LETTER NO. 11

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Comment 11.01

Following are comments on the Sierra Canyon Secondary School Draft Environmental Impact Report, EIR 2004-0164-EIR. These flow in order of description in the document, hopefully making them easy to follow and cross-reference to the test. My comments are brief in explanation, to the point and factual so their validity can be substantiated.

Alternatives to reduce or avoid significant effects: Alternative 3 discusses the visual impact of the proposal, but does not mention reducing that the school has designed the layout to support a preordained enrollment number to meet the financial requirements. This project design was "backed into" when the number of students i.e. income was determined from the need to build swim stadium and performing stages on a sloping site at great cost. Reducing enrollment reduces the scope of the project and its visual impacts on the surrounding existing neighborhood, while still providing the school with the opportunity to build its critical structures.

Response 11.01

The Draft EIR addresses the project as proposed by the applicant including all relevant programmatic and design information. Although, the Draft EIR identifies the applicant's objectives for the project, including achieving a 550-student program to support fixed costs and other funding considerations, it is not within the Lead Agency's responsibility or authority to determine the applicant's objectives. Furthermore, as stated on page VI-1 of the Draft EIR, "[a]lternatives are an important tool in the CEQA process to provide decisionmakers with comparative information about the impacts of a specific project, and how other possible projects could reduce those impacts, *even if some of the objectives of the project are not met*." [emphasis added]. Thus, whether or not the "project design was backed into" as the comment contends, is secondary to the evaluation of environmental impacts of the program under consideration and an evaluation of other alternatives to provide a comparative basis for the decisionmakers to consider when they weigh project approval. While Alternative 3 (see pages VI-18 through VI-26 of the Draft EIR) may not achieve all of the objectives identified by the applicant, it was evaluated in the Draft EIR to assess whether the significant impacts of the proposed project could be reduced with another design.

Specifically, Alternative 3 (The Reduced Enrollment/Modified Project Alternative) was developed to address the significant, unmitigatable visual impact that would occur with the proposed project and involves both a modified project design as well as a reduced student enrollment. As discussed in the description of this alternative in Section VI, Alternatives to the Proposed Project (pages VI-18 through 19) of the Draft EIR, the maximum enrollment under Alternative 3 would be 365 students, which represents a reduction in enrollment of one-third as compared to the proposed project. The enrollment number under this alternative was not "backed into" based on the financial needs of the school, but rather, was determined by the available physical capacity of a modified campus that would have reduced building heights, reduced site coverage, decreased building massing, and increased open space. The alternative would also reduce the occupancy of the performing arts center from 600 to 400 and the athletic center from 500 to

400. The comment is correct in stating that allowing for a design that would require a reduction in enrollment would reduce the scope of the project and its visual impacts on the surrounding neighborhood. As stated on page VI-19 of the Draft EIR, "…by breaking up the uniform campus design and emphasizing individual structures with reduced building heights, the Reduced Enrollment/Modified Project Alternative would effectively reduce the significant impact of the proposed project resulting form a contrast between proposed and existing features." While the project's enrollment of 550 students was determined based on the school's financial and facilities needs over a sustained period of time, an alternative with one-third reduction in enrollment was evaluated in the Draft EIR even though it would not meet associated financial and facilities objectives. Ultimately, the decisionmakers must weigh the merits of both the proposed project and feasible alternatives, and fully consider the environmental impacts as analyzed in the Draft EIR, in their determination to approve the project.

Comment 11.02

Construction Operation Mitigation Measures IV.B-5 & B-6 does not define the haul route that will be used to take 19,800 cubic yards of dirt from the site. This route needs to be identified at this stage of public investigation as this project does not go through the subdivision process: the impact of dirt-hauling through a community is enormously disruptive, especially since, in this case, there will be several stages of construction that could continue off and on for years. Identification of a haul route is one of the most important functions of the EIR as proven in case law from the City of Los Angeles history.

Response 11.02

As discussed in Response Nos. 2.04 and 5.03, it is somewhat speculative to identify an exact haul route at this point in the approval process, as the specific destination of the export material will not be known with certainty until the haul route application is filed (which typically does not happen until just before construction commences) and receptor sites that are available at that particular time can be identified. However, it is assumed that, locally, haul trucks would travel from the site via Rinaldi Street to De Soto Avenue north to the SR-118 freeway on- and off-ramps, which are located approximately 0.6 mile northwest of the site. Thus, haul trucks would avoid residential streets in the vicinity of the proposed project, thereby minimizing exposure and disruption to residents in the community. A description of this local haul route has been added to Section IV.J, Transportation and Circulation of the Draft EIR (see Response 2.04 and Correction and Addition No. II-9 in Section II of this Final EIR).

Comment 11.03

Transportation/Signal and Street Improvements IVJ-4 The Deer Lake Ranch Project, for which "the applicant is solely responsible for negotiating the term…" etc. is not feasible. The Deer Lake Project is in the County of Los Angeles; it's conditions for subdivision and traffic improvements have been finalized by the County Board of Supervisors with NO reference whatsoever to Sierra Canyon School, it's approval process of Environmental Review, or accountability to the City of Los Angeles for this particular improvement. It is inappropriate to tie this mitigation to the County project that makes no mention of negotiating with Sierra Canyon School in its recorded CUP.

Response 11.03

Pursuant to Mitigation Measure IV.J-4, the Sierra Canyon Secondary School project would negotiate with the Deer Lake Ranch project to assume a portion of the responsibility and cost for improvements to the intersection of Chatsworth Street and De Soto Avenue. While the Deer Lake Ranch project has its approvals in place and is not required to negotiate with the project applicant, the project applicant is required by the City to negotiate with representatives from that project. Without such negotiations, the Deer Lake Ranch project will be required to implement and assume the entire cost of the intersection improvements. However, since the capacity increase resulting from these improvements is sufficient to mitigate potential traffic impacts from both the Deer Lake Ranch project and the Sierra Canyon Secondary School project, it is beneficial to both projects to share the improvement costs and responsibility. This is not an unusual practice in the City of Los Angeles. Furthermore, as the Deer Lake Ranch project had no way of knowing the specific intersection impacts that would result from the Sierra Canyon Secondary School project, it would have been impossible for them to make reference to the school when developing mitigation. Thus, it is the subsequent project (e.g., the proposed project) that must reference to the original project. There is typically no reason not to share mitigation, as it is a benefit to both projects, the City, and the community.

As the measure is included as mitigation (and hence, a condition of project approval), the school cannot move forward without an agreement in place. However, it should be noted that there are rare circumstances where an agreement cannot be negotiated, and in such a situation, LADOT has the final discretion to identify another improvement of equal mitigation benefit and similarly require such improvement as a condition of project approval.

Comment 11.04

Project Description has a significant flaw: the Secondary School has continually testified in front of the Chatsworth Neighborhood Council, published significant amounts of school literature and recorded documents with the City of Los Angeles that this site will contain grades 9, 10, 11 , and 12. Yet, page II-1 state "…could eventually include grades 7 and 8 as well…". How can an EIR on grades 9 through 12 make findings when the school actually plan to add grades from a middle school not disclosed in the above-mentioned publicity? The project is not being truthfully described or presented. Whether the enrollment numbers stay the same, the structure of the project does not match findings for the stated 9 through 12 grade school.

Response 11.04

Independent 9-12 schools have become a rarity both regionally and nationally over the years by adding 7th and 8th grades in order to stay competitive. While it is the intent of the school to begin with a high school program, many schools have discovered that the breadth of a secondary (i.e., Grades 7 through 12) program better serves the athletic and academic opportunities for their students and for the school admissions goals. Therefore, it is the intent of the school to leave this option open for future consideration. As stated on page II-1 of the Draft EIR, "…whether the school operates as a high school or as a secondary school that includes grades 7 and 8, the maximum enrollment would not exceed 550 students." Thus, the potential addition of grades 7 and 8 would neither affect the overall enrollment nor the operation characteristics of the school. Furthermore, no physical elements of the project would change and the environmental analyses included in the Draft EIR would remain entirely applicable, as user-driven impacts are tied to overall enrollment, not the breakdown of grades, and the physical characteristics would be unaffected. Finally, it should be noted that no plans to add

grades 7 and 8 are currently in place for the project and the EIR nevertheless fully discloses the addition of these grades as an eventual possibility.

Comment 11.05

In addition, the description of the buildings and their uses on page II-6 prove that the minimum City requirements for parking spaces is not only inadequate and unrealistic; it shows no study or thought has been really put towards mitigating the traffic and parking issue that the school will generate.

Response 11.05

Traffic and parking impacts associated with the project are analyzed in Section IV.J, Transportation and Circulation of the Draft EIR. This section is based on a traffic study prepared by Crain & Associates that is included as Appendix I of the Draft EIR. This traffic study was prepared under the direction, and to the satisfaction of, LADOT and utilizes LADOT-established base assumptions, technical methodologies, geographic coverage, and significance thresholds. As concluded by the study and discussed in Section IV.J, the mitigation measures proposed on pages IV.J-30 through IV.J-34 would result in improved conditions at all of the studied intersections as compared to future conditions without the project, and no significant impacts to the local and regional freeway system would occur. Thus, as illustrated in Table IV.J-15 (page IV.J-35) of the Draft EIR, all project-related traffic impacts would be mitigated to less than significant levels.

See Response to Comment Nos. 5.04, 8.02 and 10.26 regarding parking. The school would provide adequate parking to meet the requirements of the City of Los Angeles Planning and Zoning Code, which is based on maximum seating capacity. Thus, assuming maximum site occupancy of 1,180 people, a total of 236 on-site parking spaces are proposed. This amount of parking would be adequate to meet the expected demands of a typical school day. As addressed by Response to Comment No. 5.04, parking would also exceed anticipated demand based on the Institute of Transportation Engineers (ITE) Parking Generation 3rd edition (2003) for a high school (both private and public) resulting in a minimum of 62 surplus spaces. Additionally, should the school eventually add 7th and 8th grades, the number of junior and senior drivers (and associated parking demand) would decrease. Since the proposed project is a private school, a great amount of control can be exercised over the student parking and driving behavior. As limited parking would be made available to students, most students will be dropped off and picked up by parents. Permits will be provided to eligible drivers to park at the school, thereby controlling the number of student drivers and, subsequently, the number of parking spaces necessary to accommodate these drivers. Additionally, as described by Mitigation Measure IV.J-1 and as revised by Correction and Addition No. IV.J-8, “the TDM plan would only allow junior and senior students to drive when accompanied by one other student (two-student carpools)”. Parking permits would not be issued for students who wouldn’t carpool and would be limited to junior and senior drivers. The arrivals and departures of students will be monitored by school personnel through random vehicle checks. If school personnel determine that a student is parking on the campus who is not carpooling, the student will have their parking permit revoked and the permit will not be reinstated until the student complies with the carpooling mandate. Thus, adequate on-site parking would be provided for day-to-day school activities.

No additional parking was determined necessary by LADOT in their review of the project traffic study. However, periodic special events at the school could generate a parking demand in

excess of on-site capacity. As stated on Page IV.J-29 of the Draft EIR, in such cases, "…the project would provide for additional special event parking (for graduation, open houses, etc.) at off-site locations, with shuttle transport offered to and from the site when special events are held, if needed." Additional overflow parking would also be available along Rinaldi Street, adjacent to the project. Furthermore, in response to this comment, and other comments concerning parking, additional mitigation has been added to this Final EIR that would require the school to prohibit any parking on residential streets and that would provide an on-site Parking Management Program (refer to Correction and Addition Nos. IV.J-11 through 13).

In the event of overflow parking, the school would provide shuttle service from local parks upon permit, or other off-site locations. Possible locations include churches in the Chatsworth area that have indicated to the school a willingness to accommodate overflow parking that have accommodated event parking for the elementary school. Parking would be subject to any conflicts and church approval at the time, if necessary. Church sites typically have 75 to 250 spaces from which buses could shuttle back and forth to the Campus and generally are able to rent their parking spaces for such uses on a case-by-case basis (refer to Attachment A of Section III, Responses to Written Comments of this Final EIR, which includes a letter from a local church indicating their willingness to allow the applicant to rent parking spaces, if and when needed for special events at the Sierra Canyon Secondary School campus).

Comment 11.06

The scheme described as mitigation Measure TDM has the APPLICANT conducting it's own monitoring program; certainly, this does not encourage honesty, objectivity, or the possibility of an oversight committee not connected to the school that can assure the surrounding community that some honesty is present during the study periods. The TDM plan referred to at the elementary and middle school is not effective as the DEIR claims. One only has to observe the long lines of illegally parked and idling cars awaiting entry into the school for pick-up and drop-off of students to see that congestion for hours is an everyday occurrence which the school cannot mitigate because of the increased enrollment that has occurred (illegally) through much of its existence.

Response 11.06

It is common practice for a project applicant to be responsible for conducting its own TDM monitoring program. However, the school will be accountable to LADOT for their TDM plan and subsequent monitoring activities. The vehicle counts will be conducted by the school or under contract but will be monitored and reviewed by LADOT as to their accuracy and effectiveness. Any findings for compliance or restrictions due to noncompliance will come out of LADOT's evaluation program, which is entirely objective. While measures similar to those included in the elementary/middle school TDM program will be adopted by the secondary school, such measures would be expanded and/or modified, as appropriate, to take into account the older student population. Additionally, this Final EIR includes a new mitigation measure to implement a Parking Management Program (see Correction and Addition No. IV.J-13) that would prevent excess queuing. Under this program:

> "…[f]aculty and staff shall be assigned to specific parking areas and/or spaces based on their typical scheduled arrival and departure times in order to minimize overlap of their ingress and egress with vehicle queues associated with student drop-off and pick-up process. Parents shall be informed through the

Student/Parent Handbook where visitor parking is located, as shall visitors upon their arrival to the campus by a driveway attendant.

Also, refer to the Mitigation Monitoring and Reporting Program included as Section IV of this Final EIR for more information regarding the reporting and monitoring requirements applicable to this mitigation measure. Also, unlike the existing elementary and middle school, the proposed project will have more than sufficient on-site queuing space to ensure that cars will not be backed up on to Rinaldi Street during morning drop-off and afternoon pick-up periods.

Comment 11.07

Hence, the major points of this paper come into focus as I, by the use of simple addition, calculate that each and every parking space (236 total) will be occupied every day, all day by staff and students. Any visitor, or if ANY event takes place at any of the numerous planned venues, i.e., swim, performing arts, athletics, or a parent/teacher meeting, all the visitors will have to find off-site parking. During presentation of the DEIR to the Chatsworth Neighborhood Council, the applicant stated that the overflow of traffic generated everyday and on event days (and nights) would find "satellite hub parking" and be bused to the school by private carriers. The applicant could not identify these hub sites; indeed, no research had been done to locate and explore the feasibility of such mitigation measure to the obvious impact of gridlock in the neighborhood during school activity.

The DEIR does not address the immediate impacts of the proposal to the neighborhood streets as Rinaldi will be signed "No Parking", and there is no ancillary parking on campus. Hearing the ambitious schedule of events this school proposes it is of immediate concern that the City Planning Department not pass over as acceptable the minimum space requirement for the school to meet; it is an illogical number that will burden the neighborhoods with a permanent impact that the school has given no thought. Mitigation either requires immediate identification and proof of availability throughout the school year for hub parking (probably in excess of 500 to 800 cars) and the routes the private transportation will use, as well as all the air quality and traffic impacts inherent to the mitigation. This part of the Sierra Canyon Secondary School Plan is as much an integral part of the application as any of the buildings, landscaping, or geology study. Without addressing this issue the school must consider downsizing it's scope of operation, it's student and teacher/staff size, and/or acquiring more land for parking at all times.

Response 11.07

See Response to Comment No. 11.05. As stated in that response, parking would be adequate to meet the expected demands of a typical school day and no parking deficit was identified by LADOT in their review of the project traffic study. Parking would be sufficient to meet staff, administrator, maintenance, visitor, and limited student driver needs. Additionally, current street improvement plans for Rinaldi Street indicate that parking will be available on both sides of Rinaldi Street adjacent to the school (despite the comment's assertion to the contrary). Additionally, off-site parking for special events, and any associated effects, were discussed in the Draft EIR. Pages IV.J-28 and 29 of the Draft EIR states that such events "would generally occur in the evenings, after normal class times, and following the PM peak hour of traffic on Rinaldi Street and other streets in the project area. Thus, conditions on these roadways will have returned to good levels of service at the time of the special events, and no traffic impacts are anticipated due to a majority of the school events. The exception would be a maximum of five events per year, which may start during the PM peak hour. Any event of this nature could degrade the evening peak hour traffic conditions for attendees accessing the site but would be

temporary in nature and occur no more than five times per year. The school will provide adequate management of parking by providing access information to guests and offering off-site parking with shuttles as necessary." As stated on Page IV.J-29 of the Draft EIR, "…the project would provide for additional special event parking (for graduation, open houses, etc.) at off-site locations, with shuttle transport offered to and from the site when special events are held, if needed." Furthermore, as stated, additional overflow parking would also be available along Rinaldi Street, adjacent to the project. In the event of the need for overflow parking, the school would provide shuttle service to and from local parks upon permit, or other off-site locations including churches that have provided event parking for the elementary school. Church sites typically have 75 to 250 spaces from which buses could shuttle back and forth to the Campus and generally are able to rent their parking spaces for such uses on a case-by-case basis (refer to Attachment A of Section III, Responses to Written Comments of this Final EIR, which includes a letter from a local church indicating their willingness to allow the applicant to rent parking spaces, if and when needed for special events at the Sierra Canyon Secondary School campus).

With respect to regional emissions, the Draft EIR analyzed regional air quality impacts associated with 984 daily vehicle trips. As shown in Table IV.B-6 of the Draft EIR, the 984 daily vehicle trips generated by the proposed school would result in criteria pollutant emissions of 16 pounds per day (ppd) of ROG, 14 ppd of NO_X, 98 ppd of CO, less-than-one ppd of SO_X, and nine ppd of PM_{10}. These emissions are well below the SCAQMD significance thresholds of 55 ppd of ROG and NO_X, 550 ppd of CO, and 150 ppd of SO_X and PM_{10} (if daily vehicle trips were to double, the proposed project would still be below the SCAQMD thresholds). Should a maximum of 250 off-site parking spaces be required during special events (highly unlikely with multiple occupant vehicles) an additional 500 total non-peak trips would occur (250 trips inbound and 250 trips outbound), which would not cause criteria pollutant emissions to exceed daily SCAQMD significance thresholds.

With respect to localized CO concentrations, the Draft EIR estimated CO concentrations at roadway intersections surrounding the project site based on the addition of 506 project-related AM peak hour vehicle trips. The CO hotspot analysis in the Draft EIR found that the addition of 506 AM peak hour vehicle trips on roadways surrounding the project site would incrementally increase CO concentrations by a maximum of 0.2 parts per million (ppm) and 0.1 ppm during the one-hour and eight-hour period, respectively (see Table IV.B-7 and pages IV.B-14 through 17 of the Draft EIR). Assuming that 500 vehicle trips (250 inbound and 250 outbound) could be generated by parking off-site, they would contribute to less traffic on roadways within that localized area than the 506 AM peak hour trips traveling to and from the proposed school. Additionally, the 250 inbound or outbound trips would be generated in the early evenings when roadway conditions in the area have returned to good levels of service. Thus, it is anticipated that 250 pre- and post-event trips from off-site parking would contribute to less than 0.2 ppm and less than 0.1 ppm of the overall CO concentration at roadways surrounding that location during the one-hour and eight-hour period, respectively.

Data recorded at the nearest monitoring station (Reseda monitoring station) indicates that the area has not violated the State CO standards in the past three years. As such, it is not likely that the streets surrounding an off-site parking location would violate the State CO standards even when an additional 250 trips are traveling on roadways in that immediate area. Even if the streets surrounding off-site parking exceeded State CO standards, an incremental increase of less than 0.2 ppm during the one-hour period and less than 0.1 ppm during the eight-hour period (based on 506 AM peak hour trips with the proposed project - increases would be lower with 250 non-peak hour trips from off-site parking) would be less than the measurable increase

of one ppm and 0.45 ppm for the one- and eight-hour period, respectively, and would not exceed SCAQMD significance thresholds. As such, off-site parking would not be expected to adversely affect localized air quality along area roadways. The comment's concerns regarding special event parking and any associated impacts are still noted for the record and will be forwarded on to the decisionmakers for their consideration.

Comment 11.08

The Draft Environmental Impact Report is a document used to identify and mitigate, if possible, issues before a proposed project becomes a burden to the community and City agencies. The above impacts I have cited are not minor; have not been mitigated; and therefore need to be looked into as soon as possible, and not left to the Conditional Use process to sort through.

Thank you for your attention to these matters.

Response 11.08

Refer to Response Nos. 11.01 through 11.07. The comments are noted and will be forwarded to the decisionmakers for their consideration.