

**APPENDIX B**  
**NOP DISTRIBUTION LIST AND SCOPING COMMENTS**

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## **NOP DISTRIBUTION LIST**

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**AGENCY DISTRIBUTION LIST**  
***Notice of Preparation***

Project Title: Alexan Specific Plan and General Plan and Zoning Code Amendment

Location: 1607, 1625, and 1631 South Magnolia Avenue (APN: 8507-006-035, 8507-006-041, and 8507-006-042); 1541 South Dale Drive (APN: 8507-006-044); and 340, 410, and 418 West Evergreen Avenue (APN: 8507-006-016, 8507-006-043, 8507-006-022, and 8507-006-024).

Notices Mailed Date: October 22, 2018

Comments Due Date: November 26, 2018

<b>MAILED</b>	<b>AGENCY</b>	<b>DATE RECEIVED/ COMMENTS</b>
<input type="checkbox"/>	State Clearinghouse – MIG, May 9, 2018 State Clearinghouse P.O. Box 3044 Sacramento, CA 95812-3044  Fish and Wildlife CPUC Caltrans Ca Regional Water Quality Control Board	
<input type="checkbox"/>	Athens Services Salt Lake 15045 Salt Lake Avenue City of Industry, CA 91746 Attn: Mary McKenrick	
<input type="checkbox"/>	County of Los Angeles Flood Control Land Development Division 900 South Fremont Avenue Alhambra, CA 91803 Attn: Juan Sarda, P.E.	
<input type="checkbox"/>	Monrovia School District 325 East Huntington Drive Monrovia, CA 91016 Attn: Dr. Katherine Thorossian	
<input type="checkbox"/>	Southern California Edison Planning Department 1440 South California Avenue Monrovia, CA 91016 Attn: Eddie Lopez	
<input type="checkbox"/>	City of Duarte	

Attn: Planning Department  
1600 Huntington Drive  
Duarte, CA 91010

- City of Irwindale  
Attn: Planning Department  
5050 North Irwindale Avenue  
Irwindale, CA 91706
- City of Arcadia  
Attn: Planning Department  
240 W. Huntington Drive  
Arcadia, CA 91007
- County of Los Angeles – Planning Division
- County of Los Angeles Sanitation District  
1955 Workman Mill Road  
PO BOX 4998  
Whittier, CA 90607-4998  
Attn: James Stahl
- Metropolitan Transportation Authority (MTA)  
CEQA Review  
Mail Stop 99-23-2  
One Gateway Plaza  
Los Angeles, CA 90012-2952  
Attn: Bill Lundgren  
Regional Planning Program Manager
- Southern California Air Quality  
Management District (AQMD)  
Planning/Environmental Review  
21865 Copley Drive  
PO Box 4939  
Diamond Bar, CA 91765-0939
- Andrew Salas, Chairman  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723

## **SCOPING COMMENTS**

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# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

SENT VIA USPS AND E-MAIL:

November 8, 2018

[sbermejo@ci.monrovia.ca.us](mailto:sbermejo@ci.monrovia.ca.us)

Attn: Sheri Bermejo, Planning Division Manager  
City of Monrovia  
Community Development Department  
415 South Ivy Avenue  
Monrovia, CA 91016

## **Notice of Preparation of a Draft Environmental Impact Report for the proposed Alexan Specific Plan and General Plan/Zoning Code Amendment project**

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR). Please send SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the Draft EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files<sup>1</sup>. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

### **Air Quality Analysis**

SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from SCAQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on SCAQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

SCAQMD has also developed both regional and localized significance thresholds. SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to

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<sup>1</sup> Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts. SCAQMD's CEQA regional pollutant emissions significance thresholds can be found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the proposed project and all air pollutant sources related to the proposed project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis.

#### Mobile Source Health Risk Assessment

Notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD staff's concern about the potential public health impacts of siting sensitive populations within close proximity of, SCAQMD staff recommends that, prior to approving the project, Lead Agencies consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.

When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the proposed project, the Lead Agency should identify any potential adverse health risk impacts using its best efforts to find out and a good-faith effort at full disclosure in the CEQA document. Based on a review of aerial photographs and information in the NOP, SCAQMD staff found that the proposed project will be located in close proximity to the 210 freeway. Because of the close proximity to the existing freeway, residents at the proposed project<sup>2</sup> would be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and a carcinogen. Diesel particulate matter emitted from diesel powered engines (such as trucks) has been classified by the state as a toxic air contaminant and a carcinogen.

Since future residences of the proposed project would be exposed to toxic emissions from the nearby sources of air pollution (e.g., diesel fueled highway vehicles), SCAQMD staff recommends that the Lead

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<sup>2</sup> According to the Project Description in the Notice of Preparation, the proposed project would include new construction of up to approximately 436 new housing units.

Agency conduct a health risk assessment (HRA)<sup>3</sup> to disclose the potential health risks to the residents from the vehicle emissions coming from vehicles operating on the 210 Freeway in the Draft EIR<sup>4</sup>.

#### Guidance Regarding Residences Sited Near a High-Volume Freeway or Other Sources of Air Pollution

SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This Guidance Document provides suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. SCAQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on SCAQMD's website at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>. Additional guidance on siting incompatible land uses (such as placing homes near freeways or other polluting sources) can be found in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. Guidance<sup>5</sup> on strategies to reduce air pollution exposure near high-volume roadways can be found at: [https://www.arb.ca.gov/ch/rd\\_technical\\_advisory\\_final.PDF](https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF).

#### Mitigation Measures

In the event that the proposed project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying potential mitigation measures for the proposed project, including:

- Chapter 11 "Mitigating the Impact of a Project" of SCAQMD's *CEQA Air Quality Handbook*
- SCAQMD's CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD's Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

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<sup>3</sup> "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis," accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

<sup>4</sup> SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, SCAQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

<sup>5</sup> In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems, sound walls, vegetation barriers, etc. Because of the potential adverse health risks involved with siting housing near a freeway, it is essential that any proposed strategy must be carefully evaluated before implementation. In the event that enhanced filtration units on housing residents are proposed, the Lead Agency should consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters<sup>6</sup>, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the resident. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and it does not account for the times when the residents have their windows or doors open or are in common space areas of the project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. The presumed effectiveness and feasibility of any filtration units should therefore be evaluated in more detail prior to assuming that they will sufficiently alleviate near roadway exposures to DPM emissions and before they are relied upon by Lead Agency as mitigation measures to support a less than significant cancer risk finding (CEQA Guidelines Section 15091(a)(1)).

### **Alternatives**

In the event that the proposed project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a “no project” alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the Draft EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

### **Permits**

In the event that the proposed project requires a permit from SCAQMD, SCAQMD should be identified as a responsible agency for the proposed project. For more information on permits, please visit SCAQMD’s webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD’s Engineering and Permitting staff at (909) 396-3385.

### **Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling SCAQMD’s Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available at SCAQMD’s webpage at: <http://www.aqmd.gov>.

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality impacts are accurately evaluated and any significant impacts are mitigated where feasible. If you have any questions regarding this letter, please contact Alina Mullins, Assistant Air Quality Specialist, at [amullins@aqmd.gov](mailto:amullins@aqmd.gov) or (909) 396-2402.

Sincerely,

*Daniel Garcia*

Daniel Garcia  
Program Supervisor  
Planning, Rule Development & Area Source

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<sup>6</sup> This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see also 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

DG/AM  
LAC181030-01  
Control Number

## NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
Phone (916) 373-3710  
Email: [nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
Website: <http://www.nahc.ca.gov>  
Twitter: @CA\_NAHC



November 6, 2018

Sheri Bermejo  
City of Monrovia  
415 S. Ivy Avenue  
Monrovia, CA 91016

RE: SCH# 2018101058 Alexan Specific Plan and General Plan/Zoning Code Amendment, Los Angeles County

Dear Ms. Bermejo:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

## AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
  - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
  - a. Avoidance and preservation of the resources in place, including, but not limited to:
    - i. Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i. Protecting the cultural character and integrity of the resource.
    - ii. Protecting the traditional use of the resource.
    - iii. Protecting the confidentiality of the resource.
  - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
  - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf)

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: [Katy.Sanchez@nahc.ca.gov](mailto:Katy.Sanchez@nahc.ca.gov).

Sincerely,

*Katy Sanchez*

for

Katy Sanchez  
Associate Environmental Planner

cc: State Clearinghouse

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7

100 S. MAIN STREET, MS 16

LOS ANGELES, CA 90012

PHONE (213) 897-8391

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November 26, 2018

Ms. Sheri Bermejo  
Community Development Department  
City of Monrovia  
415 South Ivy Avenue  
Monrovia, CA 91016

RE: Alexan Specific Plan & General  
Plan/Zoning Code Amendment  
Vic. LA-210/ PM R33.921  
SCH # 2018101058  
GTS # LA-2018-02038AL-NOP

Dear Ms. Bermejo:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Specific Plan would include a 436-unit, five-story apartment complex and eight-level above the ground, 707 stalls parking structure.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. Senate Bill 743 (2013) mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference to The Governor's Office of Planning and Research (OPR) for more information.

<http://opr.ca.gov/ceqa/updates/guidelines/>

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, this development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration

(FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

We encourage the Lead Agency to integrate transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, and achieve a high level of non-motorized travel and transit use. We also encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements.

The Department also seeks to provide equitable mobility options for people who are economically, socially, or physically disadvantaged. Therefore, we ask the Lead Agency to evaluate the project site for access problem, VMT and service needs that may need to be addressed.

Due to this project's proximity to I-210, please provide trip generation, trip distribution, and trip assignment estimates to the State facilities for this project with regards to the local and regional road system. To ensure that queue formation does not create traffic conflicts, project-generated trips should be added to the existing and future scenario traffic volumes for the EB I-210 on/off-ramps from/to Myrtle Ave./W Evergreen Ave. and WB I-210 on/off ramps from Myrtle Ave./ E Central Ave. To avoid traffic conflicts such as inadequate weaving distances, queue spilling back onto the freeway, and uneven lane utilization, please analyze the adequacy of the operations of freeway segments in the vicinity of the project.

Analysis should include existing traffic, traffic generated by the project assigning to the State facilities, cumulative traffic generated from all specific planning developments in the area, and traffic growth other than from the project and developments.

A discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. Any mitigation involving transit or Transportation Demand Management (TDM) is encouraged and should be justified to reduce VMT and greenhouse gas emissions. Such measures are critical to facilitating efficient site access.

For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). The reference is available online at:

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

In the absence of an adopted precise plan, the Lead Agency should identify project-generated travel demand and estimate the costs of transit and active transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair

Ms. Sheri Bermejo

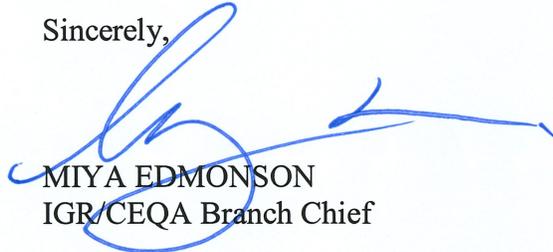
November 26, 2018

Page 3 of 3

share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable modes shares, thereby reducing VMT. The Lead Agency should also consider fair share fees for shuttles that use the public curb space.

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 897-8391 and refer to GTS # LA-2018-0238-AL-NOP.

Sincerely,



MIYA EDMONSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse



February 12, 2019

Ms. Sheri Bermejo, Planning Division Manager  
City of Monrovia, Community Development Department  
415 South Ivy Avenue  
Monrovia, California 91016  
Phone: (626) 932-5539  
E-mail: [sbermejo@ci.monrovia.ca.us](mailto:sbermejo@ci.monrovia.ca.us)

**RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Alexan Specific Plan [SCAG NO. IGR9820]**

Dear Ms. Bermejo,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Alexan Specific Plan ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.<sup>1</sup> SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Community Strategies (RTP/SCS) goals and align with RTP/SCS policies.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Alexan Specific Plan in Los Angeles County. The proposed project includes development of a 436-unit, 5-story apartment complex with a parking structure containing 797 parking spaces on a 6.77 acre site.

**When available, please send environmental documentation to SCAG's Los Angeles office in Los Angeles (900 Wilshire Boulevard, Ste. 1700, Los Angeles, California 90017) or by email to [au@scag.ca.gov](mailto:au@scag.ca.gov) providing, at a minimum, the full public comment period for review.**

If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Anita Au, Associate Regional Planner, at (213) 236-1874 or [au@scag.ca.gov](mailto:au@scag.ca.gov). Thank you.

Sincerely,

Ping Chang  
Manager, Compliance and Performance Monitoring

<sup>1</sup> Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2016 RTP/SCS for the purpose of determining consistency for CEQA. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a determination of consistency with the 2016 RTP/SCS for CEQA.

SOUTHERN CALIFORNIA  
ASSOCIATION OF GOVERNMENTS  
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Curt Hagman, San Bernardino  
County

**COMMENTS ON THE NOTICE OF PREPARATION OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
ALEXAN SPECIFIC PLAN [SCAG NO. IGR9820]**

**CONSISTENCY WITH RTP/SCS**

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS. For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the RTP/SCS.

**2016 RTP/SCS GOALS**

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>). The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

<b>SCAG 2016 RTP/SCS GOALS</b>	
RTP/SCS G1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCS G2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCS G3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCS G4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCS G5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCS G6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)</i>
RTP/SCS G7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCS G8:	<i>Encourage land use and growth patterns that facilitate transit and active transportation</i>
RTP/SCS G9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*</i>
<small>*SCAG does not yet have an agreed-upon security performance measure.</small>	

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG 2016 RTP/SCS GOALS	
Goal	Analysis
RTP/SCS G1: <i>Align the plan investments and policies with improving regional economic development and competitiveness</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
RTP/SCS G2: <i>Maximize mobility and accessibility for all people and goods in the region</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.	etc.

**2016 RTP/SCS STRATEGIES**

To achieve the goals of the 2016 RTP/SCS, a wide range of land use and transportation strategies are included in the 2016 RTP/SCS. Technical appendances of the 2016 RTP/SCS provide additional supporting information in detail. To view the 2016 RTP/SCS, please visit: <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>. The 2016 RTP/SCS builds upon the progress from the 2012 RTP/SCS and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that the SCAG region strives toward a more sustainable region, while the region meets and exceeds in meeting all of applicable statutory requirements pertinent to the 2016 RTP/SCS. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

**DEMOGRAPHICS AND GROWTH FORECASTS**

Local input plays an important role in developing a reasonable growth forecast for the 2016 RTP/SCS. SCAG used a bottom-up local review and input process and engaged local jurisdictions in establishing the base geographic and socioeconomic projections including population, household and employment. At the time of this letter, the most recently adopted SCAG jurisdictional-level growth forecasts that were developed in accordance with the bottom-up local review and input process consist of the 2020, 2035, and 2040 population, households and employment forecasts. To view them, please visit <http://www.scag.ca.gov/Documents/2016GrowthForecastByJurisdiction.pdf>. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts			Adopted City of Monrovia Forecasts		
	Year 2020	Year 2035	Year 2040	Year 2020	Year 2035	Year 2040
Population	19,663,000	22,091,000	22,138,800	37,500	39,300	40,300
Households	6,458,000	7,325,000	7,412,300	14,200	14,900	15,300
Employment	8,414,000	9,441,000	9,871,500	21,500	22,600	23,300

**MITIGATION MEASURES**

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. SCAG’s Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016 (please see: <http://scagrtpscs.net/Pages/FINAL2016PEIR.aspx>). The Final PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.



# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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

GRACE ROBINSON HYDE  
*Chief Engineer and General Manager*

April 24, 2019

Ref. DOC 5049844

Mr. Steve Sizemore  
Planning Division Manager  
Department of Community Development  
City of Monrovia  
415 South Ivy Avenue  
Monrovia, CA 91016

Dear Mr. Sizemore:

## **Comment Letter for Tentative Parcel Map No. 82326**

The Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on April 18, 2019. The proposed project is located within the jurisdictional boundaries of District No. 15. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Monrovia Outfall Trunk Sewer, located in Peck Road at Duarte Road. The Districts' 24-inch diameter trunk sewer has a capacity of 6.1 million gallons per day (mgd) and conveyed a peak flow of 3.3 mgd when last measured in 2013.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 58.5 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
3. The expected increase in average wastewater flow from the project, described in the plan as a 436-unit residential apartments, is 61,117 gallons per day, after all structures on the project site are demolished. For a copy of the Districts' average wastewater generation factors, go to [www.lacsd.org](http://www.lacsd.org), Wastewater & Sewer Systems, click on Will Serve Program, and click on the [Table 1, Loadings for Each Class of Land Use](#) link.
4. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before this project is permitted to discharge to the Districts'

Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to [www.lacsd.org](http://www.lacsd.org), Wastewater & Sewer Systems, and click on Connection Fee, Service Charge and More. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, the developer should contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CCA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise the developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the developer of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza  
Customer Service Specialist  
Facilities Planning Department

AR:dc

cc: A. Schmidt  
A. Howard

November 26, 2018

Sheri Bermejo, Planning Division Manager  
City of Monrovia  
Community Development Department  
415 South Ivy Avenue  
Monrovia, CA 91016  
sbermejo@ci.monrovia.ca.us

**Re: Alexan Specific Plan Notice of Preparation**

Dear Ms. Bermejo:

This law firm represents the Southwest Regional Council of Carpenters (Southwest Carpenters) and submits this letter on the above-referenced project on its behalf.

Southwest Carpenters represents 50,000 union carpenters in six states, including in Southern California, and has a strong interest in reducing the environmental impacts of development projects, such as the Alexan Specific Plan (Project). On October 22, 2018, the City of Monrovia (City) issued a Notice of Preparation, indicating its intent to prepare a Draft Environmental Impact Report (DEIR) for the Project.

The Project would include construction of 436-unit, five-story apartment complex, a 7-story-tall parking garage containing 797 parking stalls, and several amenities, including pools, courtyards, a pet spa, golf simulation room, and a tenant lounge. The Project would also require the relocation of two cellular towers. Project approvals include the following:

- General Plan Amendment from Manufacturing to a Planned Development Area;
- Zoning Code Amendment to re-zone the area from Manufacturing to Planned Development and the Alexan Specific Plan;
- Adoption of the Alexan Specific Plan;
- Cellular tower relocation;
- Conditional Use Permit; and
- Vesting Parcel Map

Southwest Carpenters presents its initial scoping comments for the Project, below. Details regarding the Project are currently sparse, including baseline environmental conditions,

Ms. Sheri Bermejo, Planning Division Manager  
Re: Alexan Specific Plan  
November 26, 2018  
Page 2

environmental impacts, and proposed mitigation. Southwest Carpenters look forward to reviewing the DEIR when it is made available to the public.

### **Project Description**

The City states the Project includes approval of relocating cellular towers “as necessary.” In the DEIR, please definitively state whether relocation of the cellular towers will be necessary. If the City determines relocation is necessary, please evaluate this relocation, and any of its related environmental impacts, as part of the Project. It is important for the City to accurately describe this aspect of the Project because the City must evaluate a reasonable range of *feasible* alternatives. If the City only evaluates alternatives (including the Proposed Project) that assume the movement of these cell towers and it is later discovered relocation is infeasible, its EIR may fail as an informational document.

### **The City Must Disclose Impacts from all Reasonably Foreseeable Development Caused by the Project**

CEQA requires the City to evaluate all reasonably foreseeable impacts that “are later in time or farther removed in distance.” (14 Cal. Code Regs. § 15358(a)(2).) In its Notice of Preparation, the City states that the Proposed General Plan Amendment and Zone Change will apply not only to the proposed 436-unit apartment complex within the Alexan Specific Plan, but also to lands outside of this Specific Plan that are currently designated for manufacturing and industrial use. The City states the EIR will act as a “project-level” EIR for the proposed apartment complex and associated uses, whereas the EIR would act as a “program-level” EIR for these other lands.

The City should proceed with environmental review assuming “full build-out” of the Project, by evaluating impacts assuming the Project will result in the creation of all additional residential units and densities that will be permitted by the Project. If the City intends to tier any future projects off the EIR, it must fully evaluate and mitigate environmental impacts related to development of this land at this stage, or else explicitly condition any future development on future project-level environmental review in an EIR. (14 Cal. Code Regs. § 15168.)

### **The City Should Consider Energy Conservation and Growth Inducing Impacts in its DEIR**

Southwest Carpenters agrees with the City that the Project has the potential to significantly affect most environmental factors. However, the City does not state it intends to consider evaluate and mitigate inefficient and unnecessary consumption of energy, as required by CEQA. (14 Cal. Code Regs. § 15126.4(a)(1).)

Ms. Sheri Bermejo, Planning Division Manager  
Re: Alexan Specific Plan  
November 26, 2018  
Page 3

Furthermore, it is unclear from the Notice of Preparation whether the Project will consider growth-inducing impacts. The City must evaluate “growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.” (14 Cal. Code Regs. § 15358(a)(2).)

Please consider the above environmental review categories in the DEIR.

### **The City Must Adequately Consider Greenhouse Gas and Air Quality Impacts**

A project of this scope has the potential to create thousands of additional daily vehicle trips, which the City must analyze and disclose. As the Gold Line is nearby, the City should evaluate actual rates of ridership from nearby residential uses to gain and disclose a realistic perspective of potential Project-related ridership.

CEQA requires the City to consider the direct, indirect, and cumulative impacts of the Project. (14 Cal. Code Regs. § 15064.) The Project, which includes the construction of nearly 500 dwelling units, is expected to generate large volumes of emissions from vehicle trips, as well as high energy demand. The City must consider whether these impacts are cumulatively considerable, especially considering the nonattainment status of multiple criteria pollutants within the Southern California Air Basin.

In addition, the City should provide a thorough discussion of Project-related greenhouse gas impacts. The City must ensure its environmental analysis complies with the Supreme Court decision in *Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 62 Cal.4th 204.) In particular, the City should disclose whether it has adopted any quantitative greenhouse gas thresholds or a Climate Action Plan, and it should evaluate whether the Project surpasses any of these thresholds.

Finally, while the City suggests it will frame this discussion in terms of “Global Climate Change,” the City is required to evaluate greenhouse gas impacts at the Project-level.

### **The City Must Adequately Consider Impacts Arising from Hazards and Hazardous Materials**

CEQA requires the City to consider the significant environmental effects the Project may cause by bringing development and people into a hazardous area. (14 Cal. Code Regs. § 15126.2(a); *California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015)

Ms. Sheri Bermejo, Planning Division Manager

Re: Alexan Specific Plan

November 26, 2018

Page 4

62 Cal.4th 369.) The Project site and surrounding area is currently used for industrial and manufacturing purposes, and some portions of the Project site may continue to be used for manufacturing or industrial purposes for some time after Specific Plan area is built and occupied. The City should consider any impacts that arise by the potential of the project to attract people and housing into an area that that may expose these future residents to hazards and hazardous materials. Further, the City should consult relevant databases, such as the U.S. Environmental Protection Agency's Envirofacts database, to determine whether the Project site, or any nearby properties, have a record of hazardous material contamination. The City must disclose the results of these database searches in its EIR. Finally, notwithstanding the results of the City's review of state and federal databases, the City should conduct on-site testing to evaluate first-hand whether the Project site contains any toxic contaminants. The City should provide adequate mitigation to either avoid or reduce these impacts.

### **Conclusion**

Southwest Carpenters thanks the City for providing an opportunity to comment on the Notice of Preparation. Pursuant to Section 21092.2 of the Public Resources Code and Section 65092 of the Government Code, Southwest Carpenters requests notification of all CEQA actions and notices of any public hearings concerning this Project, including any action taken pursuant to California Planning and Zoning Law. In addition, pursuant to Public Resources Code section 21167(f), please provide a copy of each Notice of Determination issued by the City in connection with this Project and please add Southwest Carpenters to the list of interested parties in connection with this Project and direct all notices to my attention. Please send all notices by email or, if email is unavailable, by U.S. Mail to the following two addressees:

Nicholas Whipps  
Ashley McCarroll  
Wittwer Parkin LLP  
147 S. River St., Ste. 221  
Santa Cruz, CA 95060  
nwhipps@wittwerparkin.com  
amccarroll@wittwerparkin.com

Very truly yours,  
WITTWER PARKIN LLP



Nicholas Whipps