# Partial Recirculated Draft Supplemental Environmental Impact Report
# NorthLake Specific Plan
# Los Angeles County, California

## SCH No. 2015031080

Prepared for

County of Los Angeles
Department of Regional Planning
Hall of Records, 13th Floor, Room 1362
320 West Temple Street
Los Angeles, California 90012

Prepared by

Psomas
5 Hutton Centre Drive, Suite 300
Santa Ana, California 92707

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## TABLES



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# APPENDICES

**Appendix**

## ACRONYM LIST

| | |
|---|---|
| ADT | Average daily traffic |
| AG | Attorney General |
| BMPs | Best Management Practices |
| BTAR | Biological Technical Assessment Report |
| CalEEMod | California Emissions Estimator Model |
| Caltrans | California Department of Transportation |
| CAA | Creek Avoidance Alternative |
| CAPCOA | California Air Pollution Control Officers Association |
| CBB | Crotch's Bumblebee |
| CBR | Considered but Rejected |
| CCR's | codes, covenants, and restrictions |
| CDFW | California Department of Fish and Wildlife |
| CE | Conservation Easement |
| CESA | California Endangered Species Act |
| CEQA | California Environmental Quality Act |
| CFR | Code of Federal Regulations |
| CHP | California Highway Patrol |
| CNDDB | California Natural Diversity Database |
| CNEL | Community Noise Equivalent Level |
| CNRL | California Natural Resources Agency |
| CO | carbon monoxide |
| County | County of Los Angeles |
| CRPR | California Rare Plant Rank |
| CWA | Clean Water Act |
| dBA | decibel |
| DCS | Disaster Communications Service |
| DSEIR | Draft Supplemental EIR |
| EIR | Environmental Impact Report |
| FESA | Federal Endangered Species Act |
| FSEIR | Final Supplemental EIR |
| ft | feet |
| GHG | greenhouse gas |
| HMMP | Habitat Mitigation and Monitoring Plan |
| HOA | homeowner's association |
| LACDRP | Los Angeles County Department of Regional Planning |
| LACoFD | Los Angeles Country Fire Department |
| LACPW | Los Angeles County Public Works |
| LASD | Los Angeles County Sheriff's Department |
| LID | Low Impact Development |
| LOS | Level of service |
| MBTA | Migratory Bird Treaty Act |
| mcy | million cubic yards |
| MMRP | Mitigation Monitoring and Reporting Program |
| MMs | Mitigation Measures |
| NCCP/HCP | Natural Community Conservation Plan/Habitat Conservation Plan |
| NEPA | National Environmental Policy Act |
| NOA | Notice of Availability |
| NOP | Notice of Preparation |
| NLSP | NorthLake Specific Plan |
| NPPA | Native Plant Protection Act |
| PCAA | Partial Creek Avoidance Alternative |

| | |
|---|---|
| PDF | Project Design Feature |
| PM10 | respirable particulate matter with a diameter of 10 microns or less |
| PM2.5 | fine particulate matter with a diameter of 2.5 microns or less |
| PNA | Parks Needs Assessment |
| PNA+ | Parks Needs Assessment Plus |
| PRC | Public Resources Code |
| RHNA | Regional Housing Needs Assessment |
| RPDSEIR | Recirculated Portions of the Draft Supplemental EIR |
| RTP/SCS | Regional Transportation Plan/Sustainable Communities Strategy |
| RWQCB | Regional Water Quality Control Board |
| SAA | Streambed Alteration Agreement |
| SB | Senate Bill |
| SCAQMD | South Coast Air Quality Management District |
| SCAG | Southern California Association of Governments |
| SEIR | Supplemental Environmental Impact Report |
| sf | Square feet |
| SP | Stock Pond |
| SWRCB | State Water Resources Control Board |
| TIA | Traffic Impact Analysis |
| USEPA | U.S. Environmental Protection Agency |
| USFW | U.S. Fish and Wildlife Service |
| VHFHSZ | Very High Fire Hazard Severity Zone |
| VMT | vehicle miles traveled |
| VOC | volatile organic compounds |
| VPHPL | vehicles per hour per lane |
| WST | Western Spadefoot Toad |

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# SECTION 1.0 INTRODUCTION

## 1.1 PURPOSE

The County of Los Angeles (County), as lead agency, prepared this document, titled Recirculated Portions of the Draft Supplemental EIR (RPDSEIR), to analyze the potential environmental impacts of the *NorthLake Specific Plan* (NLSP or Project) under the California Environmental Quality Act (CEQA). The County prepared this RPDSEIR in accordance with the Los Angeles Superior Court ruling on the Center For Biological Diversity and Endangered Habitats League v. County Of Los Angeles, et al, and Real Parties in Interest, Northlake Associates, et al, Case No. 19STCPO1610 ruling (Court Ruling), dated January 11, 2021, which granted in part and denied in part the Center For Biological Diversity and Endangered Habitats League's Petition for Writ of Mandate. A copy of the Court Ruling is provided in Appendix A.

The Court Ruling held that the Supplemental Environmental Impact Report (SEIR) (SCH No. 2015031080) for the Project, certified by the County on September 25, 2018, and consisting of the Draft Supplemental EIR (DSEIR), the Final Supplemental EIR (FSEIR) and associated errata, failed to comply with CEQA because it contained: (1) inadequate alternatives analysis (for failing to fully analyze a creek avoidance alternative); (2) inadequate Western Spadefoot Toad (WST) baseline assessment and, therefore, inadequate mitigation (to recreate baseline conditions; mitigation inadequate in detail and commitment); and (3) improper deferred mitigation as to rare plants (measure lacked sufficient detail). The Court denied the Petition for Writ of Mandate regarding: (1) impacts to mountain lions/wildlife crossings, (2) aesthetics, (3) air quality/public health, (4) wildfire impacts, and (5) recirculation.

This document does not revise the SEIR in any respect other than as directed by the Court, as the Court Ruling upheld all other aspects of the SEIR. As the RPDSEIR is limited to a few portions of the SEIR, pursuant to CEQA Guidelines Section 15088.5, subdivision (c), the DSEIR and FSEIR are not being recirculated for public review and comment.

The discussions which follow adhere to the general document structure and sequence presented in the SEIR and are based on a simple format in which each individual portion of the SEIR deemed inadequate by the Court Ruling is presented, with appropriate responsive discussion and/or analysis. If this RPDSEIR is approved by the County, it will become the final volume of the SEIR. The analysis in this document relies on all relevant information in the SEIR, its appendices and errata, as well as the new or additional sources of information identified herein.

This document has been made available for public review and comment in accordance with the procedures contained in the Notice of Availability. Written comments may be submitted to Mr. Jodie Sackett, Los Angeles County Department of Regional Planning, 320 West Temple Street, Los Angeles, California 90012. As CEQA Guidelines Section 15088.5, subdivision (f)(2) permits, the County requests reviewers to limit the scope of their comments to that material which is addressed within the text of the revised portions and the appendices included in this RPDSEIR. The County also requests that reviewers not make new comments on matters not included in this RPDSEIR. Responses to all comments received during the review period regarding the environmental analysis in this RPDSEIR will be provided in a separate document – a Revised Portions of the Final Supplemental EIR (Revised PFSEIR). Pursuant to CEQA Guidelines Section 15088.5, subdivision (f)(2)(ii), written responses will be prepared only to comments received regarding this RPDSEIR. The Revised PFSEIR will provide the basis for County decision-makers to consider the environmental implications of the Project as well as possible ways to mitigate any significant environmental impacts. Prior to making a decision on the Project, the County must certify that the Revised PFSEIR has been completed in compliance with CEQA, was presented

to the County's decision-making body, that the decision-making body reviewed and considered the information contained in the Revised PFSEIR prior to approving the Project, and that the Revised PFSEIR reflects the lead agency's independent judgment and analysis.

## 1.2 PROJECT SUMMARY

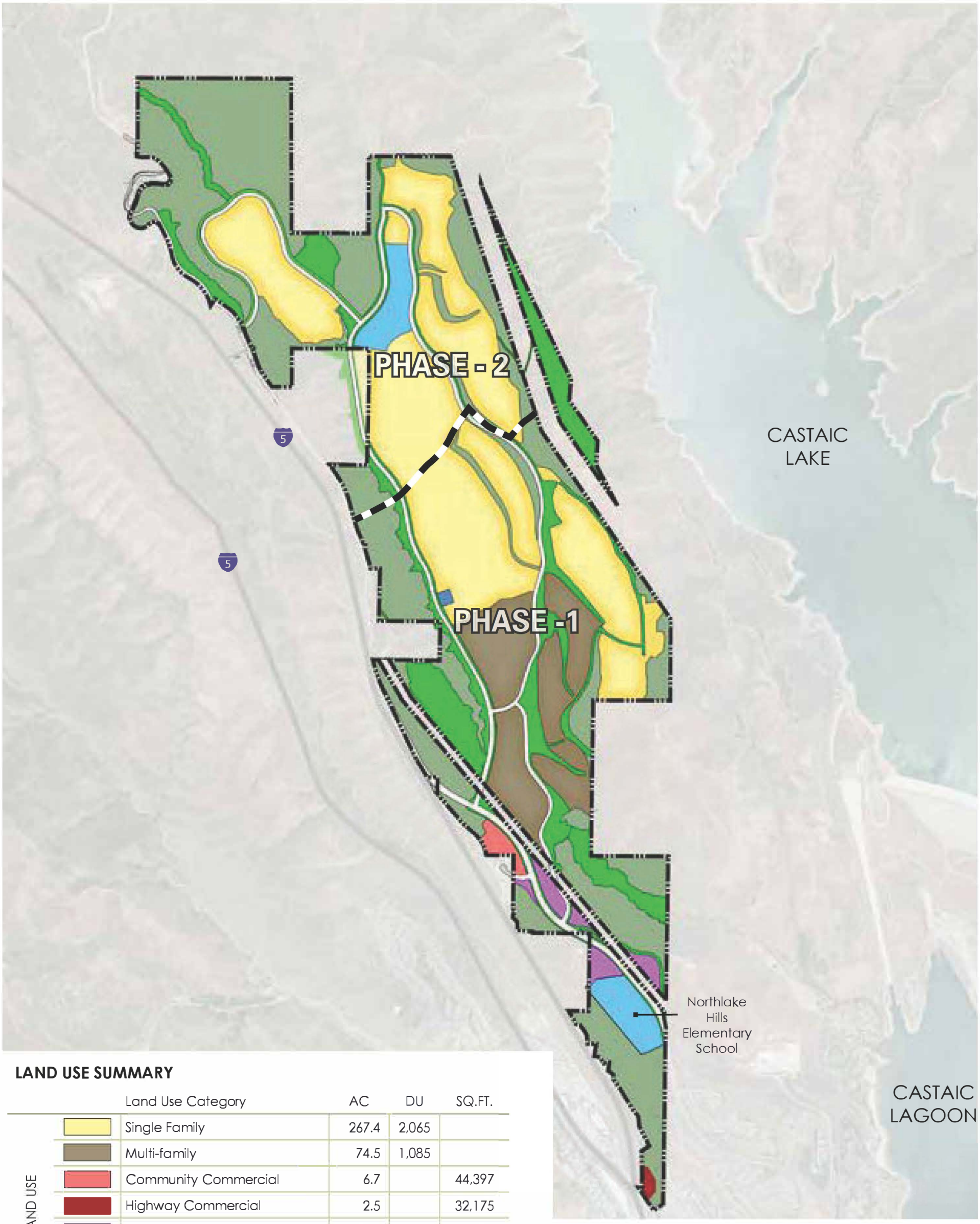
The previously approved Project consists of development of Phase 1, Phase 2, and associated off-site external map improvements in both Phase 1 and Phase 2 totaling 65.13 acres, including remedial grading, drainage features, and road and utility alignments. Phase 1 comprises (1) development of a 720-acre portion of the Project Site with a total of 2,295 dwelling units, including 288 single-family units on approximately 41.3 acres, 1,341 multi-family units on approximately 107 acres, 345 senior multi-family units on approximately 49 acres, 315 affordable units and 6 market-rate live/work units (included within 20 acres of commercial use). Phase 1 also includes, and lots are also provided for commercial development (22 acres), open space and parks (412 acres), roadways (86 acres), school pad (21 acres) and a fire station pad (1 acre), as shown on Figure 1, Previously Approved Land Use Plan.

The remainder of the Project Site, referred to as the Phase 2 area, would be developed with 855 single family homes, 386 acres of parks, trails, and open space, 23 acres of school uses, and 36 acres of associated roadway and infrastructure improvements. Phase 2 is included in Vesting Tentative Tract Map (VTTM) No. 073336 and the Conditional Use Permit (CUP) request is for 21 large lot parcels (40 acres or more) for future lease and finance purposes.

The Project improvements would consist of the construction of Ridge Route Road at the Project's main entrance to the south and a secondary access route to the northwest, construction of NorthLake Parkway adjacent to and west of the Phase 2 portion of the Project Site, a 4.64-acre connection of Grasshopper Creek Park, a debris basin, 2.39 acres in trail connections, a 5.1-acre pad for a water tank, 29.79 acres of manufactured slopes, and 11.98 acres of natural open space. In addition, extensions of the existing electrical distribution circuitry would occur along the existing Ridge Route Road to reach the Project, and substation upgrades would occur on Southern California Edison property. Grading for the proposed Project would involve approximately 33 million cubic yards of earthwork. Grading would occur over an approximate 1,330-acre rough grade footprint that accommodates the VTTM 073336 lots, plus the remaining 610 acres associated with future development of Phase 2.

In addition to the above improvements, an existing crude oil pipeline easement containing two oil pipelines that traverse the entire north-south length of the Project Site would be relocated to an alignment along the eastern boundary of the proposed development area and within the identified grading footprint.

At the February 21, 2018, public hearing, the Regional Planning Commission requested that the Applicant include an affordable housing component in the Project. Based on this request, the Applicant made minor revisions to the Project analyzed in the SEIR to include an affordable component. Specifically, the Applicant eliminated 108,283 square feet (sf) of industrial uses and 13,197 sf of commercial land uses and redesignated the industrial areas and remaining 31,200 sf of commercial land uses (excluding Highway Commercial) as Mixed-Use Neighborhood Commercial. The residential total at full buildout remains 3,150 units, same as the previously approved Project. However, 323 units would be reallocated from the Phase 2 area of the Project to the Phase 1 area (for a total of 2,297 Phase 1 units). This includes 6 market-rate live-work units, which would combine residential living space with commercial space. In addition, a total of 315 units would be deed restricted as affordable, as defined by the County, and developed in both phases. Of the 315 affordable units, 95 would be designated as senior-living affordable units. The senior-living affordable units would be available for occupants aged 55 and over and who meet




## LAND USE SUMMARY

| | | Land Use Category | AC | DU | SQ.FT. |
|---|---|---|---|---|---|
| LAND USE | | Single Family | 267.4 | 2,065 | |
| | | Multi-family | 74.5 | 1,085 | |
| | | Community Commercial | 6.7 | | 44,397 |
| | | Highway Commercial | 2.5 | | 32,175 |
| | | Industrial | 13.7 | | 108,283 |
| | | School [1] | 43.5 | | |
| | | Fire Station | 1.4 | | |
| | | Street R.O.W. | 120.5 | | |
| OPEN SPACE | | Recreation/Park [2] | 167.0 | | |
| | | Natural Open Space/Slope [3] | 632.5 | | |
| **TOTAL** | | | **1,329.7** | **3,150** | **184,855** |

Source: PlaceWorks 2017

# Previously Approved Land Use Plan

Exhibit 1

*NorthLake Specific Plan, Recirculated Portions of the Supplemental Draft EIR*

N W E S

Map not to scale

PSOMAS

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the minimum criteria to qualify for affordable housing. The remainder of the affordable housing units would not have any age restrictions. The market-rate live-work units and deed restricted affordable units are considered multi-family units under some impact methodologies below.

## 1.3 EIR CERTIFICATION AND PROJECT APPROVALS

In compliance with CEQA and the State CEQA Guidelines, the County conducted an Initial Study of the proposed Project and determined that an SEIR would be the appropriate environmental document to analyze the Project's potential impacts to the environment, as there have been additions and changes to the NLSP project, but they would not require major revisions to the 1992 NLSP EIR. The Initial Study identified a preliminary range of potential impact issues to be analyzed. A Notice of Preparation (NOP) and the Initial Study were distributed to responsible and interested agencies and key interest groups to solicit comments and to inform the public of the proposed Project. The NOP/Initial Study was distributed on March 24, 2015, for a 30-day review period, as required by CEQA. In addition, the County held a scoping meeting for the DSEIR on April 8, 2015. The purpose of the meeting was to solicit input from interested agencies, individuals, and organizations regarding the Project, alternatives, mitigation measures (MMs), and significant effects to be analyzed in the DSEIR.

Potentially significant environmental impacts addressed in the DSEIR included: Air Quality, Biological Resources, Cultural Resources, Energy, Hazards and Hazardous Materials, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Transportation/Traffic, and Utilities and Service Systems. The DSEIR analyzed both individual components and cumulative effects of the Project together with related projects on these topics and identified a variety of mitigation measures to reduce the potential adverse effects of the Project.

In accordance with CEQA requirements, the DSEIR also analyzed potential alternatives to the Project, including (1) No Project/No Development Alternative, (2) No Project/Development Pursuant to the Approved NorthLake Specific Plan, (3) No Industrial Development Alternative, and (4) Phase 1 Development Alternative. Potential environmental impacts of each of these alternatives were discussed as required by CEQA and each alternative was compared to the Project.

The DSEIR for the Project was released for public review on May 2, 2017, and circulated for public review and comment for a 45-day period ending on June 15, 2017. In compliance with Section 15087 of the State CEQA Guidelines, the County provided public Notice of Availability (NOA) of the DSEIR at the same time it sent a Notice of Completion to the Office of Planning and Research. In addition, the County held a public hearing regarding the Project before a Hearing Examiner on May 24, 2017.

Following the close of the public comment period on the DSEIR on June 15, 2017, detailed responses to all public agency comments and comments received from members of the general public received regarding the Project and the analyses of the DSEIR were prepared and are contained in the FSEIR.

An Errata was released in February 2018, prior to the Regional Planning Commission hearing to make minor technical corrections in the FSEIR and to provide further information in response to public comments received prior to the Regional Planning Commission meeting. The Errata included only minor technical changes to the SEIR and additional information to support the SEIR's conclusions, and the Errata merely clarified or amplified or made insignificant modifications in the adequate SEIR.

Project entitlements included: (1) NorthLake Specific Plan (Project No. 2015-00408-(5), (2) Vesting Tentative Parcel Map No. 073335-(5), (3) Vesting Tentative Tract Map No. 073336-(5), and (4) Conditional Use Permit No. 2015-00019-(5) (to authorize the Northlake Specific Plan site plan review, affordable set-aside housing, affordable senior set-aside housing, mixed-use and live-work development, on-site and off-site grading exceeding 100,000 cubic yards of cut/fill material, walls and fences exceeding six feet in height, and the construction of two water tanks with associated grading and infrastructure).

At the February 21, 2018 public hearing, the Regional Planning Commission requested that the Applicant include an affordable housing component in the Project. Based on this request, the Applicant made minor revisions to the Project analyzed in the SEIR to include an affordable component. An Errata dated April 4, 2018 was prepared to determine whether these minor changes would change any of the conclusions of the SEIR. The Errata concluded that the revisions involved only minor changes to the distribution of land uses and an overall reduction in density and intensity or use, and the Errata merely clarified or amplified or made insignificant modifications in the adequate SEIR.

On April 18, 2018, the Regional Planning Commission adopted the required findings, certified the SEIR, and granted the requested Project approvals.

A Second Errata dated August 2018 was prepared to make minor technical corrections in the FSEIR and to provide further information in response to public comments at the Regional Planning Commission meeting. The Second Errata included only minor technical changes to the SEIR and additional information to support the SEIR's conclusions, and the Errata merely clarified or amplified or made insignificant modifications in the adequate SEIR.

On September 25, 2018, the County Board of Supervisors (Board) held a public hearing on the Project and the appeals and voted to reject the appeals, uphold the Regional Planning Commission approvals, and certify the SEIR. On April 2, 2019, the Board adopted the Project entitlements, CEQA findings and Mitigation Monitoring and Reporting Program (MMRP), and Project conditions.

## 1.4 CEQA LITIGATION AND PREPARATION OF THE RPDSEIR

On May 1, 2019, Center for Biological Diversity and Endangered Habitats League filed a Petition for Writ of Mandate (Petition) in the Los Angeles Superior Court challenging the County's approval of the Project under CEQA (*Center For Biological Diversity and Endangered Habitats League v. County Of Los Angeles, et al, and Real Parties in Interest, Northlake Associates, et al,* Case No. 19STCPO1610). On January 11, 2021, the Court issued the Court Ruling, finding that the County did not comply with CEQA in certain respects in approving the Project, and granting in part and denying in part the Petition. The Court Ruling ordered the County to set aside all of their Project approvals and revise the SEIR as directed in the Court Ruling.

On February 1, 2021, the Court issued a Writ of Mandate and Judgment. The Writ of Mandate obligated the County to set aside its certification of the SEIR, its adoption of the Findings of Fact, Statement of Overriding Considerations, and MMRP, its approval of the Northlake Specific Plan Project (Project No. 2015-00408-(5)), the Vesting Tentative Parcel Map No. 073335-(5), Conditional Use Permit No. 2015-00019-(5), and Vesting Tentative Tract Map No. 073336-(5), and any other associated approvals (Project Approvals).

On May 18, 2021, the Board set aside all Project Approvals, including certification of the SEIR. Upon consideration of the revisions to the SEIR required by the Court Ruling and set forth in this RPDSEIR, the County may reconsider the Project for approval.

Pursuant to CEQA Guidelines Section 15088.5, subdivision (g), Section 2.0 of this RPDSEIR contains the following revised and updated portions and/or sections to be recirculated for public comment:

(1) Revised biological impact analysis only as to the Western Spadefoot Toad (WST) and special-status plants, as well as impact assessment for Crotch's Bumblebee (CBB) (presented in Section 2.1),

(2) Updated Traffic Analysis as to Vehicle Miles Travelled (VMT) pursuant to Senate Bill (SB) 743 and CEQA Guidelines Section 15064.3 (presented in Section 2.2),

(3) Updated Wildfire Analysis pursuant to Appendix G of the CEQA Guidelines (presented in Section 2.3), and

(4) Revised alternatives analysis only as to the addition of a Creek Avoidance Alternative and a Partial Creek Avoidance Alternative (presented in Section 2.4).

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# SECTION 2.0 REVISIONS TO SEIR IN RESPONSE TO THE COURT RULING

## 2.1 REVISED BIOLOGICAL IMPACT ANALYSIS

### 2.1.1 INTRODUCTION

This section[1] has been revised in accordance with the Court Ruling, specifically to address (1) the WST baseline assessment and mitigation and (2) special-status plant mitigation. In addition, an assessment of impacts to the Crotch's Bumblebee is included. This section has not been revised to address any other impact to biology, including the mountain lions/wildlife crossing issues for which the Court Ruling upheld the County's SEIR analysis and impact determinations.

Specifically, the Court Ruling stated the following regarding WST:

> ***ISSUE THREE: THE BASELINE AND MITIGATION MEASURES PROVIDED IN THE SEIR TO PROTECT THE WESTERN SPADEFOOT TOADS ARE NOT SUFFICIENT UNDER CEQA:***
>
> *A project has a significant effect on the environment if it will eliminate a species of special concern from the Project site. Guidelines 15065. Section15065(a) provides:*
>
> > *A lead agency shall find that a project may have a significant effect on the environment ... where there is substantial evidence ... that any of the following conditions may occur (1) The project ... threaten[s] to eliminate a plant or animal community ....*
>
> *In that event, section 15065(b)(2) requires the project proponent to:*
>
> > *implement mitigation requirements relating to such species and habitat pursuant to an approved habitat conservation plan or natural community conservation plan.*
>
> *The Western spadefoot toad ("WST") is a California species of special concern. AR 3665 (CDFW letter); see AR 3644 defining "species of special concern." A self-sustaining WST population exists at the Project site in and adjacent to Grasshopper Canyon. AR 3689. The WST habitat in Grasshopper Creek and nearby seasonal wet areas will be eliminated by the Project. Grasshopper Canyon itself will be filled in and levelled for building sites. The DSEIR acknowledges the Project will destroy the WST habitat along Grasshopper Canyon.*
>
> > *Since this Grasshopper Canyon population is one of few known populations in the region and Project impacts would result in the loss of these populations (or a substantial portion thereof), impacts to this species would be considered significant ... AR 1943.*
>
> *The County has approved Mitigation Measure 5.2-9 to relocate the WST population to a new habitat that the applicant is to create (at an as-yet unspecified location) and monitored for five years.*
>
> *The parties dispute, first, the sufficiency of the baseline biological surveys for the site, and, thus, dispute not only the number of individuals in the WST community that are*

[1] The biological impact analysis is contained in Section 5.2 of the SDEIR and incorporated herein by reference except where expressly superseded.

*to be relocated but also the number and characteristics of the breeding pools that will have to be created to sustain the population in a new habitat. The applicant's Biological Technical Report, Appendix D relies on a single biological survey for its count of WST: "The western spadefoot was observed incidentally during previous amphibian surveys, and in the focused surveys conducted for the species in 2014 (Bon Terra 2000b, 201 4c)." AR 1943. Petitioners argue the BonTerra's surveys underestimate the WST population on the site because the surveys were taken during draught years when the WST numbers were reduced.*

*The parties dispute, secondly, that the mitigation measures ensure that the relocation of the WST to a new habitat will be successful. The Biological Technical Report asserts that "[i]mplementation of Mitigation Measure 9 [MM 2.5-9) would reduce this impact [on the WST] to less than significant level. " Id. Petitioners argue the mitigation measures are inadequate to assure that result.*

*The mitigation measures approved by the County to mitigate the loss of WST habitat will require that the existing WST population on the Project Site be captured and relocated to new WST habitat. The DSEIR promises:*

> *"Implementation of MM 5.2-9 which requires a western spadefoot relocation program, would reduce this impact to a less than significant level through translocation of individuals to suitable habitat. This measure would result in substantial avoidance of direct impacts to the western spadefoot and as a result the western spadefoot is expected to persist in the region following project implementation." AR 1943.*

*The actual mitigation measure MM 2.5-9 reads in its entirety:*

*A relocation program for western spadefoot toad will be conducted prior to construction during the spring at the height of the breeding season for this species.... Results of the relocation program shall be provided to the CDFW and the LACDRP.*

*(a) Prior to implementing the Spadefoot Relocation Plan, a focused survey will be conducted within the prior appropriate season. If any additional ephemeral ponds are determined to be occupied besides those identified in recent surveys (i.e., 2015), the Spadefoot Relocation Plan will be modified to include replacement of the additional occupied pond as well as others.*

*(b) The intent of the Relocation Plan is to capture and relocate as many western spadefoot toads as possible. Western spadefoot toads shall be relocated on or off site to an area of suitable habitat, as reviewed by the CDFW and the LACDRP. The relocation site shall be of similar (or better) quality as the habitat within the project impact area where the western spadefoot toads are captured. If no suitable habitat is available for relocation, suitable habitat shall be created.*

*Petitioners, to reiterate, argue that the WST relocation project violates CEQA because (I) the baseline definition of the WST population understates the extent of the habitat of the species on the Project site; and (2) the mitigation plan to relocate the existing WST population is unformulated and therefore does not assure the WST will be successfully introduced at another location.*

*These arguments, in the Court's view, are well taken.*

*The applicant has prepared a detailed relocation plan for the Western spadefoot toad. There is the Relocation Plan itself (AR 7831-7846) and a feasibility analysis (AR 8385-8417). The Relocation Plan specifies the steps that are to be taken to remove the WST population (including larvae, tadpoles and mature specimens) from their existing habitat and to replant them in or near pools that have been constructed to match the dimensions and depths of the pools from the original habitat and inoculized [sic] with soils from their original habitat. The pools would be situated in areas having similar vegetation to the original habitat. The feasibility study identifies six sites that could be constructed to recreate the original habitat (two at the site's north end and two on the adjacent state recreational area). The pools apparently are to be replenished by rainfall only.*

*The Relocation Plan, however, is designed to duplicate the conditions for the WST habitat that were identified in the 2014 BonTerra Psomos [sic] focused survey. That survey and earlier incidental surveys were allegedly taken in drought years, and, therefore, as petitioners argue, underestimate the extent of the WST habitat and the number of WST individuals. (In drought years the adult WST may stay underground in hibernation.) The parties have not, so far as the Court can ascertain, provided the rainfall data for the years in which the surveys were taken nor established whether those years had below average rainfall. The petitioners, however, assert that surveys taken in 2014 and general surveys taken in 2004 and 2005 were drought years. This issue was raised during the public comment periods, and the Court is unable to find evidence in the record to refute that the surveys were taken in drought years. The issue bears on whether the implementation of MM 2.5-9 will reduce the impact on the WST to less than significant. Petitioners argue that there are 8 to 10 seasonable pools in which the WST have been observed to breed and where larvae and tadpoles live, but the Relocation Plan intends to construct only three breeding pools. If petitioners are correct, Relocation Plan is inadequate to maintain the WST population.*

*The County's biologist, Joseph Decruyenaere, criticized the SEIR, telling the Planning Commission: "Mitigation for the spadefoot needs to address impacts to all 8 previously documented breeding pools, not just the two that have been observed since 2014. " AR 25823. The CDFW in its June 15, 2017 letter spotted the same problem, telling the Planning Commission: "the Department considers the 2014 surveys not adequate for determining the extent of the western spadefoot toad." AR 7395.*

*The Errata later [sic] attempted to address this issue by requiring additional surveys to determine the extent of the WST habitat. The Errata (AR 8330) provides:*

> *Prior to implementing the Spadefoot Relocation Plan, a focused survey will be conducted within the two prior appropriate seasons prior to the issuance of a grading permit. If any additional ephemeral ponds are determined to be occupied besides those identified in recent surveys (i.e. 2015), the Spadefoot Relocation Plan will be modified to include replacement of the additional occupied pond as well as others.*

*The Relocation Plan as a mitigation measure is intended to reduce the impacts of the destruction of the WST habitat to less than significant. This requires that the habitat that is to be destroyed must be measured in a manner that obtains its maximum dimensions so that those potential dimensions may be realized in the new circumstances at the site where the WST is relocated. The applicant's focus on its 2014 (or 2015) survey is inadequate because it ignores information indicating that with average or greater than*

*average rainfall the extent of the WST habitat is larger with more breeding pools to support a larger WST population. The Errata, in other words, is inadequate because it establishes a restriction on the number of breeding ponds that will be duplicated at the new WST habitat, e.g. those identified in the 2014 survey plus any identified in "two prior appropriate season s" before a grading permit is issued. This restricts the extent of a recreated WST colony because it establishes fewer than the maximal number of breeding pools. What happens if the applicant establishes three breeding pools based on the 2014 survey and a year later there is deluge rainfall? The site unlike Grasshopper Canyon may not naturally expand the number of breeding pools. The WST has survived in Grasshopper Canyon through wet years and draught years. The evidence indicates Grasshopper Canyon has the potential to increase its number of breeding pools in wet years and thus to support a larger WTS population. This potential will be lost if the applicant mechanically duplicates the number of breeding pools that it finds from surveys taken before the grading of Grasshopper Canyon begins.*

*Concluding on the first issue, the applicant has not established a baseline for the WST habitat that must be re-created to preserve the WST population presently existing on the Project site. The mitigation measure for the WST is inadequate for that reason.*

*On the second issue, petitioners argue the relocation plan provided in MM 5.2-9 is inadequate. While the MM 5.2-9 requires the newly created habitat be monitored for five years the steps that will be taken to ensure success are unspecified. (The amphibian relocation plan is described in the SEIR, Appendix C (Biological Resources Plan) at AR 7839.) The CDFW also raised objections to the relocation plan. AR 7390-7405 (CDFW letter of June 15, 2017). The CDFW notes the applicant has not identified a specific site for relocation and does not promise that successful transplantation can be accomplished. AR 7396. The CDFW, as a trustee agency, does not have authority to approve or disapprove a project; however, it is required to be consulted and may comment as to projects that involve fish and wildlife, rare and endangered native plants, wildlife areas and ecological reserves.*

*The promise the applicant will create a habitat in which the transplanted WST population will flourish is deferred mitigation. The parties concede that the success of an alternate habitat is uncertain and will require on-going attention during and maybe beyond the monitoring period. The standard governing the acceptability of deferred mitigation measures is provided in Guidelines section 15126.4(a)(I )(B), reading:*

> *Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review, provided the agency (1) commits itself to the mitigation; (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard that will be considered, analyzed, and potentially incorporated in the mitigation measure.*

*The Court does not find a specific response to the contention that the applicant's deferred mitigation for the loss of the WST habitat does not provide sufficient detail, lacking particularly a specified location for a successful reconstruction of the Grasshopper Canyon WST community. The applicant relies on the September 13, 2018 letter from Glenn Lukos Associates (the Tony Bomkamp letter) to supply substantial evidence that the applicant*

> *will succeed in transplanting the WST population. The Bomkamp letter does not make any commitment; it merely points to the process described in the SEIR (AR 7839) and says Bomkamp personally has been involved in establishing "seasonal pool for western spadefoot toads" in Orange County, without providing further detail. AR 16011.*

*More is required by Guidelines section 15126 for mitigation measures that are deferred. The MM standards required for future projects are that the mitigation measure itself "inform [the lead agency] what it is to do and what it must accomplish, and they commit [the agency] to mitigating impacts before proceeding." See, Center for Biological Diversity v. Department of Fish & Wildlife (2015) 234 Cal. App.4th 214, 240, 245. The deferred mitigation to create a new habitat for the WST community is inadequate in detail and commitment. The mitigation measures to assure relocation of the WST population at the Project site does not comply with CEQA requirements.*

The Court Ruling stated the following regarding special-status plants:

> ***ISSUE FOUR: THE MITIGATION MEASURES PROVIDED IN THE SEIR TO PROTECT THE RARE PLANTS ARE NOT SUFFICIENT UNDER CEQA:***

*Five special status plant species have been identified during surveys to exist at various locations on the Project site. These are the round-leaved filaree, the club-haired mariposa lily and the slender mariposa lily (collectively lilies); the paniculate tarplant, and the southwestern spiny rush. AR 1926-29. As special status plant species, a destruction of their habitat must be mitigated to less than significance. Guidelines 15065(a)(I ). The loss of these plants through the site development is to be mitigated by the transplantation of all existing individual plants as well as seeds or bulbs that are found. The FSEIR states:*

> *A less than significant impact would be achieved through implementation of MM 5.2 -2, MM 5.2-3 and MM 5.2-11... which require a Riparian Restoration Program be developed and approved by USACE [US Army Corps of Engineers], CDFW, and LACDRP prior to issuance of grading permits, .... AR 8564*

*MM 5.2-4 specifies procedures for the lilies. Seeds are to be collected and bulbs excavated for transplantation to a mitigation site and established as a self-sustaining population. A Biological Monitor is to prepare a Mitigation Plan for approval of LACDRP and is to oversee its implementation. AR 8568.*

*MM 5.2-5 specifies procedures for the round-leaved filaree, paniculate tarplant, and southwestern spiny rush. The Project applicant is to prepare procedures to collect and store the plants and seeds, create an alternate site to include soil preparation, irrigation, methods to control competing plants at the new site and prepare a list of "County-approved success criteria."*

*The CDFW challenges the adequacy of the mitigation measures, pointing out that the sites for transplantation are not selected, that the procedures to accomplish transplantation are not specified, and that success criteria are yet to be determined. CDFW believes that the rare plants cannot be transplanted on the site as the available patches after development will be fragmented. The CDFW is likewise dubious about transplantation off-site:*

> *The Department has concerns when the DSEIR states it will transplant species off-site as this implies other areas will be subject to impact by this action. This additional impact would then need mitigation as this ecosystem is now being altered. AR 7398.*

*CDFW was concerned that the mariposa lilies might not survive transplantation, saying it was unaware of any population created by seeding or translocation having been successful "at demonstrating long-term self-sustaining population."*

*CDFW expressed dissatisfaction with the generality of the mitigation measures, saying:*

> *MM7 [now MM 5.2-4 and -5] does not allow the Department to comment on the appropriateness of the location, technique, success criteria, monitoring methods, density, length of time monitoring is required, or the method proposed for long-term protection and funding. AR 7399.*

*The deficiencies identified in the CDFW letter demonstrate that the deferred mitigation measures for transplantation of the rare plants do not satisfy the CEQA standards set forth in Guidelines section 15126.4(a)(l)(B).*

*The applicant relies on the Glenn Lukos Associates (Bomkamp) letter to supply the evidence that deferred mitigation measures for the relocation of the six plant varieties are guidance enough. AR16015-18. Bomkamp's letter advises that there are various locations where the soil conditions are suitable to re-establish the individual plant varieties, but, beyond that, no information is provided to address the deficiencies identified by the CDFW. Further detail is required for the mitigation measures proposed for the rare plants in order to mitigate the destruction of their habitat to a less than significant threshold.*

*The mitigation measures for successful relocation of the rare plants found at the Project Site do not comply with CEQA requirements.*

### 2.1.2 METHODOLOGY

The following section is based on (1) the Western Spadefoot Toad Impact Assessment and Habitat Mitigation and Monitoring Plan, July 2022 (Revised March, June 2023 and April 2024) by Glenn Lukos Associates, Inc. (GLA 2022a [Revised April 2024]; WST Report), (2) the Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan, July 2022 (Revised October and December 2022, February 2023 and April 2024) by Glenn Lukos Associates, Inc. (GLA 2022b [Revised April 2024]) (3) Effects of Potential Listing of Western Spadefoot Toad on NorthLake Project in Castaic, Los Angeles County, California (November 12, 2023) by Glenn Lukos Associates, Inc., (4) Summary of Western Spadefoot Toad Surveys in 2023 and 2024 at NorthLake Project Site, Los Angeles County, California (August 6, 2024) by Glenn Lukos Associates, and (5) Crotch's Bumblebee Survey Results, Impacts and Mitigation for NorthLake Project, Los Angeles County by Glenn Lukos Associates, Inc, dated July 2024 (CBB Survey Report). The full text of each report is included as Technical Appendices B-1, B-2, H through J, respectively, of this document.

### 2.1.3 BACKGROUND INFORMATION

**Western Spadefoot Toad**

The WST is a species of amphibian in the family Scaphiopodidae. It is found in western California (USA) and northwestern Baja California (Mexico). WST is a relatively smooth-skinned species of American spadefoot toad. Its eyes are pale gold with vertical pupils. It has a green or grey dorsum, often with skin tubercles tipped in orange, and has a whitish color on the abdomen. On each hind foot is a wedge-shaped black spade. Adult toads are between 3.8 cm and 7.5 cm (1.5 in and 3.0 in) long. Juveniles have a similar appearance to adults, but with more distinct spotting. It is

nocturnal, and activity is limited to the wet season, summer storms, or during evenings with elevated substrate moisture levels.

WST was observed on the Project Site during various general and focused amphibian surveys as well as during focused surveys for listed fairy shrimp species within seasonal pools. The surveys that observed WST were conducted during years with well above-average rainfall (2004/2005) and below-average rainfall (2014). While numerous ephemeral ponds and features have been observed on the Project Site over time during various surveys for different species, only three features have been observed to contain WST and only one additional feature was observed to contain potential WST habitat, despite no WST being observed in this latter feature. Subsequent surveys were conducted in 2023 and 2024. A more detailed discussion of the survey results, including a summary of relevant rainfall data, is provided below.

**Special-Status Plants**

Five special-status plant species were detected on the Project Site during various surveys over multiple years. The species accounts address the species detected in 1998 and 2001 as well as those detected by BonTerra in 2014. The *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan* (GLA 2022b [Revised April 2024]) (Impact Assessment, Appendix B-2 to this RPDSEIR) includes important updates, specifically the California Rare Plant Rank (CRPR) for the round-leaved filaree and the addition of the California Natural Diversity Database (CNDDB) Rarity rankings for southwestern spiny rush, paniculate tarplant, slender mariposa lily, and club-haired mariposa lily to provide a more robust analysis relative to the significance of the impacts. (See also SDEIR, Section 5.2.2.)

***Round-leaved filaree***

Round-leaved filaree (*California macrophylla*) is an annual or biennial herbaceous species that occurs in clay soils in grasslands, openings in coastal sage scrub, and cismontane woodland (Allen and Roberts 2013). This species is less than six inches in height and generally blooms between mid-March and early May. In October 2017, when BonTerra prepared the Rare Plant Plan, round-leaved filaree was listed with a CRPR of 1B.2 (Rare or endangered in California and elsewhere, fairly endangered in California).

A total of 39 individuals of this species was observed in annual grassland in the central portion of the site in silty-clay soils in 2001 and was not observed during botanical surveys conducted in 2014 (BonTerra Psomas 2014). Associated plant species reported in 2001 included salt grass (*Distichlis spicata*), foxtail barley (*Hordeum murinum leporinum*), western plantain (*Plantago erecta*), fascicled tarweed (Deinandra fasciculata), and California goldfields (*Lasthenia californica*); however, neither the geographic extent or density of the population were reported and are thus unknown. On April 6 and 14, 2022, the location was visited by GLA biologist Tony Bomkamp to determine whether the occurrence of round-leaved filaree was extant, and the species was not detected. The site conditions appeared to have become degraded as the area has converted to dense non-native grasses and the species such as salt grass, western plantain, fascicled tarplant and California goldfields were no longer present. These are native forbs and their absence is an indicator that the site has been degraded, most likely by wildfire and/or grazing which has changed the character of the site and likely explains why the round-leaved filaree was not detected on either visit.

In November 2017, after completion of BonTerra's Special Status Plant Species Restoration Plan, the California Native Plant Society removed this species from the "Inventory of Rare and

Endangered Plants" changing the status from 1B.2 to "Considered but Rejected" (CBR)[2] with the note "Too common statewide" and the additional comment "counties that contain small, localized populations under severe threat should track *C. macrophylla* as a species of local concern". Thus, this species no longer has special status under the CRPR; or as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFW) or U.S. Fish and Wildlife Service (USFW) as discussed below in the impact analysis. Nevertheless, round-leaved filaree is considered locally rare by the County of Los Angeles and was addressed in the Rare Plant Plan, should the occurrence be confirmed in preconstruction surveys.

***Paniculate Tarplant***

Paniculate tarplant (*Deinandra paniculata*) is an annual herbaceous species that is found in grassland, open chaparral and woodland, and disturbed areas, often in sandy or sandy-clay soil (Baldwin et al 2012). This is an upright species that grows up to 30 inches in height and typically blooms between May and November. Paniculate tarplant has a CRPR of 4.2 (Limited distribution in California, fairly endangered in California). Of note is the fact that paniculate tarplant has a CNDDB Rarity Ranking of S4 ("Apparently secure within California")[3] and CalFlora lists 710 records for this species as discussed below in the impact assessment. One population of paniculate tarplant comprised of several hundred individual plants was observed during 2014 botanical surveys in the northern-central portion of the Project Site, in an opening of sage scrub habitat located on a northwest-facing slope. This occurrence was confirmed during a site visit by GLA biologist Tony Bomkamp on April 14, 2022, at which time the geographic extent was mapped using GPS and the density was observed to be variable ranging from approximately one to five plants per square meter, resulting in population estimate of 600. Associated plant species at this location include California sagebrush (*Artemisia californica*), tocalote (*Centaurea melitensis*), red-stemmed filaree (*Erodium cicutarium*), and nodding needlegrass (*Stipa cernua*).

***Southwestern spiny rush***

Southwestern spiny rush (*Juncus acutus* ssp. *leopoldii*) is a perennial rhizomatous herb that occurs in alkaline seeps and moist saline soils. This species grows from 20 to 50 inches in height and typically blooms between June and August (Baldwin et al 2012); however, it is detectable throughout the year. Southwestern spiny rush has a CRPR of 4.2 (Limited distribution in California, fairly endangered in California). Like the paniculate tarplant, Southwestern spiny rush has a CNDDB Rarity Ranking of S4[4] ("Apparently secure in California") and CalFlora lists 406 records for this species. Southwestern spiny rush was observed throughout Grasshopper Canyon, and it was estimated by BonTerra that several hundred individual plants exist in the Project development boundary. BonTerra's mapping showed that the majority of Grasshopper Creek was occupied; however, densities were not reported. Approximately 2,000 individuals of this plant were observed throughout the main drainage in Grasshopper Canyon in 2021 by GLA biologists. GLA noted that density varies from occasional individuals to dense thickets of nearly 100-percent cover for some localized patches. In general, the spiny rush was limited to the low flow channel and adjacent terraces. The plants were growing in mule fat scrub and mule fat scrub/spiny rush marsh vegetation. The substrate in these areas is sandy riverwash with cobbles and boulders (BonTerra 2014). The plant species generally associated with southwestern spiny rush includes mule fat (*Baccharis salicifolia*) and sandbar willow (*Salix exigua*).

[2] The California Rare Plant Rank is derived directly from the California Native Plant Society *Inventory of Rare and Endangered Plants*.
[3] http://www.rareplants.cnps.org/detail/1892.html.
[4] http//rareplants.cnps.org/939.html.

### *Slender Mariposa Lily and Club-Haired Mariposa Lily*

Slender mariposa lily (*Calochortus clavatus* var. *gracilis*) and club-haired mariposa lily (*C. clavatus* var. *clavatus*) are perennial herbs in the lily family and *Calochortus* genus, which consists of 50 species and/or subspecies that are native to California. Slender mariposa lily has a CRPR of 1B.2 (Rare or endangered in California and elsewhere, fairly endangered in California) and a CNDDB Rarity Ranking of S2S3 ("Imperiled" and "Vulnerable"). Club-haired mariposa lily has a CRPR of 4.3 (Limited distribution in California, not very threatened in California) and a CNDDB Rarity Ranking of S3. CalFlora lists 95 and 117 occurrences, respectively. These plants represent varieties of the same species and are known to hybridize with each other. Due to this known hybridization, these two species are often treated as a single species for purposes of impact assessment and mitigation, when necessary. For portions of the population, BonTerra mapped occupied polygons; however, BonTerra did not provide specific counts for each polygon so it is not possible to establish densities; however the total number of plants was provided for the development area which is adequate for determining the impact and required mitigation as set forth below. GLA has observed this species on multiple sites in northern Los Angeles County and densities vary from very low (< one/square meter) to multiple/square meter. Density for the proposed establishment areas is addressed below.

### Crotch's Bumblebee

Crotch's Bumblebee (*Bombus crotchii*) (CBB) was petitioned to the State of California in 2018 for listing of the CBB as endangered under the California Endangered Species Act (CESA). The Fish and Game Commission advanced the species to "Candidate" status (for listing as endangered) under the CESA in June 2019. The CBB has a historic range that covers the portions of southern and central California including the NorthLake project site. Subsequently, the candidacy of the CBB was challenged in court, and in November 2020 the Sacramento County Superior Court ruled that insects are not eligible for listing under CESA. The Superior Court's ruling was subject to a subsequent legal challenge regarding CESA's definition of a fish as "a wild fish, mollusk, crustacean, invertebrate, amphibian, or part, spawn, or ovum of any of those animals" and was eventually overruled by the California Court of Appeal on May 31, 2022, making the CBB subject to protection under CESA.[5]

The CBB is a State Candidate Endangered species[6] that inhabits open grassland and scrub habitats. This species occurs primarily in California, including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent foothills through most of southwestern California. This species was historically common in the Central Valley of California, but according to the listing package now appears to be absent from most of it, especially in the center of its historic range.

Bumblebees, including CBB, are generalist foragers and have been reported visiting a wide variety of flowering plants. CBB has a very short tongue, and thus is best suited to forage at open flowers with short corollas. The plant families commonly associated with CBB observations or collections from California include Fabaceae, Apocynaceae, Asteraceae, Lamiaceae, and Boraginaceae. Plants in the genera *Asclepias, Chaenactis, Lupinus, Medicago, Phacelia,* and *Salvia* are common food plants. These floral associations do not necessarily represent CBB's only preferred plants over other flowering plants, but rather may represent the prevalence of these flowers in the landscape where this species occurs.

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5 *Almond Alliance of California v. Fish and Game Commission* (2022) 79 Cal.App.5th 337.

6 The California Fish and Game Commission voted to designate CBB as Candidate Endangered species on June 12, 2019. That designation was placed on hold during the litigation. Following the Court of Appeal ruling, the candidacy was reinstated on September 30, 2022. The final determination is pending.

Bumblebees are social insects that live in colonies composed of a queen, workers, and reproductive individuals (males and new queens). Colonies are annual and only the new, mated queens overwinter. These queens emerge from hibernation in the early spring and immediately start foraging for pollen and nectar and begin to search for a nest site. Nests are often located underground in abandoned rodent nests, or above ground in tufts of grass, old bird nests, rock piles, or cavities in dead trees. Initially, the queen does the foraging and care for the colony until the first workers emerge and assist with these duties. Bumblebees collect both nectar and pollen of the plants that they pollinate. In general, bumblebees forage from a diversity of plants, although individual species can vary greatly in their plant preferences, largely due to differences in tongue length. Bumblebees are well-known to engage in "buzz pollination," a very effective foraging technique in which they sonicate the flowers to vibrate the pollen loose from the anthers.

### 2.1.4 EXISTING CONDITIONS

**Western Spadefoot Toad**

WST was observed at the Project Site during various general and focused amphibian surveys as well as during focused surveys for listed fairy shrimp within seasonal pools.

#### 1. 2004/2005 Fairy Shrimp Surveys

A determination for the extent of suitable habitat for WST is possible from the data collected during wet-season fairy shrimp surveys in 2004/2005, which was one of the wettest rainfall years in the last 50 years[7]. From October 2004 to February 2005, the amount of accumulated rainfall at the Project Site far exceeded the average annual rainfall amount. During this time period, more than 35 inches of rain fell at the Project Site, where the average annual rainfall is 20 inches per year.

Appendix A of the January 17, 2006, BonTerra fairy shrimp report documents the results of the surveys and describes eight ponded features that were identified during the surveys.[8] Ponding was recorded along with water depths during the surveys and the presence of a suite of invertebrates, amphibians (including WST), and other species such as waterfowl. Four of the 8 ponded features identified in that report (ponds VP 1, VP 2, VP 6, and Stock Pond [SP] 1) exhibited sufficient ponding to support WST as noted in the comments in Appendix A of that report. It is important to note that fairy shrimp surveys during the 2004/2005 survey season began

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7 The January 17, 2006 BonTerra Fairy Shrimp Focused Survey reported: "The precipitation from the winter of 2004-05 was well above average. The average rainfall for northwestern Los Angeles County is 20 inches per year. The accumulated rainfall for the months of October 2004 to February 2005 was 44 inches at the Del Valle Weather Station, approximately six miles to the southwest of the Project Site (Table 1) [based on the monthly totals cited by BonTerra the total from October 2004 through February 2005 actually was 34.59 inches and with an additional 1.24 inches in March 2005 which BonTerra included in the 2006 BonTerra Fairy Shrimp Focused Survey, thus the total was 35.83 inches]. There was an initial, early rainfall during October 19 and 26, 2004. A total of 4.72 inches fell at the Del Valle Weather Station during October 2004. November 2004 rainfall totaled 0.17 inch at Del Valle. The majority of the rains came during the months of December 2004 through February 2005. The Del Valle Weather Station rainfall total was 6.82 inches in December 2004, 12.46 inches in January 2005, and 10.42 inches in February 2005 [and 1.24 inches in March 2005]. The above average rainfall enabled the wet season survey to comprehensively sample the ponds for representative invertebrates present. The ponds inundated on December 27 and 28, 2004, during a rainfall event that delivered 4.5 inches over two days and remained inundated above the 0.39-inch (3 cm) standing water criteria until the final site visit on April 9, 2005."

8 BonTerra Consulting. January 17, 2006. *Results of Focused Presence/Absence Surveys for Fairy Shrimp at the NorthLake Specific Plan and Castaic High School Project Site, Near the Community of Castaic in Unincorporated Los Angeles County*.

on November 27, 2004, and extended to April 9, 2005, ensuring that the surveys fully captured a sufficient segment of the breeding season for the WST.[9]

Ponded features VP 1, VP 2 and SP 1 were observed and documented as supporting WST. WST was not observed and documented at feature VP 6 during the 2004/2005 surveys. However, feature VP 6 supported western toad larvae, which leads to the conclusion that the habitat is potentially suitable for WST, at least during above-average rainfall years.

Critically, the other four ponded features (ponds VP 3, VP 4, VP 5, and VP 7) BonTerra identified during the surveys in 2005 and documented in the 2006 Report were too shallow (i.e., no more than a few inches at maximum depth) and dried out throughout the course of the surveys. Accordingly, these four ponded features lacked sufficient water depth and duration to support WST. This is particularly important information, because if these features were too shallow and therefore failed to pond for sufficient duration during the 2004/2005 rainfall season, which was an exceptionally wet year, their lack of suitability for WST is unambiguously established. No amphibians or fairy shrimp were detected in these features during an extra-optimal year. For these features, there is no potential for WST to successfully breed.

Based on above-average rainfall during the 2004/2005 rainfall season, features listed as VP 1, VP 2, and SP 1 in the 2006 BonTerra report are the only features documented to support WST; one additional feature, VP-6, is the only other feature with potential to support WST (at least in above-average rainfall years). The other 4 ponded features (ponds VP 3, VP 4, VP 5, and VP 7) cannot support WST.

### 2. 2014 Shrimp Surveys and Western Spadefoot Toad Surveys

In 2014, a year that exhibited lower-than-average rainfall, BonTerra conducted surveys for fairy shrimp and amphibians, as well as focused surveys for WST. A total of 6 ponded features were observed and mapped at the Project Site during the 2014 surveys. Each of the six ponded features were also observed and recorded during the 2004/2005 surveys; no new ponded features were observed at the Project Site during 2014 surveys. Notably, the 2014 surveys labeled the ponded features at the Project Site differently than the 2004/2005 surveys.

WST was only observed at two of the six ponded features that were observed and recorded during the 2014 surveys. WST was previously observed at both of these ponded features during the prior 2004/2005 surveys. As noted above, WST was also observed at a third ponded feature during the 2004/2005 surveys. However, WST was not observed at this ponded feature during the 2014 surveys, most likely due to insufficient ponding in 2014. WST was not observed at the other three ponded features during the 2014 surveys.

As shown in the table below (Table 2-1), during the 2014 surveys, WST tadpoles were observed in the ponded features previously identified in the 2006 BonTerra fairy shrimp report as SP 1 (identified as Pond 7 in the 2014 surveys for fairy shrimp and amphibians, and Pond 1 in the 2014 focused surveys for WST) and VP 1 (identified as Pond 8 in the 2014 surveys for fairy shrimp and amphibians, and Pond 2 in the 2014 focused surveys for WST). WST was not observed in the ponded feature previously identified in the 2006 BonTerra fairy shrimp report as VP 2 (identified as Pond 9 in the 2014 surveys for fairy shrimp and amphibians, and not identified in the 2014 focused surveys for WST).

[9] WST breeding season is typically late winter to the end of March. See: S. Morey, 2000. California Wildlife Habitat Relationships System California Department of Fish and Wildlife California Interagency Wildlife Task Group.

The results of BonTerra's 2014 focused surveys for WST are summarized below:

> *Western spadefoot toad was detected at both Pond 1 and Pond 2 during the surveys (Exhibit 4). Western spadefoot toad tadpoles were detected in Pond 2 on March 31, 2014. Advertising adult males and foraging adults of both sexes were observed at Pond 1 on March 31, April 7 and 15, and May 7, 2014. Amplexing (mating) pairs were observed at Pond 1 on April 7 and 15, 2014. Metamorphs were observed at Pond 1 on May 21, 2014. Photographs of Pond 1 and Pond 2 are presented in Attachment A, and photographs of the western spadefoot toad tadpoles, metamorphs, and adults on the Project Site are presented in Attachment B.*
>
> *Tadpoles observed at Pond 2 were at Gosner stage 26-30[1] a little more than halfway to metamorphosis, and at least one hind limb bud was visible on each of the tadpoles examined. Given that western spadefoot toad larvae have been documented metamorphosing within three weeks of egg-hatching (Lannoo 2005), tadpoles could have potentially metamorphosed within 12 days of the first observation on March 31, 2014. The pool had diminished significantly by the April 7, 2014, survey and no tadpoles were observed. It is unlikely that the tadpoles observed during the March 31 survey had metamorphosed by the second survey on April 7.*
>
> *Up to 15 male spadefoot toads were observed vocalizing at Pond 1 on April 15, representing the peak of breeding activity observed during surveys. The observation of metamorphs on May 21 indicates successful breeding at Pond 1.*[10]

Subsequent WST surveys were conducted in 2023 and 2024 following above average rainfall years. These surveys confirmed the presence of WST in the 3 previously observed ponds – Pond 1, Pond 2 and the Cattle Pond (SP 1). Specifically, the WST population estimates for the Cattle Pond were difficult to quantify as this pond dried faster and earlier in the year than the two smaller ponds and the water was turbid. The detection of WST at the Cattle Pond was low; however, metamorphs were quickly detected during both years. Given the Cattle Pond dries faster than Ponds 1 and 2, WST development may be accelerated in the Cattle Pond. The Cattle Pond is larger than the other two ponds with more soil cracks available for WST refuge; therefore, the number of metamorphs hiding in the cracks is likely much higher than were detected. The detection of WST at Pond 1 yielded the highest consistent detection from 500s to low 1,000s and multiple cohorts were observed co-occurring. Pond 1 appears to remain inundated longer than Pond 2; therefore, it may support a larger population of WST larvae, allowing multiple cohorts to metamorphose. Pond 1 was observed to support multiple cohorts and Baja California treefrog during both years. During the 2024 Pond 2 survey, the WST tadpoles were primarily from one cohort and of similar size to Pond 1's oldest cohort. As mentioned above, Pond 2 appears to dry faster than Pond 1, as it exhibited half the surface area compared to Pond 1 in 2024 and completely dry during the 2023 visit. However, Pond 2 remained inundated long enough, in both years, to produce at least one cohort, given the numerous metamorphs detected in 2023 and the late-stage tadpoles observed in 2024. Although Pond 1 appears to have the ability to support more WST larvae, both ponds are sufficiently proximate to each other to function as a single population that is likely supporting hundreds to low 1,000s of WST metamorphs during above average rainfall years.

[10] BonTerra Psomas. October 2, 2014. Results of Focused Presence/Absence Surveys for the Arroyo Toad and Western Spadefoot Toad on the NorthLake Specific Plan Project Site, Los Angeles County, California.

**TABLE 2-1**
**POND NOMENCLATURE CLARIFICATION AND WST SURVEY RESULTS**

| Ponded Features Observed 2004/2005 Fairy Shrimp Survey (AR 3828)[a] | Observed in 2004/2005 Fairy Shrimp Survey? (Y/N; Survey ID) | Ponded Features Observed 2014 Fairy Shrimp Survey[b] (AR 3848) | Observed in 2014 Fairy Shrimp Survey? (Y/N; Survey ID) | Ponded Features Observed in 2014 WST Survey[c] (AR 3904) | Observed in 2014 WST Survey (Y/N; Survey ID)? | Ponded Features Observed in 2022/2023 and 2023/2024 WST Surveys | Observed in 2022/2023 and 2023/2024 WST Surveys (Y/N; Survey ID)? | Draft Western Spadefoot Toad Relocation Program Identifier[e] |
|---|---|---|---|---|---|---|---|---|
| VP 1 | **Y** (AR 3833) | Pond 8 | **Y** (AR 3868-3871) | Pond 2 | **Y** (AR 3897) | Pond 2 | **Y** (Appendix I) | Pond 2 |
| VP 2 | **Y** (AR 3834) | Pond 9 | N | | N | Pond 1 | **Y** (Appendix I) | Pond 1 |
| VP 3 | N | Pond 4 | Not surveyed | | Not surveyed | | Not surveyed | |
| VP 4 | N | Pond 5 | Not surveyed | | Not surveyed | | Not surveyed | |
| VP 5 | N | Pond 6 | Not surveyed | | Not surveyed | | Not surveyed | |
| VP 6[d] | N | | Not surveyed | | Not surveyed | | Not surveyed | Pond 3 |
| VP 7 | N | | Not surveyed | | Not surveyed | | Not surveyed | |
| SP 1 | **Y** (AR 3835) | Pond 7 | **Y** (AR 3852 – 3855) | Pond 1 | **Y** (AR 3897) | Cattle Pond | **Y** (Appendix I) | Cattle Pond |

[a] Stock Pond = SP; Vernal Pool = VP; Administrative Record citation = AR, followed by the page number.
[b] Ponds 1-3 were different ponds located off site.
[c] Ponds 1 and 2 are the only ponds shown on Exhibit 4 (Ponds Occupied by WST) based on the 2014 survey.
[d] VP 6 appears to have exhibited sufficient ponding but did not support WST at the same time they were observed. VP 6 is designated Pond 3 in the WST Report.
[e] Adopted nomenclature for the WST Report and the RPDSEIR.

### 3. Number of Ponded Features at Project Site During Optimal Conditions

As reported above, in the 2006 *Fairy Shrimp Report*, BonTerra included a detailed table (Table 1 on page 6) with monthly rainfall data showing that the 2004/2005 rainfall year (approximately 36 inches) was more than the average rainfall for the region (approximately 20 inches). Accordingly, the 2004/2005 rainfall year reflects the most optimal conditions for WST habitat at the Project Site.

The 2004/2005 surveys were conducted during optimal conditions for WST habitat at the Project Site. During the 2004/2005 surveys, WST were observed at three ponded features on the Project Site. A fourth ponded feature at the Project Site exhibited potential for WST habitat, but no WST larvae was observed at this ponded feature during the 2004/2005 surveys. Accordingly, the 2004/2005 surveys demonstrate that the Project Site has a maximum of four ponded features that can support WST. The other four ponded features observed and documented at the Project Site cannot support WST, even during optimal conditions when there has been above-average rainfall.

BonTerra's *DRAFT Western Spadefoot Toad Relocation Program*[11] is based on the four ponded features at the Project Site that can support WST. These ponded features are identified as: Pond 1 (previously identified as VP 2 in the 2006 BonTerra fairy shrimp report, and Pond 9 in the 2014 surveys for fairy shrimp and amphibians); Pond 2 (previously identified as VP 1 in the 2006 BonTerra fairy shrimp report, and Pond 8 in the 2014 surveys for fairy shrimp and amphibians); Pond 3 (previously identified as VP 6 in the 2006 BonTerra fairy shrimp report); and Cattle Pond (previously identified as SP 1 in the 2006 BonTerra fairy shrimp report, and Pond 7 in the 2014 surveys for fairy shrimp and amphibians). While only WST larvae were observed in Pond 3 during the 2004/2005 or 2014 surveys, Pond 3 will be subject to mitigation and pre-construction surveys because it exhibited potential for supporting WST during above-average rainfall years. Pond 3 will also serve as a potential collection site based on the presence or absence of WST as determined by the pre-construction surveys. Table 2-1, above, summarizes the survey results and clarifies the ponded feature nomenclature, consistent with *Western Spadefoot Toad Relocation Program.*

Grading for the previously approved Project would result in the loss of Pond 1, Pond 2 and the Cattle Pond. Grading would also impact Pond 3.

### 4. Dimensions of Ponded Features at Project Site During Optimal Conditions

The maximum dimensions of the pools discussed above and those subject to mitigation was determined during the 2004/2005 rainfall season, which, as noted above, reflected the optimal conditions for WST habitat at the Project Site. The method for determining the maximum dimensions of the three ponds to be impacted is described on page 2 of BonTerra's *DRAFT Western Spadefoot Toad Relocation Program*:

> *Brian Leatherman and Justin Wood, Consulting Biologists, visited the site on November 11, 2004 to measure the size and extent of the existing ponds and to search for suitable mitigation pool creation sites. A subsequent preliminary assessment searching for pool creation sites was conducted in summer of 2017 simultaneous with other site surveys conducted by BonTerra Psomas Senior Biologist Marc Blain and Biologist Sarah Thomas.* ***The existing breeding habitat consists of three ponds.*** *Two are naturally occurring ephemeral ponds on the plateau above (east of) Grasshopper Canyon, and one is an artificially created cattle pond near the upper end of Grasshopper Canyon (Exhibit 1). Approximate dimensions and surface area of the respective ponds are shown in Table 1. The total surface area of the existence the surface area of the mitigation pools to be created, is 22,859 square feet.*

[11] BonTerra Psomas. September 2017. *DRAFT Western Spadefoot Toad Relocation Program* prepared for the FSEIR: NorthLake Specific Plan Residential Development Project, Los Angeles County, California.

Table 1 of the BonTerra Plan[12] (reproduced below as Table 2-2) includes the following information:

**TABLE 2-2**
**DIMENSIONS OF EXISTING EPHEMERAL PONDS AND CATTLE POND**
**FROM DRAFT WESTERN SPADEFOOT RELOCATION PROGRAM**

| Pond | Shape | Dimensions (pond diameters) | Surface Area | Perimeter | Estimated Max. Depth |
|---|---|---|---|---|---|
| 1 (upslope) | Oval | 36 x 61 feet | 1,847 sq. ft. | 145 feet | 1 ft. 2 in. |
| 2 (downslope) | Circular | 27.5 x 36 feet | 791 sq, ft. | 99 feet | 1 ft. 9 in. |
| Cattle Pond | Oval | 123 x 198 feet | 20,221 sq. ft. | 503 feet | 3 ft. 6 in. |
| * Surface area (fourth column) was estimated by averaging diameters and using the formula A = π r2 | | | | | |

Appendix A of the BonTerra 2006 *Fairy Shrimp Report* provides dimensions for the pools that were determined during the wet-season surveys. These were larger estimates for the features, with the caveat that these appear to be estimates and no mention is given in the report of how the dimensions were obtained (as noted below these are inaccurate estimates). Table 2-3 below uses the largest dimension for each of the three pools.

**TABLE 2-3**
**MAXIMUM DIMENSIONS OF EPHEMERAL PONDS AND CATTLE POND**
**FROM 2006 FAIRY SHRIMP ESTIMATES**

| Pond | Shape | Surface Area (square meters) | Surface Area (square feet) | Perimeter | Estimated Max. Depth |
|---|---|---|---|---|---|
| 1 (upslope) | Oval | 481 | 5,177 sq.ft. | Not Provided | 51 cm (20.4 in.) |
| 2 (downslope) | Circular | 179.8 | 1,937 sq, ft. | Not Provided | 56 cm (22.4 in.) |
| Cattle Pond | Oval | 123 x 198 feet | 64,583 sq. ft. | Not Provided | 210 cm (84 in.) |
| * Surface area (fourth column) was estimated by averaging diameters and using the formula A = π r2 | | | | | |

Based on a review of aerial photographs over a period of years, between 1994 and 2021 the normal ponding area is less than the maximum dimensions stated in Table 2-3 and larger than the dimensions in Table 2-2. Exhibit 4 (of the WST Report [Appendix B-1]) is an aerial photograph from April 2011 that shows the limits of WST-occupied ponds with the near-maximum ponding.[13] The images for Ponds 1 and 2 are from December 2017, which show a very clear outline of the maximum or near-maximum extent of potential ponding (the same range of years was used for these ponds as well). Although Pond 3 (previously identified as VP-6 in the 2006 BonTerra fairy shrimp survey) is depicted on Exhibit 4 (of the WST Report [Appendix B-1]), the near-maximum extent from the 2006 *Fairy Shrimp Report* has been included in Table 2-4. Table 2-4 establishes the baseline for WST habitat "that must be recreated to preserve the WST population presently existing on the Project site". (Court Ruling at p. 17.)

[12] BonTerra Psomas. September 2017. *DRAFT Western Spadefoot Toad Relocation Program* prepared for the FSEIR: NorthLake Specific Plan Residential Development Project, Los Angeles County, California.

[13] Aerial photographs that show unambiguous ponding were examined on Google Earth Pro© include 6/1994, 12/2005, 3/2006, 7/2008, 6/2009, 4/2011, 12/2013, 8/2014, 5/2015, 2/2016, 7/2017, and 8/2019. As noted, the aerial from 4/2011 shows the pool at capacity and the areas was calculated using ArcGIS.

**TABLE 2-4**
**REVISED DIMENSIONS OF EXISTING EPHEMERAL PONDS AND CATTLE POND**

| Pond | Shape | Dimensions | Surface Area | Perimeter[1] | Estimated Depth[2] |
|---|---|---|---|---|---|
| 1 (upslope) | Oval | NA | 2,600 square feet | 190 feet | 1 foot 2 inches |
| 2 (downslope) | Circular | NA | 1,300 square feet | 110 feet | 1 foot 9 inches |
| Cattle Pond | Oval | NA | 35,284 square feet | 790 feet | 3 feet 6 inches |
| 3 | Oval | NA | 2,178 square feet | 177 feet | 14 inches |
| Total | | | 41,362 square feet (0.95 acre) | | |

[1] Perimeter measurements are based on review of aerial photographs over a period of years, between 1994 and 2021.
[2] Depths are from Table 1 of the BonTerra *DRAFT Western Spadefoot Toad Relocation Program.*

## Special-Status Plants

### *Round-Leaved Filaree*

Round-leaved filaree was observed during 2001 plant surveys, when 39 plants were observed within the Project's development boundary. However, this species was not observed during surveys conducted in 2014, indicating that this species may have been extirpated from the Project Site. Site visits on April 6 and 14, 2022, to the site location where the species was previously detected in 2001 did not find the population, consistent with the finding that the population may have been extirpated.

### *Paniculate Tarplant*

Paniculate tarplant was observed in 2014 in a single population that consisted of several hundred individual plants, all of which occur in the Project's development boundary. The population was detected on April 14, 2022, consistent with the previous observations.

### *Southwestern Spiny Rush*

Southwestern spiny rush was observed throughout Grasshopper Canyon and it was estimated that several hundred individual plants exist in the Project's development boundary. GLA conducted a focused survey and census in 2021 and found approximately 2,000 individuals in Grasshopper Creek.

### *Slender mariposa lily and club-haired mariposa lily*

During botanical surveys conducted in 2014, BonTerra reported that approximately 1,709 individuals of slender/club-haired mariposa lily hybrids were observed at 36 locations on the Project Site. An additional 22 populations contained plants of varying densities, likely representing an additional 1,000 or more individuals. It is estimated that over 3,000 individuals occur on the Project Site; however, in the BonTerra *Draft Rare Plant Plan*, it was clarified that of the approximately 3,000 individuals observed on the Project Site, approximately 2,000 individuals are located within the Project's development boundary.

**Crotch's Bumblebee**

Surveys were conducted by GLA biologists experienced in conducting focused surveys for the CBB in areas of suitable habitat within the proposed development area as well as areas of onsite and offsite open space as depicted on Exhibit 1 of the CBB Survey Report (Attachment J).

GLA biologists performed focused surveys for the CBB within suitable habitat areas within the NorthLake Project site. Surveys followed a protocol developed by GLA which largely encompasses the CBB flight season (March to September) when the queen, daughters, males and new queens are generally active. Surveys are preferably spaced out throughout the flight season to take advantage of different blooming periods and floral resources. The survey protocol recommends that individual biologists conduct three focused surveys during the flight season, beginning within the three acres that contain the highest quality floral resources per every 50 acres of potential suitable habitat. Based on previous mapping by BonTerra[14], the Project Site supports up to 1001.8 acres of potential suitable habitat, and due to the overall size of the Project Site and distance between suitable habitat areas, four different biologists conducted three focused surveys each, with two or three biologists during each survey visit. In addition to the focused surveys listed in Table 1 below, CBB were observed on April 3, 2024 during other biological surveys conducted by GLA.

During each focused survey, two sampling approaches were implemented. During the first phase, the surveyor conducted one hour of visual survey effort within the three-acre flowering area identified as supporting the highest quality habitat as determined by the surveyor. If CBB were not detected during the first hour of searching, a second hour of survey effort was conducted. During the second hour, the surveyor could either choose to resurvey the same flowering area (if any *Bombus* species were detected prior) or the surveyor could choose to conduct a second hour of searching within another high quality three-acre flowering area on site. If CBB were not detected during the second hour of the survey effort, the second survey phase was implemented, in which the surveyor surveyed the best additional flowering areas throughout the site, as deemed appropriate. The surveyor scanned suitable flowering areas for bumblebee activity and focused on those areas. Minimal time was spent in lesser quality habitat. Depending on the size of the habitat area, the opportunistic survey effort generally did not exceed one hour. In addition, GLA biologists documented bumblebee activity incidentally during all other biological surveys.

Focused surveys were conducted by GLA biologists Jason Fitzgibbon, Chris Waterston, Stephanie Cashin, and Ian Rhodes on May 15, May 16, May 23 and June 27, 2024. Pursuant to the survey guidelines, the surveys were conducted during daytime hours when floral resources were in bloom and when it was sufficiently warm for bumblebee activity. Weather conditions during the surveys were conducive to a high level of bee activity. Table 1 of the CBB Survey Report summarizes the CBB survey visits.

CBB were detected within the proposed development areas and within proposed open space areas as depicted on Exhibit 1 of the CBB Survey Report. Based on previous vegetation mapping for the Project Site conducted for the Biological Technical Assessment Report (BTAR) prepared by BonTerra (2015), the Project Site contains areas of sage scrub communities, native grassland communities and wildflower fields that provide suitable nectar sources and therefore considered suitable habitat for the CBB. As recorded in the BTAR and depicted on Exhibit 2 of the CBB Survey Report, the following vegetation associations were confirmed by GLA to exhibit suitable conditions based on a combination of CBB survey observations and the presence of suitable

[14] BonTerra. December 2015. Biological Technical Assessment Report, NorthLake Specific Plan Development Project, Prepared for Woodridge Capital Partners, LLC 1999 Avenue of the Stars Suite 2850 Los Angeles, California 90067.

nectar plants: sage scrub communities, native grassland communities and California annual grassland/Wildflower fields.

### 2.1.5 RELEVANT PLANS, POLICIES, AND REGULATIONS

#### Federal

***Federal Endangered Species Act*[15]**

The Federal Endangered Species Act (FESA) of 1973 protects plants and animals that the government has listed as "Endangered" or "Threatened". The FESA is implemented by enforcing Sections 7 and 9 of the Act. A federally listed species is protected from unauthorized "take" pursuant to Section 9 of the FESA. "Take", as defined by the FESA, means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or to attempt to engage in any such conduct. All persons are presently prohibited from taking a federally listed species unless and until (1) the appropriate Section 10(a) permit has been issued by the USFWS or (2) an Incidental Take Permit is obtained as a result of formal consultation between a federal agency and the USFWS pursuant to Section 7 of the FESA and the implementing regulations that pertain to it (*Code of Federal Regulations* [CFR], Title 50, Section 402). "Person" is defined in the FESA as an individual, corporation, partnership, trust, association, or any private entity; any officer, employee, agent, department or instrument of the federal government; any State, Municipality, or political subdivision of the State; or any other entity subject to the jurisdiction of the U.S. The Project Applicant is a "person" for purposes of the FESA.

***Fish and Wildlife Coordination Act***

The Fish and Wildlife Coordination Act (16 USC 661–666), enacted in 1934, applies to any federal project where the waters of any stream or other body of water are impounded, diverted, deepened, or otherwise modified. Project proponents are required to consult with the USFWS and the appropriate State wildlife agency. These agencies prepare reports and recommendations that document project effects on wildlife and identify measures that may be adopted to prevent loss or damage to wildlife resources. The term "wildlife" includes both animals and plants. Provisions of the Act are implemented through the National Environmental Policy Act (NEPA) process and Section 404 permit process.

***Section 404 and 401 of the Clean Water Act of 1972***

Section 404 of the Clean Water Act (CWA, 33 USC 1251 et seq.) regulates the discharge of dredged or filled material into "Waters of the U.S.", including wetlands. "Waters of the U.S." include navigable coastal and inland waters, lakes, rivers, streams, and their tributaries; interstate waters and their tributaries; wetlands adjacent to such waters; intermittent streams; and other waters that could affect interstate commerce. The USACE is the designated regulatory agency responsible for administering the 404 permit program and for making jurisdictional determinations. This permitting authority applies to all "Waters of the U.S." where the material has the effect of (1) replacing any portion of "Waters of the U.S." with dry land or (2) changing the bottom elevation

[15] On December 5, 2023, U.S. Fish and Wildlife Service (USFWS) issued a "Proposed Rule" to list the WST. Currently, the WST remains a California Species of Concern and the finding of significance would not change. The new federal status of "Proposed Threatened" would not change the finding that the impacts on the WST from the previously approved Project would be significant (see below). Under the CEQA Appendix G Guidelines, the proposed mitigation would remain adequate, and no additional mitigation would be necessary due to the new federal Proposed Rule. (Appendix H to the RPDSEIR, Effects of Potential Listing of Western Spadefoot Toad on NorthLake Project in Castaic, Los Angeles County, California (November 12, 2023) by Glenn Lukos Associates, Inc. [GLA 2023b])

of any portion of "Waters of the U.S.". These fill materials would include sand, rock, clay, construction debris, wood chips, and materials used to create any structure or infrastructure in the "Waters of the U.S.". Dredge and fill activities are typically associated with development projects; water-resource related projects; infrastructure development and wetland conversion to farming; forestry; and urban development.

Under Section 401 of the CWA, an activity requiring a USACE Section 404 permit must obtain a State Water Quality Certification (or waiver thereof) to ensure that the activity will not violate established State water quality standards. The U.S. Environmental Protection Agency (USEPA) is the federal regulatory agency responsible for implementing the CWA. However, the State Water Resources Control Board (SWRCB), in conjunction with the 9 California Regional Water Quality Control Boards (RWQCBs), has been delegated the responsibility for administering the Section 401 water quality certification program.

The RWQCB is the primary agency responsible for protecting water quality in California through the regulation of discharges to surface waters under the CWA and the California Porter-Cologne Water Quality Control Act. The RWQCB's jurisdiction extends to all "Waters of the State" and to all "Waters of the U.S.", including wetlands (isolated and non-isolated). Section 401 requires the RWQCB to provide "certification that there is reasonable assurance that an activity which may result in the discharge to 'waters of the U.S.' will not violate water quality standards". Water Quality Certification must be based on a finding that the proposed discharge will comply with water quality standards, which contain numeric and narrative objectives that can be found in each of the 9 Regional Boards' Basin Plans.

### *Migratory Bird Treaty Act*

The Migratory Bird Treaty Act (MBTA) of 1918 may have originally been intended to reduce hunting of migratory birds, but has been interpreted more broadly by some resource agencies in recent years. The broader interpretation is that bird nests containing eggs or young are protected under the MBTA from any disturbance that may directly or indirectly affect the success of the nesting attempt regardless of the intent of the activity that caused the disturbance. Although federal agencies have not enforced this interpretation, some State and local agencies have referred to it as a reason to require avoidance measures as part of project approval permits.

### *Bald and Golden Eagle Protection Act*

The Bald and Golden Eagle Protection Act (16 USC 668) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting—except under certain specified conditions—the taking, possession, and commerce of these 2 bird species. The 1972 amendments increased penalties for violating provisions of the Act and strengthened other enforcement measures. A 1978 amendment authorizes the Secretary of the Interior to permit the taking of golden eagle nests that interfere with resource development or recovery operations. A 1994 Memorandum (59 CFR 22953, April 29, 1994) from President William J. Clinton to the heads of Executive Agencies and Departments sets out the policy concerning collection and distribution of eagle feathers for Native American religious purposes.

## State

### *California Endangered Species Act*

Pursuant to the CESA and Section 2081 of the *California Fish and Game Code*, an Incidental Take Permit from the CDFW is required for projects that could result in the take of a State-listed Threatened or Endangered species. Under the CESA, a "take" is defined as an activity that would

directly or indirectly kill an individual of a species, but the definition does not include "harm" or "harass", as the federal act does. As a result, the criteria for a take under the CESA is less strict than that under the FESA. A CDFW-authorized Incidental Take Permit under Section 2081(b) is required when a project could result in the take of a State-listed Threatened or Endangered Species.

***California Fish and Game Code***

**California Native Plant Protection Act**

The Native Plant Protection Act (NPPA; *California Fish and Game Code,* Sections 1900–1913) of 1977 directed the CDFW to carry out the Legislature's intent to "preserve, protect and enhance rare and endangered plants in this State." The NPPA gave the California Fish and Game Commission the power to designate native plants as "Endangered" or "Rare" and to protect Endangered and Rare plants from take. The CESA expanded on the original NPPA and enhanced legal protection for plants, but the NPPA remains part of the *California Fish and Game Code.* To align with federal regulations, CESA created the categories of "Threatened" and "Endangered" species. It converted all "Rare" animals in the Act as Threatened species, but did not do so for Rare plants. Thus, there are three listing categories for plants in California: Rare, Threatened, and Endangered. Because Rare plants are not included in CESA, mitigation measures for impacts to Rare plants are specified in a formal agreement between the CDFW and the project proponent.

**Chapter 6 of the California Fish and Game Code**

Sections 1600–1616 of the *California Fish and Game Code* require a State, local governmental agency, or public utility to notify the CDFW before beginning construction on a project that will (1) divert, obstruct, or change the natural flow or the bed, bank, channel, or bank of any river, stream, or lake; (2) use materials from a streambed; or (3) result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into any river, stream, or lake. When an existing fish or wildlife resource may be substantially adversely affected, the CDFW is required to propose reasonable project changes to protect the resource. These modifications are formalized in a Streambed Alteration Agreement (SAA) that becomes part of the plans, specifications, and estimates documents for a project.

The term "stream," which includes creeks and rivers, is defined in the CCR as follows: "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (14 CCR 1.72). In addition, the term "stream" can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife. Stream-dependent riparian habitat is defined in the *California Fish and Game Code* (Section 2785) as "lands which contain habitat which grows close to and which depends upon soil moisture from a nearby freshwater source". Removal of stream-dependent riparian vegetation may also require a SAA from the CDFW.

**Section 1802**

State law confers upon the CDFW the trustee responsibility and authority for the public trust resource of wildlife in California. The CDFW may play various roles under the CEQA process. By State law, the CDFW has jurisdiction over the conservation, protection, and management of the wildlife, native plants, and habitat necessary to maintain biologically sustainable populations. The CDFW shall consult with lead and responsible agencies and shall provide the requisite biological

expertise to review and comment on environmental documents and impacts arising from project activities.

As a trustee agency, the CDFW has jurisdiction over certain resources held in trust for the people of California. Trustee agencies are generally required to be notified of CEQA documents relevant to their jurisdiction, whether or not these agencies have actual permitting authority or approval power over aspects of the underlying project (*California Code of Regulations* [CCR], Title 14, Section 15386). The CDFW, as a trustee agency, must be notified of CEQA documents regarding projects involving fish and wildlife of the state as well as Rare and Endangered native plants, wildlife areas, and ecological reserves. Although, as a trustee agency, the CDFW cannot approve or disapprove a project, lead and responsible agencies are required to consult with them. The CDFW, as the trustee agency for fish and wildlife resources, shall provide the requisite biological expertise to review and comment upon environmental documents and impacts arising from project activities and shall make recommendations regarding those resources held in trust for the people of California (*California Fish and Game Code*, Section 1802).

**Sections 3503, 3503.5, and 3513**

Nesting birds are protected in Sections 3503, 3503.5, and 3513 of the *California Fish and Game Code.* These sections state that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code. Section 3503.5 explicitly provides protection for all birds of prey, including their eggs and nests. Section 3513 makes it unlawful to take or possess any migratory non-game bird as designated in the MBTA.

**Regional**

***County of Los Angeles Oak Tree Ordinance***

Within Los Angeles County, the County of Los Angeles Oak Tree Ordinance (Ordinance No. 22.174.030) stipulates that a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the protected zone of any tree of the oak tree genus that is 8 inches or more in diameter 4½ feet above mean natural grade or, in the case of oaks with multiple trunks, a combined diameter of 12 inches or more of the 2 largest trunks, without first obtaining a permit.

***County of Los Angeles General Plan***

The current General Plan requires the NLSP to address the following policies, as stated in Conservation/Natural Resources Element. The Project's consistency with the following policies is presented in Section 5.9, Land Use, of the SEIR.

Conservation/Natural Resources Element

- **Policy C/NR 3.1:** Conserve and enhance the ecological function of diverse natural habitats and biological resources.
- **Policy C/NR 3.10:** Require environmentally superior mitigation for unavoidable impacts on biologically sensitive areas, and permanently preserve mitigation sites.
- **Policy C/NR 3.11:** Discourage development in riparian habitats, streambeds, wetlands, and other native woodlands in order to maintain and support their preservation in a natural state, unaltered by grading, fill, or diversion activities.

### *Santa Clarita Valley Area Plan*

The SCVAP 2012 requires the NLSP to address the following policies from its Conservation and Open Space Element. The Project's consistency with the following policies is presented in Section 5.9, Land Use, of the SEIR.

Conservation and Open Space Element

- **Policy CO-1.1.3:** In making land use decisions, encourage development proposals that preserve natural ecosystem functions and enhance the health of the surrounding community.
- **Policy CO-3.1.2:** Avoid designating or approving new development that will adversely impact wetlands, floodplains, threatened or endangered species and habitat, and water bodies supporting fish or recreational uses, and establish an adequate buffer area as deemed appropriate through site specific review.
- **Policy CO-3.1.3:** On previously undeveloped sites ("greenfields"), identify biological resources and incorporate habitat preservation measures into the site plan, where appropriate. (This policy will generally not apply to urban infill sites, except as otherwise determined by the reviewing agency).
- **Policy CO-3.1.5:** Promote the use of site-appropriate native or adapted plant materials, and prohibit use of invasive or noxious plant species in landscape designs.
- **Policy CO-3.1.6:** On development sites, preserve and enhance natural site elements including existing water bodies, soil conditions, ecosystems, trees, vegetation and habitat, to the extent feasible.
- **Policy CO-3.1.7:** Limit the use of turf-grass on development sites and promote the use of native or adapted plantings to promote biodiversity and natural habitat.
- **Policy CO-3.1.8:** On development sites, require tree planting to provide habitat and shade to reduce the heat island effect caused by pavement and buildings.
- **Policy CO-3.1.9:** During construction, ensure preservation of habitat and trees designated to be protected through use of fencing and other means as appropriate, so as to prevent damage by grading, soil compaction, pollution, erosion or other adverse construction impacts.
- **Policy CO-3.1.10:** To the extent feasible, encourage the use of open space to promote biodiversity.
- **Policy CO-3.2.1:** Protect wetlands from development impacts, with the goal of achieving no net loss (or functional reduction) of jurisdictional wetlands within the planning area.
- **Policy CO-3.2.3:** Ensure protection of any endangered or threatened species or habitat, in conformance with State and federal laws.
- **Policy CO-3.3.3:** Identify and protect one or more designated wildlife corridors linking the Los Padres and Angeles National Forests through the Santa Clarita Valley (the San Gabriel-Castaic connection).
- **Policy CO-3.3.5:** Encourage connection of natural open space areas in site design, to allow for wildlife movement.
- **Policy CO-3.4.1:** Coordinate with the United States Forest Service on discretionary development projects that may have impacts on the National Forest.

- **Policy CO-3.5.1:** Continue to plant and maintain trees on public lands and within the public right-of-way to provide shade and walkable streets, incorporating measures to ensure that roots have access to oxygen at tree maturity, such as use of porous concrete.
- **Policy CO-3.5.2:** Where appropriate, promote planting of trees that are native or climactically appropriate to the surrounding environment, emphasizing oaks, sycamores, maple, walnut, and other native species in order to enhance habitat, and discouraging the use of introduced species such as eucalyptus, pepper trees, and palms except as ornamental landscape features.
- **Policy CO-3.6.1:** Minimize light trespass, sky-glow, glare, and other adverse impacts on the nocturnal ecosystem by limiting exterior lighting to the level needed for safety and comfort; reduce unnecessary lighting for landscaping and architectural purposes, and encourage reduction of lighting levels during non-business nighttime hours.
- **Policy CO-3.6.2:** Reduce impervious surfaces and provide more natural vegetation to enhance microclimates and provide habitat. In implementing this policy, consider the following design concepts:
    - Consideration of reduced parking requirements, where supported by a parking study and/or through shared use of parking areas;
    - Increased use of vegetated areas around parking lot perimeters; such areas should be designed as bioswales or as otherwise determined appropriate to allow surface water infiltration;
    - Use of connected open space areas as drainage infiltration areas in lieu of curbed landscape islands, minimizing the separation of natural and landscaped areas into isolated “islands”; and
    - Breaking up large expanses of paving with natural landscaped areas planted with shade trees to reduce the heat island effect, along with shrubs and groundcover to provide diverse vegetation for habitat.
- **Policy CO-3.6.5:** Ensure revegetation of graded areas and slopes adjacent to natural open space areas with native plants (consistent with fire prevention requirements).

### 2.1.6 THRESHOLD CRITERIA

**Threshold 2-1 Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

### 2.1.7 RELEVANT PROJECT CHARACTERISTICS

The Project includes the preservation of approximately 325.5 acres of undeveloped natural land. In addition, the southeastern reach of Grasshopper Creek would be preserved as a significant habitat mitigation and restoration area. Additionally, in accordance with the NLSP, whenever possible, overall plant material selection for a given area shall have compatible drought resistant characteristics and irrigation programming shall be designed to minimize water applications so that impacts to adjacent natural areas are minimized.

## 2.1.8 IMPACT ANALYSIS AND MITIGATION MEASURES

### Western Spadefoot Toad

As described above, the Project Site contains a maximum of four ponded features that can support WST. These four ponded features will be potentially impacted by the Project. As shown in Table 2-4 above, the four ponded features total 0.95 acres of habitat for the WST. The loss of 0.95 acre of habitat for the WST would be considered significant before mitigation. With implementation of revised MM 5.2-9, below, the impact would be reduced to a less than significant level. Revised MM 5.2-9 is designed to recreate the optimal conditions for WST habitat that was observed and documented in the 2006 BonTerra fairy shrimp report.

#### Rationale For Expecting Success With Mitigation

As noted in the WST Report, and summarized herein, WST has shifted habitat use in portions of California from vernal pools to artificial ponds such as stock ponds and other ponding features of anthropogenic origin, many of which have created WST breeding areas quite by accident. As such, any assertions that it is difficult to create ponds that are suitable for WST breeding are not necessarily accurate. GLA has been involved in WST habitat creation projects that have been successful and provided an example of one such effort that has been well-studied since the seasonal ponds were created in 2005 and 2006 on Irvine Mesa in an area known as East Orange, which is now part of the Orange County Central Coastal Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) Reserve. The 15 created pools overall achieved performance standards after six years of monitoring and included breeding WST in eight of the pools as of the 2009/2010 rainfall season. It is important to note that the performance standards included a number of components that were focused on the quality of the created pools and included hydroperiod (length of ponding) as it was recognized that this is clearly the most critical component of WST pond creation. Presence of fairy shrimp, a common food source for WST larvae were an important pool component and these along with the egg masses and larvae were introduced from the impact pools to the created pools. It was understood that pools with the proper characteristics would ultimately support WST. Thus, the results of follow-up studies conducted up to seven years following completion of the initial program, showed that WST had expanded to 12 pools within the 15-pool complex. Importantly, even in a drought year the pools exhibited sufficient ponding for breeding, though as is often the case for WST in such years, desiccation resulted in the loss of many tadpoles. Revised MM 5.2-9, below, is based on GLA's expert and successful experience in creating ponds that are suitable for WST breeding. The *Western Spadefoot Toad Impact Assessment and Habitat Mitigation and Monitoring Plan*, which is incorporated into revised MM 5.2.9, also includes a ten-year monitoring and maintenance program and contingency measures that would be implemented should WST translocation of inoculum not be on a trajectory for meeting the final success criteria.

### Special-status Plants

#### *Round-Leaved Filaree*

Round-leaved filaree was observed during 2001 plant surveys, when 39 plants were observed within the Project development boundary. However, this species was not observed during surveys conducted in 2014, indicating that this species may have been extirpated from the Project Site. Site visits on April 6 and 14, 2022 to the site location where the species was previously detected in 2001 did not find the population, consistent with the finding that the population may have been extirpated. If this species is not detected during pre-construction plant surveys, it would be considered extirpated, and no mitigation would be required.

As noted above, in November 2017, the California Native Plant Society removed this species from the "Inventory of Rare and Endangered Plants" changing the status from 1B.2 to CBR with the note: "Too common statewide"; with the additional comment: "counties that contain small, localized populations under severe threat should track *C. macrophylla* as a species of local concern." This species has over 600 reported occurrences in CalFlora statewide. Thus, this species no longer has special status in California. The round-leaved filaree is not listed on an official local or regional plan; nevertheless, there are only a few occurrences in northern Los Angeles County and is considered locally rare.[15] Therefore, potential impacts to this species, if determined to be present, would be considered significant under CEQA. With implementation of MM 5.2-5(a), below, the impact would be reduced to a less than significant level.

**Rationale For Expecting Success With Mitigation**

Round-leaved filaree is an annual herb that reproduces by seed in open areas such as grasslands and in openings in coastal sage scrub. Collection of seed with germination, propagation and translocation of propagated plants to suitable habitat/soils by a qualified nursery or similar institution as set forth in MM 5.2-5(a) below, will ensure a high probability of success for the translocation program. The round-leaved filaree translocation program also includes a ten-year monitoring and maintenance program and contingency measures that would be implemented should translocation sites not be on a trajectory for meeting the final success criteria.

***Paniculate Tarplant***

Paniculate tarplant was observed in 2014 in a single population that consisted of several hundred individual plants, all of which occur within the Project's development boundary. The population was detected on April 14, 2022, consistent with the previous observations. As noted, this species is listed as S4 in the CNDDB or "apparently secure within California". Moreover, while (1) the CRPR rank of 4 and the S4 Rarity Ranking, (2) over 700 reported population occurrences in CalFlora statewide–substantially exceeding the minimum threshold of 100 occurrences for the S4 category, and (3) that this species is not on any official local or regional plans, there are only a few occurrences in northern Los Angeles County and is considered locally rare. Therefore, removal of the Project Site population would be considered significant under CEQA and would require mitigation. With implementation of MM 5.2-5(b), below, the impact would be reduced to a less than significant level.

**Rationale For Expecting Success With Mitigation**

Paniculate tarplant is an annual herb that reproduces prolifically by seed in open areas such as grasslands, disturbed areas such as roadsides, as well as in openings in coastal sage scrub. Collection of seed with hand broadcasting to suitable habitat/soils over a period of three seasons to the translocation of seed as set forth in MM 5.2-5(b) habitat by a qualified biologist or botanist as set forth in MM 5.2-5(b) below, will ensure a high probability of success for the translocation program. The paniculate tarplant translocation program also includes a ten-year monitoring and maintenance program and contingency measures that would be implemented should translocation sites not be on a trajectory for meeting the final success criteria.

***Southwestern Spiny Rush***

Southwestern spiny rush was observed throughout Grasshopper Canyon and it was estimated that several hundred individual plants exist in the Project development boundary. GLA conducted a focused survey and census in 2021 and found approximately 2,000 individuals in Grasshopper Creek. As noted, this subspecies is listed as S4 in the CNDDB or "apparently secure within California". Moreover, while (1) the CRPR rank of 4 and the S4 Rarity Ranking, (2) over 400

reported occurrences in CalFlora statewide–substantially exceeding the minimum threshold of 100 occurrences for the S4 category, and (3) that this species is not on any official local or regional plans, there are only a few occurrences in northern Los Angeles County and it is considered locally rare. Therefore, removal of the Project Site population would be considered significant under CEQA and would require mitigation. With implementation of MM 5.2-5(c), below, the impact would be reduced to a less than significant level.

**Rationale For Expecting Success With Mitigation**

Southwestern spiny rush is a perennial rush that propagates from seed and vegetatively from rhizomes. Southwestern spiny rush grows along streams and also grows in areas with springs or seeps. Seed will be collected from southwestern spiny rush plants located within the impact boundaries by a qualified nursery or similar institution as set forth in MM 5.2-5(c) below. This will ensure a high probability of success for the translocation program. The collected seed will be stored for propagation of container plants. Once propagated, the container plants would be introduced to the translocation site. The southwestern spiny rush translocation program also includes a ten-year monitoring and maintenance program and contingency measures that would be implemented should translocation sites not be on a trajectory for meeting the final success criteria.

***Slender Mariposa Lily and Club-Haired Mariposa Lily***

BonTerra reported that approximately 1,709 individuals of slender/club-haired mariposa lily hybrids were observed at 36 locations on the Project Site during botanical surveys conducted in 2014; an additional 22 populations contained plants of varying densities, likely representing an additional 1,000 or more individuals. It is estimated that over 3,000 individuals occur on the Project Site. However, in the BonTerra *Draft Rare Plant Plan*, it was clarified that of the approximately 3,000 individuals observed in the Project Site, approximately 2,000 individuals are located within the Project's development boundary. Given the List 1B status and S2S3 CNDDB Rank for the slender mariposa lily and the S3 Rarity Rank for the club-haired mariposa lily and the CalFlora occurrences (95 and 117 respectively), impacts to this species would be considered significant under CEQA and mitigation would be required. With implementation of MM 5.2-4, below, the impact would be reduced to a less than significant level.

**Rationale For Expecting Success With Mitigation**

The slender/club-haired mariposa lily is a short-lived perennial bulb that reproduces from seed. As set forth in MM 5.2-4, translocation will be implemented through a combination methods including 1) collection of existing bulbs for translocation by qualified habitat restoration specialist and seed collection with propagation by a qualified nursery or similar institution for translocation following propagation. The slender/club-haired mariposa lily translocation program also includes a ten-year monitoring and maintenance program and contingency measures that would be implemented should translocation sites not be on a trajectory for meeting the final success criteria.

**Crotch's Bumblebee**

Project grading will impact the following vegetation alliances that support or could potentially support CBB based on the presence of suitable floral resources.

***Sage Scrub Communities***
A total of 634.70[16] acres of sage scrub would be impacted by Project implementation, which includes Purple sage scrub, California sagebrush–California buckwheat scrub, Black sage scrub, California sagebrush–California buckwheat scrub/Foothill needlegrass grassland, California sagebrush–California buckwheat scrub/California annual grassland, and the burned sage scrub areas: burned Purple sage scrub, burned California sagebrush–California buckwheat scrub, burned Black sage scrub, and burned California sagebrush–California buckwheat scrub/California annual grassland. Impacts on these vegetation types would be considered significant due to the loss of this vegetation type in southern California and the potential for this habitat to support special status species.

***Native Grassland Communities***
A total of 24.23 acres[17] of Foothill needlegrass grassland and burned Foothill needle grass grassland would be impacted by Project implementation. Impacts on this vegetation type would be considered significant due to the limited distribution of this vegetation type in California.

***California Annual Grassland/Wildflower Fields***
A total of 342.85 acres[18] of California annual grassland/Wildflower fields would be impacted by Project implementation. Impacts on California annual grassland/Wildflower fields would be considered adverse and potentially significant because of the density and diversity of native plants found in this vegetation type and because of the general lack of similar areas in the Project vicinity.

Based on the detection of CBB within the NorthLake development area, it is expected that an Incidental Take Permit will be needed to authorize incidental take of CBB during grading. Mitigation for direct impacts to CBB and associated habitat will be fulfilled through compensatory mitigation at a minimum 2:1 suitable habitat that provides replacement of equal functions and values to those impacted by the NorthLake project, or as otherwise determined through the Incidental Take Permit process. Mitigation will be accomplished either through a combination of onsite conservation, offsite conservation on adjacent NorthLake owned lands, and/or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will consider all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.

[16] BonTerra. December 2015, p. 60.
[17] Ibid, p. 60.
[18] Ibid, p. 61.

Based on areas of suitable habitat, the Project would provide 337.55 acres of mitigation within the onsite conservation areas and 156.7 acres of conservation on adjacent NorthLake ownership for a total of 492.2 acres of preservation. (Exhibit 3 to the CBB Survey Report.) Thus, based on impacts to up to 1,001.8 acres of suitable habitat which supports or potentially supports CBB, the mitigation ratio of 2:1 would be 2,003.6 acres. To achieve 2:1 mitigation, NorthLake will provide approximately 337.5 acres onsite, 156.7 acres on NorthLake-owned offsite property, and obtain 1,509.4 acres from a CDFW-approved mitigation bank or through purchase and long-term conservation of suitable habitat, or a combination of the two options to account for the remainder. Appendix B to the CBB Survey Memo (Feasibility Analysis of NorthLake Biological Resources Contributors, Attachment 2 [Table 3, Top 20 High Scoring Parcels from Regional Analysis]) is a Mitigation Feasibility Assessment that includes candidate properties with suitable habitat such as coastal sage scrub, chaparral, and native grasslands that contain suitable habitat for CBB.

The proposed mitigation will correspond to the requirements of the NorthLake Specific Plan Final Supplemental EIR (FSEIR) that were set forth in the previous approvals. With the implementation of the previously approved proposed mitigation set forth below, significant impacts on CBB would be reduced to less-than-significant consistent with the FSEIR measures excerpted below.

**Rationale For Expecting Success With Mitigation**

Regarding the mitigation, it is important to note that for a recently issued Incidental Take Permit[19] for CBB, the CDFW required a ratio of 1.5:1 consisting of a combination of restoration and enhancement. The preservation of Open Space Mitigation Areas, including onsite areas and adjacent offsite areas owned by NorthLake plus purchase of suitable habitat in a mitigation bank or other approved lands determined in coordination with CDFW results in conservation of substantial areas of high-quality chaparral and coastal sage scrub and other habitat types that are both suitable for and occupied by the CBB at a 2:1 ratio exceeding the amount required for the Incidental Take Permit referenced above.

**Mitigation Measures**

***Western Spadefoot Toad***

SDEIR Mitigation Measure 5.2-9 is revised as follows:

**MM 5.2-9** A mitigation program for western spadefoot toad (WST) shall be implemented prior to construction, ground disturbance, or vegetation removal that would impact the WST breeding habitat, or areas within 1,000 feet of WST-occupied ponds within the Project Site. The mitigation program would include the components set forth below. A detailed methodology for this effort shall be reviewed by the CDFW and the LACDRP prior to implementation of the mitigation program. Results of the mitigation program shall be provided to the CDFW and the LACDRP.

- Prior to implementing the Spadefoot Relocation Plan, two focused surveys during average or above-average rainfall years will be conducted within the prior appropriate seasons. If any additional ephemeral ponds are determined to be occupied besides those identified in recent surveys (i.e., 2015), the Spadefoot Relocation Plan will be modified to include replacement of the additional occupied pond as well as those identified in recent surveys.

[19] California Department of Fish and Wildlife, 2024. California Endangered Species Act Incidental Take Permit No. 2081-2023-035-06 for the Shady View Project in Chino Hills, California.

- Suitable sites for seasonal pond creation, within the Project open space, specifically within other NorthLake-owned properties, have been identified and 1.07 acres of seasonal pond habitat will be created. The specific location of the 1.07-acre pool complex is depicted on Exhibit 5 of the *NorthLake Castaic, Los Angeles County, California, Western Spadefoot Toad Impact Assessment and Habitat Mitigation and Monitoring Plan July 2022 (Revised March and June 2023)* (HMMP). As described in the WST Mitigation Implementation Plan, three pools would be created based on current grading plans. The combined size of the three pools (1.07 acres) exceeds the maximum combined size of potential WST habitat currently at the Project Site (0.95 acres, as shown in Table 2-4, above). The WST Mitigation Implementation Plan would address the following issues specific to the site or sites:
    - Soil Characteristics and whether clay liners will be necessary
    - Pool locations and site access routes for construction
    - Types of habitat potentially affected by construction and measures to restore damaged subject to temporary impacts
    - Watershed size and characteristics
    - Grading plan with cross section for each pool to be created
    - Specifications for clay liner (in needed) including source of clay and installation methods
    - Upland habitat characteristics, including soil suitability for burrowing and vegetative buffer, will also be addressed in the plan
- Following creation of the 1.07-acre pool complex or complexes and prior to grading of the impacted pools, each pool within each complex will be monitored during the rainy season to ensure that the created pools exhibit at least 60 days of ponding during an average or above-average rainfall year.
- Following documentation of adequate ponding for each created pool during an average or above-average rainfall year, and prior to grading of the impacted pools, soil inoculum from the impacted pools will be translocated to the created pools to provide a food source for WST.
- Following documentation of adequate ponding for each created pool during an average or above-average rainfall year, and prior to grading of the impacted pools, WST egg masses, larvae and metamorphs will be translocated to the created pools for at least two wet seasons where WST egg masses, larvae and metamorphs are present in the impact pools and suitable conditions to receive the WST egg masses, larvae and metamorphs are present in the created pools. In addition, data regarding successful breeding will be submitted to CDFW for concurrence that sufficient reproduction has occurred to allow impacts to the pools in the development area.
- During grading of the pools to be impacted, the Project Biologist will be present to rescue any adult WST that would be relocated to the created pool complex.

- Following the two seasons of translocation of WST egg masses, larvae and metamorphs, and successful breeding, the created pools will be monitored for ten years as set forth in HMMP Table 6 (Conceptual Schedule for Pond Creation Milestones) to document the progression of the WST toward the performance standards provided in the WST HMMP prepared for the project:
    - **Hydrological Monitoring Performance Standard.** Ponding duration of at least 60 days must be documented to occur during average or above average rainfall years prior to translocation of egg masses, larvae, metamorphs, or adults. Ponding duration of at least 60 days must also be documented during the 10-year monitoring period. At the end of the ten-year monitoring period, this performance standard will have been achieved if ponding duration equals or exceeds ponding duration of 60 days during average or above-average rainfall years. It is important to note that during below-average rainfall years, depending on the severity of drought conditions that the created ponds will not pond for sufficient duration to allow WST to reach maturity. Thus, during the ten-year monitoring period, it is to be expected that some years will not pond for 60 days. Nevertheless, the performance standard for hydrology will be considered achieved as long a ponding for 60 days occurs during average rainfall years. Finally, hydrology may be augmented at the direction of the Project Biologist, especially once breeding is observed and is threatened by declining water levels in the pools due to lower-than average rainfall. In the event that the Project Biologist determines that additional water should be added to any pond occupied by egg masses or larvae, it will be necessary to ensure protection of the egg masses and larvae by discharging water to the pool(s) in a manner that does not disturb the egg masses or larvae and does not result in the erosion of soil into the pool(s). This could be accomplished through temporary placement of large gravel at the discharge site (at the edge of the pool(s)) underlain by plastic that would allow the water to enter the pool(s) slowly and with no sediment.
    - **Performance Standard Prior to Grading**. Prior to Project grading that removes the impacted doner pools, during an average or above-average rainfall year, at least two of the three created ponds within the pond complex exhibits emergence of metamorphs in each pond to ensure breeding in subsequent years. Successful breeding would be determined by the presence of egg masses that are not present due to translocation but which occur due to reproduction. Should this occur during a below-average rainfall year, the condition would be satisfied as it would show that the pools are performing as intended. In any case, data regarding successful breeding will be submitted to CDFW for concurrence that sufficient reproduction has occurred to allow impacts to the pools in the development area.
    - **Performance Standard Post-Grading**. Following Project grading that removes the impacted donor pools, during an average or above-average rainfall year, at least two of the three created ponds within the pond complex will exhibit breeding as indicated by the

presence of WST egg masses, tadpoles/larvae/ or metamorphs, to confirm establishment of breeding WST for each pond complex created. Should this occur during a below-average rainfall year, the condition would be satisfied as it would show that the pools are performing as intended.

***Special-Status Plants***

DSEIR Mitigation Measures 5.2-5 and 5.2-4 are revised as follows:

Round-Leaved Filaree

**MM 5.2-5(a)** Mitigation for the round-leaved filaree shall consist of transplantation of round-leaved filaree to a mitigation site and establishment of a self-sustaining population as set forth in the *NorthLake Castaic, Los Angeles County, California, Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (*Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan*).[20] The *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* has been subject to review and approval by LACDRP and CDFW. A designated Project Biologist approved by the LACDRP and CDFW shall oversee its implementation. Seeds will be collected from round-leaved filaree that are located within the impact boundaries and stored for propagation of container plants to provide for introduction of propagated plants to the translocation site depicted on Exhibit 4A of the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan.* The Mitigation Program in the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* sets forth the following activities necessary to fully mitigate the significant impacts to the round-leaved filaree:

- A pre-grading survey shall be conducted for two seasons, prior to grading of the occupied area, during the peak flowering period (approximately March through May) by the Biological Monitor. The Biological Monitor shall clearly identify the extent of the round-leaved filaree location within the impact area with pin flags and record the extent of the population using sub-meter GPS for later collection. The pre-grading surveys shall also document the approximate coverage of native and non-native plants at the location of the population to be impacted.
- Prior to seed collection, the existing round-leaved filaree locations marked during pre-construction surveys shall be monitored every two weeks by the Biological Monitor or a qualified Seed Collector to determine when the seeds are ready for collection. The Seed Collector shall collect seeds from the plants within the collection area when the seeds are ripe. The seeds shall be cleaned and stored by a qualified nursery or an institution with appropriate storage facilities.
- Collected seeds, up to one half, will be used to grow a minimum of 300 plants and the remaining half will be stored to allow for contingency purposes all of which would be planted at the receptor site once performance standards are achieved.

[20] Glenn Lukos Associates. July 2022 [Revised October and December 2022, February and April 2024]. *NorthLake Castaic, Los Angeles County, California, Special-Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (Appendix B-2 to this RPDSEIR).

- Receptor site or sites identified by GLA during site assessments in 2021 (see Exhibit 4A in *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan*[21]) shall be located in dedicated open space or the site will be subject to dedication with a Conservation Easement. The receptor site or sites have been shown to exhibit similar soils, associated native species, and topographical features to the impact areas.

Performance criteria have been developed in the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* and pre-approved by the LACDRP and CDFW. In developing the performance standards for the round-leaved filaree, it is important to consider the primary goal of the plan referenced above, which is to establish a self-sustaining population of this plant consisting of the number of individuals/population size determined during pre-construction surveys. With replacement of the existing population, the impacts would be fully mitigated. This requires consideration of the following factors:

- The number of flowering individuals in any given year can vary substantially, based on environmental conditions, such that it is necessary to observe the translocated populations over a period of years to accurately determine survival and overall stability of the population. To this end, this plan proposes a ten-year monitoring term to track emergent plants along with flowering individuals which in combination provides the best and easiest indicators to track that the translocation is succeeding.
- Various threats to the plants must be minimized during the ten-year monitoring and maintenance period to ensure survival, germination, and ultimate flowering of recruited individuals, with seed set, leading to future germination/successful reproduction.
- Habitat characteristics, including non-native grasses and herbaceous weeds, are important and require monitoring to determine that specific translocation/receptor sites are exhibiting a positive trajectory.

Given these considerations, the performance standards set forth below are to be achieved for the program to be considered successful. Because of the variability in the number of flowering individuals from year-to-year, the performance standards will have been achieved during at least three years of the ten-year monitoring program. Thus, the standards provide specific criteria showing that the program is on a positive trajectory. Should the performance standards be achieved early in the program, monitoring will continue for the full ten years to ensure that there is no degradation of the habitat values during the ten-year period. Thus, if the following standards are met in at least three years of the ten-year monitoring period then the program is considered successful. Program funding shall be suitably established to the County's satisfaction.

**Year One Through Year Ten**

- Flowering of a minimum of 100-percent of the total number of flowering plants counted during pre-construction surveys originating from container stock or seed bank. As noted, the number of container stock individuals planted or plants originating from seed following the initial establishment will equal or exceed the number impacted as determined during pre-

[21] Glenn Lukos Associates. July 2022 [Revised October and December 2022, February and April 2024]. *NorthLake Castaic, Los Angeles County, California, Special-Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (Appendix B-2 to this RPDSEIR).

construction surveys during at least three years of the ten-year monitoring period; and

- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial planting (30-percent).

**Contingency Plan**

In the event the mitigation program fails to achieve the performance standards discussed above during the ten-year monitoring period, the Project Applicant will implement the following remedial measures to attempt to achieve the performance standards:

- If the receptor site is observed to be failing significantly to achieve the performance standards during the ten-year monitoring period (e.g., flowering of 100-percent is not achieved after three years with normal or above-normal rainfall), the Biological Monitor will identify an alternate site(s) in which to install the contingency plant materials that will be propagated from the contingency seed supply held at the nursery for contingency purposes (and maintained for at least ten years). Should the performance standards be achieved, contingency plant materials will be broadcast or installed in the translocation sites, with no additional performance standards for the contingency materials.

The alternate site(s) will be prepared as outlined for the initial site and modifications incorporated as determined by the Project Biologist in coordination with LACDRP and CDFW. Once an approach has been determined in coordination with LACDRP and CDFW, the container stock would be propagated from the contingency seed and the plants would be installed at the alternate site(s) and a ten-year program, that included monitoring and maintenance, would be initiated as set forth above.

Paniculate Tarplant

**MM 5.2-5(b)** Mitigation for the paniculate tarplant shall consist of transplantation of paniculate tarplant by means of seed broadcasting to a mitigation site with establishment of a self-sustaining population as set forth in the *NorthLake Castaic, Los Angeles County, California, Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (*Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan*). [22] The *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* has been subject to review and approval by LACDRP and CDFW. A designated Project Biologist approved by the LACDRP and CDFW shall oversee its implementation. Seeds will be collected from paniculate tarplant that are located within the impact boundaries and stored for introduction to the receptor site depicted on Exhibit 4A of the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan.* The Mitigation Program in the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* sets forth the following activities necessary to fully mitigate the significant impacts to the paniculate tarplant:

- A pre-grading survey shall be conducted for two seasons during the peak flowering period (approximately June through August) by the Project

[22] Glenn Lukos Associates. July 2022 [Revised October and December 2022, February and April 2024]. *NorthLake Castaic, Los Angeles County, California, Special-Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (Appendix B-2 to this RPDSEIR).

Biologist. The Project Biologist shall clearly identify the extent of the paniculate tarplant location within the impact area with perimeter pin flags and sub-meter GPS for later use during seed collection. The pre-grading survey shall also document the approximate coverage of native and non-native plants at the location of the population to be impacted.

- Prior to seed collection, the existing paniculate tarplant locations marked during pre-construction surveys shall be monitored every two weeks by the Project Biologist or a qualified Seed Collector under the direction of the Project Biologist to determine when the seeds are ready for collection. The Seed Collector shall collect seeds from the plants within the collection area when the seeds are ripe. The seeds shall be cleaned and stored by a qualified nursery or an institution with appropriate storage facilities.
- One third of the collected seeds will be used to broadcast on the receptor site during an initial year and one third would be retained for the second year at the receptor site. The remaining one-third of the seed would be held for contingency purposes until performance standards are achieved. Once they are achieved, the contingency seed would be distributed into the mitigation site.
- The receptor site identified by GLA during 2021 (see Exhibit 4A in *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan*[23]) shall be located in dedicated open space or the site will be subject to dedication with a Conservation Easement. The receptor site or sites have been shown to exhibit similar soils, associated native species, and topographical features to the impact areas.

Performance criteria have been developed in the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* and pre-approved by the LACDRP (and CDFW). In developing the performance standards for the paniculate tarplant, it is important to consider the primary goal of the plan as set forth above, which is to establish a self-sustaining population of this plant consisting of the number of individuals/population size determined during the largest population number of the two years of pre-construction surveys. With replacement of the existing population, the impacts would be fully mitigated. This requires consideration of the following factors:

- The number of flowering individuals in any given year can vary substantially, based on environmental conditions, such that it is necessary to observe the translocated populations over a period of years to accurately determine survival and overall stability of the population. To this end, this plan proposes a ten-year monitoring term to track flowering individuals to confirm that the translocation is succeeding.
- Various threats to the plants must be minimized during the ten-year monitoring and maintenance period to ensure survival, germination, and ultimate flowering of recruited individuals, with seed set, leading to future germination/successful reproduction.

[23] Glenn Lukos Associates. July 2022 [Revised October and December 2022, February and April 2024]. *NorthLake Castaic, Los Angeles County, California, Special-Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (Appendix B-2 to this RPDSEIR).

- Habitat characteristics including non-native grasses and herbaceous weeds are important and require monitoring to determine that specific translocation/receptor sites are exhibiting a positive trajectory.

Given these considerations, the performance standards set forth below are to be achieved for the program to be considered successful. Because of the variability in the number of flowering individuals from year-to-year, the performance standards will have been achieved during at least three years during the ten-year monitoring program. Thus, the annual standards provide specific criteria showing that the program is on a positive trajectory. Should the performance standards be achieved early in the program, monitoring will continue for the full ten years to ensure that there is no degradation of the habitat values during the ten-year period. Thus, if the following standards are met in at least three years of the ten-year monitoring period then the program is considered successful. Program funding shall be suitably established to the County's satisfaction.

**Year One Through Year Ten**

- Flowering of a minimum of 100-percent of the total number of flowering plants counted during the larger of the two years during which pre-construction monitoring was conducted. This would be achieved during at least three years of the ten-year monitoring period); and
- Habitat subject to translocation must exhibit same or less cover by non-native grasses; and forbs than during the initial planting (30-percent).

**Contingency Plan**

In the event the mitigation program fails to achieve the performance standards discussed above during the ten-year monitoring period, the Project Applicant will implement the following remedial measures to attempt to achieve the performance standards:

- If the receptor site is observed to be failing significantly to achieve the performance standards during the ten-year monitoring period (e.g., flowering of 100-percent is not achieved after three years with normal or above-normal rainfall), the Biological Monitor will identify an alternate site(s) in which to install the contingency seed held at the nursery for contingencies purposes (and maintained for at least ten years). Should the performance standards be achieved, contingency plant materials will be broadcast or installed in the translocation sites, with no additional performance standards for the contingency materials.

The alternate site(s) will be prepared as outlined for the initial site and modifications incorporated as determined by the Project Biologist in coordination with LACDRP and CDFW. Once an approach has been determined in coordination with LACDRP and CDFW, contingency seed would be installed at the alternate site(s) and a ten-year program, that included monitoring and maintenance would be initiated as set forth above.

Southwestern Spiny Rush

**MM 5.2-5(c)** Mitigation for the southwestern spiny rush includes two components to ensure long-term persistence of southwestern spiny rush in northern Los Angeles County. Mitigation includes 1) preservation of streambed habitat within Marple Canyon that contains 523 individuals of the spiny rush, and 2) planting of southwestern spiny rush at a mitigation site with establishment of a self-sustaining population as set forth in the *NorthLake Castaic, Los Angeles County, California, Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (*Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan)*.[24] The *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* has been subject to review and approval by LACDRP and CDFW. A designated Project Biologist approved by the LACDRP and CDFW shall oversee its implementation. Seed will be collected from southwestern spiny rush plants located within the impact boundaries. The collected seed will be stored for propagation of container plants. Once propagated, the container plants would be introduced to the translocation site depicted on Exhibit 4B of the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan.* The Mitigation Program in the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* sets forth the following activities necessary to fully mitigate the significant impacts to the southwestern spiny rush:

- A pre-grading survey shall be conducted during a single season during the peak flowering period (approximately March through May) by the Biological Monitor. The Biological Monitor shall identify the extent of the southwestern spiny rush location within the impact area using sub-meter GPS for later seed collection.
- Prior to seed collection, the existing southwestern spiny rush locations marked during pre-construction surveys shall be monitored every two weeks by the Biological Monitor or a qualified Seed Collector to determine when the seeds are ready for collection. The Seed Collector shall collect seeds from the plants within the collection area when the seeds are ripe. The seeds shall be cleaned and stored by a qualified nursery or an institution with appropriate storage facilities.
- Collected seeds will be used to grow a minimum of 600 plants to allow for contingency purposes all of which would be planted at the receptor site. Half of the seed collected will be retained by the nursery for additional propagation as a contingency measure.
- Receptor site or sites identified by GLA during site assessments in 2021 (see Exhibit 4B in *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan*[25]) shall be located in dedicated open space or the site will be subject to dedication with a Conservation Easement. The receptor site or sites have been shown to exhibit similar soils, associated native species, and topographical features to the impact areas.

[24] Glenn Lukos Associates. July 2022 [Revised October and December 2022, February and April 2024]. *NorthLake Castaic, Los Angeles County, California, Special-Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (Appendix B-2 to this RPDSEIR).

[25] Glenn Lukos Associates. July 2022 [Revised October and December 2022, February and April 2024]. *NorthLake Castaic, Los Angeles County, California, Special-Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (Appendix B-2 to this RPDSEIR).

Performance criteria have been developed in the *Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* and pre-approved by the LACDRP and CDFW. In developing the performance standards for the southwestern spiny rush, it is important to consider the primary goal of the plan as set forth above, which is to provide for a combination of preservation and establishment of a self-sustaining population of this plant consisting of the 300 individuals, which in combination of the preservation in Marple Canyon would mitigate impacts to this species. In order to achieve survival of 200 plants within Grasshopper Creek, 300 individuals will be planted initially to allow for natural attrition. With the combined preservation and replacement of the existing population, the impacts would be fully mitigated. This requires consideration of the following factors:

- Southwestern spiny rush is a perennial plant and the number of flowering individuals in any given year does not vary substantially. However, based on environmental conditions, it is not expected that populations change significantly over the period of years needed to accurately determine survival and overall stability of the population. To this end, this plan proposes a ten-year monitoring term to track the existing population within Marple Canyon along with established individuals in Grasshopper Creek to determine progress.
- Various threats to the plants established within Grasshopper Creek must be minimized during the ten-year monitoring and maintenance period to ensure survival, germination, and ultimate flowering of planted and recruited individuals, with seed set, leading to future germination/successful reproduction.
- Habitat characteristics including non-native grasses and herbaceous weeds are important and require monitoring to determine that specific translocation/receptor sites are exhibiting a positive trajectory.

Given these considerations, the performance standards set forth below are to be achieved for the program to be considered successful. Because of the expected stability in the number of flowering individuals from year-to-year, the performance standards will have been achieved at the end of the ten-year monitoring program. Thus, the annual standards provide a guide showing that the program is on a positive trajectory. Should the performance standards be achieved early in the program, monitoring will continue for the full ten years to ensure that there is no degradation of the habitat values during the ten-year period. Thus, if the following standards are met in at least three years of the ten-year monitoring period then the program is considered successful. Program funding shall be suitably established to the County's satisfaction.

**Marple Canyon Year One Through Year Ten**

- Persistence of Marple Canyon population totaling 523 individuals with no more than ten-percent reduction due to such factors such as drought. Thus, there would be a minimum of 471 individuals at the end of the ten-year monitoring period.

**Grasshopper Creek Year One**

- Survival of 80-percent of the 200 established individuals.
- Following quantitative monitoring that will occur between March and June, the number of additional container stock needed to provide for establishment of 200 plants will be determined with planting to following during fall of the same year.

**Grasshopper Creek Year Two**

- Survival of 90-percent of the 200 established individuals.
- Following quantitative monitoring that will occur between March and June, the number of additional container stock needed to provide for establishment of 200 plants will be determined with planting to following during fall of the same year.

**Grasshopper Creek Year Three through Ten**

- Survival of 100-percent of the 200 established individuals.
- Following quantitative monitoring that will occur between March and June, the number of additional container stock needed to provide for establishment of 200 plants will be determined with planting to following during fall of the same year.

**Contingency Plan**

In the event the mitigation program fails to achieve the performance standards discussed above during the ten-year monitoring period, the Project Applicant will implement the following remedial measures to attempt to achieve the performance standards:

- If the Grasshopper Creek receptor site is observed to be failing significantly to achieve the performance standard during the ten-year monitoring period (e.g., survival of 100-percent of 200 established individuals is not achieved by the end of ten years), the Biological Monitor will identify an alternate site(s) in which to install the contingency plant materials that will be propagated from the contingency seed supply held at the nursery for the (and maintained for at least ten years). Should the performance standards be achieved, contingency plant materials will be broadcast or installed in the translocation sites, with no additional performance standards for the contingency materials.

The alternate site(s) will be prepared as outlined for the initial site and modifications incorporated as determined by the Project Biologist in coordination with LACDRP and CDFW. Once an approach has been determined in coordination with LACDRP and CDFW, the container stock would be propagated from the contingency seed and the plants would be installed at the alternate site(s) and a ten-year program, that included monitoring and maintenance, would be initiated as set forth above.

Slender Mariposa Lily and Club-Haired Mariposa Lily

**MM 5.2-4** Mitigation for the club-haired mariposa lily and the slender mariposa lily shall consist of transplantation of lilies to a mitigation site and establishment of a self-sustaining population as set forth in the *NorthLake Castaic, Los Angeles County, California, Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan* (*Special Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan*).[26] The *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan* has been subject to review and approval by LACDRP and CDFW. A designated Project Biologist approved by the LACDRP and CDFW shall oversee its implementation. Seeds will be collected from lilies that are located within the impact boundaries and bulbs will be subsequently excavated and stored for later transplantation to the translocation site depicted on Exhibit 5 of the *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan.* The Mitigation Program in the *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan* sets forth the following activities necessary to fully mitigate the significant impacts to the club-haired mariposa lily and the slender mariposa lily:

- A pre-grading survey shall be conducted for two seasons following emergence of leaves and during the peak flowering period (approximately March through June) by the Biological Monitor. The Biological Monitor shall clearly identify each lily location within the impact area with a pin flag for later collection. The pre-grading survey shall also document the approximate coverage of native and non-native plants at each lily population to be impacted.
- Prior to seed collection, the existing lily locations marked during pre-construction surveys shall be monitored every two weeks by the Biological Monitor or a qualified Seed Collector to determine when the seeds are ready for collection. The Seed Collector shall collect seeds from the plants within the collection area when the seeds are ripe. The seeds shall be cleaned and stored by a qualified nursery or an institution with appropriate storage facilities.
- Individual lily bulbs shall be excavated and collected following the seed collection and once the bulbs have entered their winter dormancy period (approximately September 1). The bulbs shall be stored by a qualified nursery or institution with appropriate storage facilities and all non-target bulbiferous species shall be discarded.
- A portion of the collected seeds will be used to grow 500 slender/club-haired mariposa lilies for contingency purposes and stored a native plant nursery until needed as determined by the project biologist.
- Receptor site or sites identified in BonTerra's *Feasibility Analysis of NorthLake Biological Mitigation Requirements* and refined by GLA (as shown on Exhibit 5 of the *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan*) shall be located in dedicated open space or the site will be subject to dedication with a Conservation Easement. The receptor site or sites have been shown to exhibit similar

[26] Glenn Lukos Associates. July 2022 [Revised October and December 2022, February and April 2024]. *NorthLake Castaic, Los Angeles County, California, Special-Status Plant Impact Assessment and Habitat Mitigation and Monitoring Plan* (Appendix B-2 to this RPDSEIR).

soils, associated native species, and topographical features to the impact areas.

- Receptor sites on lands currently owned by NorthLake will be managed by SMMC or other approved entities. Prior to commencing the actions set forth in this plan, the applicant shall submit final agreements to CDFW and the County with the acceptable entities that will hold the Conservation Easement(s) (CE) and provide long-term management.
- Funding for this measure shall be suitably established to the County's satisfaction.
- Performance criteria have been developed in the *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan,* dated February 2023, and pre-approved by the LACDRP and CDFW. The performance criteria shall address (1) native and non-native plant coverage requirements (mitigation site conditions should be consistent with lily populations in the impact area) and (2) percentage of lilies that exhibit emergent leaves that that bloom each year as follows (because the salvaged plantings will be phased over a three-year period as described above, the monitoring period would be ten years for each phase or a minimum of 13 years beginning from the start of phase 1. As set forth in Table 3 of the of the *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan*, under the phased translocation, 40-percent of plants would be translocated in year 1, 40-percent in year 2 and 20-percent in year 3):

**Year One**

- Emergence of leaves of a minimum of 70-percent of the translocated bulbs
- Flowering of a minimum of 50-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Two**

- Emergence of leaves of a minimum of 60-percent of the translocated bulbs
- Flowering of a minimum of 40-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Three**

- Emergence of leaves of a minimum of 50-percent of the translocated bulbs
- Flowering of a minimum of 30-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Four**

- Emergence of leaves of a minimum of 50-percent of the translocated bulbs
- Flowering of a minimum of 30-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Five**

- Emergence of leaves of a minimum of 60-percent of the translocated bulbs
- Flowering of a minimum of 40-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Six**

- Emergence of leaves of a minimum of 70-percent of the translocated bulbs
- Flowering of a minimum of 50-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Seven**

- Emergence of leaves of a minimum of 70-percent of the translocated bulbs
- Flowering of a minimum of 50-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Eight**

- Emergence of leaves of a minimum of 80-percent of the translocated bulbs
- Flowering of a minimum of 60-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Nine**

- Emergence of leaves of a minimum of 90-percent of the translocated bulbs
- Flowering of a minimum of 70-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

**Year Ten**

- Emergence of leaves of a minimum of 100-percent of the translocated bulbs
- Flowering of a minimum of 70-percent of the translocated bulbs
- Habitat subject to translocation must exhibit same or less cover by non-native grasses and forbs than during the initial plot identification; and
- No evidence of herbivory

The monitoring shall be conducted for ten years (for each phase) from installation of the translocated bulbs or from installation of container plants. As noted, this could result in two separate and unrelated ten-year monitoring efforts, including one that originates with bulb installation and a subsequent effort that begins with container stock installation. If the performance standards are not being met during the first year, additional measures may be suggested as determined appropriate by the Project Biologist as set forth in the Contingency Plan set forth in the *Special-Status Plants Impact Assessment and Habitat Mitigation and Monitoring Plan* as set follows:

- If any of the translocation/receptor sites are observed to be failing significantly to achieve the performance standard during the ten-year monitoring period, the Biological Monitor will identify an alternate site(s) in which to install the contingency plant materials that will be stored at a nursery for the first year of the program.
- If the receptor sites appear on track to meet the performance standards no sooner than year seven of the monitoring and maintenance period, the remaining plant material may be planted at the receptor sites (if space allows) or additional acceptable receptor sites will be identified.
- Seeds and/or bulbs will continue to be harvested from lilies maintained in the nursery and installed in the receptor sites on an as-needed basis to ensure receptor sites are progressing toward final performance.
- If the receptor sites fail to achieve the performance standards by the tenth year of the program, the monitoring period may be extended if the Project Biologist in consultation with LACDRP and CDFW, determines that the site is continuing to progress and can ultimately achieve the performance standards. Alternatively, if it is determined that a particular receptor site is not able to meet performance standards, then additional receptor sites will be identified to make up the difference. Thus, for example, if a receptor site received 500 bulbs, at the 80-percent success criteria it must have 400 emergent plants or 300 flowering plants to be successful. If the site only exhibits 40-percent emergent plants and 30-percent of flowering Mariposa lilies, then the site would be credited with the partial success achieved and an additional site where the shortfall could be made up would be identified.
- Potential seed sources from additional donor sites shall also be identified in case it becomes necessary to collect additional seed for use on the site following performance of remedial measures.

### *Crotch Bumble Bee*

The previously approved Project is already required to provide mitigation for Coastal Sage Scrub and other flowering resources as set forth below. Coastal Sage Scrub and other flowering resource mitigation is more than adequate for the CBB. In fact, Coastal Sage Scrub is the preferred habitat for CBB. As set forth above, mitigation of flowering resources at a 2:1 ratio exceeds what CDFW requires for the CBB. Based on areas of suitable habitat, the Project would provide 337.55 acres of mitigation within the onsite conservation areas and 156.7 acres of conservation on adjacent NorthLake ownership for a total of 492.2 acres of preservation. (Exhibit 3 to the CBB Survey Report.) Thus, based on impacts to up to 1,001.8 acres of suitable habitat which supports or potentially supports CBB, the mitigation ratio of 2:1 would be 2,003.6 acres. To achieve 2:1 mitigation, NorthLake will provide approximately 337.5 acres onsite, 156.7 acres on NorthLake-owned offsite property, and obtain 1,509.4 acres from a CDFW-approved mitigation bank or through purchase and long-term conservation of suitable habitat, or a combination of the two options to account for the remainder. Appendix B to the CBB Survey Memo (Feasibility Analysis of NorthLake Biological Resources Contributors, Attachment 2, Table 3, Top 20 High Scoring Parcels from Regional Analysis) is a Mitigation Feasibility Assessment that includes candidate properties with suitable habitat such as Coastal Sage Scrub, chaparral, and native grasslands that contain suitable habitat for CBB.

**MM 5.2-6 (Coastal Sage Scrub)**

> The loss of sage scrub habitat within the impact area is considered a significant impact. Sage scrub habitat shall be preserved, restored, or enhanced on site and/or off site at a ratio to be determined by the County of Los Angeles Department of Regional Planning (LACDRP), but shall be no less than 2:1 for habitat restoration, enhancement or preservation, or combination thereof. A total of 634.70 acres of sage scrub would be impacted by Project implementation, which includes Purple sage scrub, California sagebrush–California buckwheat scrub, Black sage scrub, California sagebrush–California buckwheat scrub/Foothill needlegrass grassland, California sagebrush–California buckwheat scrub/California annual grassland, and the burned sage scrub areas: burned Purple sage scrub, burned California sagebrush–California buckwheat scrub, burned Black sage scrub, and burned California sagebrush–California buckwheat scrub/California annual grassland. Habitat restoration is the creation of native target habitat that does not currently exist; enhancement is the improvement of existing, disturbed native habitat areas through the removal of exotic plant species, the addition of native plants and/or seeds, or other measures. Preservation is conservation of existing habitat that exhibits the functions needed to support target species such as the CBB. The mitigation ratio for habitat restoration, enhancement, and preservation shall depend on the initial quality of the habitat area to be restored, enhanced or preserved and would be determined by the Project Applicant and the LACDRP. Sage scrub habitat restoration/enhancement implementation shall begin not more than one year following project impacts to this habitat type. Where restoration or enhancement is the proposed mitigation, the Project Applicant shall develop a Habitat Mitigation and Monitoring Program (HMMP) and shall submit it to the LACDRP for review and approval. The HMMP shall be developed by a qualified restoration ecologist, submitted for review and approval to the LACDRP prior to the issuance of grading permits, and shall be implemented by a qualified restoration ecologist and a qualified restoration

contractor (as defined below). Habitat restoration/enhancement will consist of seeding and/or installing container plants of suitable sage scrub species. If it is ecologically appropriate for the selected mitigation site (e.g., soil types), Peirson's morning-glory will be incorporated into the restoration/enhancement planting and/or seeding palettes. The Project Applicant shall implement the HMMP as approved by the LACDRP and according to its specified materials, methods, and performance criteria, which shall include the following items

a. **Responsibilities and Qualifications**. The responsibilities and qualifications of the Project Applicant, ecological specialists, and restoration (landscape) contracting personnel who will implement the plan shall be specified. At a minimum, the HMMP shall specify that the ecological specialists and contractors have performed successful installation and long-term monitoring and maintenance of southern California native habitat mitigation/restoration programs, implemented under LACDRP mitigation measures and/or State or federal natural resource agency permit conditions. A successful program shall be defined as one that has been signed off on by the LACDRP and/or a State or federal natural resource agency.

b. **Performance Criteria**. Mitigation performance criteria to be specified in the HMMP shall include native vegetation percent coverage and diversity (minimum), non-native vegetation percent coverage (maximum), and the cessation of irrigation a minimum of two years prior to eligibility for sign-off. The HMMP shall state that the use of the mitigation site by special status wildlife species (e.g., coastal California gnatcatcher), though not a requirement for site success, would be regarded by the LACDRP as a significant factor in considering eligibility for program sign-off.

c. **Site Selection.** The mitigation sites shall be determined in coordination with the Project Applicant and the LACDRP. The site(s) shall be located in dedicated open space areas (or areas available for dedication), and shall be contiguous with other natural open space areas. Mitigation sites include onsite, NorthLake-owned offsite property, and obtaining acres from a CDFW-approved mitigation bank or through purchase and long-term conservation of suitable habitat, including areas where restoration or enhancement is needed, or a combination of the two options to account for the remainder. The Project Applicant shall demonstrate acquisition of suitable lands for restoration, enhancement, or preservation prior to issuance of the Project grading permit.

d. **Native Plant and Seed Materials Procurement**. For restoration or enhancement, at least three years prior to mitigation implementation, the Project Applicant or its consultants/contractors shall initiate collection of the native seed materials specified in the HMMP. All seed mixes shall be of local origin: i.e., collected within 30 miles, and within the same Watershed (Santa Clara River Watershed), as the selected restoration/enhancement site(s), to ensure genetic integrity. All container plants shall be propagated from seed of local origin as defined above. No plant or seed materials of unknown or non-local geographic origin shall be used. Seed collection shall be prioritized according to habitat area, in the' following order: (a) project impact

areas (highest priority); (b) other on-site habitat areas; and (c) off-site habitat areas (lowest priority), assuming availability of seed species in multiple locations.

e. **Wildlife Surveys and Protection.** The HMMP shall specify any wildlife surveys (i.e., nesting bird surveys, focused/protocol surveys for special status species [e.g., coastal California gnatcatcher]) and biological monitoring that are required to avoid adverse impacts to wildlife species during the performance of mitigation site preparation, installation, or maintenance tasks. The HMMP shall also describe potential restrictions on these management tasks due to sensitive wildlife conditions on the mitigation site (e.g., suspension of these tasks during the nesting bird season, as defined in project permits).

f. **Site Preparation and Plant Materials Installation.** For restoration or enhancement, mitigation site preparation shall include, as necessary (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) installation of protective fencing and/or signage (as needed); (c) initial trash and weed removal (outside the nesting bird season) and methods; (d) soil treatments, as needed (i.e., imprinting, decompacting); (e) installation of erosion-control measures (i.e., fully natural/bio-degradable [not 'photodegradable'] fiber roll); (f) application of salvaged native plant materials (i.e., duff) as available, and supervised by a biological monitor, (g) temporary irrigation installation; (h) a minimum one-year preliminary weed abatement program (prior to the installation of native plant and seed materials including specification of approved herbicides); (i) planting of container species; and (j) seed mix application.

g. **Schedule.** An implementation schedule shall be developed for restoration or enhancement, that includes planting and seeding to occur in late fall and early winter (i.e., between November 1 and December 31) and the frequency of long-term maintenance and monitoring activities (including the dates of annual quantitative surveys, as described below).

h. **Maintenance Program**. The Maintenance Program for restoration or enhancement shall include (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) maintenance of protective fencing and/or signage; (c) trash and weed removal-including specification of approved herbicides; (d) maintenance of erosion-control measures; (e) inspection/repairs of irrigation components; (f) replacement of dead container plants (as needed); (g) application of remedial seed mixes (as needed); (h) herbivory control; and (i) removal of all non-vegetative materials (i.e., fencing, signage, irrigation components) upon project completion. The mitigation site shall be maintained for a period of five years to ensure the successful sage scrub habitat establishment within the restored/enhanced sites; however, the Project Applicant may request to be released from maintenance requirements by the LACDRP prior to five years if the mitigation program has achieved all performance criteria.

i. **Monitoring Program**. The Monitoring Program for restoration or enhancement shall include (a) qualitative monitoring (i.e., general habitat conditions, photo-documentation from established photo stations); (b) quantitative monitoring (e.g., randomly placed point-intercept transects); (c) annual monitoring reports, which shall be submitted to the LACDRP for five years or until project completion; and (d) wildlife surveys and monitoring as described above. The annual monitoring reports shall include a detailed discussion of mitigation site performance (e.g., measured vegetation coverage and diversity) and compliance with required performance criteria, a discussion of wildlife species' use of the restored and/or enhanced habitat area(s), and a list of proposed remedial measures to address non-compliance with any performance criteria. The site shall be monitored for five years or until the Project Applicant has been released from maintenance requirements by the LACDRP.

j. **Long-term preservation**. Long-term preservation of the sites shall be outlined in the HMMP to ensure that the mitigation sites are not impacted by future development. A conservation easement and a performance bond shall be secured prior to implementation of the mitigation program.

**MM 5.2-7 (Grassland/Wildflower field)**

The loss of California annual grassland/wildflower fields within the impact area is considered to be a significant impact. California annual grassland/wildflower fields shall be preserved, restored, or enhanced on site and/or off site at a ratio to be determined by the County of Los Angeles Department of Regional Planning (LACDRP), but the ratio shall be no less than 2:1 for habitat restoration, enhancement, or preservation or combination thereof. A total of 24.23 acres of Foothill needlegrass grassland and burned Foothill needle grass grassland would be impacted by Project implementation. Habitat restoration is the creation of native target habitat that does not currently exist; enhancement is the improvement of existing, disturbed native habitat areas through the removal of exotic plant species, the addition of native plants and/or seeds, or other measures. Preservation is conservation of existing habitat that exhibits the functions needed to support target species such as the CBB. The mitigation ratio for habitat restoration, enhancement, or preservation shall depend on the initial quality of the habitat area to be restored, enhanced, or preserved and would be determined by the project applicant and the LACDRP. The mitigation ratio shall also be no less than 6.5 acres of habitat preserved/restored per burrowing owl location impacted (individual or pair using the same burrows) or greater than 6.5 acres of habitat enhancement per burrowing owl location impacted, depending on the ratio applied to the enhancement site(s). California annual grassland/wildflower fields habitat restoration/enhancement implementation shall begin not more than one year following project impacts to this habitat type. The project applicant shall develop a HMMP and shall submit It to the LACDRP for review and approval. The HMMP shall be developed by a qualified restoration ecologist submitted for review and approval to the LACDRP prior to issuance of grading permits, and shall be implemented by a qualified restoration ecologist and a qualified

restoration contractor (as defined below). The HMMP shall also provide mitigation for the loss of burrowing owl habitat; therefore, mitigation site selection criteria shall include the suitability of the potential site(s) for burrowing owls. Habitat restoration/enhancement shall consist of seeding of suitable California annual grassland/wildflower fields plant species. If it is ecologically appropriate for the selected mitigation site (e.g., soil type), Peirson's morning-glory will be incorporated into the restoration/enhancement palette. The Project Applicant shall implement the HMMP as approved by the LACDRP and according to its specified materials, methods, and performance criteria, which shall include the following items:

- The responsibilities and qualifications of the project applicant, ecological specialists, and restoration (landscape) contracting personnel who will implement the plan shall be specified. At a minimum, the HMMP shall specify that the ecological specialists and contractors have performed successful installation and long-term monitoring and maintenance of southern California native habitat mitigation/restoration enhancement programs, implemented under LACDRP mitigation measures or State and/or federal natural resource agency permit conditions. A successful program shall be defined as one that has been signed off on by the LACDRP and/or a State or federal natural resource agency.
- Mitigation performance criteria to be specified in the HMMP shall include native vegetation percent coverage and diversity (minimum), non-native vegetation percent coverage (maximum), and the cessation of irrigation a minimum of two years prior to eligibility for sign-off. The performance criteria shall reflect the habitat requirements for burrowing owls; i.e., grassland habitat with vegetation gaps or areas of lower vegetation coverage. The HMMP shall state that the establishment of burrowing owls, and/or special status plant species (e.g., Peirson's morning-glory), though not a requirement for site success, would be regarded by the LACDRP as a significant factor in considering eligibility for program.
- The mitigation sites shall be determined in coordination with the project applicant and the LACDRP. The site(s) shall be (1) located in dedicated open space areas or areas available for dedication as open space, and shall be contiguous with other natural open space areas; (2) configured to provide maximum habitat values for burrowing owls and other wildlife species; e.g., opportunities for escape and refuge from stochastic events such as fire, flood, etc.; (3) consist of level or gently sloping terrain, soil types, and microhabitat conditions suitable for occupation by the burrowing owl as determined by a qualified Biologist; and (4) include, to the extent feasible. soil types and microhabitat conditions suitable for the special status plant species listed above.
- At least two years prior to mitigation plant and seed installation associated with restoration of enhancement, the Project Applicant or its consultants/contractors shall initiate collection of the native seed materials specified in the HMMP. All seed mixes shall be of local origin; i.e., collected within 30 miles, and within the same Watershed (Santa Clara River Watershed), as the selected restoration/enhancement

site(s), to ensure genetic integrity. No seed materials of unknown or non-local geographic origin shall be used. Seed collection shall be prioritized according to habitat area, in the following order: (a) project impact areas (highest priority); (b) other on-site habitat areas; and (c) off-site habitat areas (lowest priority), assuming availability of seed species in multiple locations.

- The HMMP shall specify any wildlife surveys (i.e., nesting bird surveys, focused/protocol surveys for special status species [e.g., burrowing owl]) and biological monitoring that are required to avoid adverse impacts to wildlife species during the performance of mitigation site preparation, installation, or maintenance tasks. Specifically, the HMMP shall specify the performance of wintering and breeding season surveys for burrowing owls, to determine the species' occupation of the mitigation site(s). The HMMP shall also describe potential restrictions on these tasks due to sensitive wildlife conditions on the mitigation site (e.g., suspension of these tasks during the nesting bird season, as defined in project permits).
- For restoration or enhancement, mitigation site preparation shall include (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) installation of protective fencing and/or signage (as needed); (c) initial trash and weed removal (outside the nesting bird season) and methods; (d) soil treatments, as needed (i.e., imprinting, de-compacting); (e) installation of erosion-control measures (i.e., fully natural/bio-degradable [not 'photo-degradable'] fiber roll); (f) temporary irrigation installation; (g) a minimum one-year preliminary weed abatement program (prior to the installation of native plant and seed materials)--including specification of approved herbicides; and (g) seed mix application. Mitigation site preparation and installation shall reflect the habitat requirements for burrowing owls; i.e., grassland habitat with vegetation gaps or areas of lower vegetation coverage.
- An implementation schedule shall be developed that includes seeding to occur in late fall and early winter (i.e., between November 1 and December 31) and the frequency of long-term maintenance and monitoring activities (including the dates of annual quantitative surveys, as described below).
- The Maintenance Program for restoration or enhancement shall include (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) maintenance of protective fencing and/or signage; (c) trash and weed removal-including specification of approved herbicides; (d) maintenance of erosion control measures; (e) inspection/repairs of irrigation components; (f) application of remedial seed mixes (as needed); (g) herbivory control; and (h) removal of all non-vegetative materials (i.e., fencing, signage, irrigation components) upon project completion. Mitigation site preparation and installation shall reflect the habitat requirements for burrowing owls; i.e., grassland habitat with vegetation gaps or areas of lower vegetation coverage. The mitigation site shall be maintained for a period of five years to ensure successful foothill needlegrass grassland habitat establishment within the

restored/enhanced sites; however, the Project Applicant may request to be released from maintenance requirements by the LACDRP prior to five years if the mitigation program has achieved all performance criteria for restoration or enhancement.

- The Monitoring Program shall include (a) qualitative monitoring (i.e., general habitat conditions, photodocumentation from established photo stations); (b) quantitative monitoring; (c) annual monitoring reports, which shall be submitted to the LACDRP for five years or until project completion; and (d) wildlife surveys and monitoring as described above. The annual monitoring reports shall include a detailed discussion of mitigation site performance (e.g., measured vegetation coverage and diversity) and compliance with required performance criteria, a discussion of wildlife species' use of the restored and/or enhanced habitat area(s), and a list of proposed remedial measures to address non-compliance with any performance criteria. The site shall be monitored for five years or until the project applicant has been released from maintenance requirements by the LACDRP.
- Long-term preservation of the sites shall be outlined in the HMMP to ensure that the mitigation sites are not impacted by future development. A conservation easement and a performance bond shall be secured prior to implementation of the mitigation program.

**MM 5.2-8 (Needlegrass Grassland)**

The loss of foothill needle grass grassland within the impact area is considered to be a significant impact. Foothill needle grass grassland shall be preserved, restored, or enhanced on site and/or off site at a ratio to be determined by the County of Los Angeles Department of Regional Planning (LACDRP), but the ratio shall be no less than 2:1 for habitat restoration, enhancement, or preservation or combination thereof. A total of 342.85 acres of California annual grassland/Wildflower fields would be impacted by Project implementation. Habitat restoration is the creation of native target habitat that does not currently exist; enhancement is the improvement of existing, disturbed native habitat areas through the removal of exotic plant species, the addition of native plants and/or seeds, or other measures. Preservation is conservation of existing habitat that exhibits the functions needed to support target species such as the CBB. The mitigation ratio for habitat restoration, enhancement, or preservation shall depend on the initial quality of the habitat area to be restored, enhanced, or preserved and would be determined by the project applicant and the LACDRP. The mitigation ratio shall also be no less than 6.5 acres of habitat preserved/restored per burrowing owl location impacted (individual or pair using the same burrows) or greater than 6.5 acres of habitat enhancement per burrowing owl location impacted, depending on the ratio applied to the enhancement site(s). Foothill needlegrass grassland habitat restoration/enhancement implementation shall begin not more than one year following project impacts to this habitat type. The project applicant shall develop a HMMP and shall submit it to the LACDRP for review and approval. The HMMP shall be developed by a qualified restoration ecologist, submitted for review and approval to the LACDRP prior to issuance of grading permits, and shall be implemented by a

qualified restoration ecologist and a qualified restoration contractor (as defined below). The HMMP shall also provide mitigation for the loss of burrowing owl habitat; therefore, mitigation site selection criteria shall include the suitability of the potential site(s) for the burrowing owl. Habitat restoration/enhancement shall consist of seeding of suitable foothill needlegrass grassland plant species. If it is ecologically appropriate for the selected mitigation site (e.g., soil type), Peirson's morning-glory will be incorporated into the restoration/enhancement palette. The Project Applicant shall implement the HMMP as approved by the LACDRP and according to its specified materials, methods, and performance criteria, which shall include the following items:

a. **Responsibilities and Qualifications**. The responsibilities and qualifications of the project applicant, ecological specialists, and restoration (landscape) contracting personnel who will implement the plan shall be specified. At a minimum, the HMMP shall specify that the ecological specialists and contractors have performed successful installation and long-term monitoring and maintenance of southern California native habitat mitigation/restoration programs, implemented under LACDRP mitigation measures or State and/or federal natural resource agency permit conditions. A successful program shall be defined as one that has been signed off on by the LACDRP and/or a State or federal natural resource agency.

b. **Performance Criteria**. Mitigation performance criteria to be specified in the HMMP shall include native vegetation percent coverage and diversity (minimum), non-native vegetation percent coverage (maximum), and the cessation of irrigation a minimum of two years prior to eligibility for sign-off. The performance criteria shall reflect the habitat requirements for the burrowing owl; i.e., grassland habitat with vegetation gaps or areas of lower vegetation coverage. The HMMP shall state that the establishment of burrowing owls, and/or special status plant species (e.g., Peirson's morning-glory), though not a requirement for site success, would be regarded by the LACDRP as a significant factor in considering eligibility for program sign-off.

c. **Site Selection**. The mitigation sites shall be determined in coordination with the project applicant and the LACDRP. The site(s) shall be (1) located in dedicated open space areas or areas available for dedication, and shall be contiguous with other natural open space areas; (2) configured to provide maximum habitat values for burrowing owls and other wildlife species; e.g., opportunities for escape and refuge from stochastic events such as fire, flood, etc.; (3) consist of level or gently sloping terrain, soil types, and microhabitat conditions suitable for occupation by the burrowing owl as determined by a qualified Biologist; and (4) include, to the extent feasible, soil types and microhabitat conditions suitable for the special status plant species listed above.

d. **Seed Materials Procurement.** At least two years prior to mitigation plant and seed installation, the Project Applicant or its consultants/contractors shall initiate collection of the native seed materials specified in the HMMP. All seed mixes shall be of local origin; i.e., collected within 30 miles, and within the same Watershed (Santa

Clara River Watershed), as the selected restoration/enhancement site(s), to ensure genetic integrity. No seed materials of unknown or non-local geographic origin shall be used. Seed collection shall be prioritized according to habitat area. in the following order: (a) project impact areas (highest priority); (b) other on-site habitat areas; and (c) off-site habitat areas (lowest priority), assuming availability of seed species in multiple locations.

e. **Wildlife Surveys and Protection**. The HMMP shall specify any wildlife surveys (i.e., nesting bird surveys, focused/protocol surveys for special status species [e.g., burrowing owl]) and biological monitoring that are required to avoid adverse impacts to wildlife species during the performance of mitigation site preparation, installation, or maintenance tasks. Specifically, the HMMP shall specify the performance of wintering and breeding season surveys for burrowing owls, to determine the species' occupation of the mitigation site(s). The HMMP shall also describe potential restrictions on these tasks due to sensitive wildlife conditions on the mitigation site (e.g., suspension of these tasks during the nesting bird season, as defined in project permits).

f. **Site Preparation and Plant Materials Installation**. For restoration or enhancement, mitigation site preparation shall include (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) installation of protective fencing and/or signage (as needed); (c) initial trash and weed removal (outside the nesting bird season) and methods; (d) soil treatments, as needed (i.e., imprinting, decompacting); (e) installation of erosion-control measures (i.e., fully natural/bio-degradable [not 'photodegradable'] fiber roll); (f) temporary irrigation installation; (g) a minimum one-year preliminary weed abatement program (prior to the installation of native plant and seed materials)--including specification of approved herbicides; and (h) seed mix application. Mitigation site preparation and installation shall reflect the habitat requirements for burrowing owls; i.e., grassland habitat with vegetation gaps or areas of lower vegetation coverage.

g. **Schedule**. An implementation schedule shall be developed that includes seeding to occur in late fall and early winter (i.e., between November 1 and December 31) and the frequency of long-term maintenance and monitoring activities (including the dates of annual quantitative surveys, as described below).

h. **Maintenance Program**. The Maintenance Program for restoration or enhancement shall include (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) maintenance of protective fencing and/or signage; (c) trash and weed removal- including specification of approved herbicides; (d) maintenance of erosion-control measures; (e) inspection/repairs of irrigation components; (f) application of remedial seed mixes (as needed); (g) herbivory control; and (h) removal of all non-vegetative materials (i.e., fencing, signage, irrigation components) upon project completion. Mitigation site preparation and installation shalt reflect the habitat requirements for burrowing owls; i.e., grassland habitat with vegetation gaps or areas of lower vegetation coverage. The mitigation

site shall be maintained for a period of five years to ensure successful foothill needlegrass grassland habitat establishment within the restored/enhanced sites; however, the Project Applicant may request to be released from maintenance requirements by the LACDRP prior to five years if the mitigation program has achieved all performance criteria.

i. **Monitoring Program.** The Monitoring Program shall include (a) qualitative monitoring (i.e., general habitat conditions, photo-documentation from established photo stations); (b) quantitative monitoring; (c) annual monitoring reports, which shall be submitted to the LACDRP for five years or until project completion; and (d) wildlife surveys and monitoring as described above. The annual monitoring reports shall include a detailed discussion of mitigation site performance (e.g., measured vegetation coverage and diversity) and compliance with required performance criteria, a discussion of wildlife species' use of the restored and/or enhanced habitat area(s), and a list of proposed remedial measures to address non-compliance with any performance criteria. The site shall be monitored for five years or until the project applicant has been released from maintenance requirements by the LACDRP.

j. **Long-term preservation**. Long-term preservation of the sites shall be outlined in the HMMP to ensure that the mitigation sites are not impacted by future development. A conservation easement and a performance bond shall be secured prior to implementation of the mitigation program.

### 2.1.9 CUMULATIVE IMPACTS

This cumulative impact analysis considers potential impacts to sensitive biological resources that would result from combined, incremental impacts of the Project when added to other past, present, and reasonably foreseeable future projects having closely related impacts. The following cumulative impact analysis is based on a review of related projects in the vicinity of the Project Site, the Project's direct and indirect impacts with implementation of mitigation measures, existing conditions in the Project vicinity, and an analysis of aerial photographs.

The Project would have potentially significant adverse impacts on biological resources. Several mitigation measures (MM 5.2-1 through MM 5.2-22, including as modified above) would be implemented to reduce these impacts to less than significant levels. Cumulative projects in the area are expected to have similar potential impacts to the Project on biological resources in the Project vicinity due to similar development activity and/or similar existing conditions. The cumulative impact on biological resources would be considered greater than the Project alone. However, when considering all the proposed and existing projects in the Project area, the previously approved Project contributes a relatively small portion of the impacts in the area due to its relatively small impact acreage, and the location adjacent to existing development. The Project is not expected to contribute a significant impact to the Project area. Incremental impacts would not be cumulatively considerable, and no additional mitigation is required.

## 2.2 TRAFFIC – VEHICLE MILES TRAVELLED

### 2.2.1 INTRODUCTION

This section supplements the SEIR Traffic section, Section 5.1.1. At the time the previously approved Project traffic analysis was prepared, level of service (LOS) was the metric used to evaluate transportation impacts. The previously approved Project would result in significant and unavoidable impacts using the LOS methodology, specifically at the Ridge Route Road at Lake Hughes intersection under Existing Plus Project and Horizon Year (2028) scenarios. At the time this RPDSEIR was undertaken, VMT had replaced LOS as the appropriate methodology for evaluating a project's transportation impacts under the CEQA Guidelines. This analysis was prepared in accordance with CEQA and the Los Angeles County Department of Public Works Transportation Impact Analysis Guidelines for CEQA analysis (July 2020, Version 1.1, updated September 2020; "TIA Guidelines"). The purpose of this analysis is to use the VMT metric to identify potential significant impacts related to transportation due to the implementation of the proposed Project. Using the VMT metric, the previously Approved Project would result in a less than significant impact determination. Impacts to the other traffic impact issues (plan consistency, hazardous design and emergency access) would also be less than significant. This analysis is based on the Northlake Specific Plan Transportation Analysis for CEQA, November 19, 2024, Appendix C-1 to this RPDSEIR and Los Angeles County Department of Public Work's Approval Letter dated December 2, 2024, Appendix C-2 to this RPDSEIR.

The previously approved Northlake Traffic Impact Analysis (TIA)[27] is included in Appendix C-1 to the Northlake Specific Plan Transportation Analysis for CEQA, November 19, 2024 (Appendix C-1 to this RPDSEIR) for information purposes only, as the approved TIA evaluated project impacts using the LOS metric which is no longer the applicable metric for identifying significant impacts under CEQA. The approved TIA represents a conservative, worst-case analysis of the Project's effect on LOS and therefore an update is not required.

### 2.2.2 METHODOLOGY

This analysis evaluates the Project's impact on VMT, potential conflicts with current transportation planning programs (plans, ordinances, and policies), and increased hazards due to the Project's geometric design features, emergency access and construction traffic.

#### Project Description

The NLSP was adopted by the Board of Supervisors on June 1, 1992, and includes the development of 2,337 single family residential units, 1,286 multi-family units (for a total of 3,623 units), 169,884 square feet of commercial uses, 545,589 square feet of light industrial uses, an 18-hole golf course, school, parks and open space. In 2019[28], changes to the land use plan were approved (referred to herein as the previously approved Project) and include the development of 1,143 single family residential units, 1,341 multifamily residential units, 345 age qualified single family residential units, 315 affordable mixed-use housing units and 6 market-rate live-work units, for a total of 3,150 residential units. The previously approved Project would also construct highway

[27] Stantec, 2016

[28] In 2019 the Project was approved by the Los Angeles County Board of Supervisors. Subsequently, due to a superior court ruling, the County rescinded the Project approvals. The Project applicant is currently proposing to recirculate portions of the NLSP SEIR. At the time the previously approved Project traffic analysis was prepared, LOS was the metric used to evaluate transportation impacts. VMT is now the metric used to evaluate a transportation impact per Senate Bill 743. Los Angeles County has updated their Transportation Impact Analysis Guidelines to utilize the VMT metric.

commercial (e.g., retail near the highway), a middle school (as an option), private and public recreational parks, and a fire station.

Table 2-5 summarizes the NLSP land uses and the 2019 previously approved Project land uses.

**TABLE 2-5**
**NORTHLAKE SPECIFIC PLAN PROJECT LAND USE SUMMARY**

| Category | NLSP | | | Previously Approved Project | | | Difference | | |
|---|---|---|---|---|---|---|---|---|---|
| | (AC) | (DU) | (SQ. FT.) | (AC) | (DU) | (SQ. FT.) | (AC) | (DU) | (SQ. FT.) |
| Residential | 600.3 | 3,623 | -- | 362 | 3,150 | -- | -238.3 | -794 | -- |
| Single Family | 504.8 | 2,337 | -- | 235 | 1,488 | -- | -269.8 | -593 | -- |
| Multi-Family | 95.5 | 1,286 | -- | 107 | 1,341 | -- | 11.5 | -201 | -- |
| Affordable Mixed-Use Housing/Live-Work*** | 0 | 0 | -- | 20 | 321* | -- | 10.8 | 321 | -- |
| General Commercial | 9.2 | -- | 100,188 | | -- | 38,700** | | -- | -61,488 |
| Highway Commercial | 4 | -- | 69,696 | 2 | -- | 32,175** | 2 | -- | -37,521 |
| Industrial | 50.1 | -- | 545,589 | 0 | -- | 0 | -50.1 | -- | -545,589 |
| School | 23.1 | -- | -- | 44 | -- | -- | 20.9 | -- | -- |
| Recreation/Park | 167 | -- | -- | 167 | -- | -- | 0 | -- | -- |

* For the purposes of the VMT analysis, the affordable mixed-use housing / market-rate live-work units are treated as multi-family units.

** Square footage per Northlake Design Guidebook

*** 315 affordable mixed-use units and 6 market-rate live-work units.

## Mandatory CEQA Impact Criteria

Signed by the Governor in 2013, SB 743 requires the Governor's Office of Planning and Research (OPR) to identify new metrics for the identification of transportation related impacts within CEQA. Regulatory changes to CEQA guidelines that implement SB 743 were approved on December 28, 2018, establishing VMT as a new metric to replace LOS for transportation analysis. Within CEQA, a project's effect on vehicle delay shall not constitute a significant transportation impact (Section 15064.3(a)). Thresholds for determining a project's significant transportation impact shall be pursuant to section 15064.3 of the CEQA Guidelines. OPR released a Technical Advisory that contains recommendations for assessing VMT, thresholds of significance, and mitigation measures. OPR and the California Natural Resources Agency (CNRA) have concluded that VMT is the most appropriate metric to evaluate a project's transportation impacts. On July 1, 2020, statewide implementation occurred.

The Los Angeles County Public Works (LACPW) Department published the TIA Guidelines that provides recommendations for assessing VMT for development in unincorporated Los Angeles County. As such, the VMT analysis has been prepared in accordance with the County's guidelines and guidance from County Public Works staff. The previously approved Project is evaluated as a land use plan and VMT per service population is the metric used for the VMT impact analysis. An increase in the NLSP VMT on a per capita basis would result in a significant impact. This methodology is used because the NLSP was approved prior to SB 743 adoption and Project modifications are being made after SB 743 adoption.

### 2.2.3 THRESHOLD CRITERIA

#### 2.2.3.1 Would the project conflict or be inconsistent with State CEQA Guidelines Section 15064.3, Subdivision (b)?

#### 2.2.3.2 Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

#### 2.2.3.3 Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

#### 2.2.3.4 Would the project result in inadequate emergency access?

### 2.2.4 IMPACT ANALYSIS AND MITIGATION MEASURES

**Project-Level VMT Analysis**

The County's VMT Tool uses data from the Southern California Association of Government's Regional Transportation Plan/Sustainable Communities Strategy (SCAG RTP/SCS) travel demand forecasting model and was specifically designed to be used to develop project-specific daily residential VMT per capita and daily employment VMT per employee metrics for residential, office, and industrial land use development projects in the unincorporated areas of the County of Los Angeles.[29]

The estimated VMT for the NLSP establishes the baseline for the currently proposed Project to be evaluated against for determining a potential significant CEQA transportation impact. This is due to the approval occurring before SB 743 and modifications happening after SB 743. Unlike a brand new project, the previously approved Project does not need to be evaluated against the County baseline, as determined from the County's VMT Tool.

Table 2-6 summarizes the Project's VMT, service population, and the VMT per service population estimated for the NLSP and for the previously approved Project (VMT calculations are attached to Appendix C-1). The VMT estimates presented here are intended to compare the allowed uses of the NLSP and the previously approved Project, using VMT per service population as the basis of comparison. Therefore, the same assumptions to calculate the VMT per service population are applied to both the NLSP and the previously approved Project to provide an equal point of comparison. In regard to the on-site commercial, parks, and school, these uses are assumed to primarily serve the Project residents, therefore the VMT associated with these uses is primarily captured in the residential VMT totals, with any additional visitor VMT being generally equivalent between the NLSP and for the previously approved Project. As shown in Table 2-6, the previously approved Project would generate less VMT and have a VMT per service population rate lower than the NLSP. Due to the VMT reduction, the previously approved Project's impacts would be less and the Project would not result in any new or increased significant transportation impacts.

[29] County of Los Angeles VMT Tool User Guide, Los Angeles County Public Works. December 2020.

**TABLE 2-6**
**NLSP AND PREVIOUSLY APPROVED PROJECT VMT SUMMARY**

| Category | NLSP VMT | Previously Approved Project VMT |
|---|---|---|
| Single Family Residential | 260,013 | 165,568 |
| Multi-Family Residential | 77,860 | 100,623 |
| Commercial Retail | 8,765 | 3,670 |
| Light Industrial | 13,869 | -- |
| Recreation/Park | 1,320 | 2,640 |
| School | 2,640 | 2,640 |
| **Project VMT** | **364,467** | **275,141** |
| **Service Population** | **13,485** | **10,705** |
| **VMT per Service Population** | **27.0** | **25.7** |
| See Appendix C-1 for the VMT and Service Population Worksheets. | | |

The VMT estimates presented above use data from a travel demand model and are based on location and land use types only. The travel demand mode data does not consider the unique features of a specific project. For the previously approved Project, there are a number of features that tend to reduce VMT such as constructing a pedestrian network, integrating affordable housing, constructing bicycle trails, and expanding the transit network. VMT reduction ranges from the California Air Pollution Control Officers Association's (CAPCOA) Handbook for Analyzing Greenhous Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (GHG Handbook) are noted below.

Pedestrian Network: The previously approved Project would promote a high level of walkability by providing access to recreational destinations. Pedestrian facilities in the neighborhood would include multi-use trails, enhanced parkways, and neighborhood pedestrian trails. Neighborhood trails connect homes to the larger network, bringing all community amenities within pedestrian, bicycle, or equestrian access and reducing the need for automobiles.[30] The GHG Handbook's T-18 Provide Pedestrian Network Improvement measure cites up to a 6.4% potential reduction in VMT, however, the previously approved Project is not taking any quantitative credit for this project feature.

Bicycle Trails: The previously approved Project would construct a Class I Bike Path, Class II Bike Lanes, and Class III Bike Route. Per the Northlake Design Guidebook, a Class I Bike Path is planned along Northlake Boulevard and Ridge Route Road south of Northlake Boulevard. Class II bike lanes are planned for Local Collectors "A" and "B" and Fire Access Road. Class III Bike Route is planned along Ridge Route Road north of Northlake Boulevard. The GHG Handbook's T-19A Construct or Improve Bike Facility measure cites up to a 0.08% potential reduction, however, the previously approved Project is not taking any quantitative credit for this project feature.

Affordable Housing: The previously approved Project includes affordable housing, which represents approximately 10% of the total number of residential units. The GHG Handbook's T-4 Integrate Affordable and Below Market Rate Housing measure cites up to a 28.6% potential reduction in VMT, however, the previously approved Project is not taking any quantitative credit for this project feature.

[30] Northlake Design Guidebook, April 2018.

Expand Transit Network: The Project would provide a community shuttle and service ("tram") for the Project residents and guests. The tram would service local destinations within the Project Site as well as regional destinations outside the site. The Northlake Design Guidebook provides a conceptual diagram of a well-connected public transit route within the Project site, providing access to local destinations. The GHG Handbook's T-25 Extend Transit Network Coverage or Hours measure cites up to a 4.6% potential reduction in VMT, however, the previously approved Project is not taking any quantitative credit for this project feature.

**Level of Significance Before Mitigation**

Less Than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less Than Significant Impact.

**Cumulative VMT Impact Analysis**

The previously approved Project would have a less than significant VMT impact at the Project-level and would, therefore, also have a less-than-significant cumulative VMT impact.[31]

**Level of Significance Before Mitigation**

Less Than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less Than Significant Impact.

#### 2.2.5.1 Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

The Project does not conflict with the General Plan, any program plan, ordinance, or policy addressing the circulation system. The Project does not propose to amend or adjust roadway classifications, roadway network, transit routes, or bicycle network under existing conditions and future conditions as identified in the General Plan.

The Project would enhance the pedestrian experience by constructing multi-use trails, enhanced parkways, and neighborhood pedestrian trails. Neighborhood trails connect homes to the larger network, bringing all community amenities within pedestrian, bicycle, or equestrian access and reducing the need for automobiles. The Project would also construct a Class I Bike Path, Class II Bike Lanes, and Class III Bike Route. Per the Northlake Design Guidebook, a Class I Bike Path is planned along Northlake Boulevard and Ridge Route Road south of Northlake Boulevard. Class

[31] "A project that falls below an efficiency-based threshold that is aligned with long-term goals and relevant plans has no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than significant project impact would imply a less than significant cumulative impact, and vice versa." Technical Advisory on Evaluating Transportation Impacts in CEQA, Governors' Office of Planning and Research, December 2018, page 6.

II bike lanes are planned for Local Collectors "A" and "B" and Fire Access Road. Class III Bike Route is planned along Ridge Route Road north of Northlake Boulevard. Lastly, the Project would expand the transit network by creating a route alignment and bus stop locations within the Project Site. Therefore, the Project does not conflict with the General Plan, any program plan, ordinance, or policy addressing the circulation system.

**Level of Significance Before Mitigation**

Less Than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less Than Significant Impact.

#### 2.2.5.2 Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project would involve construction of a new internal circulation system. According to the Santa Clarita Valley Area Plan 2012 EIR, hazards due to roadway design would be evaluated on a project-by-project basis. The Project would include implementation of the Access and Circulation Plan that provides circulation and design standards for the layout of arterial highways and local collector streets in support of the Northlake land use plan. Because the NLSP, including the Access and Circulation Plan, was evaluated as part of the Northlake 1992 EIR and approved as part of the NLSP, no significant impacts are anticipated. Further, all roadway designs would comply with applicable design standards and requirements set forth in the NLSP and would be subject to review and approval by the LACPW. Therefore, impacts would be less than significant.

**Level of Significance Before Mitigation**

Less Than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less Than Significant Impact.

**Would the project result in inadequate emergency access?**

Development of the Project Site will not alter or impede emergency response routes or plans set in place by the County. Access during construction will be addressed in the Project's construction traffic management plan.

Emergency vehicles would access the Project Site using Ridge Route Road and use the internal street network. North of the Project Site, existing Ridge Route Road can be accessed from Templin Highway. Vehicular circulation within the Project Site would be accommodated by public and private roadways, which would be constructed consistent with applicable Los Angeles County Department of Public Works design standards for local roads. According to the California Fire Code (2016), fire apparatus access roads need to be no less than 20 feet wide and shall always

be unobstructed, which the internal Project streets will meet. Based on the previously approved Project Site plan, the internal streets and intersections, including the Project cul-de-sacs, would accommodate a fire truck.

The Project driveways are designed to comply with turning radius requirements for emergency vehicles and will not cause hazardous driving conditions. The Project's detailed design will be completed in compliance with California Fire Code requirements and not impair emergency vehicle access in the vicinity of the Project during construction and in ongoing operation. Compliance with the California Fire and Building Codes will be mandated through the plan check and approval process. This process will also ensure that adequate access for emergency services is provided, and the County's emergency response plan will be upheld during construction. Emergency access is further discussed below in Section 2.3, Wildfire, of this RPDSEIR. Therefore, the Project's impact on emergency access would be less than significant.

**Level of Significance Before Mitigation**

Less Than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less Than Significant Impact.

**Would the project result in construction VMT impacts?**

Construction of the proposed Project would generate temporary VMT associated with construction activities. It is anticipated that construction of the proposed Project would be phased based on market demand.

Construction-related VMT would primarily be associated with mass grading including movement of soils within the Project Site, delivery of building materials and construction equipment, removal of construction debris, and construction workers commuting to/from the Project Site. The amount of construction VMT would vary daily depending on the nature of the activity. In general, phased construction of the proposed uses is not anticipated to result in substantial construction related VMT, except possibly for the initial demolition and clearing stages, which would generate the highest number of heavy truck VMT. All grading materials are anticipated to be balanced on the Project Site; therefore, the primary source of construction related VMT would occur during the building phases of the Project. Construction traffic is expected to access the Project Site from I-5 at Lake Hughes Road, which leads to Ridge Route Road, and which is the most direct and shortest route from the site to the regional freeway system. Construction workers would primarily be from the southern California region. In some cases, specialized workers will be housed temporarily in the local area for the duration of their work activity. The distance construction workers travel to jobsites is a function of the worker's home location and the jobsite location, which is continually changing due to the short-term nature of construction work. Construction related VMT is variable, short-term, and is substantially lower than the project's operational VMT. As such, construction related VMT would be less than significant.

As described in Mitigation Measure 5.11-3 to the previously approved Project (which would be implemented here as well), to minimize traffic impacts during construction, a Construction Traffic Management Plan will be prepared and submitted to the County; this plan will describe safe detours, provide temporary traffic-control measures during construction activities, and identify

requirements to be met when one or more travel lanes are obstructed during construction. To reduce traffic congestion, the plan would also include, as necessary, appropriate, and practicable, the following activities: implementing temporary traffic controls (e.g., a flag person) during all phases of construction to maintain smooth traffic flow; implementing signage for detours, if needed; assigning dedicated turn lanes for movement of construction trucks and equipment on and off the site; scheduling construction activities that affect traffic flow on the arterial system to off-peak hours; consolidating truck deliveries; rerouting construction trucks away from congested streets or sensitive receptors; and synchronizing signals to improve traffic flow. Conducting construction activities in compliance with the Construction Traffic Management Plan would reduce potential impacts related to construction traffic to less than significant levels.

**Level of Significance Before Mitigation**

Less Than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less Than Significant Impact.

## 2.3 WILDFIRE

### 2.3.1 INTRODUCTION

This section supplements the SEIR Section 5.5, Fire Hazards, Emergency Response, and Environmental Safety. Specifically, this analysis supplements the analysis of wildfire risk and emergency evacuation in the event of a wildfire event. For this RPDSEIR, wildfire is a standalone section that incorporates the new threshold questions from CEQA Appendix G, which were added in December 2018 as a part of a comprehensive update to the CEQA Guidelines. The previously approved Project was concluded to result in less than significant impacts with implementation of identified regulatory standards related to wildfire risk and emergency evacuation. These determinations were upheld by the Superior Court; as such recirculation was not required.

The purpose of this analysis is to identify potential significant impacts related to wildfire risk and emergency evacuation with implementation of the previously approved Project, as described in Section 1.2, Project Summary. This analysis is based on the following technical reports, which address the previously approved Project:

- *Wildland Fire Risk Report, NorthLake Project* (Wildfire Report), prepared by Firesafe Planning Solutions, dated December 4, 2024 (Appendix D-1 to this RPDSEIR);
- *NorthLake Specific Plan Wildland Fire Evacuation Scenarios – Evacuation Time Estimates Memorandum* (Wildfire Evacuation Memo), prepared by Consulting Services, Inc., dated August 9, 2024 (Appendix D-2 to this RPDSEIR);
- *NorthLake Drainage Memorandum* (Drainage Memo), prepared by Sikand Engineering, dated May 17, 2023 (Appendix D-3 to this RPDSEIR); and
- *Wildland Fire Risk Report, NorthLake Project Addendum #1, December 2024* (Appendix K to this RPDSEIR)

These analyses support the significance determinations for the previously approved Project presented in the SEIR.

## 2.3.2 METHODOLOGY

### California Attorney General Guidelines

The California Attorney General's (AG) *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act* (AG Guidelines), published in October 2022, encompasses the threshold questions for the topic of wildfire in Appendix G of the CEQA Guidelines established in 2018, as previously discussed. The Wildland Fire Risk Report (Wildfire Report) states it addresses the following tasks from the AG Guidelines:

1) Determine if project impact will substantially impair an adopted emergency response plan or emergency evacuation plan;
2) Determine the project-specific Wildland Fire Hazard and Wildland Fire Risk to quantify issues that may exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
3) Determine if the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment;
4) Determine if people or structures will be exposed to significant risks due to the completion of the project; and
5) Consider whether a project will "expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires".

### Wildfire Report Methodology

The Wildfire Report examined the topography (i.e., slope, aspect, elevation, location of development related to upslope and downslope areas), weather history and weather conditions during extreme fire conditions, fire history, wildland fuels (i.e., type, configuration, continuity, and density), and current/anticipated infrastructure (i.e., roads, fuel modification, fire resources, and water distribution and storage system). The current and future (i.e., in place by the time of development) regulations, codes, standards, guidelines, and recommended practices relating to wildland fire safety were also considered. It was assumed that the previously approved Project would comply with all current and future regulations in the development of the Project Site and the construction of the structures. The report provides results of computer calculations that measured the fire intensity, flame lengths, rate of spread, and fire travel distance (arrival times) from worst-case scenario wildfires in both the extreme (Diablo wind) and the predominant (Onshore wind) wind conditions (ten different wildfire scenarios). The results of the fire behavior calculations have been incorporated into the analysis of the interfaces of the previously approved Project with adjacent wildlands and the potential ingress/egress routes that would be used at the site daily and under emergency conditions where evacuation might be possible or necessary. The analysis of wildland fire risk starts with the review of the hazards, the likelihood of an event, and the intensity of that event which is then examined against the vulnerability (exposure and susceptibility) to provide a "level of risk". This was accomplished using fire modeling (BehavePlus and FlamMap) software as provided by the U.S. Forest Service (Firesafe, Wildfire Report 2024).

### Wildfire Evacuation Memo Methodology

The Wildfire Evacuation Memo estimated the evacuation time for all ten of the wildfire scenarios modeled in the Wildfire Report. The estimated evacuation time is based on consideration of the population of the Project area, the average number of vehicles owned by each household, the relative location of households in relation to the roadway network, and the available roadway

capacity. The number of residential units and the average vehicle ownership per household in the Castaic community was used to estimate the potential number of Northlake vehicles that would need to be evacuated during a wildland fire event. Households in the Castaic community own an average of 2.34 vehicles per household. A conservative roadway capacity estimate of 500 vehicles per hour per lane (VPHPL) was used in this analysis to represent extreme congested conditions under a worst-case evacuation scenario. The analysis is also based on a worst-case assumption that all residents of dwelling units under evacuation are assumed to be at home and would attempt to evacuate using all available vehicles for each household. Analysis also considers the existing residential neighborhoods just south of the Project Site (i.e., Northlake Hills and Wildwood), which also rely on Ridge Route Road for evacuation. Traffic from the three evacuation (i.e., egress) points would proceed south along Ridge Route Road towards the Lake Hughes Road intersection. For a worst-case condition, the analysis assumes that no vehicles would be evacuated to the north towards Templin Highway (Stantec, Wildfire Evacuation Memo 2024a).

The focus of the evacuation analysis is on Ridge Route Road within the NLSP area and south to Lake Hughes Road where Ridge Route Road enters the existing Castaic community. Conditions on Lake Hughes Road and on Ridge Route Road south of Lake Hughes Road can affect the overall capacity of vehicles passing through the Ridge Route Road/Lake Hughes Road intersection. For the evacuation analysis, it is assumed that these downstream conditions are being actively managed by County emergency management personnel and that sufficient capacity is available to receive and/or stage the evacuating residents (Stantec, Wildfire Evacuation Memo 2024a).

In addition, the Genasys Protect application (app), formerly known as Zone Haven, is an evacuation management tool that helps communities, and first responders, more effectively plan, communicate, and execute evacuations. It is a platform where residents can look up their addresses using the search bar and use the zone map to find evacuation information for their area.

Pre-established evacuation zones help fire, law, and emergency service agencies prepare for, streamline, and reduce confusion around the evacuation process so that roads are clear for those who need to evacuate quickly. By evacuating the most at-risk zones first, emergency personnel are able to manage the traffic flow and more easily prevent the traffic jams that occur when an entire town or city tries to evacuate all at the same time. The pre-established zones also provide a common reference system for all first responders and the community.

Evacuation routes are always incident-specific because the best route to take is always relative to the location and type of threat. When an emergency evacuation occurs, residents will be asked to check the County's alerts and open the Genasys Protect app to review the status of their zone. When it is time to evacuate, residents will be asked to follow the direction of the law enforcement directing traffic.

The Genasys Protect mobile app for Apple and Android contains all the same functions as the website, with the additional feature of being able to follow a zone to receive push notifications about status changes to that zone. It should be noted that the Genasys Protect is not a navigation tool like Google or Apple Maps, which means it cannot plot directions or receive evacuation directions.

All zones in Genasys Protect are published by the County and are authoritative. Genasys works directly with each county served and all information for a zone or county listed on the site has been approved by the county. The County worked directly with Genasys to add and approve all

of the information for specific zones, and the appointed emergency response personnel update the statuses and information during emergencies.

The Project site is within zone CAS-RIDGE. The first three letters represent the city's name or if in an unincorporated area - the county, the E is short for Evacuation, and the last three numbers are the unique code that distinguishes the zone from the others in the immediate area. This system is consistent across the county and makes it easy for first responders to plan and execute evacuations. The zone identifier system provides each zone with a globally unique identification so there is no confusion about which zone is being referenced.

During an incident, first responders may need to split the zone into multiple sections in order to evacuate community members or repopulate a zone in the most effective way. If a zone contains a letter on the end (example: E005-A, E005-B, E005-C), this means that the original zone (E005) was split up into smaller areas for better management of the evacuation.

**Fire Hazards Reduction Programs**

The Los Angeles County Fire Department (LACoFD) has multiple Fire Hazards Reduction Programs, including the Defensible Space Inspection Program and Vegetation Management Program. The Defensible Space Program is a joint effort between the LACoFD and the County of Los Angeles Agricultural Commissioner Weights and Measures Department, Weed Hazard and Integrated Pest Management Bureau. These measures create "Defensible Space" for effective fire protection, and the Department's Defensible Space Unit enforces the Fire Code as it relates to brush clearance on improved parcels, coordinates inspections and compliance efforts with fire station personnel, and provides annual defensible space training to fire station personnel. The Vegetation Management Program is an ongoing effort to analyze the history and effects of wildland fires in Los Angeles County, and LACoFD has developed fuel management projects with stakeholders, including cities, community groups, and other agencies; experimentation with various methods of reducing or removing fuels in fire prone areas, as well as evaluation of environmental impacts and effects of these practices (Los Angeles County Fire Department 2024).

### 2.3.3 THRESHOLD CRITERIA

**If located in or near State responsibility areas or lands classified as VHFHSZ, would the project:**

**2.3.3.1 Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**2.3.3.2 Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**2.3.3.3 Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**2.3.3.4 Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

## 2.3.4 IMPACT ANALYSIS

### 2.3.4.1 Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The Project area does not have an adopted emergency evacuation plan. Neither construction nor operation of the Project would impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. The area's emergency response would be enhanced by implementation of the previously approved Project with the addition of the proposed fire station and improvements to the public roadways. This evacuation analysis for the previously approved Project would be the first formal process that can be found in a search of the available records. Previous evacuations in the area from several incidents over the past years have provided the emergency staff with experience that is helpful for future actions. One example is the closure of Interstate 5 due to an emergency. In previous closures, the action was to take traffic off the freeway at Lake Hughes Road, which results in almost immediate gridlock. Shutting the freeway at Hasley Canyon Road or State Route 126 provides for better redirection of the freeway traffic and leaves the Castaic area more evacuation options (Firesafe, Wildfire Report 2024). Project Design Features (PDFs) that would reduce the impact of the previously approved Project on emergency response and evacuation include:

PDF-3: Evacuation Plan: A detailed Evacuation Plan would be prepared and shall include, at a minimum, the below described evacuation plan elements, actions during a wildfire, and actions during site evacuation due to wildfire:

**Evacuation Plan Elements**

Coordination with applicable agencies: During development of the Evacuation Plan, the applicant will communicate with public agencies that may provide emergency response to the Project area in the event of a disaster, such as a wildfire, and emergency assistance is needed. Public agencies could include LACPW, LACoFD, Los Angeles County Sheriff's Department (LASD), County Supervisor's Office, California Department of Transportation (Caltrans), California Highway Patrol (CHP), and companies providing utility services for the community.

Evacuation zones map: The Evacuation Plan will categorize the Project into Evacuation Zones; the Project Site is within zone CAS-RIDGE. The purpose of the Evacuation Zones is to aid agencies and/or emergency personnel in quickly identifying areas of the Project to plan for the evacuation timing, the evacuation order, and the evacuation routes so that traffic flow is managed and traffic bottlenecks are avoided. For example, the Priority Area under evacuation would be identified by the applicable Evacuation Zones.

Ingress and egress routes: The Evacuation Plan will identify regional and local ingress and egress routes such as the I-5 freeway, Lake Hughes Road Interchange, Ridge Route Road Interchange, and the Ridge Route Road and Lake Hughes Road intersection.

Street routes: The Evacuation Plan will detail the Project's internal circulation and provide evacuation routes using the Project's main three evacuation points: "B" Street at Ridge Route Road, Northlake Boulevard at Ridge Route Road, and "A" Street at Ridge Route Road.

Detour plan: In the event an evacuation point is not available, the evacuation plan will identify alternative routes to an available evacuation point.

Pre-identified safe refuge areas: The Evacuation Plan will provide a map with pre-identified safe refuge areas.

Evacuation traffic control plans: The Evaluation Plan will include traffic control plans such as, but not limited to, deployment of portable generators to intersections with traffic signals, changeable message signs to inform motorists, and modification of signal timing to allow emergency personnel to operate the traffic signals manually.

Resident outreach and education: Resident outreach will be conducted to educate residents on what evacuation zone they are in, evacuation routes, evacuation points, emergency contacts, pre-identified safe refuge areas, and notification systems to enlist.

**Actions During a Wildfire**

Initial action: LACoFD would assess the event and communicate with LASD if an evacuation order, evacuation warning, or a shelter in place notice is needed. LASD will coordinate with other agencies such as (but not limited to) Caltrans and CHP to close routes into the area. This could mean closing sections of the I-5 freeway or diverting local traffic in the Castaic community near Lake Hughes Road.

Community notifications: The County of Los Angeles will notify the community before, during and after an emergency. Communication will be done via an emergency alert system, Alert LA County, commercial media, amateur radio, and websites. The emergency alert system is broadcasted directly by LASD.[32] Alert LA County is a Community Mass Notification System that is an emergency system used to contact County residents through phone calls, text messages, and email.[33] Commercial media refers to television stations in the surrounding area. Amateur radio refers to Los Angeles County Disaster Communications Service (DCS) works ham radio operators throughout the County. Lastly, websites such as the Los Angeles County Website and National Weather Service will provide up to date fire information and shelter sites. Social media could also be used to notify residents. Residents would be notified of available evacuation routes, shelter locations, refuge areas, and animal shelters.

Response organization contact list: The Evacuation Plan will include a list of contacts that will implement the evacuation plan, such as, but not limited to, LACPW, LACoFD, LASD, Caltrans, CHP, school district, and utilities.

**Site Evacuation Due to Wildfire**

Evacuation of the Priority Area: Emergency personnel would determine the Priority Area and provide community notifications to the affected evacuation zones on an evacuation warning, evacuation order, or a shelter in place.

Identification of available/open evacuation points closest to the Priority Area: Community notifications would include information related to the availability of the nearest evacuation points. At this time emergency personnel would monitor the movement of the fire and provide updates to the availability of the evacuation points.

[32] The County of Los Angeles Emergency Survival Guide, County of Los Angeles, Chief Executive Office, Office of Emergency Management, 2022.

[33] www.lacounty.gov/emergency accessed February 2025.

Deployment of emergency personnel to direct evacuation: Based on the movement of the wildfire, emergency personnel would open or close the available evacuation points and help reroute vehicles so residents can efficiently exit the area and avoid traffic bottlenecks.

The Wildfire Evacuation Memo determined that all modeled scenarios allowed all vehicles to evacuate within the allowable time limit. This assumes that an evacuation point would only temporarily close (approximately 90 minutes at most) and would reopen after the fire is no longer a threat to that area. The closure of the southerly segments of Ridge Route Road would result in a temporary pause on evacuations. Since Ridge Route Road is the only egress route, a "shelter in place" recommendation may be made in an event where Ridge Route Road cannot reopen. However, an evacuation route directly onto the I-5 freeway from Ridge Route Road would provide an alternative to Ridge Route Road but would require a substantial amount of evaluation and coordination with Caltrans to implement (Stantec 2024a).

From a wildland fire perspective, the Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Project Site-specific evacuation plans would be completed as an integral part of Resident Information and Community Communications efforts by the Project sponsors, builders, and the homeowner's associations (HOAs) who would have the ongoing responsibility for this information (Stantec 2024a). In addition, the Genasys Protect app is an evacuation management tool that will be available to assist future residents and first responders to effectively evacuate in the event of a wildfire occurrence. Based on the findings of both the Wildfire Report and Wildfire Evacuation Memo, there would be less than significant impacts related to emergency response and evacuation due to a wildland fire affecting the previously approved Project area or surrounding area during construction and operations, and no mitigation is required.

Information provided to Stantec by the Los Angeles County Department of Regional Planning indicates that there is currently one cumulative (i.e., related) project in the vicinity of the Project Site: the Centennial Specific Plan. This project will not utilize Ridge Route Road for access; therefore, traffic generation from this project would not affect the findings of the evacuation analysis (Stantec 2024a).

There would be less than significant cumulative impacts related to emergency response and evacuation.

**Level of Significance Before Mitigation**

Less than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less than Significant Impact.

#### 2.3.4.2 Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The Wildfire Report examined the Project-specific wildland fire hazards and the resulting risks with application of required regulatory standards and PDF-3 above and PDF-4 below and determined that the resulting level of risk is no greater than similar communities in the area and generally better than projects constructed prior to the current regulatory standards. Neither

construction nor operation of the Project would exacerbate wildfire risks, thereby exposing occupants to pollutant concentrations from a wildfire or uncontrolled spread of a wildfire. As described in further detail below, during construction, the Project would be required to implement all applicable Federal, State and local regulations pertaining to wildfire. Consistent with current regulations, all dwelling units during operations would be protected with automatic fire sprinklers and the site design would implement appropriate fuel breaks, fire breaks and fuel modification zones. The Project would create buffer zones and defensible space within and adjacent to the proposed development, with particular attention to ensuring that vegetation would not touch structures or overhang roofs. Structures and homes would be fire hardened in accordance with Chapter 7A of the Building Code, Section R337 of the Residential Code and the specific requirements of LACoFD during the development review process for the site-specific locations. On-site, gravity fed, water supply/storage would be provided to ensure fire flow during power outages for the required duration established in the Fire Code (Firesafe 2024). The Fire Management Program specified in the NLSP requires compliance with the County Fire Code and all other regulatory standards.[34] PDFs above and beyond the regulatory standards that provide additional wildfire protection are listed below.

PDF-4: Wildfire Prevention and Protection Features: The Project includes several features that would both help prevent a wildfire from starting from within the site and protect the on-site population and structures if a wildfire occurred on or near the site. These features include:

- The Project includes increased housing density and a consolidated design to reduce or eliminate, where possible, wildland fuels within the interior of the site and to keep the edge of the site as an identifiable interface.
- The Project has been designed to avoid and minimize low-density urban development patterns or leapfrog-type developments (i.e., those with undeveloped wildland between developed areas).
- Decreasing the extent and amount of “edge,” or interface area, where development is adjacent to undeveloped wildlands.
- The Project would establish the legal obligations within the codes, covenants, and restrictions (CCR’s) to ensure that defensible space measures are retained over time.
- Undergrounding of power lines throughout the entire Project Site except for the SCE overhead transmission lines that bisect the site.
- The Project design limits development along steep slopes and amidst rugged terrain to decrease exposure to rapid fire spread and increase accessibility for firefighting. Only a few locations have wildland fuels below (lower than proposed structures) the site and these sites would have additional protections such as radiant heat walls, increased built-in fire protection features, and/or placement of the structure so that the effects of “underslung fuels” are reduced.
- Structures and features have been sited to maximize the role of low-flammability landscape features and roadways that may buffer the development from fire spread.
- The Project would expand existing fire resources in the region, including a new fire station location and more water storage than required resulting in additional regional fire duration capacity.
- Proposed development has been situated within the existing or planned ingress/egress and designated evacuation routes to efficiently evacuate the on-site

[34] NorthLake Draft SEIR, Appendix B [NorthLake Specific Plan], pages IV-10 through IV-13.

population and the existing community population, consistent with evacuation plans, while simultaneously allowing emergency access.

The size, location, and configuration of the Project makes it unlikely that a fire would affect the entire site at a single time but rather the fire would affect sections of the site's interface over a period of time allowing for resources to be redistributed and for evacuation opportunities after the fire front has passed a specific location. Travel within the site should be viable at all times given the distance from the wildland fuels and the wildland fire protection features. The modeling indicates there would always be some portion of the community that is not impacted or has already been impacted and is now no longer a significant risk to the occupants/evacuees. The Project Site would have three egress points available for evacuation efforts should law enforcement deem it necessary. Additionally, the combination of fuel modification, hardened structures, the placement of the structures, and features on the topography relative to the wildland fuels creates a community that is capable of "sheltering in place" if necessary. While never a first choice by emergency service providers, if moving the population is a greater risk, this community as designed and as it would be constructed would be capable of a sheltering operation without undue risk to the residents.

All ten fire scenarios that have been modeled have at least one evacuation point that is viable for four hours or more except one, the Freeway Spots scenario. In the Freeway Spots scenario, all three evacuation points would be viable for an estimated 30 minutes until it is limited by fire and would reopen in an estimated 60 to 90 minutes depending on location. All fire scenarios were run under extreme conditions which have been recorded in previous fires or which are likely to occur in the future and are considered the worst-case scenarios. Fires with wildland fuels, such as adjacent to the Project Site, tend to burn in "ribbons of fire" which have a flaming front and little fire behavior behind the flaming front. For this reason, once the fire has passed, so has most of the risk associated with the fire. Residents closest to the impacted areas should be moved first and then the evacuation area expanded based on risk to the community and/or evacuation routes. It may be necessary to shelter in place for short periods of time in areas which are less at risk or would not be affected before the evacuation is completed. The Wildfire Report concluded that while fire would be expected to affect portions of the Project Site before the entire population is evacuated, options exist to change routes, use areas of refuge on a temporary basis, or shelter populations that are not currently at risk until those at risk have been moved to safer areas (Firesafe 2024).

The Project traffic engineer, Stantec, modeled scenarios to validate the time needed to empty the at risk or priority populations and the entire Project Site. With each modeled scenario, the number of people at risk determines the number of dwelling units that would be a priority to evacuate (hereby referred to as priority area). In some instances, the entire Project Site is in the priority area. After the priority area has evacuated, the remainder of the site would evacuate. Based on worst-case assumptions, discussed above, the Wildfire Evacuation Memo estimated that it would require between 1 and 3.5 hours to evacuate the priority area (for the eight scenarios where the priority area is not the entire Project Site) and between 3.5 and 5.75 hours to evacuate the entire Site. For the Freeway Spots scenario, the Wildfire Evacuation Memo estimates it would require an estimated 2.5 hours to evacuate the priority area and 5 hours to evacuate the entire Project Site (Stantec 2024a). As discussed above, for the Freeway Spots scenario the three egress points would each be viable for approximately 30 minutes. Therefore, in such a scenario the remaining on-site population would shelter in place until one or more evacuation points reopen (estimated to be in 60 to 90 minutes) and then evacuation would continue.

Evacuation reduces exposure to pollutant concentrations generated by a wildfire. Therefore, the combined effects of the fuel modification, roadside clearance, building code requirements, and the site design/placement of the structures work together to protect the community from a wildfire.

The Project Site would, in fact, provide a buffer to some of the existing communities by removing or modifying the wildland fuels that are upwind from them. With the fuel modification and roadside clearance in place, the probability of a fire originating from the Project Site is lower than the adjacent communities without this protection. To access the wildlands, it would be necessary to traverse the 200-foot-wide fuel modification zone. Ignitions from the normal sources associated with development would be much less likely to occur (Firesafe 2024). There would be less than significant impacts related to exacerbation of wildfire risk that would expose the population to fire-related pollutant concentrations during construction and operations, and no mitigation is required.

**Level of Significance Before Mitigation**

Less than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less than Significant Impact.

#### 2.3.4.3 Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Construction of the Project would not require the installation of associated infrastructure that would exacerbate fire risk. In addition, the Wildfire Report concluded that none of the proposed infrastructure would exacerbate the wildfire risk for the Project Site during operations. In fact, the improved water supply for the general area, placement of fuel modification zones, and establishment of a community that has the option to "shelter in place" if needed provides an alternative to existing residents in the immediate area where this level of protection does not exist. If evacuation to the south is not possible, nearby communities would be safer on the Project Site development areas than they would be in some of the current neighborhoods due to the protections provided as part of the previously approved Project (Firesafe 2024). There would be less than significant impacts related to installation and maintenance of infrastructure that could exacerbate wildfire risk during construction and operations, and no mitigation is required.

**Level of Significance Before Mitigation**

Less than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less than Significant Impact.

#### 2.3.4.4 Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

As proposed, the Project would not expose people or structures on the Project Site, either directly or indirectly, during construction or operations, to a significant risk of loss, injury or death due to

a wildland fire in the undisturbed areas adjacent to the site due to the use of fuel modification, defensible space, fire sprinklers, placement of the structure on the landscape/topography, street widths, amount of fire protection water available, and placement of fire hydrants at specified intervals, hardening of the structures to comply with the current wildland interface regulations, and availability of firefighter resources within the Project Site, and the regional assets available to combat a wildland fire by LACoFD and the other associated agencies (CalFire, USFS, mutual aid fire resources, call when needed fire resources) who routinely assist in the suppression of wildfires in the region (Firesafe 2024).

During construction, the Project would be required to comply with all applicable federal, State and local rules and regulations governing construction fire safety, including Chapter 33 of the California State Fire Code entitled, Fire Safety During Construction and Demolition, which provides requirements for precautions against fire and requires readily accessible means of reporting emergencies, access roadways and fire department water supplies to all areas where combustible construction is occurring. This section also requires the development, implementation and maintenance of an approved, written Site Safety Plan establishing a fire prevention program at the Project Site applicable throughout all phases of the construction, repair, alteration or demolition work. This plan addresses the requirements of the Fire Code, the duties of staff and staff training requirements. The Site Safety Plan must be submitted and approved before the issuance of a building permit. The Project would also be required to comply with California (Cal/OSHA) regulation section 5141.1, which protects outdoor employees exposed to wildfire smoke and poor air quality through monitoring air quality levels, required trainings and instructions, and control of harmful exposures to workers by providing respiratory protective equipment and portable air filters. A Project-specific Construction Monitoring Plan and Stormwater Pollution Prevention Plan (SWPPP) would be required to ensure all appropriate erosion control measures and best management practices (BMPs) are implemented during construction activities. The BMPs would include, but would not be limited to, physical barriers to prevent erosion and sedimentation, construction of sedimentation basins, limitations on work periods during storm events, use of infiltration swales, protection of stockpiled materials, and a variety of other measures that would substantially reduce or prevent erosion from occurring during construction. In the event that a wildland fire is followed by a rain event, and results in downstream flooding or landslides as a result of post-fire runoff, the BMP measures required to be implemented under the SWPPP would reduce the risk of runoff, post-fire slope instability, and drainage changes.

Per the approved hydrology study[35] and latest County policies, the Project has been designed with upstream debris basins that are engineered to contain debris flows from upstream natural areas that have burned in wildfires. Upstream flows are conveyed into these basins where debris settles, and clear water would then be conveyed downstream through a conduit. Based on the approved hydrology study for the Project, Sikand concluded the proposed flows during operations exiting the Project Site would mimic the existing conditions and as such would not result in downslope or downstream flooding (Sikand, Northlake Drainage Memo 2023).

In addition, the increase in wildfire risk due to human caused ignitions was assessed. (See Wildland Fire Risk Report NorthLake Project Addendum #1 December 2024, Appendix K.) Development of the Project Site would introduce additional wildfire risk factors as compared to existing conditions. Specifically, increased human habitation in a wildlife-urban interface increases the fire risk from arson, children playing with fire, and debris-burning; increased vehicular traffic increases fire risk from sparks, catalytic converters, and discarding of cigarettes; and the introduction of residences within the site would create a wildland-urban interface that increases the general potential for human-ignited wildfires. The Project would introduce

[35] NorthLake Hydrology Study, 2017 (Appendix D-4 to this RPDSEIR).

residences within the site creating a wildland-urban interface that increases the general potential for human-ignited wildfires. All of these factors could expose Project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire near or into the development footprint. Although additional opportunities for wildfires would occur, factors associated with the changes in the wildland fuels and topography would have an offsetting effect. The ignition gradient along lateral development could lower ignition probabilities when new development areas are located nearest to the previous urban development, while outlying development patterns in the wildland areas may have higher probabilities for wildfire. This builds on the concept that, at a point of development density, wildland fuels are reduced/eliminated or fragmented to a point where fire suppression efforts are more effective. A higher level of development would also have a greater concentration of emergency services resources to aid the protective actions needed to bring the incident to a close.

As noted above, the Project would not expose people or structures on the Project Site, either directly or indirectly, to a significant risk of loss, injury or death due to a wildland fire caused by human ignitions due to the use or implementation of:

- fuel modification,
- defensible space,
- fire sprinklers,
- placement of the structure on the landscape/topography,
- street widths,
- amount of fire protection water available,
- placement of fire hydrants at specified intervals,
- hardening of the structures to comply with the current wildland interface regulations,
- availability of firefighter resources within the Project Site, and
- the regional assets available to combat a wildland fire by LACoFD and the other associated agencies (CalFire, USFS, mutual aid fire resources, call when needed fire resources) who routinely assist in the suppression of wildfires in the region.

The Project would avoid human-ignited wildfire risk by:

- Prohibiting smoking in wildland and wildland interface,
- Banning solid fuel outfire fires within the community without spark arrestor and only in approved devices, and
- Limiting access to vulnerable open space.

The Project would minimize, prevent and reduce human-ignited wildfire risk by providing:

- Fuel Breaks and Fire Breaks which reduce fire intensity and forward progress in the direction of the community,
- Undergrounding of utilities, pump stations, switch gear to make them less impacted by wildfires,
- Annual inspections for wildland interface (common areas) to insure readiness

- Defensible space inspections to educate and inform homeowners on what can be accomplished to make the structure more resistant to wildland fires,
- Community cleanup programs (ongoing) to assist in removing wildland fuels from the interface and the community as a whole,
- Back up of critical infrastructure (water, communications, traffic control, electrical) to ensure that they are functional when needed,
- Fuel modification zones which slow or stop the forward progression of the wildland fire
- Defensible space which eliminates or greater reduces the fire pathways between the native fuels and the ignition zone around the structure,
- Roadside clearance zones which increase the utility of the roads for evacuation while reducing the impact of possible ignition sources by reducing fuels near the roads by creating a buffer area,
- New fire suppression resources which are closer/faster to the incident in order to intercede before the fire reaches a point where it exceeds the local resources and become a large wildland fire,
- Hardened structures to wildland fire impacts through physical construction, distance and configuration of items on or near the structure which might ignite, and
- Placement of structures relative to the potential wildland fires to reduce or eliminate the possible ignition of the structure or the vegetation around it.

Finally, the Project would compensate and offset human-ignited wildfire risk through:

- Increased detection of ignition which result in actions which limit the size and scope of the fire with early intervention by citizens or emergency personnel,
- Rapid suppression capabilities (as opposed to longer responses to areas without immediate access),
- Fire prevention and public education programs to reduce, eliminate and prevent wildland fires by changing behavior and practice which could elevate the risk of a wildland fire or its impacts,
- Community information and communication systems to keep residents informed and aware of risks, actions needed and increases the ability to plan for future actions such as evacuation prior to being in harm's way, and
- Preplanned evacuation areas/routes which are known to residents to insure that, if evacuation is needed, it can be completed quickly and in the most efficient and effective manner.

As such, the increased wildfire risk from human-ignited wildfire would be less than significant.

As shown above, there would be less than significant impacts related to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes during construction and operations, and no mitigation is required.

**Level of Significance Before Mitigation**

Less than Significant Impact.

**Mitigation Measures**

No mitigation is necessary.

**Level of Significance After Mitigation**

Less than Significant Impact.

## 2.4 REVISED ALTERNATIVES ANALYSIS

### 2.4.1 INTRODUCTION

This section[36] provides an updated Alternatives analysis in direct response to the Court Ruling. The Court Ruling stated the following:

> ***ISSUE TWO: THE REASONABLE RANGE OF ALTERNATIVES PRESENTED IN THE SEIR IS DEFICIENT FOR FAILING TO CONSIDER AN ALTERNATIVE THAT WOULD PRESERVE THE GRASSHOPPER CREEK HABITAT:***
>
> *CEQA requires the lead agency to consider a reasonable range of alternatives to evaluate whether an alternative to the Project exists that will reduce or better mitigate the significant environmental impacts of a project. PRC 21002; Guidelines section 15126.6. An EIR is to "ensure that all reasonable alternatives to proposed projects are thoroughly assessed" by the decisionmakers. Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376, 400.*
>
> *The SEIR's alternate analysis for the Project does not include an alternative that would protect Grasshopper Creek (AR 2403-2426), and for that reason is fatally flawed.*
>
> *[…]*
>
> *Without necessarily finding a violation of section 15151, the Court finds that the County's exclusion of the "creek avoidance" alternative from the range of alternatives is not supported by substantial evidence. That failure is a violation of Guidelines section 15126.6 and, therefore, of PRC 21002. The failure invalidates the approvals given for the Project and requires the submittal of an amended EIR that includes an appropriate analysis section for consideration by the County's decisionmakers.*

The analysis is provided below in response to the Court Ruling to support the SEIR's discussions and impact conclusions and the County's associated findings. The analysis considers two alternatives that look to avoid impacts to Grasshopper Creek: (1) the Creek Avoidance Alternative and (2) the Partial Creek Avoidance Alternative. The analysis is based, in part, upon:

1) Creek Avoidance Alternative Assessment, July 2021 (Revised June 2022), by Sikand Engineering Associates (Appendix F-1 to this RPDSEIR);
2) Geotechnical/Hydrological Review of Creek Avoidance Alternative Design Northlake, Vesting Tentative Tract Map No. 7336, Castaic, Los Angeles County, California by $G_3$SoilWorks, July 14, 2021 (Appendix F-2 to this RPDSEIR);
3) Glenn Lukos Technical Memorandum, Biological Conditions with Grasshopper Creek Avoidance Alternative, July 1, 2021 (Appendix F-3 to this RPDSEIR);

[36] The Alternatives analysis is contained in Section 6.0 of the SDEIR and incorporated herein by reference except where expressly superseded.

4) Sikand Engineering Associates Technical Memorandum Re: Partial Creek Avoidance Alternative, July 12, 2022 (Revised October 14, 2024) (Appendix F-4 to this RPDSEIR); and

5) Northlake Specific Plan Alternatives VMT Analysis, February 27, 2025, by Stantec (Appendix F-5 to this RPDSEIR).

In summary, the previously approved Project consists of development of Phase 1, Phase 2, and associated off-site external map improvements in both Phase 1 and Phase 2 areas totaling 65.13 acres, including remedial grading, drainage features, and road and utility alignments. Phase 1 comprises 1) development of a 720-acre portion of the Project Site with a total of 2,295 dwelling units, including 288 single-family units on approximately 41 acres, 1,341 multi-family units on approximately 41 acres, 345 senior multi-family units on approximately 49 acres, 315 affordable units and 6 market-rate live/work units (included within 20 acres of commercial use). Of the 315 affordable units, 95 would be designated as senior-living affordable units. The market-rate live-work units and deed restricted affordable mixed-use units are considered multi-family residential units under some impact methodologies. Phase 1 also includes, and lots are also provided for commercial development (22 acres), open space and parks (412 acres), roadways (86 acres), school pad (21) and a fire station pad (1 acre).

The remainder of the Project Site, referred to as the Phase 2 area, would be developed with 855 single family homes, 386 acres of parks, trails, and open space, 23 acres of school uses, and 36 acres of associated roadway and infrastructure improvements.

### 2.4.2 CREEK AVOIDANCE ALTERNATIVE

**Description of the Alternative**

The Creek Avoidance Alternative (CAA) assumes the same design basis as the previously assessed screening alternative in the SEIR (Section 6.5, Alternatives Deemed Not Feasible, Section 6.5.1 Creek Avoidance Alternative): avoid disturbing the creek bottom that runs through the Project Site while developing a viable land plan effectuating the approved NLSP. The existing landform is created by landslides that traverse the Project Site from the westerly side of Grasshopper Creek to the easterly side of the Site boundary. Typically, per standard engineering and design practices and Los Angeles County requirements, all underlying landslides would be removed and recompacted to provide suitable soil conditions for Project development. Grasshopper Creek has several existing landslides directly underneath the creek bottom that extend from approximately 10 feet to 200 feet easterly and westerly of the creek bottom. A 300-foot setback[37] from the creek bottom was determined to be an appropriate buffer for the CAA. Thus, the developable area for the CAA would commence at the creek setback line and ascend easterly to the easterly boundary of this Alternative. Unlike the previously approved Project, the CAA would require the realignment and new construction of Ridge Route Road, export of approximately 8.2 million cubic yards (mcy) of soils from the Project Site, and the construction of three clear span bridges to access the Project from Ridge Route Road.

[37] This setback was based on three considerations: 1) Topography ascending to the east from the creek can be rather steep (locally 1.5:1 to 1:1 +/-). The 300-foot setback generally removes the toe of development into areas with 3:1 to 4:1 slope gradients. 2) The irregular / meandering path of the creek bed required a suitable setback to accommodate a design that would allow a toe for a fill slope configuration, as development is proposed for the easterly slopes and developable pads will need to be graded. 3) The 300-foot setback allowed the proposed fill slope to begin further east / upslope of the upper portions of most of the small to moderate size landslides which are located along the east side of the creek bed. (Creek Avoidance Alternative Assessment, July 2021 (Revised June 2022), by Sikand Engineering Associates, Appendix F-1.)

The developable acreage for the CAA decreases from 364 acres to 286 acres, thereby reducing the amount of area available for development. After incorporating other conditioned site elements such as a 23-acre school site and 1 acre fire station (as per the NLSP), along with 167 acres of recreation and park areas, under the CAA the residential unit count would be reduced to 1,815 units (of which 165 units would be affordable). Compared to the 3,150 dwelling units (of which 315 units would be affordable) under the previously approved Project, the CAA would result in a reduction of 1,335 dwelling units. The CAA would have similar commercial acreages as the previously approved Project. Proportionately, the affordable unit count would be reduced from 315 to 165 units. The CAA is shown on Figure 2, NorthLake Creek Avoidance Alternative.

**TABLE 2-7**
**LAND USE STATISTICAL SUMMARY TABLE**
**FOR THE CREEK AVOIDANCE ALTERNATIVE[a]**

| Use | Dwelling Units | Area (Acres) |
|---|---|---|
| Residential | 1,815 | 264 |
| Mixed Use Residential/Commercial | – | 20[a] |
| Highway Commercial | – | 2 |
| Parks | – | 26 |
| Open Space- Manufactured Slope | – | 285 |
| Open Space- Undisturbed | – | 636 |
| Roadways | – | 71 |
| Fire Station Pad | – | 1 |
| School Pad | – | 23 |
| ***Totals*** | ***1,815*** | ***1,329*** |

[a] This overlay provides for a development option of attached single-family residences and age-restricted areas designated for homeowners that are 55 years of age and older. Lot sizes and configurations would be similar to those in the Single-Family area with the addition of the Attached Single-Family designation as an option. It should be noted that development within these areas may or may not be age-restricted.

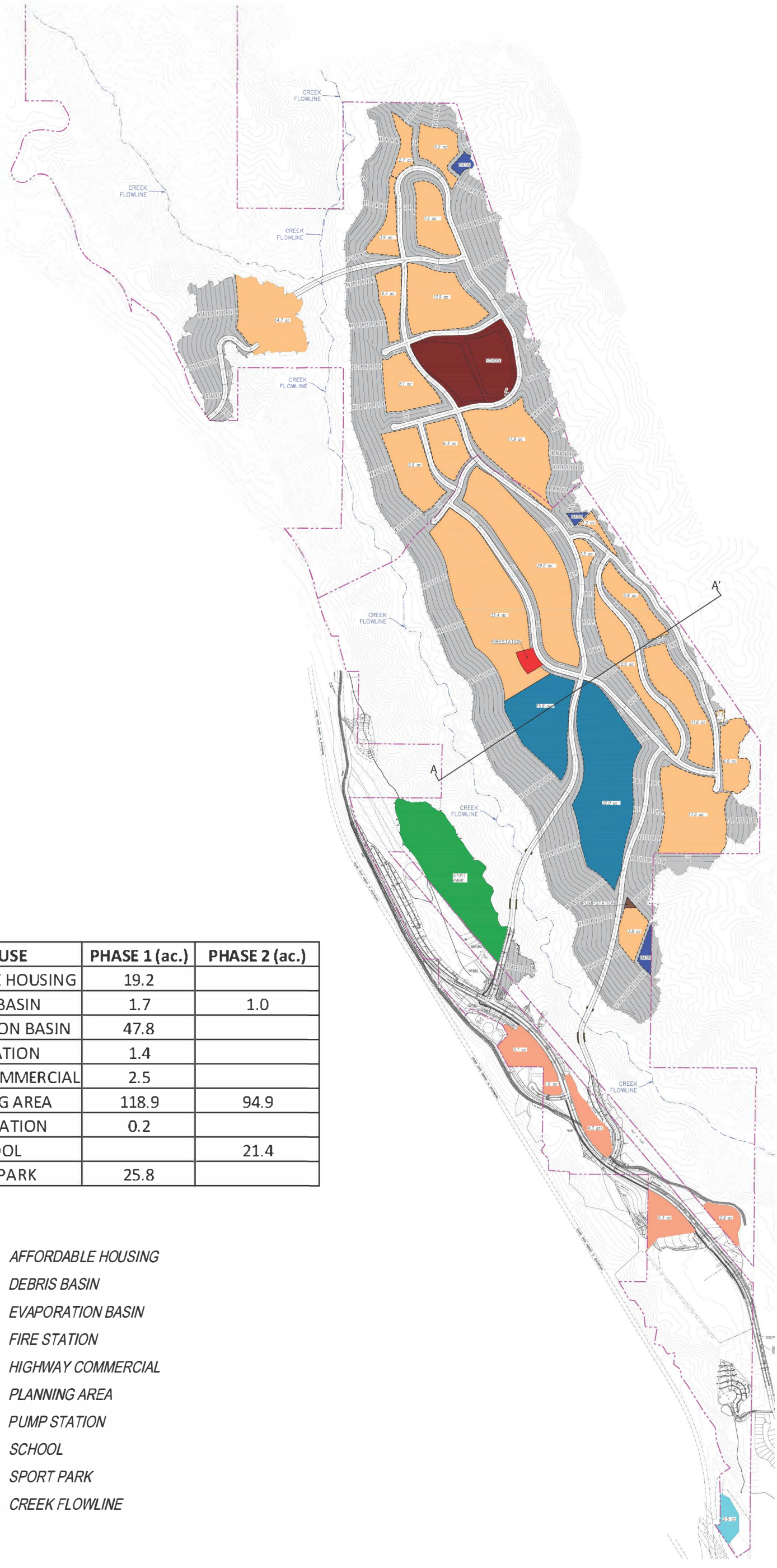
The CalEEMod parameters assume 26.4 acres for this use based on an assumption that the affordable housing would be 10 percent of the total units; thus, the acreage would likewise be 10 percent. This acreage does not affect any other aspect of emissions modeling and the small change in acreage also would not affect the modeling results.

Source: Sikand Engineering 2022.

## Comparative Analysis of Environmental Impacts

### *Aesthetics*

Similar to the previously approved Project, the CAA would alter the existing visual condition of the Project Site through introduction of development on a previously disturbed, undeveloped site. The CAA would comply with the design guidelines set forth in the NLSP and as described in Section 4.0, Project Description, of the DSEIR, including requirements for grading, circulation, landscape, architecture, and signage. The CAA would limit the graded area to a 735-acre portion of the NLSP situated on the eastern side of Grasshopper Creek. The area defined for grading and development would be 29 percent smaller than the previously approved Project. Therefore, the visual impacts would be reduced when compared to the previously approved Project due to the smaller development area. As with the previously approved Project, implementation of the CAA would not affect scenic resources along a State scenic highway. Similar to the previously approved Project, development under the CAA would conform to the lighting design guidelines set forth in the NLSP; therefore, potential impacts would be less than significant. However, the impacts of lighting would be reduced when compared to the previously approved Project due to




| LAND USE | PHASE 1 (ac.) | PHASE 2 (ac.) |
|---|---|---|
| AFFORDABLE HOUSING | 19.2 | |
| DEBRIS BASIN | 1.7 | 1.0 |
| EVAPORATION BASIN | 47.8 | |
| FIRE STATION | 1.4 | |
| HIGHWAY COMMERCIAL | 2.5 | |
| PLANNING AREA | 118.9 | 94.9 |
| PUMP STATION | 0.2 | |
| SCHOOL | | 21.4 |
| SPORT PARK | 25.8 | |

*LEGEND:*

- *AFFORDABLE HOUSING*
- *DEBRIS BASIN*
- *EVAPORATION BASIN*
- *FIRE STATION*
- *HIGHWAY COMMERCIAL*
- *PLANNING AREA*
- *PUMP STATION*
- *SCHOOL*
- *SPORT PARK*
- *CREEK FLOWLINE*

Source: G SoilWorks 2021

# NorthLake Creek Avoidance Alternative

Exhibit 2

*NorthLake Specific Plan, Recirculated Portions of the Supplemental Draft EIR*

N W E S

Map not to scale

PSOMAS

(12/05/2024 PLO) R:\Projects\WCP\3WCP000200\Graphics\ex_Creek_Avoidance.pdf

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the smaller development area. No significant impacts would occur with either the previously approved Project or the CAA.

Impact conclusions would be consistent with the previously approved Project.

### *Air Quality*

To determine how the CAA would affect air quality emissions, the California Emissions Estimator Model (CalEEMod) was used to calculate construction-source and operational-source criteria air pollutant emissions from direct and indirect sources. Emissions from both the previously approved Project and the CAA were modeled with CalEEMod and without planned project design features and/or mitigation measures to provide an apples-to-apples comparison. The emissions were calculated using the same model version as was used for the original SEIR to allow for a direct comparison of the previously approved Project with the alternative.

Table 2-8, Comparison of Estimated Maximum Daily Construction Emissions for the Creek Avoidance Alternative without Mitigation, summarizes the maximum emissions for each criteria air pollutant for the two scenarios (previously approved Project and CAA) as well as the percent change from the previously approved Project and the CAA.

**TABLE 2-8**
**COMPARISON OF ESTIMATED MAXIMUM DAILY CONSTRUCTION EMISSIONS FOR THE CREEK AVOIDANCE ALTERNATIVE WITHOUT MITIGATION**

| | Emissions (lbs/day) | | | | | |
|---|---|---|---|---|---|---|
| | **VOC** | **$NO_x$** | **CO** | **$SO_x$** | **PM10** | **PM2.5** |
| Previously Approved Project Maximum Emissions[a] | 49 | 584 | 363 | 1 | 64 | 43 |
| Creek Avoidance Alternative Maximum Emissions | 69 | 1,109 | 443 | 2 | 188 | 77 |
| ***Difference*** | ***+41%*** | ***+90%*** | ***+22%*** | ***100%*** | ***+194%*** | ***+79%*** |
| **SCAQMD Thresholds** | **75** | **100** | **550** | **150** | **150** | **55** |
| **CAA Exceeds SCAQMD Thresholds?** | **No** | **Yes** | **No** | **No** | **Yes** | **Yes** |

lbs/day: pounds per day; VOC: volatile organic compound; $NO_x$: nitrogen oxides; CO: carbon monoxide; $SO_x$: sulfur oxides; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District.

Values are higher of summer or winter.

[a] Values represent 2018 calculated emission from DSEIR Table 5.1-6, the highest of all years analyzed.

Source: SCAQMD 2019 (thresholds); see Appendix E for CalEEMod model outputs.

Although the development footprint would be reduced by approximately 29 percent (which includes an associated reduction in overall site grading), the CAA would result in increased criteria air pollutant emissions during construction as compared to the previously approved Project because excavated soils would need to be exported offsite instead of distributed onsite (the previously Approved Project was a balanced site requiring no import or export of soil or associated off-site truck trips[38]). Due to the additional construction equipment and truck trips required to export 8.2 mcy of excavated soils offsite, which would not be required under the previously approved Project, the CAA would result in increases of all criteria pollutants compared to the previously approved Project. As shown in Table 2-8, construction of the CAA would result in significant increases of criteria pollutants ranging from 22 percent to 194 percent. The previously

[38] An estimated 99 16-cy truck trips per hour, or approximately 792 truck round trips per day, for 652 days, would be required to export 8.2 mcy of soil. (Detailed calculations in Appendix E for CalEEMod model outputs)

approved Project concluded that the construction activity resulting in regional and local emissions of nitrogen oxides ($NO_x$) would be significant and unavoidable with implementation of mitigation measures. Like the previously approved Project, the CAA would exceed the South Coast Air Quality Management District's (SCAQMD) regional emissions threshold for $NO_x$, but to a significantly greater extent than the previously Approved Project. Additionally, the CAA would be expected to exceed the SCAQMD thresholds for particulate matter (PM10 and PM2.5) prior to the implementation of mitigation measures.

Given that the CAA's construction $NO_x$ emissions would be approximately 11 times the SCAQMD threshold (1,109 pounds per day with a 100 pounds per day threshold), it can be concluded the CAA would continue to result in a significant and unavoidable impact after mitigation as there are no additional feasible mitigation measures (same as the previously Approved Project, but to a significantly greater extent (90%)). Further, as the estimated PM10 and PM2.5 emissions would be greater than the previously approved Project and exceed the SCAQMD significance thresholds (unlike the previously Approved Project), construction of the CAA can be considered to result in a greater significant impact after mitigation including new significant impacts to PM10 and PM2.5.

Table 2-9, Comparison of Estimated Daily Operational Emissions for the Creek Avoidance Alternative without Project Design Features, on the following page summarizes the operations phase emissions for each criterial air pollutant for the two scenarios as well as the percent change from the previously approved Project and the CAA.

**TABLE 2-9**
**COMPARISON OF ESTIMATED DAILY REGIONAL OPERATIONAL EMISSIONS FOR THE CREEK AVOIDANCE ALTERNATIVE WITHOUT PROJECT DESIGN FEATURES**

| | Emissions (lbs/day) | | | | | |
|---|---|---|---|---|---|---|
| | **VOC** | **$NO_x$** | **CO** | **$SO_x$** | **PM10** | **PM2.5** |
| Previously Approved Project Emissions | 182 | 328 | 1,100 | 6 | 351 | 99 |
| Creek Avoidance Alternative Emissions | 110 | 165 | 582 | 2 | 186 | 53 |
| ***Difference*** | -61% | -50% | -53% | -33% | -53% | -53% |
| **SCAQMD Significance Thresholds** | **55** | **55** | **550** | **150** | **150** | **55** |
| **CAA Exceeds Threshold?** | **Yes** | **Yes** | **Yes** | **No** | **Yes** | **No** |

lbs/day: pounds per day; VOC: volatile organic compound; NOx: nitrogen oxides; CO: carbon monoxide; $SO_x$: sulfur oxides; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District.

* Some totals may not add due to rounding. Highest of Winter or Summer model runs shown.

Source: SCAQMD 2019 (thresholds); see Appendix E for CalEEMod model outputs.

The previously approved Project concluded that long-term operational emissions for carbon monoxide (CO), volatile organic compounds (VOC), $NO_x$, PM10, and PM2.5 would remain significant and unavoidable with implementation of project design features and mitigation measures. As shown in Table 2-9, operation of the CAA would result in decreases of all criteria pollutants, ranging from 33 percent to 61 percent. This is consistent with the reduction in proposed land uses, particularly residential dwelling units, and the related decrease in vehicle trips. Like the previously approved Project, the CAA would exceed the SCAQMD threshold for VOC, $NO_x$, CO, and PM10 emissions. However, unlike the previously approved Project, the CAA would not exceed the SCAQMD thresholds for PM2.5 before consideration of project design features and mitigation measures. Therefore, the CAA would partially avoid a significant unavoidable impact related to emissions of these criteria pollutants.

Overall impact conclusions for regional construction emissions for the CAA would be consistent with the previously approved Project, although daily emissions of all criteria pollutants except $SO_x$ would be substantially higher. Impact conclusions for operational emissions from the CAA would be reduced and would partially avoid a significant and unavoidable impact related to emissions of PM2.5.

***Biological Resources***

The CAA would involve disturbance of on- and off-site areas; however, the development footprint would be reduced by approximately 29 percent compared to the previously approved Project. The area that would not be developed contains some significant biological resources. As with the previously approved Project, the CAA would continue to have the potential to significantly impact biological resources. However, due to the reduced development footprint, impacts to Foothill needlegrass, black sage scrub, California annual grassland/Wildflower fields, California sagebrush–California buckwheat scrub, California sagebrush–California buckwheat scrub/Foothill needlegrass grassland, slender/club-haired mariposa lily, and southern California walnut as well as impacts to California gnatcatcher and an open water area would be reduced under this alternative. Impacts to WST would be similar to the previously approved Project, based on the locations of the three pond locations that have been established to support WST, as discussed above in Section 2.1 of the RPDSEIR. Impacts to CBB would be reduced as impacts to suitable habitat would be less than the previously approved Project.

While the CAA would avoid direct impacts on Grasshopper Creek, geotechnically-required grading to remediate the upper landslides would result in the loss of up to two-thirds of the creek's current tributary (surface) water and eliminate subsurface water. The latter would occur because the remedial grading needed would in turn eliminate the landslide debris and bedding planes that store and transmit the subsurface flows. This substantial reduction in surface and subsurface water would adversely impact habitat productivity in Grasshopper Creek. Elimination of the subsurface water source would result in the elimination of the phreatophytic[39] vegetation, which contributes to the conditions within Grasshopper Creek that are associated with the biological values. In short, the conditions that contribute to the important biological functions in Grasshopper Creek would be eliminated and the creek would no longer be able to maintain the existing conditions. These water sources support southwestern spiny rush (a special status species) and the suite of other riparian phreatophytes in and near the creek, as discussed above in Section 2.1, Revised Biological Impact Analysis. Therefore, the CAA would result in significant indirect impacts to southwestern spiny rush and other riparian phreatophytes in and near the creek. However, impacts to paniculate tarplant would be avoided as this species is not dependent on the water sources within the landslide masses.

In summary, impacts to Foothill needlegrass, black sage scrub, California annual grassland/Wildflower fields, California sagebrush–California buckwheat scrub, California sagebrush–California buckwheat scrub/Foothill needlegrass grassland, slender/club-haired mariposa lily, and southern California walnut, California gnatcatcher, and an open water area would be reduced but would remain significant. Impacts to CBB would be reduced as impacts to suitable habitat would be less than the previously approved Project. Impacts to WST would be similar to the previously approved Project. Indirect impacts to Grasshopper Creek would remain significant. Impacts to southwestern spiny rush would remain the same as the previously approved Project. Impacts to paniculate tarplant would be avoided; therefore, implementation of MM 5.2-5(b), above, would not be required.

[39] A phreatophyte is a plant that depends on perennial groundwater (subsurface water) that lies within their root zones.

Impact conclusions would be consistent with the previously approved Project except for impacts to paniculate tarplant, which would be avoided.

It was determined and upheld by the Superior Court that the previously approved Project would not have impacts to wildlife movement under CEQA, including as to mountain lions. Despite this finding, the Project Applicant voluntarily accepted a condition of approval (Condition of Approval No. 51) to provide for wildlife movement post project development. A preliminary Wildlife Connectivity Plan was adopted as part of this condition of approval for the previously approved Project. It is anticipated that the Wildlife Connectivity Plan would also apply to the CAA alternative. Therefore, impact conclusions related to wildlife movement would be consistent with the previously approved Project.

***Cultural Resources***

The CAA would involve disturbance of on- and off-site areas that would occur with implementation of the NLSP; however, this alternative would result in a reduced development footprint. However, because potential impacts would involve archaeological and paleontological resources that have not yet been discovered, there is no way to tell if the reduction in development area would reduce actual impacts. Therefore, as with the previously approved Project, development of the CAA would have the potential to impact unknown archaeological and paleontological resources during ground disturbing activities. Consistent with the previously approved Project, these impacts would be reduced to less than significant levels with implementation of identified mitigation measures.

Impact conclusions would be consistent with the previously approved Project.

***Energy***

The CAA would result in an increased construction demand for energy, related to the fuel required for operation of additional construction equipment and truck trips required to export 8.2 mcy of soils compared to the previously approved Project, which would have balanced excavated soil onsite. The long-term operational demand for energy would be reduced compared with the previously approved Project commensurate with the reduction in the development footprint and proposed land uses. Consistent with the previously approved Project, impacts related to energy would be less than significant.

Impact conclusions would be consistent with the previously approved Project, although construction demand for energy related to soil export would be greater.

***Geology and Soils***

The CAA would involve development of the Project Site including off-site areas that would occur with implementation of the previously approved Project; however, this alternative would result in a smaller impact footprint. As with the previously approved Project, development of the CAA would expose people and structures to seismic ground shaking and the Project Site would be subject to soil erosion and loss of topsoil. Further, the presence of unsuitable soils and potentially expansive soils within the area identified for development under this alternative would result in a potentially significant impact that could be mitigated to a less than significant level, same as the previously approved Project.

While the grading footprint would be reduced under the CAA, a review of the alternative by $G_3$SoilWorks concluded its implementation would result in unacceptable increases in risks to the proposed uses and would be infeasible from engineering geologic, geotechnical, and hydrogeologic perspectives. The CAA would require three clear span bridges to provide access

from the west to east side of the canyon. Neither the sidewalls nor the creek bottom present suitable conditions for bridge foundation embedment and expose the bridges to high risks of instability. Also, the keyway/buttress assemblies along the western revised earthwork limits would be less effective than the original plan and would provide less protection against future instabilities.

As discussed above under "Biological Resources", above, the CAA would result in the elimination of most water sources to Grasshopper Creek. This loss would also result in a substantial reduction in sediment recharge leading to scouring of the bottom and banks and eventual downcutting. This, in turn, would lead to a recurrence of the conditions that produced the existing landslides on the Project Site. These conditions would represent substantial risks to the proposed development, including compromising the integrity of proposed bridges (on top of the instability risk discussed above), risk of spillage and/or interruption of associated utilities, and slope instabilities and endangerment to the development above the slopes. The increased risk of substantial adverse effects due to the likelihood of instabilities of the underlying geologic and geotechnical conditions, which could not be mitigated to a less than significant level because the risks would be a direct result of the CAA's implementation, represents a new significant and unavoidable impact.

Impact conclusions would be greater than the previously approved Project, including a new significant and unavoidable impact.

***Greenhouse Gas Emissions***

As discussed above for air quality, to determine how the CAA would affect greenhouse gas (GHG) emissions, CalEEMod was used to calculate construction-source and operational-source GHG emissions. Emissions from both the previously approved Project and the CAA were modeled with CalEEMod and without planned project design features and/or mitigation measures to provide an apples-to-apples comparison. The emissions were calculated using the same model version as was used for the original SEIR to allow for a direct comparison of the previously approved Project with the alternative.

Table 2-10, Comparison of Estimated GHG Emissions for the Creek Avoidance Alternative without Project Design Features, summarizes the amortized construction and annual GHG emissions for the two scenarios as well as the percent change from the previously approved Project and the CAA.

**TABLE 2-10**
**COMPARISON OF ESTIMATED GHG EMISSIONS FOR THE CREEK AVOIDANCE ALTERNATIVE WITHOUT PROJECT DESIGN FEATURES**

| | Previously Approved Project | Creek Avoidance Alternative |
|---|---|---|
| Construction Emissions (Amortized) ($MTCO_2e$/yr) | 961 | 2,216 |
| Operational Emissions ($MTCO_2e$/yr) | 66,083 | 36,769 |
| **Total Annual Emissions ($MTCO_2e$/yr)** | **67,044** | **38,985** |
| ***Difference*** | ***N/A*** | ***-58%*** |

$MTCO_2e$: metric tons of carbon dioxide equivalent; N/A: not applicable

Notes:

- Totals may not add due to rounding variances.

Detailed calculations in Appendix E for CalEEMod model outputs.

The CAA would result in increased GHG emissions during construction related to the operation of additional construction equipment and truck trips required to export 8.2 mcy of soils compared

to the previously approved Project, which would have excavated soils balanced onsite. As shown in Table 2-10, amortized construction GHG emissions would be approximately 2.3 times higher than for the previously approved Project. However, the total annual GHG emissions would be reduced by an estimated 58 percent, commensurate with the reduction in the development footprint and proposed land uses. Consistent with the previously approved Project, impacts related to GHG emissions would be less than significant.

Impact conclusions would be consistent with the previously approved Project.

***Hazards, Emergency Response, and Environmental Safety***

The CAA would involve disturbance of a smaller development area. This alternative would generate a smaller population and would thereby expose fewer residents to hazards, including wildfire hazards, in comparison to the previously approved Project. However, as discussed above under "Geology and Soils", implementation of the CAA would result in "unacceptable increases in risks" to the three proposed bridges, among other components, due to both existing and proposed geologic and geotechnical conditions. This would result in greater hazards related to emergency access and response and emergency evacuation, as the bridges would provide access from the east side to the west side of the canyon. This would represent a new significant and unavoidable impact, which could not be mitigated to a less than significant level because the risks would be a direct result of the CAA's implementation. Comparative wildfire hazards discussed further under "Wildfire" heading below.

Impact conclusions would be greater than the previously approved Project, including a new significant and unavoidable impact.

***Hydrology and Water Quality***

As with the previously approved Project, there is a potential for construction-related surface erosion with the CAA. Potential impacts from this alternative would be less than the previously approved Project because of a reduced development footprint. Surface runoff from a developed condition (with either this alternative or the previously approved Project) would have a different composition in comparison to the existing condition, which is undeveloped. This runoff is likely to include a similar type of pollutants commonly found in urban runoff. The previously approved Project and this alternative would be required to comply with applicable regulations related to water quality that would minimize potential short-term, construction-related and long-term, operational water quality impacts.

Similar to the previously approved Project, development under the CAA would increase the amount of storm water runoff and alter existing drainage patterns due to the increase in the amount of impervious surfaces. The previously approved Project was designed assuming existing Grasshopper Creek would be graded and filled with the tributary drainage areas being captured and routed through the Project Site in a covered storm drain system. At the downstream end of the Project Site was a series of regional basins (retention and detention) that were designed to mitigate increases to storm drain runoff volume due to site development and to satisfy hydromodification requirements.[40] Since these basins are located within the footprint of the existing creek, they could not be utilized for the CAA. The only place where infiltration would be feasible on the Project Site was within the creek bottom area. Therefore, for hydromodification and Low Impact Development (LID) purposes, the use of infiltration for the CAA would be

[40] Hydromodification control criteria must be implemented by project applicants to control potential adverse impacts of changes in hydrology that may result from projects located within natural drainage systems; Los Angeles County Public Works, Low Impact Development, Standard Manual, February 2014.

considered infeasible. Similarly, there would not be enough irrigation demand to implement a harvest and re-use program. Biofiltration would therefore be required to meet the LID volume criteria. The CAA would reduce the hydromodification impacts compared to the previously approved Project, because there would be debris in the creek which would reduce the effects of "hungry water" as these alternative releases the developed "Q" (i.e., runoff) into the existing drainage course. However, there would still be some degree of impact. To reduce this impact, the CAA would require that drainage acceptance letters for any hydraulic impacts be obtained from all downstream owners but whether such letters could be obtained is speculative. As such, this impact could not be feasibly reduced to a less than significant level. This would represent a new significant and unavoidable impact.

Additionally, as discussed above under "Biological Resources" and "Geology and Soils", while the CAA avoids direct grading of Grasshopper Creek, the CAA would result in the elimination of most water sources to the creek. This loss would result in a substantial reduction in sediment recharge leading to scouring of the bottom and banks and eventual downcutting. Therefore, the CAA would substantially alter the existing drainage pattern of Grasshopper Creek that would result in substantial erosion on-site and a change in hydrologic conditions downstream due to on-site changes. This would represent a new significant and unavoidable impact, which could not be mitigated to a less than significant level because the impact would be a direct result of the CAA's implementation.

Impact conclusions would be greater than the previously approved Project, including a new significant and unavoidable impact.

***Land Use and Planning***

The CAA would result in the development of a primarily residential project, similar to the previously approved Project; however, the CAA would include development of a reduced area and approximately 42 percent fewer dwelling units (1,815 units versus 3,150 units). The amount of park acreage associated with the CAA would be similar and other land uses, including commercial, would be consistent with the previously approved Project. The CAA would also comply with design guidelines outlined in the NLSP to ensure compatibility with the existing character of the area. Because the types of land uses under this alternative would be the same as that allowed with the previously approved Project, this alternative would be consistent with relevant goals and policies of applicable local and regional planning programs. However, because the number of housing units would be reduced, this alternative would not provide as many housing opportunities and would not contribute as much towards the County's Regional Housing Needs Assessment (RHNA) allocation as the previously approved Project. In particular, the affordable unit count would be reduced from 315 units to 165 units, proportional to the reduction in dwelling units as a whole. The 2016 Los Angeles Countywide Comprehensive Parks Needs Assessment (PNA) estimated that Los Angeles County had a median of 3.3 acres of park space per 1,000 people (LA County 2016). In the 2022 Los Angeles Countywide Comprehensive Parks Needs Assessment Plus (PNA+), it was estimated that there are 99 acres of regional recreation and conservation areas in Los Angeles County per 1,000 residents (LA County 2022). Because the amount of park acreage would be similar to the previously approved Project, the CAA would have a higher on-site ratio of parklands to residents than the previously approved Project. The reduction in residential dwelling units while maintaining the same acreage of commercial development would result in a higher ratio of residential to commercial uses; however, the number of employment opportunities may be reduced based on the demand for different types of commercial uses to serve a smaller overall population. Therefore, it is not possible to predict a change to the jobs-housing balance associated with the CAA when compared to the previously approved Project. However, because the commercial uses would primarily support on-site residential uses, the CAA would encourage a reduction in VMT through the reduction of trips to off-site commercial

uses. Therefore, the CAA would support the County General Plan (Guiding Principle 3, Policy LU 5.10) and the 2012 SCVAP (Policy ED 2.5, LU-5.2.3, CO-8.2.13). Therefore, the CAA would be consistent with goals and policies of relevant local and regional planning programs and would meet the goals and policies of the NLSP.

Impact conclusions would be consistent with the previously approved Project.

***Noise***

Development of the CAA would involve similar construction activities and generate peak daily on-site noise levels similar to the previously approved Project. The construction scenario for both the previously approved Project and the CAA is approximately 11 years. However, there would be additional construction truck trips during the approximately 2.5-year grading phase to export approximately 8.2 mcy of soils, or about 13,400 cy of soils per workday. An estimated 1 million truck trips would be required to export soil during the grading phase. If all truck trips related to soil export occur during the mass grading phase, there would be an estimated 1,587 truck trips per day. The Interstate (I) 5 freeway has 108,000 average annual vehicle trips proximate to the Project Site of which 17,496 are trucks[41]. The addition of 1,587 daily truck trips attributable to the Project's export of soils would add 1% to the total number of vehicles and 9% to the volume of trucks along the I-5 freeway. An increase of this magnitude would result in noise increases of less than 3 decibels (dBA) which is not considered a perceptible change in outdoor environments. The DSEIR evaluated off-site construction traffic noise for local roadways. For the previously approved Project, it was estimated that there could be 250 to 300 worker trips on Ridge Route Road north of Lake Hughes Road at the start and end of the construction day for peak building periods. It was also estimated that a maximum of 10 one-way truck trips per hour could occur during the workday for the previously approved Project. The CAA would have comparable levels of traffic during construction phases except for the grading phase which involves the removal of 8.2 mcy of soils. This would involve an estimated 120 14-cy truck trips per hour which is substantially higher than the 10 truck trips per hour estimated for the previously approved Project. For the previously approved Project, the 10 truck trips per hour in addition to the 250-300 worker trips would result in noise level increases of approximately 2 dBA Community Noise Equivalent Level (CNEL) which is below the noise threshold of 3 dBA CNEL. If all the truck trips associated with the soil export under the CAA travelled along this route, the construction phase of the CAA could result in approximately 16 times more truck trips than the 10 trucks analyzed in the DSEIR and is anticipated to result in noise levels in excess of the 3 dBA CNEL noise threshold. For the previously approved Project, short-term construction noise levels were found to be less than significant with mitigation except for blasting activity, which would be significant and unavoidable. Due to the magnitude of anticipated truck traffic associated with the export of 8.2 mcy of soil from the site, CAA related construction traffic noise would exceed the 3 dBA CNEL noise threshold and result in an unavoidable significant impact.

Vibration generation associated with the CAA is anticipated to involve similar types and quantities of equipment. While the CAA will involve substantially more truck trips associated with the export of 8.2 mcy of soil, trucks travelling on paved roadways generate low levels of vibration that are very localized to the roadway and would not result in significant levels of vibration. Other sources of vibration associated with the construction phase, such as blasting, would be similar to those discussed in the DSEIR and would likewise have potentially significant vibration impacts.

[41] Caltrans 2021 (December). California 2020 Public Road Data. https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/california-public-road-data/prd-2020-a11y.pdf

Long-term, operational noise levels related to traffic would be reduced due to a reduction in anticipated vehicle trips, including those that would impact off-site residential uses due to Project-generated traffic on Ridge Route Road north of Castaic Lake Road and Ridge Route Road north of Lake Hughes Road. Though the magnitude of traffic noise increases would be less under the CAA due to less vehicle trips, the increase in traffic noise under the CAA would be expected to exceed the noise threshold of 3 dBA CNEL and would also result in significant traffic noise impact. As with the previously approved Project, long-term operational noise and vibration impacts would be significant and unavoidable.

Impact conclusions would be consistent with the previously approved Project except for construction truck traffic noise which would be significant and unavoidable.

***Public Services and Utilities***

The CAA would create new demand for public services including fire protection services and police services, but the level of demand for service calls and regular patrols would be reduced when compared to the previously approved Project due to reduction of uses. Generation of school-age children would also be reduced as compared to the previously approved Project. Overall, impacts to public services would be less than significant with this alternative and the previously approved Project.

The CAA would increase demand on local utility providers (i.e., water, sewer, solid waste, electricity, natural gas, and telephone), but the level of demand would be less compared to the previously approved Project due to the reduction in development requiring utility service. Consistent with the previously approved Project, the CAA would continue to require the installation of on-site and off-site utilities to serve proposed uses and the impacts associated with installation of this infrastructure would be similar to the previously approved Project.

However, as discussed above under “Geology and Soils”, the CAA would require three clear span bridges to provide access from the west to east side of the canyon. Neither the sidewalls nor the creek bottom present suitable conditions for bridge foundation embedment and expose the bridges to high risks of instability. Additionally, the hydrogeological changes to Grasshopper Creek that would result with development of the CAA would lead to compromising the integrity of the proposed bridges and risk of spillage and/or interruption of associated utilities that would be attached to the bridges. This would represent a new significant and unavoidable impact, which could not be mitigated to a less than significant level because the impact would be a direct result of the CAA’s implementation.

Impact conclusions would be greater than the previously approved Project, including a new significant and unavoidable impact.

***Traffic, Access, and Circulation***

Construction-related traffic for the CAA would be greater than for the previously approved Project despite the reduced development footprint and proposed land uses, due to truck trips required to export 8.2 mcy of soils. An estimated 99 16-cy truck trips per hour, or approximately 792 truck round trips per day, for 652 days, would be required to export soil during the grading phase (Detailed calculations in Appendix E for CalEEMod model outputs). Construction is proposed for a period of eight hours per day, Monday through Friday. It is estimated that soil export would result in one to two truck trips every two minutes, assuming use of 16-cy trucks. To minimize traffic impacts during construction, MM 5.11-3 requires that a Construction Traffic Control Plan be prepared and submitted to the County of Los Angeles. This plan will describe safe detours, provide temporary traffic-control measures during construction activities, and identify

requirements to be met when one or more travel lanes are obstructed during construction. With implementation of MM 5.11-3, required for the previously approved Project, the presence of a significantly larger number of haul trucks, in addition to the routine construction traffic addressed in the SEIR, consistently during construction hours over the approximate 2.5-year grading phase–as a worst-case scenario–would not result in a new or more severe impact to transportation, including emergency access, in the Project area.

Operation of the CAA would result in an approximate 28 percent reduction in average daily traffic (ADT) and 37 percent in VMT from residential land uses. Non-residential development for the CAA would be reduced by 162 acres and would there also have reduced ADT and VMT (Stantec 2025 [Appendix F-5 to this RPDSEIR]). As with the previously approved Project, the CAA would not conflict with the Los Angeles County Congestion Management Program, would provide or accommodate non-vehicular transportation facilities, and would not conflict with adopted policies supporting alternative transportation. Like the previously Approved Project, the CAA results in less residential VMT than the NLSP and as such the VMT impact would be less than significant.

Impact conclusions would be reduced compared to the previously approved Project.

***Wildfire***

As with the previously approved Project, the Project Site is within a designated Very High Fire Hazard Severity Zone (VHFHSZ) and would be essentially surrounded by undeveloped lands in the VHFHSZ category. A portion of the Project Site would be graded and developed with structures, roadways, and manufactured slopes. This development would eliminate the natural vegetation and wildfire "fuel" sources and some of the manufactured slopes within the footprint of the Project Site would be landscaped and regularly irrigated. Therefore, the outer fringes of the Project Site would be the main interface of exposure to potential wildfire risks. Fire hazards on private property are increased when adjacent to non-irrigated natural vegetation that has not been modified to minimize potential fuel sources because suburban development is a potential source of wildfire ignition. With application of the Fire Management Program specified in the NLSP, which would require compliance with the County Fire Code and all other regulatory standards, impacts related to development within a VHFHSZ were determined to be less than significant for the previously approved Project. This determination is supported by the Wildfire Report prepared by Firesafe (2024) and summarized above. The Wildfire Report notes that the CAA has vegetation present on both sides of all three Project Site access roadways compared to the previously approved Project that has this condition for one of the three roadways.

The CAA would involve disturbance of a smaller development area. This alternative would generate a smaller population and would thereby expose fewer residents to potential wildfire hazards in comparison to the previously approved Project. Regarding Project Site-specific wildfire risk, the Wildfire Report concludes all ten fire scenarios that have been modeled have at least one evacuation point that is viable for four hours or more except one, the Freeway Spots scenario, same as the previously approved Project. For the previously approved Project and the CAA, the two southernmost evacuation points remain the same. The third, northern, evacuation point would be different for the CAA. In the Freeway Spots scenario, all three evacuation points for the CAA would be viable for an estimated 30 minutes, same as the previously approved Project. However, unlike the Project, one of the evacuation points would reopen sooner (estimated 60 minutes) and one evacuation point would remain closed. All fire scenarios were run under extreme conditions that have been recorded in previous fires or which are likely to occur in the future and are therefore considered worst-case scenarios (Firesafe 2024). The Wildfire Evacuation Memo determined it would generally require less time to evacuate the priority area and Project Site than the previously approved Project, as expected due to a smaller on-site population, except for the Freeway Spots scenario. This scenario would require more time to evacuate the priority area, but less time to

evacuate the Project Site– 3.25 hours for the priority area and 4.5 hours to evacuate the Project Site compared to 2.5 hours and 5 hours, respectively, compared to the previously approved Project (Stantec 2024a).

In addition, although the CAA would introduce additional wildfire risk factors as compared to existing conditions due to reasons such as increased human habitation in a wildlife-urban interface increases the fire risk from arson, children playing with fire, and debris-burning; that increased vehicular traffic increases fire risk from sparks, catalytic converters, and discarding of cigarettes; and that the introduction of residences within the site would create a wildland-urban interface that increases the general potential for human-ignited wildfires, the CAA may also assist in avoiding, preventing, and offsetting human human-ignited wildfire risk for reasons including but not limited to prohibiting smoking in wildland and wildland interface, providing fuel breaks and fire breaks which reduce fire intensity and forward progress in the direction of the community, and preplanned evacuation areas/routes which are known to residents to insure that, if evacuation is needed, it can be completed quickly and in the most efficient and effective manner. Consistent with the previously approved Project, impacts related to human-ignited wildfire would be less than significant.

With application of the Fire Management Program specified in the NLSP, which would require compliance with the County Fire Code and all other regulatory standards, as well as the other regulatory requirements and project design features, impacts related to development within a VHFHSZ were determined to be less than significant for the previously approved Project. This determination is supported by the Wildfire Report prepared by Firesafe (2024) and summarized above. However, as discussed above under "Geology and Soils", implementation of the CAA would result in "unacceptable increases in risks" to the three proposed bridges, among other components, due to both existing and proposed geologic and geotechnical conditions. This would result in greater hazards related to emergency access and evacuation in the event of a wildfire, as the bridges would provide the access from the east side to the west side of the canyon. This would represent a new significant and unavoidable impact, which could not be mitigated to a less than significant level because the risks would be a direct result of the CAA's implementation.

Impact conclusions would be greater than the previously approved Project, including a new significant and unavoidable impact related to geotechnical risks to the proposed bridges and resulting increased emergency response and evacuation risk.

## Conclusions

### *Ability to Avoid or Substantially Lessen the Significant Impacts of the Project*

Development of the Project Site with the CAA would decrease development intensity compared to the previously approved Project. Although the degree of impacts for many topics may be similar or less with this alternative, from an engineering geologic, geotechnical, and hydrologic perspective, the alternative is not feasible. Consistent with the previously approved Project, the CAA would result in significant and unavoidable impacts related to air quality (construction NOx, PM10, and PM2.5 and operational VOC and NOx), noise, and traffic. As discussed above, the CAA would result in new significant and unavoidable impacts related to geology and soils, hazards and hazardous materials, hydrology and water quality, traffic (VMT) and wildfire (greater hazards related to emergency access and evacuation due to both existing and proposed geologic and geotechnical conditions).

***Attainment of Project Objectives***

The CAA would not provide as many housing opportunities (1,815 units versus 3,150 units) and would not contribute as much towards the County's RHNA allocation as the previously approved Project. In particular, the affordable unit count would be reduced from 315 units to 165 units, proportional to the reduction in dwelling units as a whole. As such, the CAA does not meet the following objective to the same degree as the previously approved Project:

- Specific Plan III, Housing, Goal i: To develop housing that satisfies the needs of the present and future residents of the NorthLake community.

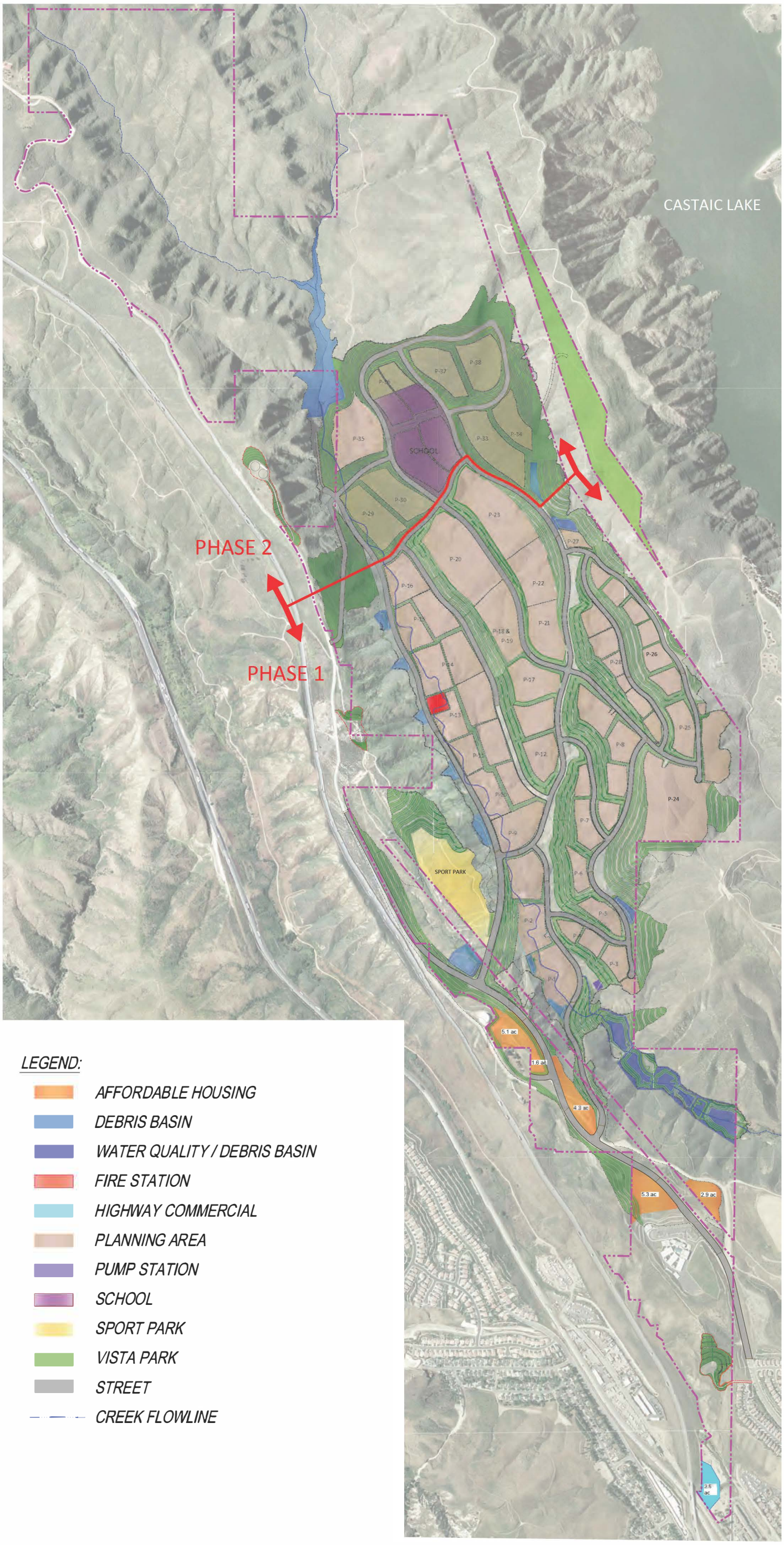
The CAA would not meet the following objectives due to the adverse indirect impacts to Grasshopper Creek and resulting geotechnical and hydrogeological risks to the development compared to the previously approved Project:

- Specific Plan I, Land Use, Goal i: To encourage high quality design in all development projects compatible with and sensitive to the natural and man-made environment.
- Specific Plan IV, Open Space/Recreation, Goal ii: To preserve and protect sites with scenic and/or recreational value.
- Specific Plan IV, Open Space/Recreation, Goal iii: To reduce the risk to life and property from seismic occurrences, flooding, erosion, wildland fires and landslides.
- Specific Plan VII, Safety, Goal i: Protection of life and property.
- Specific Plan VII, Safety, Goal ii: Reduction of adverse economic, environmental and social conditions resulting from fires and geologic hazards.

### 2.4.3 PARTIAL CREEK AVOIDANCE ALTERNATIVE

**Description of the Alternative**

The Partial Creek Avoidance Alternative (PCAA) would leave Phase 1 as designed in the previously approved Project but reduces the scope of Phase 2 development. The reduced Phase 2 design avoids a cluster of smaller and larger landslides in the northern portion of Project Site, which result in adverse geotechnical, hydrological, and biological affects as discussed above in Section 2.2.2, Creek Avoidance Alternative. This alternative is therefore proposed to avoid disturbing the landslides and the associated risk of additional loss of creek area. This alternative design would reduce the total disturbance area in Phase 2 by 61 percent, which would preserve a portion of Grasshopper Creek and the associated sensitive habitat within this area of the Project Site. Specifically, disturbance to the northern portion of Grasshopper Creek on the Project Site would be reduced by approximately 20 percent. This alternative provides a balanced site within the proposed Phase 2 grading footprint and does not require any additional import or export of soil, same as the previously approved Project. Furthermore, this alternative greatly reduces the raw earthwork of Phase 2 by approximately 10 mcy. This alternative would maintain the same amount of housing provided on the Project Site as the previously approved Project. The PCAA would include the agreed upon affordable mixed-use housing (315 units), and 6 market-rate live-work units; and preserves the school and fire station sites, commercial sites, and sports park proposed in the previously approved Project. The PCAA is shown on Figure 3, NorthLake Partial Creek Avoidance Alternative, and summarized in Table 2-11, Land Use Statistical Summary Table for the Partial Creek Avoidance Alternative, in the following page.




*LEGEND:*

- *AFFORDABLE HOUSING*
- *DEBRIS BASIN*
- *WATER QUALITY / DEBRIS BASIN*
- *FIRE STATION*
- *HIGHWAY COMMERCIAL*
- *PLANNING AREA*
- *PUMP STATION*
- *SCHOOL*
- *SPORT PARK*
- *VISTA PARK*
- *STREET*
- *CREEK FLOWLINE*

Source: SIKAND 2024

# NorthLake Partial Creek Avoidance Alternative

Exhibit 3

*NorthLake Specific Plan, Recirculated Portions of the Supplemental Draft EIR*

N W E S

Map not to scale

PSOMAS

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**TABLE 2-11**
**LAND USE STATISTICAL SUMMARY TABLE**
**FOR PARTIAL CREEK AVOIDANCE ALTERNATIVE**

| Use | Phase 1 | | Phase 2 | |
|---|---|---|---|---|
| | Number of Units | Area (Acres) | Number of Units | Area (Acres) |
| Residential: Single-Family | 288 | 41 | 855 | 53 |
| Residential: Multi-Family | 1,341 | 107 | – | – |
| Residential: Affordable Senior[a] | 345 | 49 | – | – |
| Mixed Use Residential/Commercial[b] | 321 | 20 | – | – |
| Highway Commercial | – | 2 | – | – |
| Park(s) | | | | |
| • Trails | – | 7.8 | – | – |
| • Grasshopper Creek Park | – | 11 | – | – |
| • Enhanced Parkway | – | 38 | – | – |
| • Castaic Lagoon Park | – | 17 | – | – |
| • Ridge Route Park | – | – | – | – |
| • Lower Ridge Route BT | | 2.2 | | |
| • North Valley Paseo Park | – | – | – | – |
| • North Valley Park | – | – | – | – |
| • Sports Park | – | 26 | – | – |
| • Cody Dog Park | – | 1 | – | – |
| • Vista Park | – | -- | – | 27 |
| Open Space- Manufactured Slope | – | 151 | – | 67 |
| Open Space- Undisturbed | – | 158 | – | 407 |
| Roadways | – | 86 | – | 14 |
| Fire Station Pad | – | 1 | – | – |
| School Pad | – | 21 | – | 22 |
| ***Totals*** | ***2,295*** | ***739*** | ***855*** | ***590*** |

[a] This overlay provides for a development option of attached single-family residences and age-restricted areas designated for homeowners that are 55 years of age and older. Lot sizes and configurations will be similar to those in the Single-Family area with the addition of the Attached Single-Family designation as an option. It should be noted that development within these areas may or may not be age-restricted.

[b] The Project would designate 315 mixed-use units as affordable units and 6 residential units as market-rate live-work units, which would combine residential living space with commercial space.

Source: Sikand Engineering 2022.

## Comparative Analysis of Environmental Impacts

### *Aesthetics*

Similar to the previously approved Project, the PCAA would alter the existing visual condition of the Project Site through introduction of development on a previously disturbed, undeveloped site. The PCAA would comply with the design guidelines set forth in the NLSP and as described in Section 4.0, Project Description, of the DSEIR, including requirements for grading, circulation, landscape, architecture, and signage. The PCAA would limit the graded area to a 739-acre portion of the NLSP. It is expected that the overall visual appearance under this alternative would be similar to the previously approved Project and would not represent a significant change or a significant impact; however, the area defined for development (i.e., grading footprint) would be 25 percent smaller than the previously approved Project. Therefore, the visual impacts would be

reduced when compared to the previously approved Project due to the smaller development area. As with the previously approved Project, implementation of the PCAA would not affect scenic resources along a State scenic highway. Similar to the previously approved Project, development under the PCAA would conform to the lighting design guidelines set forth in the NLSP; therefore, potential impacts would be less than significant. However, the impacts of lighting would be reduced when compared to the previously approved Project due to the smaller development area. No significant impacts would occur with either the previously approved Project or the PCAA.

Impact conclusions would be consistent with the previously approved Project.

### *Air Quality*

The PCAA would result in decreased criteria pollutant emissions during construction due to the 25 percent reduction in grading footprint (from 979 acres to 739 acres) and reduction in earthmoving by 10 mcy with no soil export (the site would be balances [i.e. cut and fill would be the same] like the previously Approved Project). Construction of the previously approved Project was estimated to exceed the SCAQMD threshold for NOx by almost six times prior to mitigation and be significant and unavoidable with implementation of mitigation. As with the previously approved Project, it is anticipated the impact would remain significant and unavoidable as it cannot be assured the amount of Tier 4 Final engines needed to reduce the impact to a less than significant level would be available. The long-term operational air quality emissions would be the same as the previously approved Project since the total amount of proposed residential land uses remains the same. Operation of the previously approved Project was estimated to exceed the SCAQMD thresholds for VOC, NOx, CO, PM10, and PM2.5 by between approximately 1.75 and 5.5 times, depending on the pollutant. Long-term direct and cumulative regional emissions would remain significant and unavoidable.

Impact conclusions would be consistent with the previously approved Project.

### *Biological Resources*

The PCAA would involve disturbance of on- and off-site areas; however, the development footprint would be reduced by approximately 25 percent when compared to the previously approved Project. The area that would not be developed contains some significant biological resources, therefore, development under this alternative would preserve a portion of the biological resources. However, as with the previously approved Project, the PCAA would continue to have the potential to significantly impact biological resources but due to the reduced development footprint, impacts to Foothill needlegrass, black sage scrub, California annual grassland/Wildflower fields, California sagebrush–California buckwheat scrub, California sagebrush–California buckwheat scrub/Foothill needlegrass grassland, slender/club-haired mariposa lily, and southern California walnut as well as impacts to California gnatcatcher and an open water area would be reduced under this alternative. Impacts to the paniculate tarplant would be similar to the previously approved Project. Impacts to CBB would be reduced as impacts to suitable habitat would be less than the previously approved Project. Impacts to WST would be similar to the previously approved Project, based on the locations of the three pond locations that have been established to support WST, as discussed above in Section 2.1 of the RPDSEIR. Notably, the PCAA would reduce impacts to Grasshopper Creek, and associated phreatophytic vegetation including southwestern spiny rush (a special status species), by 20 percent compared to the previously approved Project. Consistent with the previously approved Project, these impacts would be reduced to less than significant levels with implementation of mitigation measures identified (and revised) above and in Draft SEIR Section 5.2, as applicable.

The *NorthLake Partial Creek Avoidance Alternative and Associated Wildlife Movement Enhancements Memo* was prepared by Glenn Lukos Associates (GLA 2023a; Appendix G to this RPDSEIR) to determine the effects of the PCAA on wildlife movement compared with the previously approved Project. It was determined and upheld by the Superior Court that the previously approved Project would not have impacts to wildlife movement under CEQA, including as to Mountain Lions. Despite this finding, the Project Applicant voluntarily accepted a condition of approval (Condition of Approval No. 51) to provide for wildlife movement post project development. Exhibit 1 of the *NorthLake Partial Creek Avoidance Alternative and Associated Wildlife Movement Enhancements Memo* depicts the preliminary Wildlife Connectivity Plan adopted as a condition of approval for the Project. It is anticipated that if the previously approved Project is approved, the same or a functionally equivalent Wildlife Connectivity Plan would be adopted as depicted on Exhibit 1 of the *NorthLake Partial Creek Avoidance Alternative and Associated Wildlife Movement Enhancements Memo.* In addition, it is anticipated that the Wildlife Connectivity Plan would also apply to the PCAA alternative. The PCAA's reduced northerly footprint would result in implications regarding the Wildlife Connectivity Plan. Under the previously approved Project, wildlife would have an unobstructed path from the nearby culvert under I-5 to the Castaic Lake environs. However, the PCAA would eliminate the northernmost approximately 2,200 feet of development assumed for the previously approved Project, leaving a broad corridor across the northern end of the Project Site, including a variety of pathways along drainages and other suitable topographic features. See Exhibit 2 of the *NorthLake Partial Creek Avoidance Alternative and Associated Wildlife Movement Enhancements Memo* (Appendix G to this RPDSEIR).

Exhibit 3 of the *NorthLake Partial Creek Avoidance Alternative and Associated Wildlife Movement Enhancements Memo* depicts the Project Site in the context of the *South Coast Missing Linkages Project: A Linkage Design for the Sierra Madre-Castaic Connection* (Penrod 2005) that discusses "permeability" for a suite of wildlife species. The previously approved Project would fully avoid areas of permeability for the Mountain Lion; however, the previously approved Project would encroach into the Least Cost Corridor areas of mule deer permeability. When areas of highest permeability (i.e., most ideal for animal passage) are considered, those areas are north of the Project Site, and thus would not be impacted by the Project. As such, the previously approved Project would have a less than significant impact on mule deer movement. The PCAA, because it eliminates development at the northern end of the Project Site, also fully avoids areas of permeability for the Mountain Lion, to an even greater extent. Exhibit 4 of the *NorthLake Partial Creek Avoidance Alternative and Associated Wildlife Movement Enhancements Memo* shows that with the PCAA, encroachment into the area of Least Cost Corridor areas for mule deer permeability would be reduced substantially and encroachment would be entirely outside the areas of highest permeability. Similar to the previously approved Project, the PCAA would result in less than significant impacts on mule deer movement in the identified wildlife corridor.

As discussed above, the PCAA would eliminate approximately 2,200 feet of development in the northern portion of the site when compared to the previously approved Project, which would enable wildlife movement along multiple paths between the northern I-5 under-crossing and Castaic Lake. Additionally, the PCAA would also enable wildlife movement along the more southerly of the two I-5 undercrossings, connecting wildlife movement to Castaic Lake. The PCAA would also enable wildlife movement along pathways through the southerly part of the Project's development area, consistent with the preliminary Wildlife Connectivity Plan adopted as a condition of approval of the Project.

By eliminating development at the northern end of the Project Site, the PCAA would enable enhanced wildlife movement when compared with the previously approved Project, resulting in a less than significant impact related to wildlife movement.

Impact conclusions would be consistent with the previously approved Project.

***Cultural Resources***

The PCAA would involve disturbance of on- and off-site areas that would occur with implementation of the NLSP; however, this alternative would result in a reduced development footprint. However, because potential impacts would involve archaeological and paleontological resources that have not yet been discovered, there is no way to tell if the reduction in development area would reduce actual impacts. Therefore, as with the previously approved Project, development of the PCAA would have the potential to impact unknown archaeological and paleontological resources during ground disturbing activities. Consistent with the previously approved Project, these impacts would be reduced to less than significant levels with implementation of identified mitigation measures.

Impact conclusions would be consistent with the previously approved Project.

***Energy***

The PCAA would result in a reduced construction demand due to the smaller development footprint in Phase 2 but similar operational demand for energy compared with the previously approved Project commensurate with the reduction in the development footprint. Consistent with the previously approved Project, impacts related to energy would be less than significant.

Impact conclusions would be consistent with the previously approved Project.

***Geology and Soils***

The PCAA would involve development of the Project Site including off-site areas that would occur with implementation of the previously approved Project; however, this alternative would result in a smaller development footprint. As with the previously approved Project, development of the PCAA would expose people and structures to seismic ground shaking and the Project Site would be subject to soil erosion and loss of topsoil. Further, the presence of unsuitable soils and potentially expansive soils within the area identified for development under this alternative would result in a potentially significant impact that could be mitigated to a less than significant level, same as the previously approved Project. Because the PCAA avoids a cluster of landslides in the northern portion of the Project Site, this alternative would not result in the safety issues and new geotechnical impact associated with the CAA. Like the previously approved Project, grading for the PCAA would be balanced on-site with no import or export of soil necessary.

Impact conclusions would be consistent with the previously approved Project.

***Greenhouse Gas Emissions***

The PCAA would result in decreased GHG emissions during construction due to the 25 percent reduction in grading footprint (from 979 acres to 739 acres) and reduction in earthmoving by 10 mcy with no soil export. The long-term operational GHG emissions would also be reduced compared with the previously approved Project commensurate with the reduction in the development footprint. As with the proposed Project, impacts would be less than significant with incorporation of the identified mitigation measures.

Impact conclusions would be consistent with the previously approved Project.

### *Hazards, Emergency Response, and Environmental Safety*

The PCAA would involve disturbance of a smaller development area, but have the same size residential population as the previously approved Project. The proposed reduction in the scale of Phase 2 in the PCAA would provide an improved firebreak between the developed portion of the Project Site and wildland areas. Because the PCAA avoids a cluster of landslides in the northern portion of the Project Site, this alternative would not result in emergency response and evacuation issues, and new hazards, associated with the CAA. Consistent with the previously approved Project, these impacts would less than significant. Comparative wildfire hazards are discussed further under "Wildfire" heading below.

Impact conclusions would be consistent with the previously approved Project.

### *Hydrology and Water Quality*

As with the previously approved Project, there is a potential for construction-related surface erosion with the PCAA. Potential impacts from this alternative would be less than the previously approved Project because of a reduced development footprint. Surface runoff from a developed condition (with either this alternative or the previously approved Project) would have a different composition in comparison to the existing condition, which is undeveloped. This runoff is likely to include a similar type of pollutants commonly found in urban runoff. The previously approved Project and this alternative would be required to comply with applicable regulations related to water quality that would minimize potential short-term, construction-related and long-term, operational water quality impacts.

The PCAA would involve development of on-site and off-site areas same as the previously approved Project; however, this alternative would result in reduced impacts related to hydrology and water quality due to a reduced development footprint. Similar to the previously approved Project, development under this alternative would increase the amount of storm water runoff and alter existing drainage patterns due to the increase in the amount of impervious surfaces. The previously approved Project was designed assuming existing Grasshopper Creek would be graded and filled with the tributary drainage areas being captured and routed through the Project Site in a covered storm drain system. At the downstream end of the Project Site was a series of regional basins (retention and detention) that were designed to mitigate increases to storm drain runoff volume due to site development and to satisfy hydromodification requirements. This alternative would include application of similar BMPs would ensure that impacts to storm drain infrastructure and off-site, downstream hydrology are less than significant. Specifically, an on-site storm drain system would be constructed to detain flows such that they are released from the site at pre-development levels. Additionally, this alternative preserves the portion of Grasshopper Creek in the northern portion of the Project Site. As with the previously approved Project, hydrology and water quality impacts resulting from this alternative would be less than significant.

Impact conclusions would be consistent with the previously approved Project.

### *Land Use and Planning*

The PCAA would result in the development of a primarily residential project, similar to the previously approved Project; however, the PCAA would include development of a reduced area with the same amount of residential uses. The amount of park and recreation acreage associated with the PCAA would be less (130 acres versus 167 acres) than with the previously approved Project. However, undisturbed open space acreage would be increased (572 acres versus 328 acres) due to the reduction in Phase 2 development area. Other land uses, including commercial, would be consistent with the previously approved Project. The PCAA would also comply with

design guidelines outlined in the NLSP to ensure compatibility with the existing character of the area. Because the types of land uses under this alternative would be the same as that allowed with the previously approved Project, this alternative would be consistent with relevant goals and policies of applicable local and regional planning programs. As the PCAA would maintain the same amount of residential uses, the PCAA contributes the same towards the County's RHNA allocation as the previously approved Project. The 2016 PNA estimated that Los Angeles County had a median of 3.3 acres of park space per 1,000 people (LA County 2016). In the 2022 PNA+, it was estimated that there are 99 acres of regional recreation and conservation areas in Los Angeles County per 1,000 residents (LA County 2022). Because the amount of park acreage under this alternative would not directly correlate to the number of units constructed, the PCAA would have a higher on-site ratio of parklands to residents than the previously approved Project. As with the previously approved Project, the PCAA supports the County General Plan (Guiding Principle 3, Policy LU 5.10) and the 2012 SCVAP (Policy ED 2.5, LU-5.2.3, CO-8.2.13). Therefore, the PCAA would be consistent with goals and policies of relevant local and regional planning programs and would meet the goals and policies of the NLSP.

Impact conclusions would be consistent with the previously approved Project.

***Noise***

Development of the PCAA would involve similar construction activities and generate peak daily on-site noise levels similar to the previously approved Project. However, the total duration of construction noise would be reduced due to the reduction of the development footprint (with balanced grading). As with the previously approved Project, short-term construction noise and vibration levels would be less than significant with mitigation except for blasting activity, which would be significant and unavoidable.

Long-term, operational noise levels related to traffic would be similar to the previously approved Project, including those that would impact off-site residential uses due to Project-generated traffic on Ridge Route Road north of Castaic Lake Road and Ridge Route Road north of Lake Hughes Road. As with the previously approved Project, long-term operational noise and vibration impacts would be significant and unavoidable.

Impact conclusions would be reduced compared to the previously approved Project.

***Public Services and Utilities***

The PCAA would create new demand for public services including fire protection services and police services similar to the previously approved Project. Generation of school-age children would also be similar to the previously approved Project. It is noted the PCAA would maintain the school and fire station sites provided under the previously approved Project. Overall, impacts to public services would be less than significant with this alternative and the previously approved Project.

The PCAA would also increase demand on local utility providers (i.e., water, sewer, solid waste, electricity, natural gas, and telephone) similar to the level of demand of the previously approved Project. Consistent with the previously approved Project, the PCAA would continue to require the installation of on-site and off-site utilities to serve proposed uses and the impacts associated with installation of this infrastructure would be similar to the proposed Project. Consistent with the previously approved Project, potential impacts resulting from the PCAA would be less than significant.

Impact conclusions would be consistent with the previously approved Project.

### *Traffic, Access and Circulation*

Construction-related traffic for the PCAA would be reduced compared to the previously approved Project as total duration of construction would be reduced due to the reduction of the development footprint. As discussed above, to minimize traffic impacts during construction, MM 5.11-3 requires that a Construction Traffic Control Plan be prepared and submitted to the County of Los Angeles.

Operation of the PCAA would result in similar ADT from residential land uses. Non-residential development for the PCAA would be reduced by 64 acres and would therefore also have reduced ADT and VMT (Stantec 2025 [Appendix F-5 to this RPDSEIR]). As with the previously approved Project, the PCAA would not conflict with the Los Angeles County Congestion Management Program, would provide or accommodate non-vehicular transportation facilities, and would not conflict with adopted policies supporting alternative transportation. The PCAA would have the same residential VMT as the previously Approved Project, and since that VMT is less than the NLSP VMT, PCAA VMT impacts would be less than significant.

Impact conclusions would be consistent compared to the previously approved Project.

### *Wildfire*

As with the previously approved Project, the Project Site is within a designated VHFHSZ and would be essentially surrounded by undeveloped lands in the VHFHSZ category. A portion of the Project Site would be graded and developed with structures, roadways, and manufactured slopes. This development would eliminate the natural vegetation and wildfire "fuel" sources and some of the manufactured slopes within the footprint of the Project Site would be landscaped and regularly irrigated. Therefore, the outer fringes of the Project Site would be the main interface of exposure to potential wildfire risks. Fire hazards on private property are increased when adjacent to non-irrigated natural vegetation that has not been modified to minimize potential fuel sources because the suburban development is a potential source of wildfire ignition. The proposed reduction in the development area of Phase 2 in the PCAA would provide an improved firebreak between the developed portion of the site and wildland areas. The PCAA would involve disturbance of a smaller development area. This alternative would generate the same sized residential population as the previously approved Project.

In addition, although the PCAA would introduce additional wildfire risk factors as compared to existing conditions due to reasons such as increased human habitation in a wildlife-urban interface increases the fire risk from arson, children playing with fire, and debris-burning; that increased vehicular traffic increases fire risk from sparks, catalytic converters, and discarding of cigarettes; and that the introduction of residences within the site would create a wildland-urban interface that increases the general potential for human-ignited wildfires, the PCAA may also assist in avoiding, preventing, and offsetting human human-ignited wildfire risk for reasons including but not limited to prohibiting smoking in wildland and wildland interface, providing fuel breaks and fire breaks which reduce fire intensity and forward progress in the direction of the community, and preplanned evacuation areas/routes which are known to residents to insure that, if evacuation is needed, it can be completed quickly and in the most efficient and effective manner. Consistent with the previously approved Project, impacts related to human-ignited wildfire would be less than significant.

Regarding Project Site-specific wildfire risk, the Wildfire Report concludes all ten fire scenarios that have been modeled have at least one evacuation point that is viable for four hours or more except one, the Freeway Spots scenario, same as the previously approved Project. For the previously approved Project and the PCAA, all three evacuation points remain the same. In the Freeway Spots scenario, all three evacuation points for the PCAA would be viable for an

estimated 30 minutes and would reopen in an estimated 90 minutes (at 120 minutes from the start of the fire), same as the previously approved Project. All of the fire scenarios were run under extreme conditions that have been recorded in previous fires or which are likely to occur in the future and are therefore considered worst-case scenarios (Firesafe 2024). The Wildfire Evacuation Memo determined it would generally require the same or less time to evacuate the priority area and the Project Site than the previously approved Project, except for five scenarios (the SSWat40Line scenario, Freeway Spots scenario, LakeSpotat40 Scenario, NNEat70Line scenario and Templin Trigger). For the SSWat40Line scenario, this scenario would require .25 hours more to evacuate the priority area and the same time to evacuate the entire Project Site – 2.25 hours for the priority area and 4.25 hours for the Project Site compared to 2 hours for the priority area and 4.25 hours for the Project site, respectively, compared to the previously approved Project (Stantec 2024a). For the Freeway Spots Scenario, this scenario would require .25 hours more to evacuate the priority area and the same time evacuate the entire Project Site – 2.75 hours for the priority area and 5 hours for the Project Site compared to 2.5 hours and 5 hours, respectively, compared to the previously approved Project (Stantec 2024a). For the LakeSpotat40 scenario, this scenario would require .25 hours more to evacuate the priority area and the same time to evacuate the entire Project Site – 1.5 hours for the priority area and 3.5 hours for the Project Site compared to 1.25 hours for the priority area and 3.5 hours for the Project site, respectively, compared to the previously approved Project (Stantec 2024a). For the NNEat70Line scenario, this scenario would require .25 hours more to evacuate the priority area and less time to evacuate the entire Project Site – 1.75 hours for the priority area and 4.5 hours for the Project Site compared to 1.5 hours for the priority area and 4.75 hours for the Project site, respectively, compared to the previously approved Project (Stantec 2024a). For the Templin Trigger scenario, this scenario would require more time to evacuate the entire Project Site (there is no priority area – 5.5 hours compared to 3.75 hours for the previously approved Project (Stantec 2024a).

With application of the Fire Management Program specified in the NLSP, which would require compliance with the County Fire Code and all other regulatory standards, impacts related to development within a VHFHSZ were determined to be less than significant for the previously approved Project. This determination is supported by the Wildfire Report prepared by Firesafe (2024a) and Wildfire Evacuation Memo prepared by Stantec (2024a), summarized above.

Impact conclusions would be consistent with the previously approved Project.

## Conclusions

### *Ability to Avoid or Substantially Lessen the Significant Impacts of the Project*

Development of the Project Site with the PCAA would decrease the development disturbance area compared to the previously approved Project, although the uses remain the same. Although the degree of impacts for some topics may be less with this alternative, the overall impact conclusions would be consistent with the previously approved Project. Consistent with the previously approved Project, the PCAA would result in significant and unavoidable impacts related to air quality, noise, and traffic (VMT). No additional significant or more significant impacts would occur with this alternative.

### *Attainment of Project Objectives*

The PCAA provides the same number of residential units as the previously approved Project, but on a smaller Phase 2 development area. As such, the PCAA contributes the same as the previously approved Project regarding the County's RHNA allocation as the previously approved Project. As with the previously approved Project, the affordable unit count would be maintained

at 315 units. However, the PCAA provides significantly less active recreational and open space area (37 fewer acres). Accordingly, the PCAA does not meet the following objective to the same degree as the previously approved Project:

Specific Plan 4, Open Space/Recreational Area, Goal i: To improve opportunities for a variety of outdoor recreational experiences

### 2.4.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of an environmentally superior alternative. Section 15126.6(e)(2) of the CEQA Guidelines states that if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

Table 2-12, Alternatives Impact Comparison, on the following page shows a comparison of impacts for each impact area for all alternatives (including the CAA and PCAA) to the previously approved Project.

## TABLE 2-12
## ALTERNATIVES IMPACT COMPARISON

| Environmental Topic | Proposed Project[a] | Alternative 1: No Project/No Development | Alternative 2: No Project /Development Pursuant to the NLSP | Alternative 3: No Industrial | Alternative 4: Phase 1 Development | Recirculated Alternative 1: Creek Avoidance Alternative | Recirculated Alternative 2: Partial Creek Avoidance Alternative |
|---|---|---|---|---|---|---|---|
| **Aesthetics** | Less than Significant | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project |
| **Air Quality** | Significant and Unavoidable | Less than Proposed Project | More Emissions; Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | More Construction Emissions; Partial Avoidance of Operational Significant and Unavoidable Impact, Consistent with Proposed Project | Consistent with Proposed Project |
| **Biological Resources** | Mitigated to Less than Significant | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Paniculate tarplant Impacts Avoided, Consistent with Proposed Project | Smaller Footprint, Reduced Impacts. Consistent with Proposed Project |
| **Cultural Resources** | Mitigated to Less than Significant | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project |
| **Energy** | Less than Significant | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Reduced Demand, Consistent with Proposed Project | Consistent with Proposed Project |
| **Geology and Soils** | Mitigated to Less than Significant | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | New Significant and Unavoidable Impact | Consistent with Proposed Project |
| **Greenhouse Gas Emissions** | Mitigated to Less than Significant | Less than Proposed Project | More Emissions; Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Less Emissions, Consistent with Proposed Project | Less Emissions, Consistent with Proposed Project |
| **Hazards, Emergency Response, and Environmental Safety** | Less than Significant | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | New Significant and Unavoidable Impact | Consistent with Proposed Project |
| **Hydrology and Water Quality** | Mitigated to Less than Significant | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | New Significant and Unavoidable Impact | Consistent with Proposed Project |

## TABLE 2-12
## ALTERNATIVES IMPACT COMPARISON

| Environmental Topic | Proposed Project[a] | Alternative 1: No Project/No Development | Alternative 2: No Project /Development Pursuant to the NLSP | Alternative 3: No Industrial | Alternative 4: Phase 1 Development | Recirculated Alternative 1: Creek Avoidance Alternative | Recirculated Alternative 2: Partial Creek Avoidance Alternative |
|---|---|---|---|---|---|---|---|
| **Land Use** | Less than Significant | Policies not met to same extent; Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Less than Proposed Project | Consistent with Proposed Project |
| **Noise** | Significant and Unavoidable | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Less than Proposed Project | Consistent with Proposed Project; New Significant and Unavoidable Impact (construction truck traffic) | Less than Proposed Project (construction) |
| **Public Services and Utilities** | Mitigated to Less than Significant | Less than Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | New Significant and Unavoidable Impact | Consistent with Proposed Project |
| **Traffic, Access, and Circulation** | Less Than Significant[c] | Less than Proposed Project | Greater than Proposed Project | Consistent with Proposed Project | Less than Proposed Project | Less than Proposed Project | Consistent with Proposed Project |
| **Wildfire[b]** | Less than Significant | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | Consistent with Proposed Project | New Significant and Unavoidable Impact | Consistent with Proposed Project |

[a] For the sake of consistency with the DSEIR, Proposed Project is used to refer to the previously approved Project.
[b] At the time of the DSEIR, there was no separate wildfire impact section in CEQA Guidelines Appendix G; rather wildfire was included under Hazards, Emergency Response, and Environmental Safety. Wildfire impact conclusions for Alternatives 1 through 4 were derived from that analysis. The Proposed Project prior wildfire analysis is superseded by the wildfire analysis contained in this RPDSEIR.
[c] Under the LOS methodology the Proposed Project resulted in a significant and unavoidable impact traffic impact. Under the required VMT methodology, which replaced the LOS methodology, the Proposed Project has a less than significant traffic impact.

The No Project/No Development Alternative has the least impact to the environment because it would not involve any construction activities and would not introduce development of any uses that would generate potential operational impacts. Specifically, there would be no impacts associated with air quality, GHG emissions, noise or traffic, each of which are considered significant and unavoidable impacts for the previously proposed Project. The No Project/No Development Alternative would not require the provision of additional public services and facilities and would not result in an increased demand for utilities or service systems. Additionally, no impacts associated with development would occur, including impacts related to aesthetics, biological resources, cultural resources, geology and soils, and hydrology and water quality. While this alternative would avoid the significant and unavoidable effects of the previously approved Project, the benefits of the previously approved Project associated with providing commercial lands to accommodate the projected labor force and to develop housing that satisfies the needs of the present and future residents of the NorthLake community and the County's RHNA allocation would not occur; none of the Project objectives would be met.

Alternative 4, the Phase 1 Development, was determined to be the environmentally superior alternative in the SEIR. This was due to the reduction in development area footprint as well as the reduction in proposed dwelling units and reduced impacts to Grasshopper Creek. In addition, the impact levels would be less than the previously approved Project for traffic and noise, primarily due to the reduction in dwelling units and the length of construction.

Based on the alternatives analysis in this RPDSEIR, in compliance with Section 15126.6(e)(2) of the State CEQA Guidelines, Recirculated Alternative 2, the Partial Creek Avoidance Alternative, would be the environmentally superior alternative among all six Project alternatives summarized in Table 2-12 above as it reduces the development footprint, thus reducing biology impacts and greenhouse gas emissions and would have less construction noise impacts (though construction noise would still be significant and unavoidable). However, the significant and unavoidable impacts to air quality would not be reduced to below a level of significance. All other impacts would be similar to the previously approved Project. On balance, Recirculated Alternative 2 would result in the greatest reduction in impacts compared to the previously approved Project while maintaining the same amount of housing. For these reasons, Recirculated Alternative 2 is the environmentally superior alternative. As compared to project objectives, the PCAA provides significantly less active recreational and open space area (37 fewer acres). Accordingly, the PCAA does not meet the following objective to the same degree as the previously approved Project:

- Specific Plan 4, Open Space/Recreational Area, Goal i: To improve opportunities for a variety of outdoor recreational experiences.

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