permit or easements required.

6. Fencing

Metropolitan requires that perimeter fencing of its fee properties and facilities be constructed of universal chain link, 6 feet in height and topped with 3 strands of barbed wire angled upward and outward at a 45 degree angle or an approved equal for a total fence height of 7 feet. Suitable substitute fencing may be considered by Metropolitan. (Please see Figure 5 for details).

7. Utilities in Metropolitan's Fee Properties and/or Easements or Adjacent to Its Pipeline in Public Streets

Metropolitan's policy for the alinement of utilities permitted within its fee properties and/or easements and street rights-of-way is as follows:

a. Permanent structures, including catch basins, manholes, power poles, telephone riser boxes, etc., shall not be located within its fee properties and/or easements.

b. We request that permanent utility structures within public streets, in which Metropolitan's facilities are constructed under the Metropolitan Water District Act, be placed as far from our pipeline as possible, but not closer than 5 feet from the outside of our pipeline.

c. The installation of utilities over or under Metropolitan's pipeline(s) must be in accordance with the requirements shown on the enclosed prints of Drawings Nos. C-11632 and C-9547. Whenever possible we request a minimum of one foot clearance between Metropolitan's pipe and your facility. Temporary support of Metropolitan's pipe may also be required at undercrossings of its pipe in an open trench. The temporary support plans must be reviewed and approved by Metropolitan.

d. Lateral utility crossings of Metropolitan's pipelines must be as perpendicular to its pipeline alignment as practical. Prior to any excavation our pipeline shall be located manually and any excavation within two feet of our pipeline must be done by hand. This shall be noted on the appropriate drawings.

e. Utilities constructed longitudinally within Metropolitan's rights-of-way must be located outside the theoretical trench prism for uncovering its pipeline and must be located parallel to and as close to its rights-of-way lines as practical.

f. When piping is jacked or installed in jacked casing or tunnel under Metropolitan's pipe, there must be at least two feet of vertical clearance between the bottom of Metropolitan's pipe and the top of the jacked pipe, jacked casing or tunnel. We also require that detail drawings of the shoring for the jacking or tunneling pits be submitted for our review and approval. Provisions must be made to grout any voids around the exterior of the jacked pipe, jacked casing or tunnel. If the piping is installed in a jacked casing or tunnel the annular space between the piping and the jacked casing or tunnel must be filled with grout.

g. Overhead electrical and telephone line requirements:

1) Conductor clearances are to conform to the California State Public Utilities Commission, General Order 95, for Overhead Electrical Line Construction or at a greater clearance if required by Metropolitan. Under no circumstances shall clearance be less than 35 feet.

2) A marker must be attached to the power pole showing the ground clearance and line voltage, to help prevent damage to your facilities during maintenance or other work being done in the area.

3) Line clearance over Metropolitan's fee properties and/or easements shall be shown on the drawing to indicate the lowest point of the line under the most adverse conditions including consideration of sag, wind load, temperature change, and support type. We require that overhead lines be located at least 30 feet laterally away from all above-ground structures on the pipelines.

4) When underground electrical conduits, 120 volts or greater, are installed within Metropolitan's fee property and/or easement, the conduits must be incased in a minimum of three inches of red concrete. Where possible, above ground warning signs must also be placed at the right-of-way lines where the conduits enter and exit the right-of-way.

h. The construction of sewerlines in Metropolitan's fee properties and/or easements must conform to the California Department of Health Services Criteria for the Separation of Water Mains and Sanitary Services and the local City or County Health Code Ordinance as it relates to installation of sewers in the vicinity of pressure waterlines. The construction of sewerlines should also conform to these standards in street rights-of-way.

i. Cross sections shall be provided for all pipeline crossings showing Metropolitan's fee property and/or easement limits and the location of our pipeline(s). The exact locations of the crossing pipelines and their elevations shall be marked on as-built drawings for our information.

j. Potholing of Metropolitan's pipeline is required if the vertical clearance between a utility and Metropolitan's pipeline is indicated on the plan to be one foot or less. If the indicated clearance is between one and two feet, potholing is suggested. Metropolitan will provide a representative to assist others in locating and identifying its pipeline. Two-working days notice is requested.

k. Adequate shoring and bracing is required for the full depth of the trench when the excavation encroaches within the zone shown on Figure 4.

l. The location of utilities within Metropolitan's fee property and/or easement shall be plainly marked to help prevent damage during maintenance or other work done in the area. Detectable tape over buried utilities should be placed a minimum of 12 inches above the utility and shall conform to the following requirements:

1) Water pipeline: A two-inch blue warning tape shall be imprinted with:

"CAUTION BURIED WATER PIPELINE"

2) Gas, oil, or chemical pipeline: A two-inch yellow warning tape shall be imprinted with:

"CAUTION BURIED _____ PIPELINE"

3) Sewer or storm drain pipeline: A two-inch green warning tape shall be imprinted with:

"CAUTION BURIED _____ PIPELINE"

4) Electric, street lighting, or traffic signals conduit: A two-inch red warning tape shall be imprinted with:

"CAUTION BURIED _____ CONDUIT"

5) Telephone, or television conduit: A two-inch orange warning tape shall be imprinted with:

"CAUTION BURIED _____ CONDUIT"

m. Cathodic Protection requirements:

1) If there is a cathodic protection station for Metropolitan's pipeline in the area of the proposed work, it shall be located prior to any grading or excavation. The exact location, description and manner of protection shall be shown on all applicable plans. Please contact Metropolitan's Corrosion Engineering Section, located at Metropolitan's F. E. Weymouth Softening and Filtration Plant, 700 North Moreno Avenue, La Verne, California 91750, telephone (714) 593-7474, for the locations of Metropolitan's cathodic protection stations.

2) If an induced-current cathodic protection system is to be installed on any pipeline crossing Metropolitan's pipeline, please contact Mr. Wayne E. Risner at (714) 593-7474 or (213) 250-5085. He will review the proposed system and determine if any conflicts will arise with the existing cathodic protection systems installed by Metropolitan.

3) Within Metropolitan's rights-of-way, pipelines and carrier pipes (casings) shall be coated with an approved protective coating to conform to Metropolitan's requirements, and shall be maintained in a neat and orderly condition as directed by Metropolitan. The application and monitoring of cathodic protection on the pipeline and casing shall conform to Title 49 of the Code of Federal Regulations, Part 195.

4) If a steel carrier pipe (casing) is used:

(a) Cathodic protection shall be provided by use of a sacrificial magnesium anode (a sketch showing the cathodic protection details can be provided for the designers information).

(b) The steel carrier pipe shall be protected with a coal tar enamel coating inside and out in accordance with AWWA C203 specification.

n. All trenches shall be excavated to comply with the CAL/OSHA Construction Safety Orders, Article 6, beginning with Sections 1539 through 1547. Trench backfill shall be placed in 8-inch lifts and shall be compacted to 95 percent relative compaction (ASTM D698) across roadways and through protective dikes. Trench backfill elsewhere will be compacted to 90 percent relative compaction (ASTM D698).

o. Control cables connected with the operation of Metropolitan's system are buried within streets, its fee properties and/or easements. The locations and elevations of these cables shall be shown on the drawings. The drawings shall note that prior to any excavation in the area, the control cables shall be located and measures shall be taken by the contractor to protect the cables in place.

p. Metropolitan is a member of Underground Service Alert (USA). The contractor (excavator) shall contact USA at 1-800-422-4133 (Southern California) at least 48 hours prior to starting any excavation work. The contractor will be liable for any damage to Metropolitan's facilities as a result of the construction.

8. Paramount Right

Facilities constructed within Metropolitan's fee properties and/or easements shall be subject to the paramount right of Metropolitan to use its fee properties and/or easements for the purpose for which they were acquired. If at any time Metropolitan or its assigns should, in the exercise of their rights, find it necessary to remove any of the facilities from the fee properties and/or easements, such removal and replacement shall be at the expense of the owner of the facility.

9. Modification of Metropolitan's Facilities

When a manhole or other of Metropolitan's facilities must be modified to accommodate your construction or reconstruction, Metropolitan will modify the facilities with its forces. This should be noted on the construction plans. The estimated cost to perform this modification will be given to you and we will require a deposit for this amount before the work is performed. Once the deposit is received, we will schedule the work. Our forces will coordinate the work with your contractor. Our final billing will be based on actual cost incurred, and will include materials, construction, engineering plan review, inspection, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount.

10. Drainage

a. Residential or commercial development typically increases and concentrates the peak storm water runoff as well as the total yearly storm runoff from an area, thereby increasing the requirements for storm drain facilities downstream of the development. Also, throughout the year water from landscape irrigation, car washing, and other outdoor domestic water uses flows into the storm drainage system resulting in weed abatement, insect infestation, obstructed access and other problems. Therefore, it is Metropolitan's usual practice not to approve plans that show discharge of drainage from developments onto its fee properties and/or easements.

b. If water must be carried across or discharged onto Metropolitan's fee properties and/or easements, Metropolitan will insist that plans for development provide that it be carried by closed conduit or lined open channel approved in writing by Metropolitan. Also the drainage facilities must be maintained by others, e.g., city, county, homeowners association, etc. If the development proposes changes to existing drainage features, then the developer shall make provisions to provide for replacement and these changes must be approved by Metropolitan in writing.

11. Construction Coordination

During construction, Metropolitan's field representative will make periodic inspections. We request that a stipulation be added to the plans or specifications for notification of Mr. _____ of Metropolitan's Operations Services Branch, telephone (213) 250-_____, at least two working days prior to any work in the vicinity of our facilities.

12. Pipeline Loading Restrictions

a. Metropolitan's pipelines and conduits vary in structural strength, and some are not adequate for AASHTO H-20 loading. Therefore, specific loads over the specific sections of pipe or conduit must be reviewed and approved by Metropolitan. However, Metropolitan's pipelines are typically adequate for AASHTO H-20 loading provided that the cover over the pipeline is not less than four feet or the cover is not substantially increased. If the temporary cover over the pipeline during construction is between three and four feet, equipment must be restricted to that which

imposes loads no greater than AASHTO H-10. If the cover is between two and three feet, equipment must be restricted to that of a Caterpillar D-4 tract-type tractor. If the cover is less than two feet, only hand equipment may be used. Also, if the contractor plans to use any equipment over Metropolitan's pipeline which will impose loads greater than AASHTO H-20, it will be necessary to submit the specifications of such equipment for our review and approval at least one week prior to its use. More restrictive requirements may apply to the loading guideline over the San Diego Pipelines 1 and 2, portions of the Orange County Feeder, and the Colorado River Aqueduct. Please contact us for loading restrictions on all of Metropolitan's pipelines and conduits.

b. The existing cover over the pipeline shall be maintained unless Metropolitan determines that proposed changes do not pose a hazard to the integrity of the pipeline or an impediment to its maintenance.

13. Blasting

a. At least 20 days prior to the start of any drilling for rock excavation blasting, or any blasting, in the vicinity of Metropolitan's facilities, a two-part preliminary conceptual plan shall be submitted to Metropolitan as follows:

b. Part 1 of the conceptual plan shall include a complete summary of proposed transportation, handling, storage, and use of explosions.

c. Part 2 shall include the proposed general concept for blasting, including controlled blasting techniques and controls of noise, fly rock, airblast, and ground vibration.

14. CEQA Requirements

a. When Environmental Documents Have Not Been Prepared

1) Regulations implementing the California Environmental Quality Act (CEQA) require that Metropolitan have an opportunity to consult with the agency or consultants preparing any environmental documentation. We are required to review and consider the environmental effects of the project as shown in the Negative Declaration or Environmental Impact Report (EIR) prepared for your project before committing Metropolitan to approve your request.

2) In order to ensure compliance with the regulations implementing CEQA where Metropolitan is not the Lead Agency, the following minimum procedures to ensure compliance with the Act have been established:

a) Metropolitan shall be timely advised of any determination that a Categorical Exemption applies to the project. The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

b) Metropolitan is to be consulted during the preparation of the Negative Declaration or EIR.

c) Metropolitan is to review and submit any necessary comments on the Negative Declaration or draft EIR.

d) Metropolitan is to be indemnified for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

b. When Environmental Documents Have Been Prepared

If environmental documents have been prepared for your project, please furnish us a copy for our review and files in a timely manner so that we may have sufficient time to review and comment. The following steps must also be accomplished:

1) The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

2) You must agree to indemnify Metropolitan, its officers, engineers, and agents for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

15. Metropolitan's Plan-Review Cost

a. An engineering review of your proposed facilities and developments and the preparation of a letter response

giving Metropolitan's comments, requirements and/or approval that will require 8 man-hours or less of effort is typically performed at no cost to the developer, unless a facility must be modified where Metropolitan has superior rights. If an engineering review and letter response requires more than 8 man-hours of effort by Metropolitan to determine if the proposed facility or development is compatible with its facilities, or if modifications to Metropolitan's manhole(s) or other facilities will be required, then all of Metropolitan's costs associated with the project must be paid by the developer, unless the developer has superior rights.

b. A deposit of funds will be required from the developer before Metropolitan can begin its detailed engineering plan review that will exceed 8 hours. The amount of the required deposit will be determined after a cursory review of the plans for the proposed development.

c. Metropolitan's final billing will be based on actual cost incurred, and will include engineering plan review, inspection, materials, construction, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount. Additional deposits may be required if the cost of Metropolitan's review exceeds the amount of the initial deposit.

16. Caution

We advise you that Metropolitan's plan reviews and responses are based upon information available to Metropolitan which was prepared by or on behalf of Metropolitan for general record purposes only. Such information may not be sufficiently detailed or accurate for your purposes. No warranty of any kind, either express or implied, is attached to the information therein conveyed as to its accuracy, and no inference should be drawn from Metropolitan's failure to comment on any aspect of your project. You are therefore cautioned to make such surveys and other field investigations as you may deem prudent to assure yourself that any plans for your project are correct.

17. Additional Information

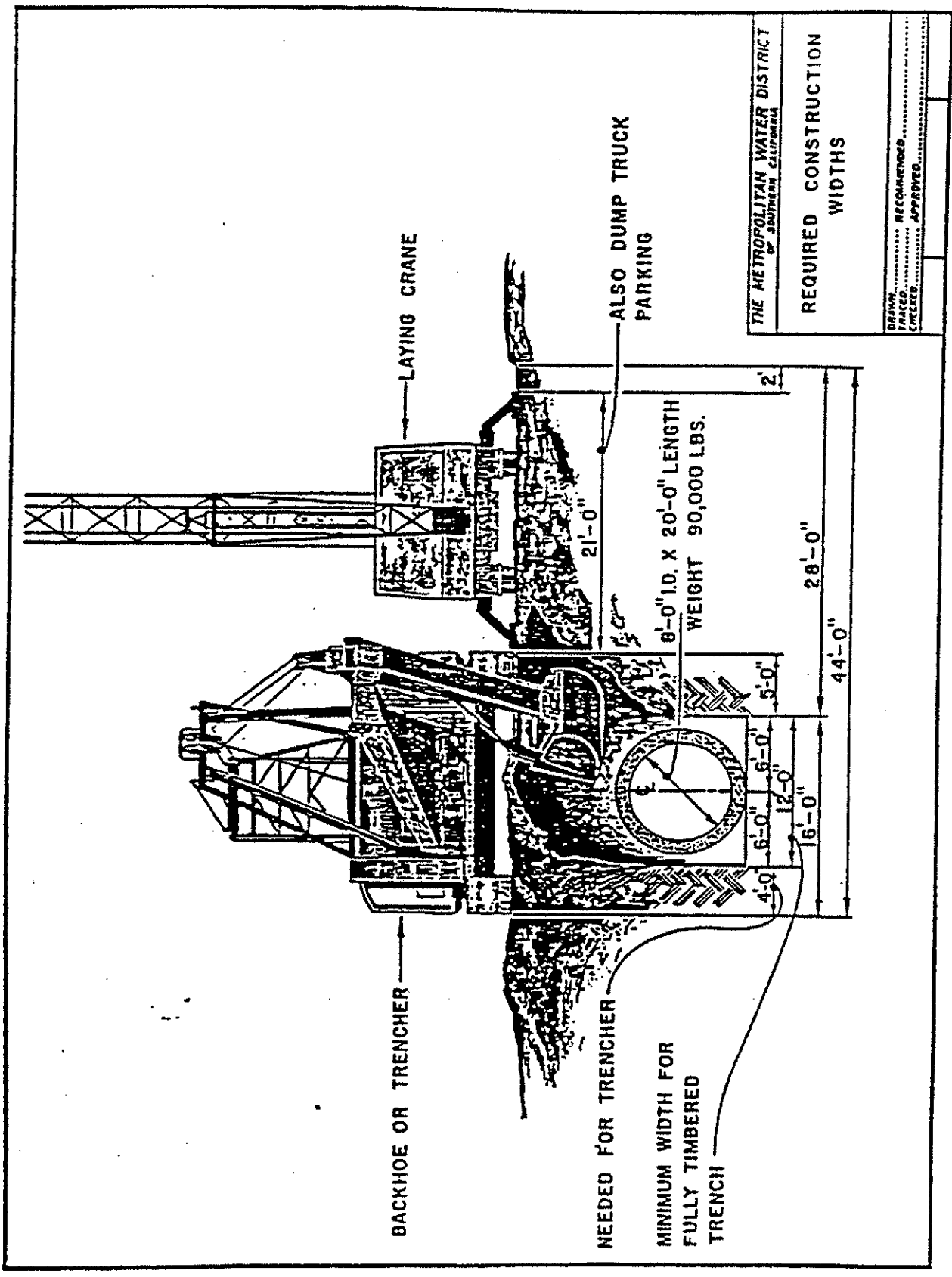
Should you require additional information, please contact:

Civil Engineering Substructures Section
Metropolitan Water District
of Southern California
P.O. Box 54153
Los Angeles, California 90054-0153
(213) 217-6000

JEH/MRW/lk

Rev. January 22, 1989

Encl.



THE METROPOLITAN WATER DISTRICT
 OF SOUTHERN CALIFORNIA
 REQUIRED CONSTRUCTION
 WIDTHS
 DRAWN..... RECOMMENDED.....
 CHECKED..... APPROVED.....

FIGURE 1

NO PERMANENT STRUCTURES PERMITTED
M.W.D. PERMANENT RIGHT OF WAY

NO ROOF OVERHANG PERMITTED

FOOTING MUST NOT
ENCROACH INTO
RIGHT OF WAY

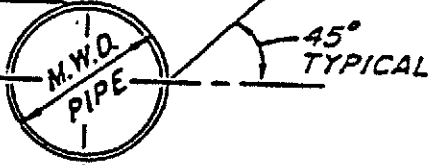
BUILDING
ADJACENT
TO RIGHT
OF WAY

FINISHED
SURFACE

VARIES

VAR.

REQUIRED
DEPTH OF
FOOTING

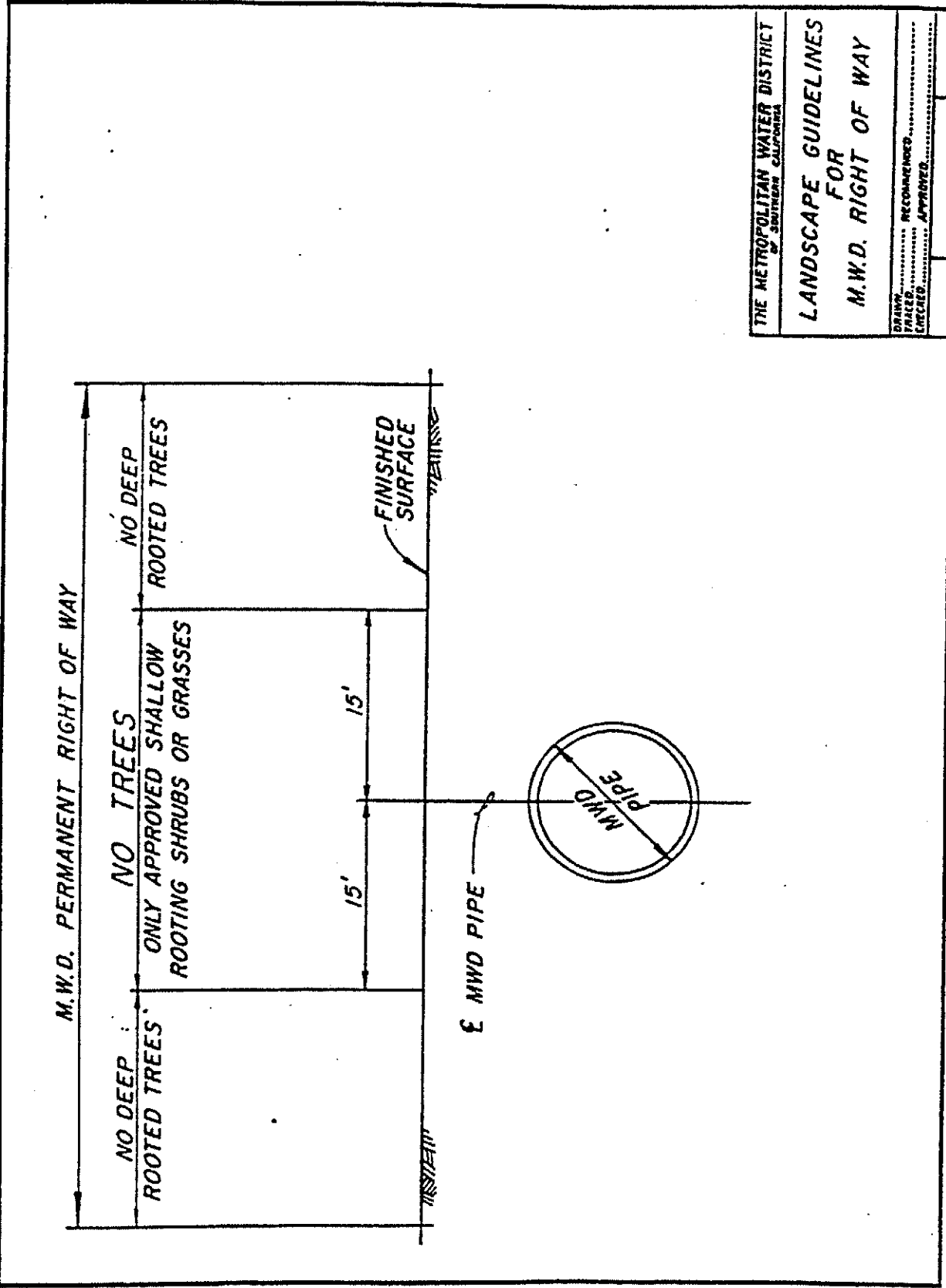


M.W.D. PIPELINE

NOTE: M.W.D. PIPELINE SIZE, DEPTH, LOCATION
AND WIDTH OF PERMANENT RIGHT OF
WAY VARIES.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA	
REQUIREMENTS FOR BUILDINGS AND FOOTINGS ADJACENT TO M.W.D. RIGHT OF WAY	
DRAWN _____	RECOMMENDED _____
CHECKED _____	APPROVED _____

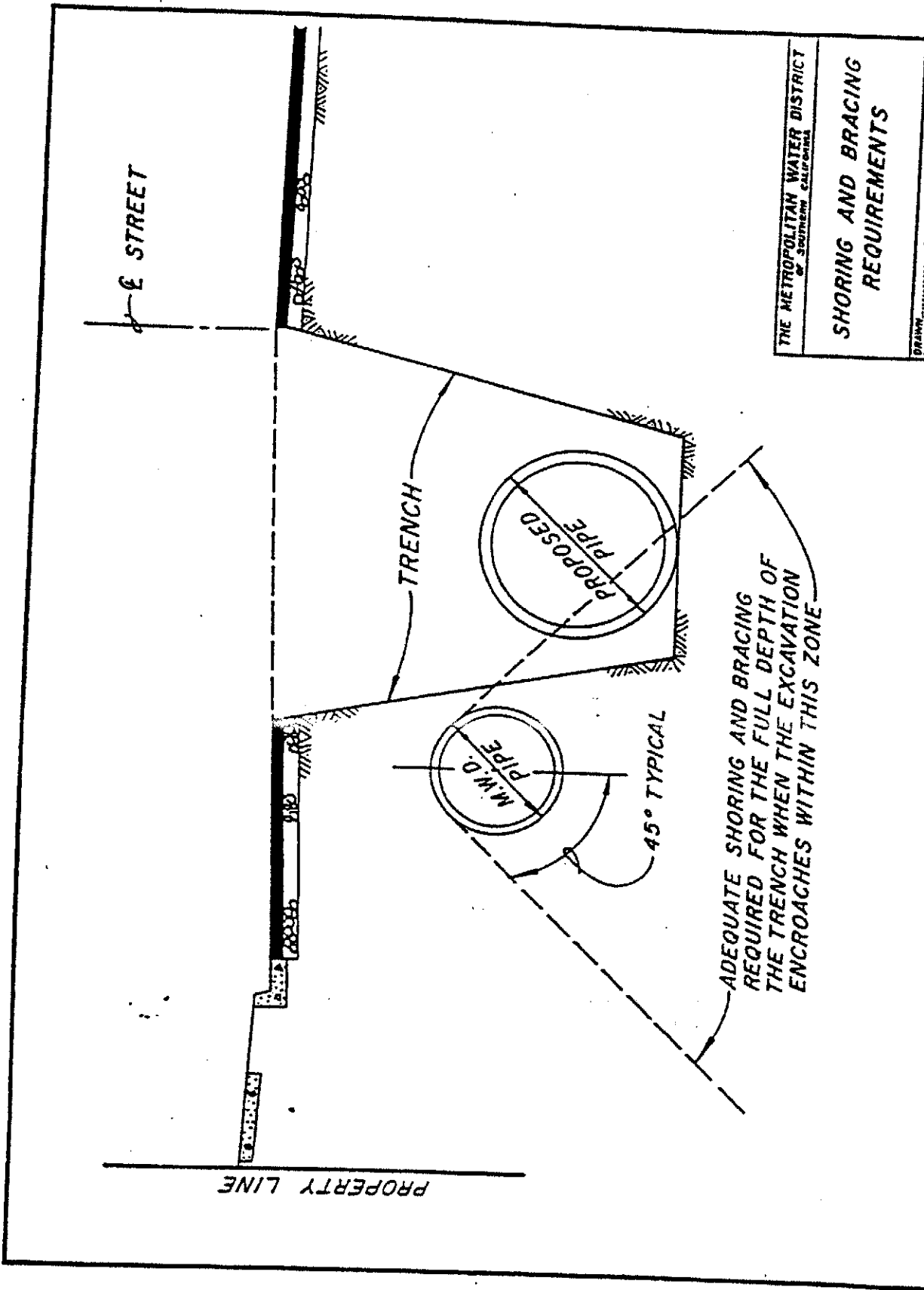
FIGURE 2



THE METROPOLITAN WATER DISTRICT
 OF SOUTHERN CALIFORNIA
 LANDSCAPE GUIDELINES
 FOR
 M.W.D. RIGHT OF WAY

DRAWN RECOMMENDED
 CHECKED APPROVED

FIGURE 3

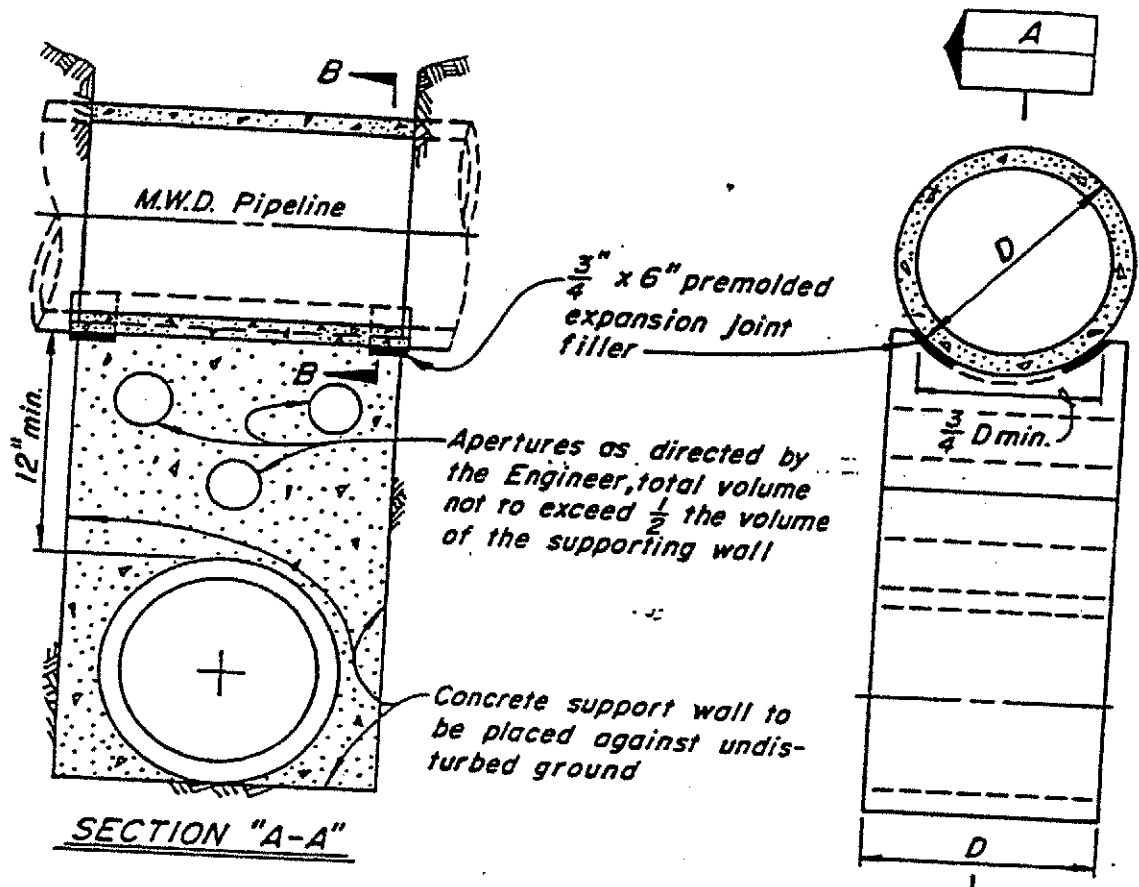


THE METROPOLITAN WATER DISTRICT
 OF SOUTHERN CALIFORNIA

**SHORING AND BRACING
 REQUIREMENTS**

DRAWN..... RECOMMENDED.....
 CHECKED..... APPROVED.....

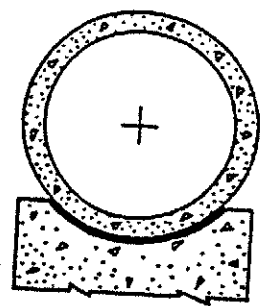
FIGURE 4



SECTION "A-A"

CROSS SECTION

1. Supporting wall shall have a firm bearing on the subgrade and against the side of the excavation.
2. Premolded expansion joint filler per ASTM D-1751-73 to be used in support for steel pipe only.
3. If trench width is 4 feet or greater, measured along centerline of M.W.D. pipe, concrete support must be constructed.
4. If trench width is less than 4 feet, clean sand backfill, compacted to 90% density in accordance with the provisions of ASTM Standard D-1557-70 may be used in lieu of the concrete support wall.



SECTION "B-B"

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

**TYPICAL SUPPORT FOR
M.W.D. PIPELINE**

DRAWN	RECOMMENDED
TRACES	
CHECKED	APPROVED

C-9547

Mountaingate Community Association

September 19, 2003

Mr. Jimmy C. Liao, Project Coordinator
Room 763, City Hall
Department of City Planning
200 North Spring Street
Los Angeles, CA 90012

Re: EIR Case No. EIR-99-3251-SUB (TT-53072)

Dear Mr. Liao:

The Mountaingate Community Association and the Mountaingate Open Space Maintenance Association, mindful of construction mistakes that have cost our homeowners vast sums in the past, and concerned with the impact on the community's safety and property values, voluntarily assessed themselves to hire geological and civil engineering firms to monitor and document the proposed development.

We entered into this effort determined to work cooperatively with Castle and Cooke, the developer, assuming that it was to the benefit of all parties to have a safe project that would prove to be an excellent addition to our community, as well as a successful venture for the developer. Our associations made our geologist available to consult with Castle and Cooke's geologist, to go down in borings, to make alternate suggestions, and to be responsive to their questions.

We have had an outgoing, friendly, cooperative relationship with Castle and Cooke, engaged in a mutual effort to reach agreement on the details of the proposed development. Initially, there were many differences between the parties. However, after a long series of meetings with both parties seeking to bridge differences, and both parties open to suggestions, we succeeded in making solid progress. We have reached this point in time having eliminated a long list of conflicting views, but with some significant questions on safety and other impacts on existing residents still outstanding.

From time to time, representatives of the Mountaingate Community Association and the Mountaingate Open Space Maintenance Association have briefed our City Councilperson, and city departments, including Planning, Building and Safety and Grading, providing aerial video of the area, showing the precipitous nature of the terrain, the unstable slopes, and a clear delineation of a trough around the existing landfill which shows that it is moving. The information provided to the city was also offered to the developers.

You have in hand reports from our Consulting Engineer, James F. Mitchell of R. T. Quinn and Associates, and our geologist, Thomas L. Slosson, Supervising Engineering Geologist of Slosson and Associates. We believe the information they provide objectively, and effectively documents the remaining concerns we have.

You will note in the attached reports that:

- (1) There are still unanswered questions in regard to the mitigation proposed for acknowledged problems with this geologically unstable site.
- (2) There are a multiplicity of perceived problems in regard to responsibility for maintenance of the slopes, the drainage and sewer system, the single retention basin and the

brush clearance. An extensive amount of maintenance involving these elements is required in perpetuity; and there must be a definitive assignment of that responsibility as well as regular onsite inspection and reporting.

(3) It is noted that some of the questions raised in our most recent meetings with the developer have not been addressed in the DEIR, apparently under the assumption that some items we believe to be critical might be allowed by the city. Please see the attached geologic and engineering documents. We assume we will receive specific responses to issues raised in these reports.

(4) Mountaingate has been designated by the State of California as a "Very High Fire Hazard Severity Zone." The DEIR, we believe, does not deal adequately with the fire danger. Existing residences have had fire insurance cancelled and/or rates raised in view of the new designation. There are errors, apparently inadvertent, in the DEIR discussing available fire protection. In fact, the fire stations in the vicinity have been characterized thusly: Station 109, 12 men on four shifts. (Station 109 has 4 men on three shifts.) Station 88 was characterized as 20 men on four shifts. (Station 88 has 18 men on three shifts) The incorrect name and rank of their source of information appears to be inadvertent careless assumptions; and we would hope that does not characterize other elements of the DEIR.

The presence of Methane is a continuing hazard. The Landfill in question, Mission Canyon Landfill #8, was not constructed in accordance with the current code. Although the word "Methane" is never mentioned in the DEIR, it is of major concern to the residents.

It should be noted that the Malibu Fire started from transformer sparks igniting Methane above the Mission Canyon Landfill #4-to-#7, (no more than a mile away) and was unstoppable until it had reached Malibu. It should be noted further that the initial tract for development in this area, proposed by Castle in Cooke in 1990, was denied by the City Council based on the paucity of meaningful data on the methane.

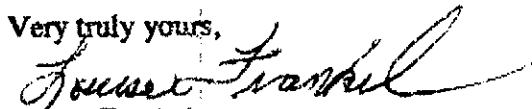
In case of an emergency, we have only one viable all-hour ingress and egress to Mountaingate. It is via Mountaingate Drive.

(5) It was agreed at one of our earliest meetings with Castle and Cooke that the unlighted "emergency road" would be used for access to the development for both heavy equipment and during the construction phase. The DEIR proposes that Stoney Hill Road and the privately-maintained, privately-owned streets beyond the Stoney Hill Gate, be used for access. This is in contradiction to the agreement and is unacceptable to the residents.

(6) Since there is no possibility of extending Stoney Hill Road (a public street removed from public use) beyond the planned development, and since there is a continuing need to maintain the roadway and sidewalks, it is suggested that the EIR propose that Stoney Hill Road from the intersection with Mountaingate Drive through the planned development, be designated a private street.

If Castle and Cooke wishes to continue discussions with us in addressing these problems, we have advised them we will be pleased to do so. If we can furnish additional information, or if you require supporting geological or engineering documentation, we will expedite that for you.

Very truly yours,



Louise Frankel,
President, Mountaingate Community Association.

Enclosures: (1) Engineering Report
(2) Geology Report

R. T. QUINN & ASSOCIATES
I N C O R P O R A T E D
CIVIL ENGINEERS LAND SURVEYORS

September 16, 2003

Mr. Jimmy C. Liao, Project Coordinator
Room 763, City Hall
Department of City Planning
200 North Spring Street
Los Angeles, CA 90012

Re: EIR Case No. EIR-99-3251-SUB (TT-53072)

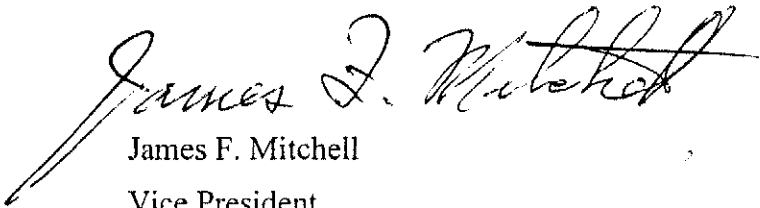
Dear Mr. Liao:

The following comments or questions result from our review of the Draft Environmental Impact Reported dated July 2003 prepared by Impact Science, Inc. for "MountainGate, Vesting Tentative Tract No. 53072, Volumes 1, 2, and 3 Los Angeles City EIR 99-3251-SUB".

This review was performed by our firm R. T. Quinn & Associates at the request of the "MountainGate Community Association".

Should you or the Environmental Review staff have any questions, please call the undersigned at (310) 329-4125.

Very truly yours,



James F. Mitchell
Vice President

JFM:jo

cc: MountainGate Community Association

The following comments or questions result from our review of the Draft Environmental Impact Report dated July 2003 prepared by Impact Sciences, Inc. for "MountainGate, Vesting Tentative Tract No. 53072, Volumes 1, 2, and 3 Los Angeles City EIR 99-3251-SUB".

A. Grading

1. (a) Regarding the storm drain pipe in the 10 foot wide easement north of Lot 22. Abandonment of the pipe in place should be considered rather than removal of the pipe. Abandonment in place would preclude any chance for diminishing the support of the existing condominium. (maximum depth of pipe is approximately 10 feet).

It is noted that graphically the pipe is shown incorrectly outside of the easement.

- (b) The existing natural slope west of the four existing condominiums north of Lot 22 topographically appears to be 1:1 in steepness. How will access be provided for the construction of the proposed caissons? It would appear that access over the rear yards of the four existing condominiums is needed.

The fact that Tentative Tract No. 53072 is a vesting tentative tract a grading plan proposed for the development is required to be submitted with the filing of the map. This proposed grading plan should indicate how the developer is going to construct the caissons and provide evidence of permission from the offsite owners for access onto their properties.

- (c) Many of the retaining walls between lots appear to be higher than six feet. Those walls higher than six feet within the side yard setback will require variances.
 - (d) What is the reason for the unusual rear lot line geometry for Lot Nos. 20 and 21?
2. (a) Consider eliminating the storm drain inlet and pipe and grade the tributary area to the street at a minimum slope of 2%.
 - (b) If the inlet remains will it be maintained by the owner of Lot 22? Perhaps it should be located outside of Lot 22.
3. Lot 7 will require offsite grading approval along its north property line.
 4. Why are Lots 16, 17, 18 and 19 so much larger than for instance Lots 20 and 21?
 5. Catch basins at appropriate intervals on the detention basin access road should be considered rather than allowing the slope surface runoff to flow on the road only. These basins could discharge into the proposed storm drain system that begins at Canyonback Road between Lot 25 and 26. The road, however, should be designed to contain the runoff in the event any or all of the basins become temporarily clogged.

6. Grading of the fill slope that supports Lots 23 - 27 encroaches in the landslide area (Q1s - 5). The encroachment intersects the slide surface approximately 45 feet above the bottom of the slide, thereby removing that portion of the slide. If the balance of the slide remains as is and then eventually slumps onto the "shelf" that drains to the proposed storm drain inlet, the drainage from the tributary watershed at the southwest of the "shelf" would be blocked and pond. Consideration for extending the proposed storm drain and inlet westerly to a point beyond the slide could mitigate this conceivable dilemma.
7. Will the Q1s - 7 landslide remain as is?
8. The pad grade proposed for Lot 23 is such that a sewage ejector pump will be needed to serve the site.
9. Consider a requirement for the drainage channel extending from the proposed detention/debris basin northerly to elevation 1310 be improved with a non-erodible material such as Portland Cement Concrete.
10. The proposed 15 foot wide ingress and egress easement is over 500 feet long. The Fire Department requires a minimum of 20 feet when a private driveway exceeds 150 feet (see Par. 12, page I - 37).
11. The balance site shown on Lot 32 indicates 50,000 cubic yards of cut or fill. Only fill could be placed where shown. The existence of the landfill precludes any excavation.
12. Consider restriction of temporary haul roads to areas of proposed grading unless prior arrangements are made with the Grading Division to adequately provide for natural slope restoration and replanting.
13. Consider the requirement that all graded, brushed or bare slope be planted with low-water consumption, native-type plant varieties recommended by a landscape architect.
14. Consideration for requiring an annual inspection by a licensed civil engineer or licensed geologist together with a report of findings. This inspection might include but not be limited to, all cut and fill slopes, all concrete terraces, concrete downdrains, any and all catch basins and underground piping, drainage structures, slope irrigation and planting and the detention/debris basin. The report would be submitted to the Grading Division of the Department of Building and Safety for its review and approval.

B. Drainage and Sewers

1. Inasmuch as the detention basin will also be subject to the production of debris from tributary natural slopes, the basin should be considered as a combined detention and debris basin.

A staging area for several trucks and loading machines might be considered in order to provide for efficient cleanout procedures.

2. Will the proposed storm drains and the detention basin be private or public?
3. Will the proposed sewer pump stations be private or public? Will the sewers and house connections in the private streets be private or public?

C. Fire

1. In order to satisfy the 200' foot brush clearance and irrigation requirements by the Fire Department (see Par. 2 IV O - 14) easements should be reserved over the open space Lot Nos. 30, 31 and 32 for the benefit of each lot owner and that the subdivider prior to the sale of Lot Nos. 1, 2, 3, 4, 5, 6 and 7 acquire easement rights from the owner of Lot 11, Tract No. 35197 the golf course lot, for the benefit of each owner of Lot Nos. 1 - 7.
2. Why not extend Lot lines, where applicable, to include the 200 foot brush clearance maintenance area?
3. Construction of guard rails along the emergency access road where the slope descends from the pavement should be considered. Inasmuch as the emergency road will not benefit from street lighting, striping of the pavement might be considered as an alternative.
4. That prior to recordation, a bond be posted with the City of Los Angeles guaranteeing the maintenance of the emergency access road including the water line, fire hydrants and appurtenances, that will extend from the proposed Stoney Hill Road cul-de-sac to Sepulveda Blvd. This bond would remain in effect until the last of the proposed 29 homes is completed. After this time it might be appropriate to require a new 20-year bond to assure the on-going integrity of the emergency access road.
5. The requirement that during the entire construction phase for Lot Nos. 1 through 22, including house construction, the access to the site for all workers, construction equipment and material deliveries will be by way of the emergency access road only.

D. Water

1. Table IV, Q. 3-1 regarding project-related water demand shows a 5 acre quantity for irrigation of cut and fill slopes. the slopes shown on the tentative map measure approximately 19 acres. The gallons per day usage would therefore be $19 \text{ Ac} \times 3650 \text{ gal per day} = 69,350 \text{ gal per day}$.

E. Safety

1. The proposed southerly extension of Stoney Hill Road will necessarily require the removal, abandonment and/or the relocation of the monitoring probes. Also the

possible placement of excess fill (50,000 C.Y.) onto the upper portion of Canyon 8 will mean relocation of certain probes that exist on the surface of Canyon 8.

Consideration might be given to the submittal of a map that would show the eventual locations of the probes and the access to each prior to tentative tract map approval.

F. Easements

1. Disposition of easements (Parcels 1, 2 and 3) described in Instrument No. 87-963856?
2. Who will maintain the open space lots (Lot No's. 30, 31, and 32)?

SLOSSON AND ASSOCIATES

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FAX (818) 376-6543

September 16, 2003

TO: Jimmy C. Liao, Project Coordinator
Room 763, City Hall
Department of City Planning
200 North Spring Street
Los Angeles, CA 90012

SUBJECT: EIR Case No. EIR-99-3251-SUB (TT-53072)

At the request of the Mountaingate Community Association, our firm has reviewed the above-mentioned Environmental Impact Report, Case No. EIR-99-3251-SUB (TT-53072), and have enclosed our findings and comments for your consideration in preparing the final report.

Please do not hesitate to phone our office if you have any questions.



Thomas L. Slosson
Supervising Engineering Geologist
R.G. #4204, C.E.G. #1327

TLS:cg
Encl.
Ref:cgzip.mtngateeir

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September 17, 2003
S&A #991007

TO: Jimmy C. Liao, Project Coordinator
Room 763, City Hall
Department of City Planning
200 North Spring Street
Los Angeles, CA 90012

SUBJECT: Review of "Draft Environmental Impact Report, Mountaingate, Vesting Tentative Tract No. 53072, Volumes I - III, Los Angeles City EIR 99-3251-SUB", prepared by Impact Sciences, Inc., dated July 2003

Based on a review of the above-mentioned Draft Environmental Impact Report, as well as past reviews of the Geotechnical Investigation reports by Leighton and Associates, Inc., the following items of concern are presented. Many of these items need to be addressed at the environmental impact stage to assure that the items can actually be mitigated, and that the mitigation proposed can actually work.

- There are still many unanswered questions regarding the area designated as Qs-(?)/Qls(?) on the map and discussed in the text. The cross-sections for this feature (Sections M-M', UU-UU', and S-S') and the cross-section for Qls-5 are not much different in the slope angle, depth to the slide or slump feature and the angle of the slide or slump feature. This is especially true for Cross-sections M-M' and F-F'. This is interesting since Qls-5 has no borings within the feature to clearly delineate the geometry of the landslide. How can Qls-5 be a slide so clearly yet Qs-(?)/Qls(?) is not so clearly a slide? It is quite possible that the Qs-(?)/Qls(?) is actually a slide with an area of approximately 300 feet by 200 feet and up to 30 feet thick and not a slump. Most slumps are small and shallow, being primarily loose upper soil materials (approximately up to 5 to 6 feet thick).
- Consideration should be given to the fact that the bottom of Qs-(?)/Qls(?) will be partially removed as part of the removals at the north end of the buttress for Qls-8 and Qls-9, as well as the fill in the lower areas of the canyon below Qs-(?)/Qls(?). It is quite possible that, with the removals at the bottom of this slump or slide feature, the

feature will activate/reactivate and fail headward and laterally. Given the slope angle that currently exists, there would be a need for some very extensive grading if this slope were to experience failure and need to be rebuilt or stabilized. Given the fact that there was water present at the top of this slope where the latest borings were drilled (next to existing residences), it should be assumed that the toe of the slope would be saturated or have a very high water table. This is also true given the amount of vegetation that exists in the channel or drainage area at the bottom of the slope. There is a very high probability that the slope will fail once the materials toward the bottom of the slope are removed. Without proper consideration of this fact, there may be a very costly and large repair of this slope.

- The potential for failure is great based on the proposed removal depths on the order of 10 to 15 feet or more. These removal depths may be more than 15 feet since no exploration was done in these areas to verify the depths. Cross-section S-S' shows up to 30 feet of removal and Cross-section UU-UU' would indicate removals in excess of 20 feet, just for the Qs-(?)/Qls(?) material, with an unknown amount for the underlying weathered bedrock. If there are deep removals with the ensuing backcuts, the chances for failure during removal is great. This has happened on other jobs similar to this in the recent past which have resulted in litigation and expensive mitigation.
- There is also a potential that Qls-5 may be reactivated by grading in the area of the toe of this landslide and of the fill descending from Canyonback. While this may not be as critical as the area of Qs-(?)/Qls(?), it could still create problems during grading by expanding the area of removals and necessary repairs or mitigation. It is also possible that, post-grading, there would be failure of materials from the steep slopes of Qls-5 onto the access road to the basin and the fill slope. Since little is actually known about the subsurface conditions of Qls-5, it is unknown how it will respond to any grading and future high rainfall years.
- Given that this area of Qs-(?)/Qls(?) is the location of some of the proposed caissons to provide support for proposed Lot 22, it may be prudent to consider of the potential for failure prior to the removals at the toe of the slope and the placement of the caissons or piles for Lot 22. The slope below the proposed caissons will be subject to long-term creep as well as the potential for failure during the construction at the bottom of the slope.
- There is a need to address the subsurface drainage on the lots (Lots 22, 28 and 29) which will have the caissons for support, as well as a possible restriction of appurtenant structures such as pools, spas, etc. If there is a buildup of water on the surface and subsurface, such as from irrigation and leaking plumbing, there is the potential that this water can move laterally into the slump/slide area, causing failure to occur in this mass. A subdrainage system at the pile line and under any fill on top of the bedrock becomes necessary to preclude the failure of the downslope materials. Additionally, as indicated in this section, there is a strong need to preclude or

significantly limit any appurtenant structures such as pools and spas in the rear area of these lots, especially in view of the unstable nature of the materials in the downslope direction.

- Cross-sections E-E' and F-F', which intersect, do not match up at the intersection point. There is a difference in the topography of $10 \pm$ feet at the intersection point. On Cross-section F-F', the slide mass is shown as $4 \pm$ feet thick, and at the same intersection point on E-E' the slide mass is $15 \pm$ feet thick. This may be due to a drafting error or a lack of actual data for the slide in the area (Qls-5). Either way, there is a need to correct and verify the conditions so that the actual amount of removals and fill is better understood prior to approval and start of construction.
- There may be a need to consider restrictions upon the placement of pools, spas and other appurtenant structures along many of the top of slope lots. This is especially true of Lots 1 -14, Lot 22, and Lots 28 and 29. These lots are, in effect, cut lots which sit at the top of a steep slope. In the case of Lots 22, 28 and 29, these lots sit at the top of a geologically unstable area. Lots 22, 28 and 29 have plans to place caissons or piles to support the pad areas, while nothing is being done for the slope areas below, even though the areas are mapped and designated as slide and slump/slide. Any waters leaking out of or exiting these structures into the ground could cause further destabilization of these geologically unstable areas.
- There is discussion regarding the removal of existing gas probes along the extension of Stoney Hill up to the existing Canyon 8 landfill. Additionally, if there is fill placed on the top of Canyon 8 landfill, those probes will be destroyed and abandoned. It is unclear what future monitoring will replace the probes to be removed. There is a need for some form of monitoring of any possible migration of gases (methane) in the area of the proposed residences and the top of the landfill to assure that there is not a problem with the landfill gases (methane gas) and to allow for proper notification if there is a problem. It is the understanding of this office that, at other locations within the Mountaingate area and at the adjoining golf course, there have been problems with an increase of the amount of landfill gases migrating and affecting structures. There is a high potential that the same problem with migration of landfill gases (methane) will occur at the proposed extension of Stoney Hill. This is especially true since a review of the closed site inspection reports for Mission Canyon 8 landfill shows high levels of gases in the probes close to proposed Lot 11 and the cul-de-sac end of the extension of Stoney Hill Road. The probes that had high readings include Probe 18 (40 feet from Lot 11), Probe 19 (150 feet from Lot 11) and probe 20 (260 feet from Lot 11). Probe 18 had readings as high as 9.0% by volume. Probe 19 had readings as high as 53 % by volume and Probe 20 had readings as high as 554% by volume. Given these past high readings, it is extremely important that there be continuous monitoring as well as the continuous mitigation of the migration when it is found to be occurring by the monitoring.

- Given the past history of the monitoring probes and the need for mitigation as indicated by the Closed Site Inspection Reports, it needs to be clearly indicated who will be in charge of the monitoring and also who will be responsible for the necessary mitigation, such as additional pumps or extraction wells. From 1995 to 2002 there was a need for grading corrections as well as the need to place or drill new extraction wells based on the migration of landfill gases (methane) as noted in the probes (Probes 18-20).
- There should be designs presented at this stage of the proposed development for how the foundations will be vented to prevent the buildup of any landfill gases (methane gas) in the foundation area or building. Any buildup could lead to a hazardous situation in any building from the possibility of exposure to deadly or explosive gases in the buildings. This is especially true from a review of the closed site inspection reports for Mission Canyon 8 landfill. If the buildings and foundations are to be vented, it would be prudent to explain and provide designs so that those can be evaluated in the environmental impact stage. These systems would undoubtedly be venting somehow into the atmosphere.
- There should be a decision as to what foundation setback will be required for the lots with the caissons at this point, and it should follow what the code and the City's requirements are for the conditions. These conditions include a geologically unstable area on the downslope side of the caissons with a factor of safety below what the codes would allow. If there could be movement of those unstable areas, there would need to be some protection for the lots and structures as well as the people.
- It is indicated in the section under "Public Services, Fire" that there is a requirement to have a 200-foot clearance of brush from the structure with provisions for irrigation on these areas. Will this be true on the geologically sensitive and unstable areas? It is quite possible that no irrigation should be placed on any of the geologically-sensitive areas as this could affect the stability and factor of safety for those areas. There should be consideration as to how to provide the proper brush clearance zone without adding any additional waters into those geologically-sensitive areas, or allowing erosion to occur in these areas.
- It is noted in the document on Page I-49 that the usage of water for irrigation for the site may be approximately 18,250 gallons per day (and possibly up to 69,350 gallons per day by other calculations for the acreage). Given the fact that this is basically a dry natural area with low average rainfall, this could be a significant change in moisture content. Again, consideration should be given as to how to further minimize the chances of any of this irrigation water migrating offsite or into the many geologically-sensitive areas below and surrounding the proposed development. There would be a change from 14 -15 rainfall inches per year to approximately 60 inches or greater of rainfall equivalency due to irrigation. Evidence of the potential for an increase in groundwater due to irrigation was seen in the borings drilled near the existing developments. Additionally, some minor failures have occurred on the slope

in the Qs-(?)/QIs-(?) near the existing development. The most recent borings in the natural areas had no groundwater while the two most recent borings closest to the existing development had very noticeable groundwater in the borings. The irrigation of any proposed development will impact the groundwater situation and subsequently adversely impact the geologically unstable or moisture sensitive areas.

- Additionally, any increase in irrigation on the proposed development, and the redirection of any drainage into the canyon between Canyonback and Stoney Hill, may create a year- round wetlands or wet zone in the area of the proposed drainage/debris basin. This basin area will most likely be wet and the surrounding earth materials may become saturated year round. This could impact the amount of runoff that will affect this area during any storms, since there will be a saturated condition as compared to the current situation where it is typically saturated or the ground moisture is high only in the months of January to April. With the year-round moisture that will occur in this area, there will be a continuous growth of vegetation in the basin area, which will mean more frequent basin maintenance to assure that the holding capacity is such that it will not cause any increased flow in any of the downstream areas. Additionally, with the year-round saturation of the area, the percent of runoff may be higher than calculated. It needs to be clearly indicated who will be responsible for the maintenance and care of the proposed debris/detention basin and drainage structures.
- It has been indicated that there will be regrading of the road that will go from the proposed terminus off Stoney Hill down to Sepulveda Boulevard as an emergency road. It should be noted that portions of this road have already had continuing distress due to settlement of the landfill materials as well as broken irrigation lines and ponding of water on the roadway. Additionally, there has been continuing cracking of the upper ground surface of the landfill has been noticed due to the settling of the landfill. This would indicate a need for continued maintenance of any roadway constructed on or across the landfill, especially for an emergency access road for equipment such as fire trucks. Continuing maintenance will be needed at the top of the landfill and along the edges of the landfill as the cracking at the ground surface appears to be ongoing but worsens during or after times of high rainfall. Any surface cracking will allow rainwater to flow into the cracks and into the landfill mass, accelerating further the settlement of the landfill. This would allow additional waters into the landfill and lead to a higher water table in the landfill and possible migration of groundwater from the landfill to off-site areas. Any settlement and cracking can also lead to offsite or accelerated migration of landfill gases (methane) to the surface. It needs to be clearly indicated and specified who will be responsible for the care and maintenance of the proposed roads and improvements as well as the monitoring and continued maintenance/mitigation of the landfill in general (Lot 32). It is very important that there clearly be somebody responsible for all of the maintenance/mitigation and repair items in perpetuity for the safety and stability of the property and all involved. This is especially true after a review of the closed site inspection reports for Mission Canyon 8 landfill from 1995-2002. These reports

indicate that there are broken water lines and fissures and ponding due to settlement of the landfill, as well as seepage of leachate out of the slope.

- Has consideration been given to the fact that any additional loading of fill from the proposed development on top of the landfill may lead to additional or accelerated settlement of the landfill? This needs to be evaluated in view of the ongoing distress and cracking of the top and side margins of the landfill due to its current settlement.
- It should be noted that, on Page I-58, there is a description of an "Alternative 3-Stoney Hill Ridge Development Only Alternative". Under this heading, in the second paragraph, it states "Economically, this alternative would not be feasible, as the additional seven residential lots would be expected to yield revenue needed in order for the project to be financially feasible for the project applicant. Without those additional lots, the project would not achieve the needed return on the investment for the project in order for it to be implemented. Even though this alternative environmentally has fewer impacts than the proposed project, the fixed economic costs associated with developing the project area make this alternative economically infeasible. For these reasons, this alternative was rejected as infeasible". If this is true, would not the project become infeasible if the Qs-(?)/Qls(?) were to activate during grading and require a complete removal of this material and the slope repaired as a 2:1 slope? This needs to be considered, as it very easily could happen during grading due to the geologically unstable condition at this site. If there is a failure during grading, the repair will be quite costly and lots will probably be lost or not useable due to the slope angle and area available for a buttress at a 2:1 slope.
- It is noted that one of the requirements is that the previous lot line adjustments be accepted by the City of Los Angeles, as well as an Approval of the General Plan Amendment, a zone change and approval of lot averaging in the Hillside RE 20-1-H zone. It is not known by this office if these changes are acceptable to the City as well as their effect on surrounding property owners.
- Based on the current plan, it appears that all of the surface drainage for the fill descending into the canyon from the Canyonback side will flow down the proposed access road or easement for ingress/egress to the proposed detention basin. All of the terrace drains on this proposed fill slope flow onto the roadway, starting at approximately 1530 feet, and flow along the road to an elevation of approximately 1200 feet into the proposed detention basin. This appears to be a concentrated flow along this road and may lead to increased sediment being carried along the road if there are any small slumps or erosion. This may impact the basin and create difficulty for the proper maintenance of this detention basin. Is this a prudent design? It needs to be clearly indicated who will be responsible for the maintenance of these drainage devices and structures in perpetuity for the site.
- It is noted on the current plan in the EIR that Lots 16 -19 have lot lines that go almost to the toe of the fill /buttress slope. Included in this slope area are certain terrace

drains for the slope. How will the maintenance of all of these drains be accomplished to assure that the drains are always functioning? It appears that there will be many different property owners for this section of slope and drains. Most of the other proposed slopes will be part of a larger common lot, such as Lot 31. Would it not be better to have all of the fill/buttress slope and terrace drains under the control of one ownership? Who will have the ultimate responsibility for the maintenance and repair of the drainage devices and slope area, including vegetation cleanup and control? The maintenance of these drainage devices and the slopes in general, including the plants, will be important to the overall stability of the proposed buttress and development and is a critical issue.

- There should be a discussion under "*Secondary Seismic Hazards*" regarding the potential of secondary seismic hazards that may affect the landfill and, subsequently, the surrounding areas. One of the secondary seismic hazards from the landfill would be the opening of cracks and subsequent migration of landfill gases generated via those cracks to vent at the surface or in adjacent areas, such as along the ridge near homes. Another secondary seismic hazard would be lateral spreading and settlement of the landfill materials from the seismic shaking, which could impact the escape of hazardous gases from the landfill further, as well as affect surrounding areas with migration of gases or fluids and other hazards. These need to be discussed. In the past, there have been discussions in other areas that seismic shaking led to the migration of gases from natural and man-made sources due to cracking and settlement of overburden. Again, this is especially true after a review of the closed site inspection reports for Mission Canyon 8 landfill. These reports indicate that gas has migrated offsite in the area of probes 18, 19, and 20. Additionally, continuous settlement, cracks, and fissures have been noted on the landfill, as well as seepage.
- Additionally, under the heading of "*Secondary Seismic Hazards*" there is a discussion that with the corrective grading, in the form of buttresses and shear keys, the potential for seismically-induced landslides will be reduced to a less than significant level. This may not be true for the Qs-(?)/Qls(?), Qls-5, Qls-1, Qls-2, Qls-3, Qls-4 and the other Qs by the DWP water tank. There will be only minimal grading done on Qls-5 and Qs-(?)/Qls(?) toward the toes of these features, and it is not known if this will stabilize these features. Additionally, the other slides and slump (Qls-1-4, QS) will not be touched at all, and the proposed mitigation is at the top to raise the factor of safety for the lots only. These slides may reactivate during a seismic event, especially when an increase in the water in these areas occurs as a result of irrigation in the upslope areas. The chances of these slides having some form of motion during a seismic event are the same or higher, as they will not be corrected by grading and water will be added to these features.
- Under the discussion of "*Secondary Seismic Hazards*", there is a discussion of lateral spreading and how the potential for it and its effects at the site are considered to be low. It would appear that the potential for lateral spreading in the Qs-(?)/Qls(?) may be high given the fractured, dilated (up to 3 inches wide), open nature of this feature,

and the current localized high groundwater affecting at least some portions of this material. Future irrigation of any proposed development will continue to raise the groundwater level within this fractured, sheared, dilated and open material to at least 38 feet below the surface. Any seismic shaking will likely lead to lateral spreading of this material, as well as failure, especially since the main mitigation is at the top of the slope to provide a factor of safety for the pads only. What would happen if the slope were to have distress should be discussed.

- Under the discussion of "*Water*" in the subsection for "*Surface Water Hydrology*", it is indicated that there would be less debris-producing areas within the proposed development at build-out due to the conversion of open space to impervious or stabilized areas. This is not totally true when considering that there may be a potential for an increase in debris production due to the increased irrigation impacting the areas that are geologically sensitive or unstable. These areas may be more prone to the production of debris. Additionally, there will be erosion of the manufactured slopes until there is adequate vegetative cover to preclude erosion. Another factor may be the fire/flood sequence.
- As indicated above, the increase in runoff and irrigation will change the conditions in the area of the detention/debris basin, making it more of a year-round wetlands area with the ground at saturation or peak soil moisture all year round. This will impact how much water will infiltrate, and will lead to a quicker and higher runoff from upstream of the basin and in the basin area itself, as well as possibly down gradient from the basin. This needs to be considered in any hydrologic analysis for the proposed development. Additionally, it needs to be discussed and clearly indicated who will be responsible for the maintenance of the debris/detention basin to assure that it will be cleaned and maintained many times a year for the life of the project and overall development.
- It was noticed that in the discussion of the fire hazard for the proposed development, there is no mention of the fire hazard that does and will exist as a result of migration to the surface of any of the landfill gases (methane). If any of these gases were to be ignited at the surface by any means, this will increase the potential for fires, such as brush or wildland fires and structure fires, depending on what is impacted by landfill gases (methane) which could be ignited. This is especially true after a review of the Closed Site Inspection Reports for Mission Canyon 8 landfill from 1995-2002. These reports indicate gases (methane) was migrating to the top and laterally, and was picked up in probes 18-20. This needs to be considered in the EIR.
- The actual direction of motion for Qls-6 is still unclear. The slide appears to be at some sort of angle due to the fact that the toe as shown has a top or upper elevation of approximately 1380 feet, and the lower end or edge of the toe is at an approximate elevation of 1300 feet. This is an elevation difference of approximately 80 feet across the toe of the landslide. This should be discussed, as a component to the direction of movement may occur and affect the stability during the grading of this feature.

- The direction of movement for Qls-9 does not match with the direction of movement as indicated by the shear and geological data that was collected in the borings in Qls-9. There is a need to verify the actual direction of motion of this slide as it may be important to the proposed repair.
- What is the contingency for grading and mitigation for Lots 22, 28 and 29 if the City of Los Angeles does not allow the proposed caissons or piles to be used to raise the factor of safety for these lots only? These lots will have slides or slumps which will still exist below the piles. The same is also true for those areas such as Canyonback Road between Lots 22, 28 and 29 that may be affected by the adverse geologic conditions. If the City does not allow the proposed mitigation of caissons, there will be a need for a redesign and other mitigation methods.
- There needs to be a discussion of who will be responsible for the storm drain inlet on Lot 22 that will be collecting drainage not only from Lot 22, but also from the open space between Lot 22 and the existing residences. This drainage is important since it will be flowing and collecting water from an area that will have no caissons or mitigation and is the top of the Qs-(?)/Qls(?). This drain will pick up all of the water flowing from the south of the existing residences and on the west side of Stoney Mountain across this open area. It is important to assure that this system is functioning so as to minimize the impact of any water entering into the adverse geologic area. There needs to be a way to assure that nothing will be built over, block, or affect this inlet if this is the design.
- The flowline across the graded lower portion in the area of Qls-8 and Qls-9 is unclear. Will the flow line for the water or drainage coming down the canyon in this area actually flow over the road that is the access to the detention/debris basin? If it flows over this area, it may block the road with debris or cause damage to the road in a peak storm, inhibiting the ability to clean out and maintain this basin. Any impact to this basin could adversely impact the downstream area. Additionally, what will be used to minimize the erosion to the buttress?
- It is discussed in the EIR that there will be a series of caissons placed along the last of the existing residences along Stoney Mountain in the area of Qs-(?)/Qls(?). There is no discussion as to how placing of these caissons will be done, what the access will be, and how this can be accomplished. Given the fact that the slopes below these lots are very steep, it should be discussed how the caissons will be placed. Are there any impacts created by this that should be mitigated?
- Currently, there is a proposal to place a desilting/detention/debris basin at the toe of Qls-5, where the proposed fill abuts the slide. The design of this basin is unclear. It may not be a prudent design to place a desilting/detention/debris basin at the toe of an existing landslide, especially since nothing is known of the actual geometry of the slide or the slide plane. Placing a basin at the toe of the landslide could lead to saturation of the toe of the landslide, which, in effect, could destabilize the landslide

or lead to failure of the landslide. The addition of water to the landslide could destabilize the slide and lead to distress of the slide, the proposed fill and the proposed access road to this and the lower detention basin. It needs to be clearly indicated who will be responsible for the continuing maintenance of this proposed debris basin in perpetuity. It will be important to the overall stability of the landslide, fill slope, and overall project that this basin is maintained.

- On Lot 29, it appears that the top of Qls-1 will be cut off or removed, leaving fractured, dilated and open slide material exposed at the surface. While it is discussed that the caissons will provide a factor of safety of 1.5 for the pad area, this is leaving the top of the slide open for irrigation water and rain water to infiltrate quickly into the open slide material. As this water infiltrates quickly, it can and will likely lead to activation of this slide as a result of the grading and water infiltration. The same can also be said for the area at the top of Qls-2 and Qls-3. Portions of the top of these slides will be cut down and exposed, and caissons will be placed to provide the factor of safety of 1.5 for the road and Lot 28. The top portions of the slides will be exposed and allow for rapid infiltration and possible activation of the slides that abut the road and lots. This needs to be discussed and some form of mitigation provided to assure that the grading will not lead to the activation of these landslides.
- Any areas of any lots that are outside of the factor of safety zone need to be clearly delineated for all to be aware of. It is important that no homeowner alter in any way or place upon any of these areas any improvements, as those may be damaged. This is especially true for any changes in drainage, irrigation, or loading of these areas.
- It needs to be discussed who will own or be responsible for the different open spaces below the proposed lots. Given the geologically sensitive or adverse nature of these areas, who maintains and controls them is important. In many cases, the slides and slumps below lots are being left in place and it is imperative that the owners know this and maintain these open space lots appropriately. If the lots are not maintained, it could lead to failure of these features.
- How will all of the homeowners be advised of the geologic sensitivity of the site, especially those areas that are immediately adjacent to lots, that have a factor of safety clearly below 1.5? All homeowners need to be clearly informed in a written form of all of the conditions, restrictions and other special considerations for their properties, and any adjacent properties. If they are not informed of the problems, potential problems, and the need for continuous maintenance, the chances are high that proper maintenance will not occur and structures will be built in restricted areas.
- It is unclear who will be ultimately responsible for the control and maintenance of Lots 30, 31, and 32. This needs to be clearly indicated since maintenance of landslides to be left in place, the manufactured slopes and drainage devices, and the Canyon 8 landfill in general will need to be done in perpetuity for the projects and for the overall public safety.

- It is unclear who will be responsible in perpetuity for testing and monitoring of the Canyon 8 landfill or any needed mitigation or repairs to the landfill. It should be clear that no homeowners associations will every be responsible for the Canyon 8 landfill. This needs to be clarified.
- Along with the need to know who will be responsible for and ensure that the maintenance of the improvements and natural conditions on Lots 30, 31, and 32 will be done in perpetuity, it will be important to have that verified. It would be prudent to have a licensed Civil Engineer and a Licensed Engineering Geologist conduct yearly or twice yearly inspections of all of the areas to verify that the maintenance is being done properly, and to advise if there are any problems or need for other maintenance. The licensed individuals should prepare reports of each inspection and submit them to the City of Los Angeles Building and Safety for approval, as well as any entity that would need copies of these reports.
- It would be prudent to have any and all of the drainage devices, improvements, special area of concern, etc, surveyed and placed onto a map to be given to all property owners, Associations, and responsible parties so that the locations are known and maintenance needs are clearly described.. This could be utilized in the yearly or twice yearly inspections, as well as given to all contractors such as landscape contractors, etc., for locating the areas and items that need to be maintained.
- It is indicated that there could be cut or fill on the top of Canyon 8 landfill. Hopefully it would only be fill and not cut. It would not be prudent to cut-off the top of the landfill, especially since that was placed as part of the cap of the landfill.
- It is proposed to place caissons along the south and west sides of the last four existing properties on the west side of Stoney Hill. This is to protect these properties from Qs-(?)/Qls-(?). The slopes below these properties are very steep, and difficult to get access to for the placement of any caissons for stabilization. It needs to be indicated how these caissons will be placed or constructed on these properties. Will the caissons will be placed on these properties, or just outside the property lines on to Lot 31? The placement of caissons along the southern property boundary of the last property may be difficult due to the location of the existing storm drain. It needs to be indicated how the caissons will be placed in this location due to the obstruction.
- Will the proposed storm drains, sewers, and sewer pumps be public or private? Who will be responsible for the proper maintenance and repair of these storm drains, sewers, and sewer pumps? The maintenance of these systems will be very important given the geologic sensitivity of the areas, especially those areas which will have a factor of safety of below 1.5. If any water were to escape out of these systems, it could have a very adverse effect on the geologically sensitive areas and the surrounding areas and properties.

- It appears that, on certain lots on Stoney Hill Road, there may be vertical walls up to or over ten feet high between lots. This includes walls between Lots 8 and 9, 12 and 13, 13 and 14, 15 and 16, and 24 and 25. This is based on the ten foot elevation difference between the lots, and the marking for walls. Additionally, there appears to be an approximate 20 foot elevation difference between Lots 21 and 22, as well as a difference between Lots 5 and 6 of approximately 13 feet. It is unclear from the plans how much will be an interlot 2:1 slope and how high the walls will actually be. This needs to be shown on the plans and clarified. The designs for these walls need to be shown and discussed, including the height of the walls, and the stability of these walls. Additionally, there is a need to assure that proper drainage control such as drains behind the wall and waterproofing along the walls, is utilized, so as to preclude seepage, mold and other problems along walls of this height that will be facing the first, as well as possibly second, story building sides and windows.
- It is unclear what the proposed build out schedule for the developed lots will be, and if all construction equipment involved in the construction of the lots, buildings, etc., (especially along the extension of Stoney Hill) will be limited to access only along or from the emergency road that runs over the Canyon 8 landfill. It has been stated that all of the grading equipment will access the site only along the emergency road as to not impact the roadways within the existing developments. Will the same be true for the rest of the construction equipment? This needs to be clarified as it may have an impact on the environmental quality. It is unknown if the lots will all be sold and then have residences built by the private owners, which could take an extended period, or if the developer will build out each lot, which should be a much shorter time. This needs to be clarified.

All of the above items need to be addressed as part of the environmental review prior to approval. Please do not hesitate to call if you have any questions.



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SEP 18 2003

ENVIRONMENTAL
UNIT

September 17, 2003

Jimmy C. Liao, Project Coordinator
Room 763, City Hall
Department of City Planning
200 N. Spring Street
Los Angeles, CA 90012

Re: EIR-99-3251-SUB (Mountaingate)
Comments On DEIR

Dear Mr. Liao:

This letter is presented on behalf of my client, the Brentwood Hills Homeowners Association, in response to the request for comments on the above-referenced DEIR per your letter dated July 23, 2003.

VISUAL IMPACTS

Our primary concern is the inadequate treatment of "Aesthetic Resources/View" in Section IV.S of the DEIR, which states that it identifies the "views of the site from surrounding areas as seen from off-site public vantage points" (id., p. IV.S-1). After correctly noting that "The most valued visual character of the area surrounding Mountaingate is natural open space" (S-4), the DEIR fails entirely to provide any analysis of the viewshed impacts from the public hiking areas across Mandeville Canyon to the west. The DEIR fails to provide any sightlines, photographs, renderings, or data of any kind which gives the reader any idea whether there will be an impact from the public vantage points of the natural open space areas recently preserved by the City and the Santa Monica Mountains Conservancy. In addition to these public viewshed impacts, the impacts on scenic resources will be felt by Homeowners living in the Westridge Tract. The impacts of concern are caused by the proposed construction of homes along the Canyonback ridgeline on lots 23 through 29.

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At page IV.S-10, the DEIR states that “a visual/photographic simulation of the homes was prepared by Impact Sciences based on field reconnaissance, project design features, preliminary engineering plans and photographs of the project area,” yet all we find in the DEIR are two photographs, “Existing view 1”, and “Existing view 2”. Where are the simulated views? It is quite obvious that simulated views were prepared and then omitted from the DEIR, possibly deliberately, so that the impacts would go undetected.

The conclusions found on page IV.S-5, to wit, that “Project impacts would be less than significant and no mitigation measures would be required,” and that “No adverse impacts would occur with the implementation of this project,” are incorrect. Since there has been no analysis presented, the conclusions are mere speculation. What we request is a Supplement to the DEIR, properly circulated for public review, which includes the above-referenced graphics and a comprehensive analysis of how the proposed structures on lots 23-29 will (or will not) be visible from the hiking trails and the homes on the areas to the west of the subject property.

The photographs depicting the view from the 3200 block of Mandeville Canyon Road do nothing to demonstrate what will be seen by the naked eye, even from this obscure vantage point in the canyon floor. This analysis violates the very language quoted from the L.A. Guidelines at p. IV.S-10, which requires analysis of “The extent to which the project affects recognized views available from a length of a public roadway, bike path, *or trail*, as opposed to a single, fixed vantage point.” The EIR should contain a series of photos from different vantage points, and each one should have superimposed on it the structures representing *what the ridge will look like upon completion*. Figure IV.S-2 is nothing but a picture of hillside, with no reference of any kind to the proposed structures, where they will be located, or what they will look like. It appears that the DEIR is attempting purposely to sidestep the issue.

We request that the applicant be required to place poles with flags or pennants showing the heights and widths of the proposed structures on these lots, so that the visual impacts can be readily observed from a distance. Enclosed for your information is a recent article from the L.A. Times (August 28, 2003) demonstrating how effective this method, called “silhouetting”, has been in the Palos Verdes area. It is certainly a low-tech, low-cost method of allaying the concerns of apprehensive citizens by

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showing exactly what the impacts will be, with photographs that can be included in the SEIR. If the structures are not at all visible, as the DEIR states, this will be evident. On the other hand, if the structures *will* impair the aesthetic views toward otherwise natural ridgelines, this must be disclosed and mitigated by the selection of alternatives, or the alteration and placement of the structures. The DEIR considers only two vantage points (Mandeville Canyon road and Sepulveda pass), neither of which provide insight into the impacts which may be visible from public hiking areas along the western ridges of Mandeville.

At page IV.S-9, there is an entire paragraph discussing “Views from Adjacent Land Uses” which is limited entirely to what the residents of Mountaingate will see. There is no discussion of what the residents across the way, on the west ridge of Mandeville Canyon, will see.

Apart from the proposed seven lots' visibility from portions of the Brentwood Hills community, they will be even more obtrusive when seen from the Westridge Fire Road and parallel hiking trail. These connect Westridge Road in Brentwood with the San Vicente Mountain Park on Dirt Mulholland, gateway to the 18,000-acre “Big Wild” wilderness. This fire road and trail are used for hiking, mountain-biking, picnicking, and other recreational uses by thousands of members of the public, especially on weekends. In the mid-1990's, over ten thousand people from every part of the City signed Petitions leading eventually to the acquisition of the Boeckmann and Tucker/Eastport land as wilderness public parkland by the City of Los Angeles and the Santa Monica Mountains Conservancy. This land commands sweeping panoramic views in every direction, from the Channel Islands and Catalina; to the Laguna Mountains in Orange County; Mount Wilson, Mount Baldy to the Santa Susannas. The proposed degradation of the Canyonback ridgeline in such close proximity to this parkland will have impacts which are completely ignored or overlooked in the DEIR. Enclosed for your information and for the record is a photograph taken from the hiking area looking toward the Canyonback ridgeline as it now exists. The Supplemental DEIR should show the impacts on this ridge with simulations showing structures proposed by the applicant.

The “Initial Study And Checklist” prepared by the City Planning Department correctly stated that all four of the potential impacts under Aesthetics would be “potentially significant *unless mitigation* [is] incorporated”, including the following:

[The project would have a potential to]:

- a. Have a substantial adverse effect on a scenic vista
- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural features within a city-designated scenic highway
- c. Substantially degrade the existing visual character or quality of the site and its surroundings
- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

Thus, the Initial Study recognized at the very outset that the impacts might require mitigation, yet the DEIR has studiously avoided these obvious conclusions by presenting two photographs from static and essentially unrepresentative vantage points to draw the conclusions of “no impacts; no mitigation needed”. Please correct this deficiency in the Final EIR by providing a Supplemental DEIR which includes the construction of poles, pennants, and actual photographs from the public hiking and biking trails in the vicinity as well as adjacent residential uses on the west side of Mandeville Canyon.

ALTERNATIVE ANALYSIS

The DEIR discusses the “Stoney Hill Ridge Development Only” alternative and concludes it is the environmentally superior alternative, pointing out that “the existing ‘unofficial’ trail along Canyonback Ridge would remain in its current location.” The discussion then cites each category of impact that would be less severe than the proposed project, but fails to quantify the reductions. For example, it is admitted that “this alternative would not require the same amount of grading as the proposed project,” but no specifics are provided as to the amount of the reduction, other than “approximately nine fewer acres of land would be developed.” (p. VI-6). Please provide a detailed breakdown of the amount of grading proposed for lots 23-29. Unlike water consumption, or utilities, public services, or traffic data, which would involve pro-rata reductions, there is no way a reader can even guess at the reduction in grading impacts since no specifics are set forth for the grading needed for each lot. At page VI-7, it is admitted that the aesthetic impacts would be reduced, because “impacts

associated with development along the Canyonback Ridgeline would not occur.” (*id.*) As discussed *supra*, there is no visual or graphic presentation of the severity of those impacts, nor any discussion *at all* of the impacts from public parklands to the west of the site, hence this discussion fails to provide any insight at all into the desirability of opting for this alternative. Given that it is clearly stated that the “*Implementation of the Stoney Hill Ridge Development Only Alternative would meet the objectives of the proposed project,*” (p. VI-8), it is necessary to present a more detailed and quantifiable analysis along with the visual aids requested, *supra*.

GATE AT CANYONBACK ROAD

The DEIR states that the seven (7) residential lots located on Canyonback Ridge “would include a gate and pedestrian access at the entrance to the six (6) of seven (7) residential lots on Canyonback Road.” This language is vague and ambiguous regarding the locking or unlocking of the gate and pedestrian access. The current terminus of the Canyonback fire road provides a hiking trail which would be impeded if this gated pedestrian access is locked. Past experience with the gated entry to Mountain Crest Lane, immediately adjacent to the proposed Canyonback Road extension, shows that this will create impediments to through hikers. Please explain in detail what is suggested by the language, and what mitigation measures would insure that the passageway is not locked or blocked.

LANDSLIDE ISSUES INADEQUATELY DISCUSSED

We note that lots 23-29 are surrounded by no less than 7 landslides shown on Figure IV.A-1 (Qls-1 through Qls-7). As one might expect, the developer’s consultants recommend measures to correct these conditions, however, it is the city taxpayers who always foot the bill when the landslides occur after allowing the development to go forward. Aside from the mitigation measures discussed in the EIR, will the City require adequate bonding to indemnify the City against liability from geologic failures after the homes are built and occupied? The DEIR vaguely states that the consultants’ study recommends that the project “would need to remove and/or rework/replace unsuitable or potentially compressible subsurface material such as colluvium, alluvium, and landslide materials.” The DEIR needs to be more specific in providing adequate details about what mitigation measures would actually suffice to stabilize each individual site. It has been the past position of the City geologist to require stabilization of the entire slide mass when a project is proposed, therefore the details of whether and how this

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can be accomplished should be set forth for public scrutiny in the text of the EIR. The pages in the consultant's "March 2003" Geotechnical Report footnoted at page IV.A-7, if this is indeed the same report found in Appendix I, do not provide the information suggested by the footnotes. Footnote 3 tells us to look at p. 3 of the Report for the assertion that the "Geotechnical Report identified these typical conditions for the development area of the project site," yet page 3 does not discuss these conditions at all, it discusses "Streets and Lots," then it discusses the height of slopes. Similarly, the reference to "pp. 13-14" in footnote 4 does not appear to match the text, since pages 13-14 of the March report do not set forth recommendations for removal of landslide materials or construction of buttresses, they merely describe the existing landslides. A slippery slope starts with a sloppy DEIR. The existence of 7 identified landslides forming a ring around lots 23-28 certainly provides a persuasive argument for adoption of the Environmentally Superior Alternative, "Stoney Hill Ridge Development Only". The DEIR provides no insight as to why this alternative should not be adopted, thereby avoiding the visual impacts discussed above as well as the landslide liabilities inherent in developments such as this.

POWER LINE ISSUE NOT DISCUSSED

Proposed lots 23-29 are in close proximity to, and directly facing toward, the huge power towers and lines, providing an unsightly and most likely unsaleable set of lots that, after extensive grading, would sit vacant and unsold. Who will spend more than a million dollars for a lot whose yard faces huge towers with numerous power lines stretching across the sight line? The DEIR should address the issue in detail, including the impact of those power lines on any children who should venture forth from the proposed homesites to play under the erector-set like structures.

LACK OF INFORMATION REGARDING FEASIBILITY OF ALTERNATIVE

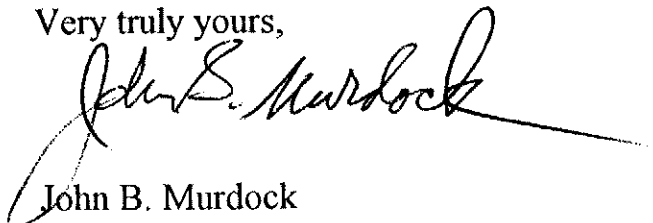
The environmentally superior alternative has been identified, yet there is no information anywhere in the DEIR as to the feasibility or infeasibility of choosing this alternative, from a financial point of view. The applicant should be required to provide documented cost and expense projections to demonstrate the viability or non-viability of the alternative with no lots developed on Canyonback Ridge. This information should not be withheld from public scrutiny, since it is frequently stated by developers that less intensive development is not financially viable. If the lots on Canyonback Ridge are not developed, presumably a savings will be realized in the cost of grading

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and landslide stabilization remediation. These figures should be openly revealed so that the alternative is intelligently studied by the decision-maker. Further, the DEIR provides no details about whether providing 7 extra multi-million dollar homes on top of this Ridge meets any identifiable need for housing in this area of the city. If there is, instead, a greater need and demand for affordable housing and low-income housing, perhaps the traffic impacts associated with building these additional Mountaingate homes should be shelved and reserved for future housing of a different kind elsewhere in the City. Is there such a crushing demand for mountain-top mansions that the City should sacrifice its scenic vistas, create potential landslide liabilities, and add to traffic congestion by approving these lots, or should the alternative be adopted which lessens or removes these impacts? We do not find any meaningful analysis of these issues in the DEIR.

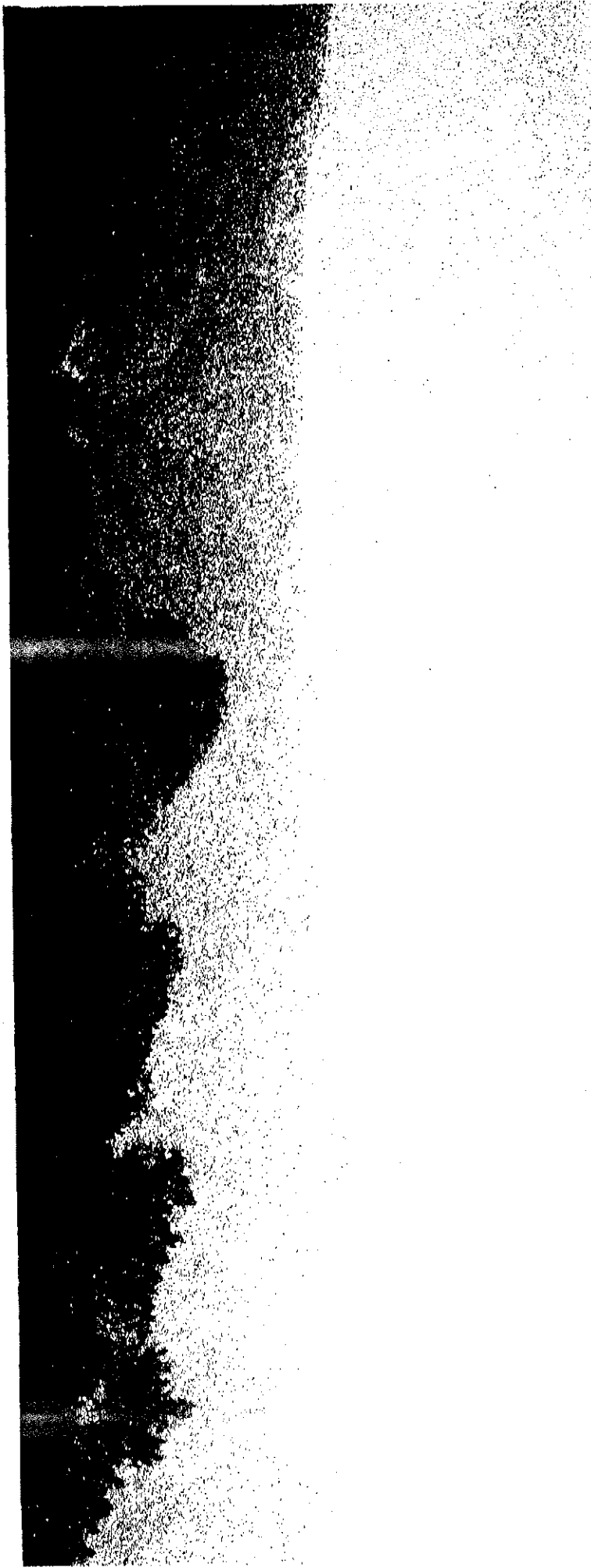
We know that other interested parties will raise comments on other perceived deficiencies of the DEIR, and rather than repeat those here, we incorporate them by reference and reserve all rights to present additional evidence on these matters in the future.

Very truly yours,



John B. Murdock

JBM:ly
cc: Eric Edmunds, BHHA
Hon. Cindy Miscikowski



JOHN B MURDOCK ESQOR

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SURROUNDINGS / PALOS VERDES PENINSULA

When It Comes to Home Expansions, These Cities Are to the Banner Sworn

By Bob Pool
Times Staff Writer

August 28, 2003

Most homeowners adding a second floor to their house try to keep the remodeling project as low-key as possible in front of the neighbors.

Not on the Palos Verdes Peninsula, though.

Residents there take to the rooftop to shout out their plans for a new master bedroom suite or a new wing for the kids.

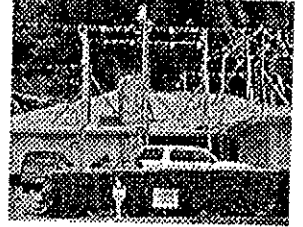
To make certain everybody notices, they nail a flimsy-looking framework of 2-by-4s to their shingled gables. Then they stretch gaily colored, used-car-lot-like flags between the boards. And finally they let the contraption flap in the wind for months.

And, surprise. Neighbors living in million-dollar homes around them appreciate it.

The framework and flags are part of a process called "silhouetting" that is designed to alert the neighbors when new construction is being proposed.

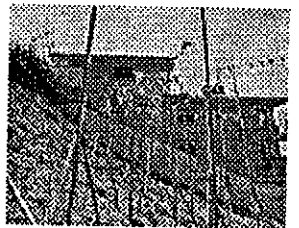
Five of the cities that control development on the scenic coastal peninsula 20

Photos



Notice
(AL SEIB / LAT)

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Preview
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miles southwest of downtown Los Angeles require the use of banners and boards to outline the shape of proposed residential projects.

The idea is to give a preview of what the new construction will look like — and a warning if neighborhood views of the ocean and the hillsides are likely to be wrecked after new walls and roofs are actually built.

On the basis of the silhouettes, complaints can be registered in time for architects to try to work out compromises over height, building bulk and the positioning of structures.

These days as many as four dozen wobbly-looking silhouettes can be spotted in the peninsula's Rancho Palos Verdes, Palos Verdes Estates, Rolling Hills, Rolling Hills Estates and Torrance areas.

The garish installations can be puzzling to passersby unfamiliar with the local development rules.

"We're trying to attract space aliens," joked Allan Rigg, Palos Verdes Estates' planning chief.

Michael Forte, a Palos Verdes Estates aerospace engineer who plans to remodel his one-story house by adding an upstairs master bedroom and office, spent \$1,500 six weeks ago to have professional surveyors place poles and flags above his home. Depending on neighbors' reaction and a public hearing next month, he hopes work will get underway next year.

"My wife originally thought it would bother her. But it hasn't. And it doesn't bother me at all," he said. "I tell friends who are coming over in advance what they're going to see on our roof. One friend at work said she wishes they did this where she lives, because an ugly building that blocks the view has been built next to her."

Down the hill, Donna Pesqueria's neighbors have lived for about three months beneath a large array of poles and flapping banners spreading from their front driveway onto their roof. But the gaudy scene doesn't bother Pesqueria.

"It looks like a circus, but I think it's a good idea. We'll be losing some of our

view. But because of the flags they moved one of the walls about 3 feet for us, so we'll be able to see more of the coastline," she said.

A larger chunk of ocean vista disappeared years ago when a 2 1/2-story home was built across the street from Pesqueria. At the time, Palos Verdes Estates didn't require silhouetting as part of the permit process.

It wasn't until last fall that poles and pennants started popping up in the city. Since then, about 50 projects have been outlined by the framework.

"We'd seen it done in Torrance's hillside district, where homes stairstep over the hillside," said planner Rigg. "Even though the silhouettes are not the most attractive things, with the flags and lumber, it's better to have neighbors more fully understand the concept and size of a project. It has taken some of the anxiety out of development."

It has started to unify neighborhoods too. Residents of the Palos Verdes Estates street where Bob Neuman lives gathered beneath the silhouette of a proposed new home a few weeks ago to consider its impact. "It absolutely draws neighbors together. Putting up with flapping flags for a short interval is minimal compared to what may be permanently built," he said.

Rancho Palos Verdes has required silhouettes for second-story additions since 1989. More recently the concept was expanded to include all new construction. Before that, "we kind of had to guess where the house might be," said Joel Rojas, city director of planning, building and code enforcement.

"The flags are up for three or four months," he said. "That can spark controversy. During the winter, when they blow down and start deteriorating, we get calls about the unsightly silhouettes and how long they'll be up."

Adjacent Rolling Hills does not allow second-story additions. But it has required silhouetting for new one-story construction since 1988, according to planning director Yolanta Schwartz.

Rolling Hills Estates has mandated the practice for new homes and remodelings since the mid-1980s, according to planning chief David Wahba.

Torrance has asked developers to outline projects with poles and pennants since the early 1980s in its Hollywood Riviera district on the north side of the peninsula. They help forecast privacy problems as well as view-loss issues, according to Jane Isomoto of the city Community Development Department.

Poles aren't used in San Pedro, a community within Los Angeles on the east side of the peninsula, however. L.A. planning officials say height guidelines are spelled out in city codes. Deviation requires public hearings. "Either you meet the height guidelines or you don't," said planning staffer Kevin Jones.

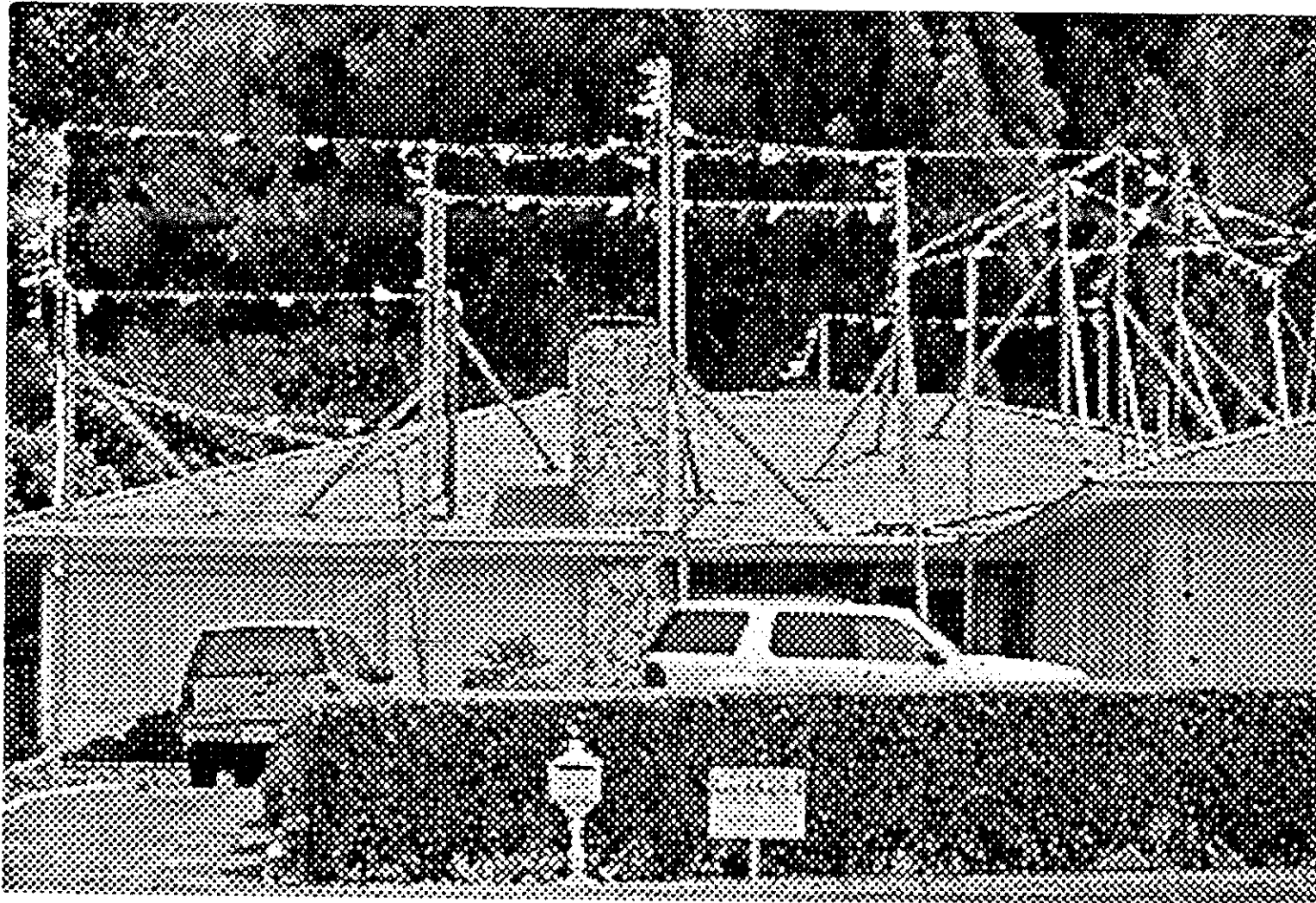
But other coastal areas also have silhouetting requirements. Laguna Beach calls the procedure "staking." Del Mar refers to it as placing "story poles." So does Malibu.

"Story poles can get pretty elaborate, made of 2-by-4s or metal pipe or PVC," said Edward M. Knight, Malibu's interim planning manager. "Orange plastic fencing material is trimmed and used between the poles." In Malibu they draw the line at using carnival flags to draw rooflines.

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ENVIRONMENTAL
UNIT

Mr. Jimmy C. Liao, Project Coordinator
Environmental Review Section
Room 763, City Hall
Department of City Planning
200 North Spring Street
Los Angeles, CA 90012

Via Fax: (213) 978-1343

RE: Request for Comments on Draft Environmental Impact Report

EIR Case No: EIR-99-3251-SUB
Project Name: Mountaingate
Reference Nos: TT-53072
Location: 2050 Stoney Hill Road/Canyonback Road

Dear Mr. Liao:

The Upper Mandeville Canyon Association (UMCA) has reviewed the Draft EIR for the proposed 29 lot development in the above referenced project. Prior to the preparation of this response, representatives of UMCA also walked the property, and using the plan drawings provided in the DEIR, examined the location and spatial characteristics of each proposed lot relative to our community.

Indications in the DEIR that this is the last proposed entitlement in the Mountaingate project are indeed hopeful, but not necessarily cause for comfort or less consideration of the impact of the project. The removal of 56 acres of open space through the cut/fill and grading of over 1.0 million cubic yards of natural hillsides and canyons is always a cause for serious concern.

The UMCA community of approximately 300 homes, and the adjacent communities (Associations) of Brentwood Hills (BHHA) and Lower Mandeville Canyon (MCA) encompassing an additional approximately 1000 homes, are established neighborhoods on hillsides and canyons adjacent to Mountaingate. Since the 1970's, we have been and continue today to be directly impacted by virtually any development in Mountaingate. In particular, we are focused on the 7 lots on the Canyonback Ridge portion of the proposed development. We have had considerable discussions regarding this project with our neighboring Associations individually, and through our Tri-Association meetings.

We believe the Draft EIR has not adequately addressed several issues related to this portion of the development, and its impact on our community and neighboring communities. We would like these issues addressed in the revised (Final) EIR, and in the reality of the lot development program, should this property be granted entitlements. These comments relate specifically to the 7 lots proposed along the Canyonback ridge.

1. **Viewshed** – Although we believe that homes built on the proposed Canyonback lots (7) will generally not be able to be seen by most residents of Mandeville Canyon (UMCA), the grading and the home development will be clearly visible to any hiker, jogger or bike rider from the Westridge fire-road/trail to the west, diminishing the natural beauty associated with using the trail. Further, we believe that some residents of the upper portion of Westridge that face eastward may directly view some of the homes along both the Canyonback and the Stoney Hill Road portions of the development.

The Draft EIR is conspicuously weak in this category of analysis. We request that the continuing EIR/approval process investigate the sightlines, view corridors and viewshed characteristics in some detail, prepare renderings (including potential home construction) of the potential impact on the views from the Westridge fire-road/trail and the Westridge community (BHHA), and present these to all interested communities and users of the Westridge fire-road/trail and other recreation trails in the area. Additionally, we believe it is essential for the developer to erect poles, flags, netting, and other appropriate markers/"props" to clearly identify the location and maximum construction "envelope" of homes to be built on these lots. This demonstrative representation of the potential viewshed issues for our communities is the best way to understand the impact. This demonstration program would need to be coordinated with our communities so that its specific time and duration can be identified for viewing and assessment by members of our Associations.

We request that the EIR further develop/propose and ultimately incorporate into its development plan, cost estimates for natural plantings and other mitigation measures to obscure the retaining wall and other related grading required to establish Lot 29, 28 and 23-27 along Canyonback facing west.

2. **Recreation Access** – The Canyonback portion of the proposed development currently serves as a recreation corridor connecting Kenter Canyon to the Santa Monica Mountains Recreation Area (specifically the Eastport-Tucker property). The prospect of removal of this access from the development of lots for private homes, and the likelihood that the home development will be guard-gated is an unacceptable aspect of this proposed project.

We request that the subsequent EIR revisions incorporate access from Kenter Canyon, connecting through Mountaingate to the Santa Monica Mountains Recreation Area. Many residents of Mandeville Canyon and BHHA, as well as other visitors, hikers, runners and bikers utilize the current fire-roads and trails through this area. Connection to the dedicated recreation areas of the region from residential communities and other open space/trails into the area is vital to the integrity of mountain recreation, as well as for wildlife.

3. **Lighting** – Homes built on the lots proposed by this development will be large, and will have associated with them significant outdoor amenities and hardscape. These areas will be well lit for personal use, safety and for entertainment. In all cases, the backyards of the Canyonback lots will face west toward Mandeville Canyon and Westridge. The glow of outdoor lighting will be able to be seen by the residents of Mandeville Canyon and will be a significant change to our environment.

The developers of this property must consider this factor and evaluate and recommend specific mitigation measures to reduce this impact. Through lot/pad design, home development restrictions, specific restrictions as to the design, intensity, height and direction of lighting, vegetation to reduce illumination to the west, or other methods or provisions through CCRs associated with the property, a program to reduce this impact is essential for further consideration of entitlement.

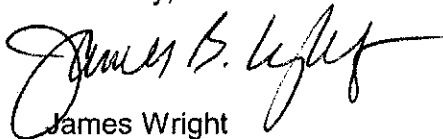
4. **Noise** – During construction of the lots and homes, and in particular the grading phase, considerable noise will be generated by earth moving equipment. The canyon areas are well known for the reverberation of noise across ridges. Noise can travel far and be easily heard by many more residents of the area than the developer may think. Additionally, construction noise levels are much more distinguishable in areas which are generally free of large volumes of traffic and have significantly lower ambient noise levels than normal residential neighborhoods.

Further development of the EIR should consider specific mitigation measures regarding noise including limitations of hours/days of operation, equipment adjustments and other techniques or requirements to reduce noise. Further, the plan of development should incorporate a community relations program that identifies to all residents to the west (specifically Upper Mandeville Canyon and the higher elevation of Westridge) the daily time periods and duration of grading operations.

UMCA submits these comments regarding the Draft EIR of the proposed project in the best interests of clarifying the impacts of the project for the developer and the City of Los Angeles, and in the interests of responsible mitigation to issues of concern from the adjacent communities.

If you have any questions regarding our comments, please do not hesitate to contact us.

Sincerely,



James Wright
For the Board of Directors
Upper Mandeville Canyon Property Owners' Association (UMCA)

cc: Councilperson Cindy Miscikowski
Mike Leslie – Brentwood Hills Homeowners Association (BHHA)
John Given – Brentwood Hills Homeowners Association (BHHA)
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