RESOLUTION NO. 23-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM RELATING TO THE 6TH CYLCE HOUSING ELEMENT UPDATE AND ZONING AMENDMENTS

WHEREAS, the City has been in the process of preparing and adopting a 6th Cycle Housing Element for the 2021--2029 period ("Housing Element Update"); and

WHEREAS, one of the programs in the Housing Element Update is for the City to rezone a portion of the Civic Center site to allow affordable housing for 18 units plus an emergency shelter for 6 individuals; and

WHEREAS, Recon Environmental, Inc. ("Recon") was hired to prepare the environmental documentation associated with the City's Housing Element Update and related actions through the City's Housing Consultant; and

WHEREAS, on September 27, 2023, the Planning Commission held a duly noticed public hearing on the adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program, the adoption of the City's Housing Element Update, Zoning Amendments, and Update to the City's Land Use Element at which time it took into account all evidence received, both written and oral; and

WHEREAS, at the close of the public hearing the Planning Commission adopted Resolution No. PC 23-315 which recommended that the City Council: adopt the Mitigated Negative Declaration and Mitigation Monitoring program; and

WHEREAS, on November 7, 2023, the City Council held a duly, noticed public hearing at which time it considered all evidence presented, both written and oral;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CEQA Procedures. The City Council of the City of Bradbury does hereby find as follows:

A. In accordance with AB 52 and SB 18, the City sent notices regarding tribal consultation. The only Tribe to respond was the Gabrieleno Band of Mission Indians – Kizh Nation ("Kizh"). By email dated April 12, 2022, the Kizh Tribe indicated that because there would not be any ground disturbances, there was no need for consultation.

B. Recon prepared an Initial Study/Mitigated Negative Declaration (hereafter "MND"). A Notice of Intent to adopt the MND was timely distributed, and the public review period was then extended to run from February 27, 2023, to March 28, 2023, to coincide with the availability of the public release of the 6th Cycle Housing Element.

C. On March 24, 2023, the City received a public comment from the California Department of Fish and Wildlife ("CDFW") and on April 19, 2023, the City sent a response letter to the issues raised by the CDFW, asking if they would like to discuss the project or the City's responses. No further communication was received from CDFW. No changes were required to the MND or Mitigation Measures.

D. After Recon prepared the MND, changes were made to the Housing Element. However, the changes that were made related to providing further technical information and additional changes to programs that would not have any environmental impacts. These changes did not create any impacts that were not already examined as part of the MND, and no revisions were required as a result of these changes.

SECTION 2. CEQA Findings Regarding Impacts.

A. An MND was prepared for the Project as all potential impacts can be mitigated below a level of significance.

B. The MND identifies the below topic areas as potentially significant, but each can be mitigated below a level of significance.

1. Under Cultural Resources, at the time of development of the Civic Center site, there is a potential to encounter buried cultural resources. This potential impact will be mitigated by Mitigation Measure MM CUL-1 which will require consultation with the Kizh Tribe, and the establishment of a construction monitoring program as further spelled out in the Mitigation Monitoring and Reporting Program.

2. Under Tribal Cultural Resources, at the time of development of the Civic Center site, there is a potential that significant tribal cultural resources could be encountered. Mitigation Measure MM CUL-1 will mitigate this impact as well.

C. All other topic areas would have a less than significant impact.

SECTION 3. Adoption of MND and MMRP.

A. Based on the above, the City Council hereby adopts the Final and Complete Initial Study/Mitigated Negative Declaration attached hereto as Exhibit A, which consists of the Final Initial Study Checklist and Mitigated Negative Declaration (Final IS/MND) and the Response to Comment letter attached hereto as Exhibit B. The City Council further adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit C.

B. In adopting the MND and adopting the Mitigation Monitoring and Reporting Program, the City Council has exercised its independent judgement and analysis. The MND is an accurate and complete statement of potential environmental impacts of the Project. The City Council has reviewed and considered the MND, agenda reports, written reports, public testimony, and other information in the record.

SECTION 4. Custodian of Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact. The documents and materials that constitute the record of proceedings on which these findings and approval are based are located in City Hall. The Custodian of Record is the City Clerk, Diane Jensen, who can be reached at (626) 358-3218, or by email at djensen@cityofbradbury.org.

SECTION 5. Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 6. Effective Date. This Resolution shall become effective immediately.

SECTION 7. Certification. The City Clerk shall certify the passage of this resolution.

PASSED, APPROVED AND ADOPTED this 7th day of November 2023.

Richard T. Hale, Jr., Mayor Pro Tem

ATTEST:

Diane Jensen, City Clerk

I, Diane Jensen, City Clerk, hereby certify that the foregoing Resolution No. 23-21 was duly adopted by the City Council of the City of Bradbury, California, at a special meeting held on the 7th day of November 2023, by the following vote:

AYES: Mayor Pro Tem Hale, Council members Bruny + Lathrop

NOES: NONE

ABSTAIN: NONE

ABSENT: Mayor Barakat, Council member Lewis

EXHIBIT A

Final IS/MND

Final Initial Study Checklist and Mitigated Negative Declaration for the City of Bradbury 2021--2029 6th Cycle Housing Element Update and Zoning Amendments

EXHIBIT B

Response to Comments on the Mitigated Negative Declaration for the City of Bradbury 2021--2029 6th Cycle Housing Element Update and Zoning Amendments Project, SCH #2023020514

EXHIBIT C

Mitigation Monitoring and Reporting Program

Final
Initial Study Checklist and Mitigated Negative Declaration for the City of Bradbury 2021-2029 6th Cycle Housing Element Update and Zoning Amendments Bradbury, California

Prepared for
City of Bradbury
600 Winston Avenue
Bradbury, CA 91008

Prepared by
RECON Environmental, Inc.
3111 Camino del Rio North, Suite 600
San Diego, CA 92108
P 619.308.9333

RECON Number 10132
August 2023

TABLE OF CONTENTS

1.0 Introduction 1

2.0 Draft Mitigated Negative Declaration 2

3.0 Project Description 3

4.0 Initial Study Checklist 11

4.1 Aesthetics 12
4.2 Agriculture and Forestry Resources 14
4.3 Air Quality 16
4.4 Biological Resources 18
4.5 Cultural Resources 23
4.6 Energy 25
4.7 Geology and Soils 26
4.8 Greenhouse Gas Emissions 29
4.9 Hazards and Hazardous Materials 30
4.10 Hydrology and Water Quality 33
4.11 Land Use and Planning 36
4.12 Mineral Resources 37
4.13 Noise 38
4.14 Population and Housing 41
4.15 Public Services 42
4.16 Recreation 44
4.17 Transportation 45
4.18 Tribal Cultural Resources 47
4.19 Utilities and Service Systems 49
4.20 Wildfire 50
4.21 Mandatory Findings of Significance 53

5.0 Determination and Preparers 54

6.0 Sources Consulted 55

FIGURES

1: Regional Location 7
2: Project Location on USGS Map 8
3: Project Location on Aerial Photograph 9
4: City Hall on an Aerial Photograph 10
5: Existing Vegetation Communities on the City Hall Site 21
6: Existing Trees on the City Hall Site 22

1.0 Introduction

This Initial Study Checklist and Mitigated Negative Declaration (IS/MND) has been prepared in accordance with relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and the CEQA Guidelines, as revised. This IS/MND evaluates the environmental effects of the City of Bradbury 2021-2029 Housing Element Update (HEU) and the amendments to Chapter 88 of Title IX to allow affordable housing at the rate of 20-35 dwelling units per acre in the Affordable Housing Overlay Zone (AHOZ), and placing the AHOZ on the City Hall site (amending Chapter 88 and placing that AHOZ on the City Hall site are collectively referred to as the Zoning Actions).

The IS/MND includes the following components:

- A Draft MND and findings made by the City of Bradbury (City) that the project would not result in any significant effects on the environment, as identified in the CEQA IS Checklist.
- A detailed project description.
- The CEQA IS Checklist, which provides standards to evaluate the potential for significant environmental impacts from the project, and is adapted from Appendix G of the CEQA Guidelines. The project is evaluated in all environmental issue categories to determine whether the project's environmental impacts would be significant in any category. Brief discussions are provided that further substantiate the project's anticipated environmental impacts in each category.

Because the project fits into the definition of a "project" under Public Resources Code Section 21065 requiring discretionary approvals by the City, and because it could result in a significant effect on the environment, the project is subject to CEQA review. The IS Checklist was prepared to determine the appropriate environmental document to satisfy CEQA requirements: an Environmental Impact Report (EIR), a Mitigated Negative Declaration (MND), or a Negative Declaration (ND). The analysis in this IS Checklist supports the conclusion that the project would not result in significant environmental impacts.

This IS/MND will be circulated for 30 days for public and agency review, during which time individuals and agencies may submit comments on the adequacy of the environmental review. Following the public review period, the City Council will consider any comments received on the IS/MND when deciding whether to adopt the IS/MND.

2.0 Draft Mitigated Negative Declaration

Project Name: City of Bradbury 6th Cycle 2021-2029 Housing Element Update and Zoning Amendments

Project Location: Citywide

Project Description: The proposed project involves an update to the Housing Element of the City's General Plan. The proposed Housing Element Update establishes programs, policies, and actions to further the goal of meeting the existing and projected housing needs of all family income levels of the community, provides evidence of the City's ability to accommodate the Regional Housing Needs Assessment (RHNA) allocation through the year 2029, as established by the Southern California Association of Governments (SCAG). To meet the City's RHNA for lower income households, the City has primarily identified affordable housing opportunities through Accessory Dwelling Units (ADUs) and Single-Room Occupancy (SRO) developments. The City has also identified opportunity for affordable housing development at the City Hall site located at 600 Winston Avenue. The Housing Element includes a program to modify the Affordable Housing Overlay Zone (Chapter 88 of the City's Development Code) to allow for multi-family affordable housing at a density range of 20-35 units per acre, through application of the Overlay Zone to the City Hall site. The Affordable Housing Overlay Zone would be applied to the City Hall site either prior to or concurrent with adoption of the Housing Element. The Affordable Housing Overlay Zone already allows an emergency shelter as an allowable land use. As a result, this Initial Study Checklist includes an evaluation of development of an 18-unit multi-family affordable development, based on development on up to 0.55 acre of the City Hall site at a density of 35 dwelling units per acre (du/ac) and an emergency shelter for up to six persons on the rear parking lot portion of the City Hall site.

Findings: Pursuant to the provisions of CEQA (Public Resources Code, Section 21000 et seq.) and based on information contained in the attached IS Checklist, the City of Bradbury has determined that the project will not have a significant effect on the environment.

Signature of Lead Agency Representative

Date 1/14/13

3.0 Project Description

1. Project:

City of Bradbury 2021-2029 6th Cycle Housing Element Update and Zoning Actions to amend Chapter 88 of the Development Code to allow a 20-35 dwelling unit per acre affordable housing project in the Affordable Housing Overlay Zone and placing the Affordable Housing Overlay Zone on the City Hall site.

2. Lead Agency:

City of Bradbury
600 Winston Avenue
Bradbury, CA 91008

3. Contact Person and Phone Number:

Kevin R. Kearney, City Manager
City of Bradbury
(626) 358-3218
kkearney@cityofbradbury.org

4. Project Location:

The City of Bradbury 2021-2029 Housing Element Update (HEU) would apply to the entire geographic area located within the boundaries of the City, which encompasses 1.9 square miles. Figure 1 shows the boundaries of the City within the southern California region. The project additionally includes application of the Affordable Housing Overlay Zone to the City Hall site located at 600 Winston Avenue (Figures 2 and 3).

5. Project Applicant/Sponsor:

City of Bradbury
Bradbury City Hall
600 Winston Avenue
Bradbury, CA 91008

6. General Plan Designation:

Varies
City Hall Site: Public Facilities

7. Zoning:

Varies
City Hall site: A-1 zone

8. Background

State law requires that a jurisdiction evaluate its housing element according to a schedule established for each region in the state to determine its effectiveness in achieving city and state housing goals and objectives, and to adopt an updated Housing Element that reflects the results of this evaluation. Pursuant to the update cycle for jurisdictions within the SCAG region, the City's HEU covers the eight-year, 2021-2029 6th Cycle planning period.

The City is a small, residential/equestrian-oriented community of less than 1,000 residents. The City also has one of the highest median incomes of the San Gabriel region and more than twice Los Angeles County's (County) median income. The majority (97 percent) of the housing in the City is single-family, detached units. Like the rest of California, home prices have increased significantly in the past 20 years.

9. Description of 2021-2029 Housing Element Update and Zoning Actions:

The project is a General Plan Amendment to update the City's Housing Element for the planning period of 2021-2029 (hereafter, HEU) and Zoning Actions described below. The proposed HEU is available on the City's website at:

https://www.cityofbradbury.org/services/planning_department/housing_element.php

This Initial Study evaluates the potential environmental impacts expected to result from adoption of the HEU and Zoning Actions; however, no physical development is proposed at this time.

The City has been assigned a RHNA of 41 units. Based on the City's current capacity, the City is able to meet its RHNA of 41 units through development on vacant and underutilized sites, specifically through development of SRO developments and ADUs within existing single-family residential lots, which are already allowed uses in the City. The City would additionally amend Chapter 88 of the Development Code to allow affordable housing at a rate of 20–35 du/acre and place the Affordable Housing Overlay Zone on the City Hall site. This will facilitate development of up to 18 multi-family units on an area that is 0.55 acre in size and an emergency shelter for individuals on another 0.13-acre portion of the site.

The Housing Element identifies a number of actions that would be required to facilitate and promote development of affordable units, including but not limited to:

- **Affordable Housing Overlay Zone** – The HEU proposes to amend the Affordable Housing Overlay Zone to include affordable multi-family housing (at a density between 20 and 35 units per acre) as an allowable use and to establish appropriate development standards for multi-family housing. The HEU proposes placing the Affordable Housing Overlay Zone on the City Hall property and a corresponding zone change implements this (the Zoning Actions) (Figure 4).

- **Replacement Housing** – By the end of 2022, amend the Development Code to comply with Assembly Bill (AB) 1397 (Replacement Housing) to require, as a condition of project approval,

the replacement of existing units on-site that are either deed restricted or occupied by lower income households.

- **ADUs and Junior ADUs** (JADUs) – Facilitate the development of eight ADUs/JADUs over Housing Element planning period by developing pre-approved plans for detached ADUs to streamline approval, updating the City website to include resources to assist in ADU development, and create an ADU handout that includes information on standards for the variety of accessory living quarters permitted in the City.

Implementation of the Replacement Housing programs would not result in physical impact on the environment. Similarly, ADUs and JADUs are already an allowed use in the City. The focus of the environmental analysis is related to implementation zoning changes to implement an Affordable Housing Overlay Zone on the City Hall site to allow affordable housing at a rate of 20–35 du/acre (up to 18 multi-family units) and an emergency shelter for up to 6 individuals.

10. Surrounding Land Use(s) and Project Setting:

The City is a small, residential/equestrian-oriented community of approximately 1,000 nestled at the base of the San Gabriel Mountains below the Angeles National Forest in Los Angeles County. The community encompasses 1.9 square miles and includes 3.5 miles of public streets and roads. The City is bordered on the north and west by the City of Monrovia, the Angeles National Forest to the north, and on the south and east by the City of Duarte.

The 1.1-acre City Hall site includes City Hall (a converted and expanded residential structure) and contains open space and paved parking areas. The City Hall site is bordered by single-family residential land uses to the north, south, and west, and by the Royal Oaks Manor senior living community to the east that is in unincorporated Los Angeles County territory.

11. Other Required Agency Approvals or Permits Required:

None required.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

The City of Bradbury, as lead agency, formally notified California Native American tribes of the opportunity to consult via letter in accordance with Senate Bill (SB) 18 and AB 52 on March 29, 2022. No tribes requested formal consultation; however, the Gabrieleno Band of Mission Indians – Kizh Nation requested consultation for any activities with ground disturbance that may be proposed in the future.

Summary of Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☒ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Environmental Impact Report (EIR) or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

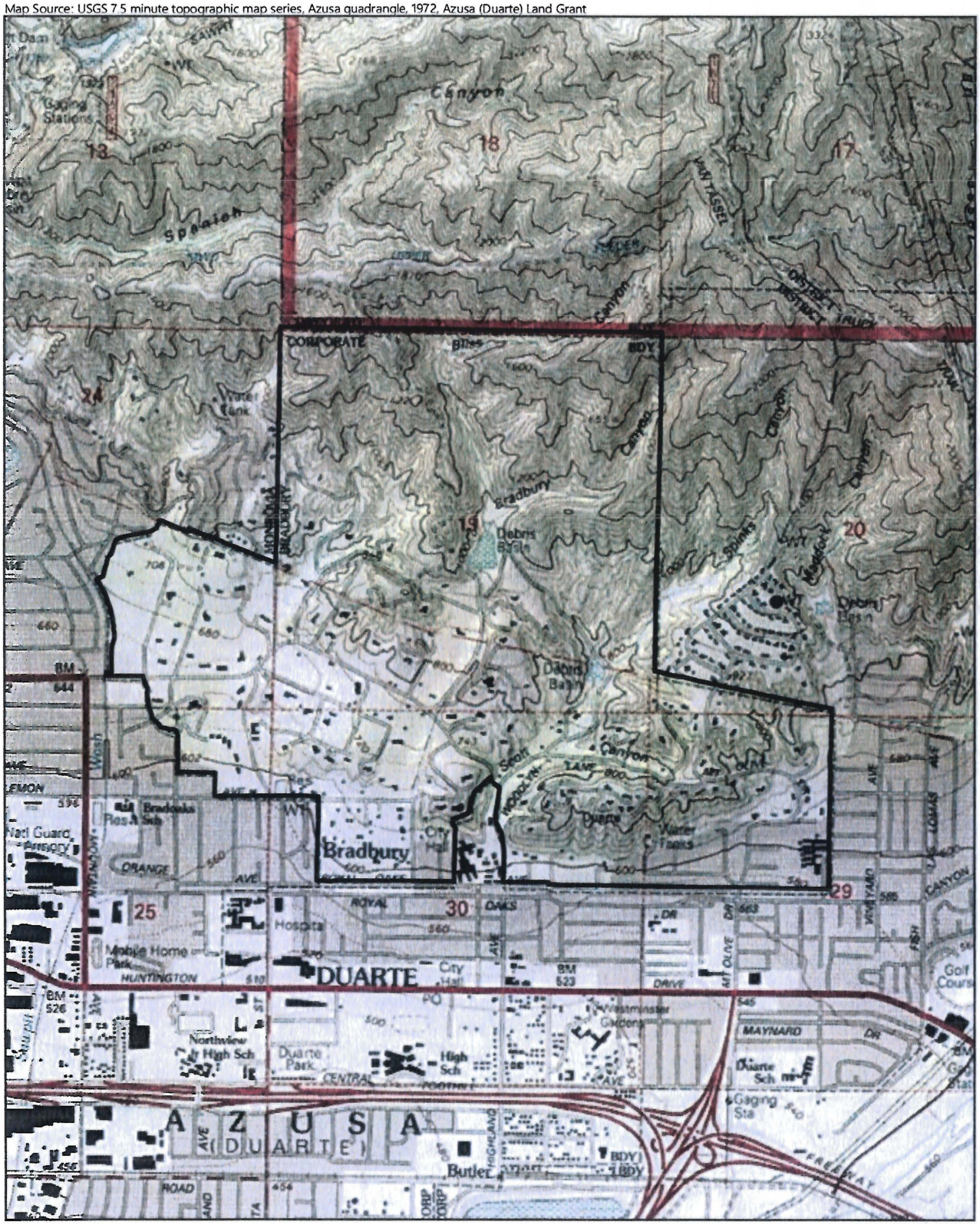


RECON

M:\JOBS6\10132\common_gis\MXD\fig1.mxd 6/9/2022 fmm

FIGURE 1
Regional Location

Map Source: USGS 7.5 minute topographic map series, Azusa quadrangle, 1972, Azusa (Duarte) Land Grant



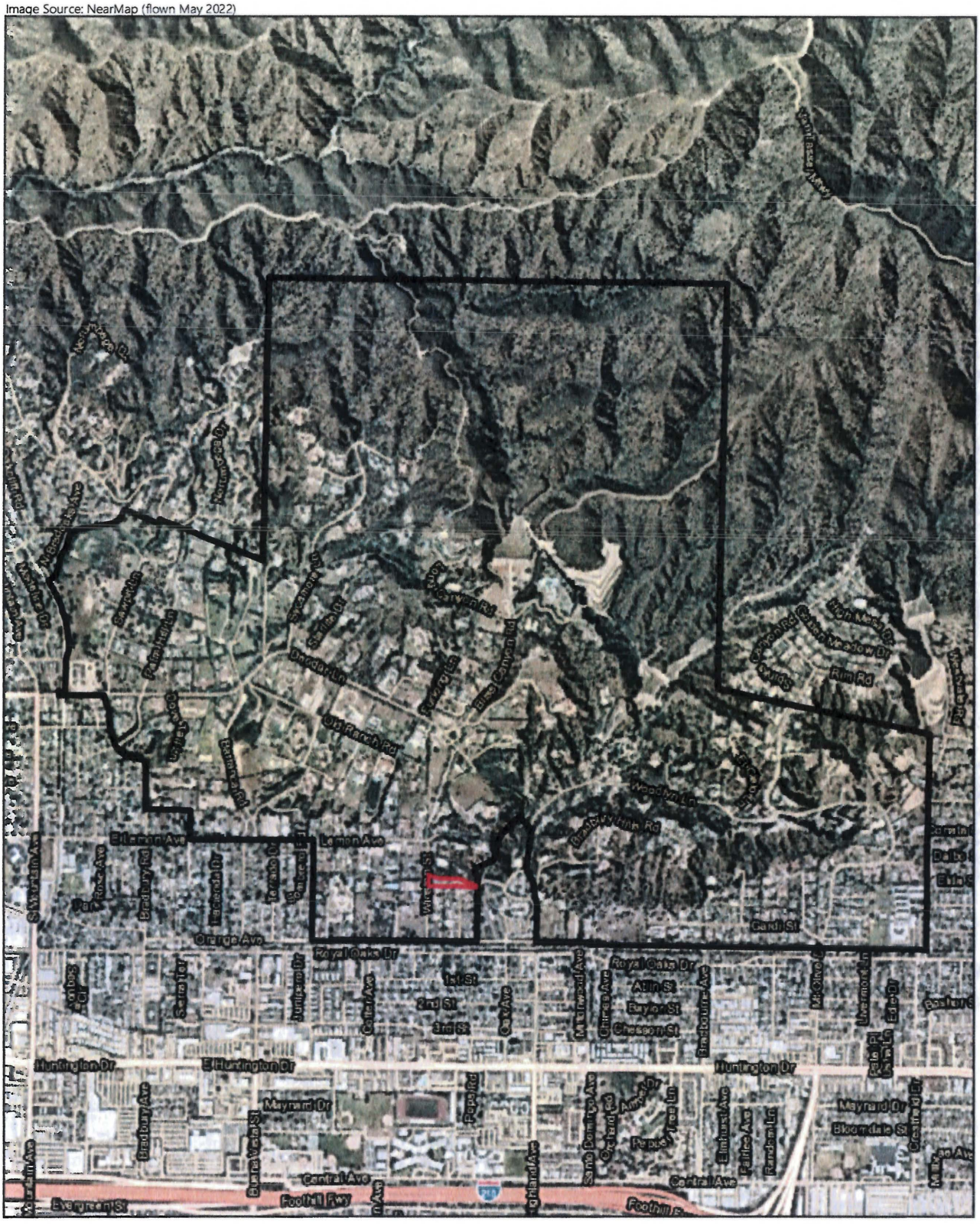
City of Bradbury

RECON

M:\JOBS6\10132\common_gis\MXD\fig2_USGS.mxd 6/9/2022 fmm

FIGURE 2
Project Location on USGS Map

Image Source: NearMap (flown May 2022)



RECON

M:\JOBS6\10132\common_gis\MXD\fig3_aerial.mxd 6/9/2022 fmm

FIGURE 3
Project Location on Aerial Photograph

Image Source: NearMap (flown May 2022)



City Hall Site

RECON

M:\JOBS6\10132\common_gis\MXD\fig4_aerial.mxd 6/9/2022 fmm

FIGURE 4
City Hall Site on Aerial Photograph

4.0 Initial Study Checklist

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved. A "No Impact answer should be explained where it is based on project specific factors as well as general standards.
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. Section 15063(c)(3)(D).
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significant.

4.1 Aesthetics

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

EXPLANATIONS:

a-d: Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units plus an emergency shelter for up to six persons.

Development of SRO and ADU units would occur within existing private residential lots. While many residential areas in the City have scenic qualities, adverse impacts to scenic vistas are not anticipated from development of SRO and ADU units based on the 16-foot height limitation for ADUs and 28 feet for Accessory Living Quarters including SRO developments (which may be constructed as an upstairs unit).

Additionally, all accessory living quarters are required to comply with the following findings from the City's Development Code which would ensure potential adverse effects to scenic resources are considered during building plan review:

(a) The accessory living quarter(s) will be appropriate to the size and character of the lot on which it will be located, and to the character of the neighborhood.

(b) The accessory living quarter(s) will not overload the capacity of the neighborhood to absorb the physical and use impacts of the unit(s) in terms of parking, adequacy of water and sewer services, traffic volumes and flows, emergency evacuation capacity, and utilities consumption.

(c) The accessory living quarter(s) will not be materially detrimental to the public health, safety, and general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity.

The HEU proposes to amend the Affordable Housing Overlay Zone (Chapter 88) to include affordable multi-family housing (at a density between 20 and 35 units per acre) as an allowable use and to establish appropriate development standards for multi-family housing. The HEU proposes placing the Affordable Housing Overlay zone on the City Hall property, which would facilitate development of up to 18 multi-family residential units on the City Hall site as well as an emergency shelter for six individuals. Future development at the City Hall site would occur within underutilized portions including the parking and open space areas and would not be anticipated to adversely affect scenic views or resources. No scenic highways are present within the vicinity of the site and development would be subject to development standards regulating setbacks, height (up to 28 feet) and required lot areas and width.

All lighting associated with future housing facilitated by adoption of the HEU would be required to comply with City Municipal Code Section 9.100.100 that requires that exterior lighting shall be hooded and arranged to reflect away from adjoining properties and streets, and may not, at any given time, create blight to those who reside, work, and travel in the City or endanger life, safety and welfare or economic, aesthetic and safety acts inconsistent with the health, safety and general welfare of the community.

Future development facilitated by adoption of the HEU and application of the Affordable Housing Overlay Zone to the City Hall site would result in less than significant impacts related to scenic vistas, public views, and scenic resources. Impacts related to aesthetics would be less than significant.

4.2 Agriculture and Forestry Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

EXPLANATIONS:

a-b. No Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City

Hall site that would allow development of up to 18 multi-family residential units in addition to an emergency shelter for six individuals.

The City Hall site and surrounding land uses are designated as Urban and Built-Up Land by the California Department of Conservation (DOC) Important Farmland Mapping and Monitoring Program (FMMP) (California Department of Conservation 2016).

The City Hall site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the California Important Farmland map produced by the State Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (California Department of Conservation 2016). The HEU does not include programs that would conflict with existing agricultural zoning or a Williamson Act contract. Thus, the HEU and Zoning Actions would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use or conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impacts would occur.

c-d. No Impact

The City Hall site is located in an urbanized setting and is zoned as "A-1," Agriculture Residential Zoning District according to the City of Bradbury Official Zoning Map (City of Bradbury 2012). The City Hall site's existing zoning of "A-1" does not support the definitions provided by Public Resources Code (PRC) Section 42526 for timberland, PRC Section 12220(g) for forest land, or California Government Code Section 51104(g) for timberland zoned for production. PRC Section 12220(g) defines forest land as "land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." Development of ADUs and SROs on existing residential lots and affordable housing development at the City Hall site would not conflict with existing zoning for forest land or timberland, and no impacts would occur.

e. No Impact

As previously described in Section 4.2(a-d), the HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units in addition to an emergency shelter for six individuals.

There are no active agricultural operations surrounding the City Hall site that could be adversely affected by development on the City Hall site. Furthermore, the addition of SROs and ADUs would be compatible with active agriculture that may exist throughout the City, on existing residential lots. Development of ADUs and SROs on existing residential lots and affordable housing development at the City Hall site would not involve changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use, and no impacts would occur.

4.3 Air Quality

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

EXPLANATIONS:

a-d. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. The City is within the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) is the regional government agency that monitors and regulates air pollution within the SCAB. The SCAQMD has an Air Quality Management Plan (AQMP) that proposes policies and measures to achieve federal and state standards for healthful air quality in the SCAB. The 2022 AQMP incorporates land use assumptions from local general plans and regional growth projections developed by the SCAG to estimate stationary and mobile air emissions associated with projected population and planned land uses. If the proposed land use is consistent with the local general plan, then the impact of the project is presumed to have been accounted for in the AQMP. This is because the land use and transportation control sections of the AQMP are based on the SCAG regional growth forecasts, which incorporated projections from local general plans.

Another measurement tool in determining consistency with the AQMP is to determine whether a project would generate population and employment growth and, if so, whether that growth would exceed the growth rates forecasted in the AQMP and how the project would accommodate the expected increase in population or employment. The project would result in additional housing opportunities throughout the City consistent with the RHNA of 41 units. As a relatively small number of units compared to the SCAG region as a whole, the HEU is not significantly different from the growth assumptions assumed in the AQMP. Additionally, SROs and ADUs associated with single-family residences in the City are largely supporting employment. Therefore, the RHNA of 41 units would not conflict with an applicable air quality plan.

Another factor used to determine if a project would conflict with implementation of the 2022 AQMP is determining if the project would result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards (National Ambient Air Quality Standards [NAAQS] and California Ambient Air Quality Standards [CAAQS]) or interim emissions reductions specified in the 2022 AQMP. The SCAQMD has established significance thresholds to assess the regional and localized impacts of project-related air pollutant emissions. These significance thresholds are updated as needed to appropriately represent the most current technical information and attainment status in the SCAB. Given the relatively small number of units, the HEU and the Zoning Actions are not anticipated to result in construction or operational emissions that would exceed the SCAQMD's significance thresholds. Therefore, the HEU would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard, nor would it expose sensitive receptors to substantial pollutant concentrations.

A sensitive receptor is a person in the population who is more susceptible to health effects due to exposure to an air contaminant than is the population at large. Examples of sensitive receptor locations in the community include residences, schools, playgrounds, childcare centers, churches, athletic facilities, retirement homes, and long-term health care facilities. The City is a small, residential/equestrian-oriented community with no significant sources of toxic air contaminants. The HEU would not place sensitive land uses in the vicinity of existing sources of air pollution and would not generate substantial pollutant concentrations.

Because the HEU does not affect land uses that are typically associated with the creation of objectionable odors (such as rendering plants, landfills, treatment plants, etc.), which result in other emissions (such as those leading to odors) adversely affecting a substantial number of people its adoption would have a less than significant impact from odors.

Based on the above, the HEU, would result in a less than significant impact relative to air quality.

4.4 Biological Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have substantial adverse effects, 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 Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	☐	☐	☒	☐
b. Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

EXPLANATIONS:

a. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or the Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. RECON Environmental, Inc. (RECON)completed a biological survey of the City Hall site on June 20, 2022. Two land cover types were identified within the biological study area: urban/developed and coast live oak woodland (Figure 5). No candidate, sensitive, or special status species were identified on-site. All development would be subject to California Department of Fish and Wildlife (CDFW) Code 3503, which requires protection of nesting birds. Implementation of the HEU and the Zoning Actions would not have substantial adverse effects, 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 Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

b. No Impact

Development of SRO and ADU units would occur within existing private residential lots and would be reviewed for consistency with local or regional plans, policies, and regulations by the CDFW or USFWS. The City Hall site consists of urban/developed land and coast live oak woodland (see Figure 5). The project site does not support any riparian habitat nor does it support any sensitive natural communities identified in local or regional plans, policies, and regulations by the CDFW or the USFWS. Additionally, the City's Municipal Code would require discretionary review of any project that contains wetlands as defined by the USFWS. No impact would occur.

c. No Impact

Development of SRO and ADU units would occur within existing private residential lots and would be reviewed for potential jurisdictional wetlands or waters. No potential jurisdictional wetlands or waters were observed on the City Hall site. Therefore, there are no anticipated impacts to any jurisdictional wetlands or waterways and no impact would occur.

d. No Impact

Though it is reasonable to assume that urban-adapted species may occur locally within the impact footprint, the City Hall site as a whole does not function as a wildlife movement corridor and there is no indication that the site supports any wildlife nursery sites. Furthermore, the site is bordered by single-family residential land uses on the north, south, and west sides, and a senior living community to the east, and does not connect to open space. Therefore, the project would not result in any impact to wildlife movement or nursery sites and no impact would occur.

e. No Impact

The City's Tree Preservation and Protection ordinance (Part VI. Chapter 118 of the City's Development Code) protects native trees to preserve the beauty of the natural environment. Future development

of SROs and ADUs in the City would be subject to this ordinance and no conflicts are anticipated. Regarding the City Hall site, a tree survey was completed in order to document the presence of trees that may be subject to the City's Tree Preservation and Protection Ordinance. An area of coast live oak woodland is located along the northern property line of the City Hall site (see Figure 5). The location of individual coast live oaks with a trunk diameter greater than six inches at breast height is shown on Figure 6. As shown, portions of the oak canopy are excluded from the vegetation mapping as certain areas under the canopy contain hardscape. While these trees would be subject to the City's Tree Preservation and Protection Ordinance, the site contains sufficient disturbed area to accommodate a development while avoiding native oak trees. However, in the event any tree removal is needed to accommodate site development, the provisions of the Tree Preservation and Protection Ordinance would apply and any removals would be completed in accordance with those regulations. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur.

f. No Impact

Development of SRO and ADU units would occur within existing private residential lots and would be reviewed for consistency with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state HCP. The City Hall site is not located in a Habitat Conservation Plan (HCP), Natural Communities Conservation Plan (NCCP), or another approved HCP area. The project site does not lie within the boundaries of a designated Los Angeles County's Significant Ecological Area. Thus, the project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP and therefore, no impacts would occur.

Image Source: NearMap (flown May 2022)



City Hall Site

0 Feet 100

Vegetation Communities

Coast Live Oak Woodland

Urban/Developed

RECON

M:\JOBS6\10132\common_gis\MXD\fig5_veg.mxd 6/29/2022 fmm

FIGURE 5
Existing Vegetation Communities on the City Hall Site

Image Source: NearMap (flown May 2022)



City Hall Site

Coast Live Oak
(*Quercus agrifolia*)

FIGURE 6

Existing Trees on the City Hall Site

RECON

M:\JOBS6\10132\common_gis\MXD\fig6_trees.mxd 6/29/2022 fmm

4.5 Cultural Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of an historical resource pursuant to §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

EXPLANATIONS:

a. No Impact

As there are no identified historical resources within the project site and the project would not affect properties outside of the project site, the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. Therefore, no impact would occur.

b. Potentially Significant Unless Mitigation Incorporated

The City of Bradbury, as lead agency, formally notified California Native American tribes of the opportunity to consult via letter in accordance with SB 18 and AB 52 on March 29, 2022. No tribes requested formal consultation; however, the Gabrieleno Band of Mission Indians – Kizh Nation requested consultation for any activities with ground disturbance that may be proposed in the future. At the time the City Hall site is developed, there is a potential to encounter buried cultural resources. In order to mitigate significant impacts to undiscovered significant archaeological features from ground disturbing activities, implementation of a construction monitoring program as identified in mitigation measure CUL-1 would be implemented, detailed below. This measure would include a requirement to consult with the Gabrieleno Band of Mission Indians – Kizh Nation and would require archaeological and tribal monitors to be present during ground disturbing activities. Implementation of this measure would reduce impacts to a less than significant level with mitigation.

MM CUL-1: In order to mitigate potentially significant impacts to buried archaeological features from ground disturbing activities, implementation of a construction monitoring program would be implemented as follows:

- Prior to any ground disturbing activities, the Gabrieleno Band of Mission Indians – Kizh Nation shall be consulted.
- An archaeological Principal Investigator and a local Native American monitor will attend a pre-construction meeting prior to ground-disturbing activities. The responsibilities and obligations of the monitors will be reviewed at this meeting.
- The Principal Investigator and local Native American monitor will be present during ground-disturbing activities, such as grading and trenching into native soils.
- If previously unidentified potentially significant cultural resources are discovered, construction activities should be diverted away from the discovery and the resources should be evaluated for significance. Isolates and non-significant deposits shall be minimally documented in the field. Significant archaeological discoveries include intact features, stratified deposits, previously unknown archaeological sites, and human remains. The Principal Investigator shall inform the City of the discovery and together with the Native American monitor determine its significance. To mitigate potential impacts to significant cultural resources, a Research Design and Data Recovery Program shall be prepared by the Principal Investigator, approved by the City, and implemented using professional archaeological methods. Construction activities would be allowed to resume after the completion of the recovery of an adequate sample and the recordation of features.
- All cultural material collected during the monitoring and data recovery program shall be processed and curated at Los Angeles County facility that meets federal standards per 36 Code of Federal Regulations Part 79 unless the tribal monitors request the collection.
- If human remains are discovered, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5) will be followed. The principal investigator shall contact the County Coroner.
- After the completion of the monitoring, the archaeological Principal Investigator shall prepare a report. If no significant cultural resources are discovered, a brief letter shall be prepared. If significant cultural resources are discovered, a report with the results of the monitoring and data recovery (including the interpretation of the data within the research context) shall be prepared.

c. Less than Significant Impact

The archaeological survey of the City Hall site did not indicate the likelihood of human remains on the site; however, in the event human remains are present, Health and Safety Code Section 7050.5 would apply during grading. Applicability of this regulation is referenced in mitigation measure CUL-1 above. This regulation requires that in the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the local County Coroner and the City of Bradbury Planning Division, and the coroner would be permitted to examine the remains. If the coroner determines that the remains are of Native American origin, the coroner would notify the Native American Heritage Commission (NAHC) and the Commission would identify the "Most Likely Descendent." In the event

human remains are discovered during project construction, the project would comply with applicable regulations, thereby ensuring impacts would be less than significant.

4.6 Energy

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

EXPLANATIONS:

a-b. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

While energy resources would be consumed during construction and operation of future development, potential impacts to energy resources of any specific future residential projects would need to meet the City's Housing Element Section O requirement of performing analysis of energy conservation opportunities as well as promote energy conservation and affordable housing, and implementation of Climate Action Plan policies contained within the City of Bradbury General Plan, 2012-2030, which include a number of actions to promote energy efficiency in new development. The HEU would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, nor would it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Based on the above, implementation of the HEU and Zoning Actions would result in less than significant impacts related to energy resources.

4.7 Geology and Soils

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

EXPLANATIONS:

a. (i-iv). Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and emergency shelters for six individuals. Development of SRO and ADU units would occur within existing private residential lots.

Similar to most areas in southern California, the City lies within a region known to be seismically active and is subject to periodic seismic shaking due to earthquakes along remote or regional faults. Therefore, the potential exists for people and structures associated with new residential projects to be exposed to strong ground shaking, ground failure, and soil instability. The City is located on the Sierra Madre-Cucamonga Fault Zone according to mapping by the California Department of Conservation, California Geologic Survey (2022). The active Sierra Madre and Duarte faults are mapped running northwest to southeast through the southern portion the City, respectively. The San Gabriel and Verdugo faults are mapped approximately 12 miles north and 12 miles west of the City, respectively. All future development implemented to achieve the City's RHNA would be conducted in accordance with the City's grading guidelines, the current California Building Codes, and the specifications outlined in project-specific geotechnical investigations. Future projects would be required to comply with all relevant building standards ensuring that impacts associated with seismic hazards would be less than significant.

b. Less than Significant Impact

Potential erosion and sedimentation impacts would be temporarily increased as a result of proposed construction, through activities such as excavation, grading, and removal of surface stabilizing features (e.g., vegetation and pavement). Off-site sediment transport can adversely affect downstream receiving water quality, such as increased turbidity and by providing a transport mechanism for other contaminants to adhere to sediment particles (e.g., hydrocarbons). Future

development within the housing sites would be required to implement best management practices to control and prevent runoff and erosion. Developed areas would be most susceptible to erosion between the beginning of grading/construction and the installation of pavement or establishment of permanent cover in landscaped areas. All disturbed areas would be stabilized through either construction of structures/hardscape or through landscape installation consistent with the City's Water Efficient Landscape Ordinance which includes requirements for planting disturbed areas and implementing stormwater management practices to minimize runoff and erosion. Short-term erosion and sedimentation impacts would be addressed through conformance with local stormwater regulations and related National Pollutant Discharge Elimination System (NPDES) standards. Stormwater and landscape regulations combined with the NPDES Construction General Permit, would ensure the project would be managed in a way to avoid substantial erosion or loss of topsoils.

c and d. Less than Significant Impact

Geologic hazards associated with seismic waves including ground rupture, ground shaking, landslides, flooding, and liquefaction may be experienced by the City (2012 General Plan Safety Element, page 20). Potential impacts associated with landslide, liquefaction, and expansive soils of any specific future residential projects would be assessed at the time the projects are proposed. Future projects must comply with the recommendations of the project-specific preliminary geotechnical investigation required during the grading and building permit process, which would ensure removal of unsuitable soils and proper fill and compaction to avoid assessed hazards. Therefore, impacts related to landslide and/or liquefaction, or expansive soils would be less than significant.

e. Less than Significant Impact

Development of the City Hall site would connect to existing sewer lines and be served by public sewer. However, the majority of the City is served on septic and depending on the location, future development in the City could require septic tanks or alternative wastewater disposal systems. The state Onsite Wastewater Treatment Systems (OWTS) Policy, required by AB 885, sets standards for wastewater treatment and monitoring requirements. It also authorizes the state, through the Regional Water Boards to authorize local governments to approve OWTS for domestic wastewater through a Local Area Management Program (LAMP). The Los Angeles County Code defines the guidelines and regulations for efficient systems to appropriately dispose of waste through OWTS. Future development would be required to receive OWTS approval from the Los Angeles County Department of Public Health under the provisions of the LAMP to residents of the City. Therefore, impacts would be less than significant.

f. Less than Significant Impact

Depending on the location, future development in the City has the potential to disturb paleontological resources. While the project would amend regulations to support development of SROs and ADUs, these residential units are already allowed on single-family residential land without further discretionary review. Extensive grading or excavation is not anticipated to support these housing types. Similarly, development at the City Hall site is planned to occur within the existing disturbed portion of the site. Due to prior grading and development of the site, the potential for redevelopment to result in impacts to underlying geologic formations that may contain

paleontological resources is considered low. Implementation of the HEU and Zoning Actions would result in a less than significant impact to paleontological resources.

4.8 Greenhouse Gas Emissions

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

EXPLANATIONS:

a and b. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

According to the U.S. Environmental Protection Agency, the burning of fossil fuels, along with deforestation, has caused the concentrations of heat-trapping greenhouse gases (GHGs) to increase significantly in the earth's atmosphere. The increase in GHGs results in global warming, as more heat is trapped in the atmosphere. Direct GHG emissions include emissions from construction activities, area sources, and mobile (vehicle) sources. Typically, mobile sources make up the majority of direct emissions. Indirect GHG emissions are generated by incremental electricity consumption, water and wastewater consumption, and solid waste generation.

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the South Coast Air Basin. The Working Group developed several different options that are contained in the SCAQMD Draft Guidance Document – *Interim CEQA GHG Significance Thresholds for Stationary Sources, Rules, and Plans*, which could be applied by lead agencies. The working group met again in 2010 to review the guidance. The SCAQMD Board has not approved the thresholds; however, the Guidance Document provides substantial

evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. The SCAQMD has identified a GHG screening threshold of 3,000 metric tons of carbon dioxide equivalent (MT CO_2E) annually for residential land uses (SCAQMD 2008, 2010). The California Air Pollution Control Officers Association (CAPCOA 2008), estimates emissions associated with 50 single family homes would generate approximately 900 MT CO_2E. Based on these estimates, the construction and operation of 41 multi-family housing units and an emergency shelter for six individuals would generate less than 900 MT CO_2E and would result in total GHG emissions far less than 3,000 MT CO_2E. Therefore, the HEU would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and impacts would be less than significant.

State GHG emissions reduction targets proposed and/or codified by Executive Order (EO) S-3-05, AB 32, EO B-30-15, and SB 32 include achieving 1990 emission levels by 2020 (which the state has achieved); 40 percent below 1990 levels by 2030; and 80 percent below 1990 levels by 2050. The City has adopted a Climate Action Plan (CAP) as part of its General Plan that contains climate action goals, objectives, and policies to achieve identified energy efficiency measures that can be taken to reduce GHG emissions from City operations and from development in its jurisdiction. The HEU establishes goals, measures, and actions related to reducing GHG emissions. Policy 7 of the HEU is to promote and encourage energy conservation and affordable housing. The City will implement an Energy Conservation Program to provide informational materials on green building techniques and materials and will provide data to property owners and builders. The City will work with the San Gabriel Valley Council of Governments, the San Gabriel Valley Energy Wise Partnership, and others in implementation of its Climate Action Plan, and will report annually on its progress. The City also promotes energy conservation by advertising utility rebate programs and energy audits available through Southern California Edison (SCE), and the Southern California Gas Company. Future development would be required to meet the mandatory energy and water conservation requirements of CALGreen and the California Energy Code. Because the project would result in GHG emissions that would be less than 3,000 MT CO_2E annually and would implement measures consistent with the CAP, the HEU and Zoning Actions would not conflict with the City's CAP or an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs, and impacts would be less than significant.

4.9 Hazards and Hazardous Materials

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

EXPLANATIONS:

a-c. No Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the

programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. The HEU and Zoning Actions would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous material, nor create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment because the project supports additional housing opportunities in the City and would not introduce any uses that would be associated with hazardous emissions. A database search was completed of the California Department of Toxic Substances Control (DTSC) Envirostor Database (2022) and the State Water Resources Control Board GeoTracker sites to identify if any contaminated sites exist in the vicinity of City Hall that would have the potential to result in hazardous emissions or handling of acutely hazardous materials or substances. No sites were identified within one-half mile of the site. The closest active hazardous material cleanup sites to the City Hall site are approximately 1 mile southeast and 1.3 miles west. Therefore, the HEU would not result in potential impacts from hazards and hazardous material that may endanger residents or the environment, result in routine transport, use, or disposal of hazardous material. No impact would occur.

d. Less than Significant Impact

As described in 4.9 (a-c), the closest active hazardous material cleanup sites to the City Hall site are approximately 1 mile southeast and 1.3 miles west. The sites of proposed future residential projects would be evaluated using appropriate databases including the California Department of Toxic Substances Control EnviroStor database which, pursuant to Government Code Section 65962.5, lists Federal Superfund, State Response, Voluntary Cleanup, School Cleanup, Hazardous Waste Permit, and Hazardous Waste Corrective Action sites. The potential impacts related to any listed hazardous materials sites associated with any specific future residential projects would be assessed at the time the projects are actually proposed. Therefore, the HEU and Zoning Actions would result in less than significant impact relative to hazardous materials.

e. No Impact

The City is not located within an airport land use plan or within two miles of a public airport or public use airport; therefore, any development pursuant to the HEU and Zoning Actions would not result in an airport related safety hazard for people residing or working in the project area. The San Gabriel Valley Airport Influence Area (AIA) is located five miles away from the project site. Therefore, the HEU and Zoning Actions would result in no impact relative to airport hazards.

f. No Impact

The HEU and Zoning Actions would be consistent with all related General Plan policies. This includes the City's emergency response plans. The addition of SROs, ADUs, a multi-unit residential project, and an emergency shelter at the City Hall site would not have the potential to physically interfere

with an adopted emergency response plan or emergency evacuation plan. Therefore, the HEU and Zoning Actions would result in no impact relative to emergency or evacuation plans.

g. Less than Significant Impact

Almost the entire City is located within the Very High Fire Hazard Severity Zone (California Department of Forestry and Fire Protection [CAL FIRE] 2021). Therefore, future development of the City Hall site, SROs and ADUs in this zone within the City must comply with the fire hazard construction requirements specified in Chapters 7-A and 15 of the California Building Code and the 2019 International Fire Code (or subsequent amendments). Development would be reviewed for consistency with fire protection safety standards of California Building Code Chapter 7A in areas containing direct or indirect fire hazards. All construction in the City would be inspected by a building inspector for conformance with the approved plans as well as City and State Building and Safety Codes. Fire inspections are conducted by the Los Angeles County Fire Department.

Additionally, ADUs within Very High Fire Hazard Severity Zones are subject to additional side and rear setbacks and fuel modification requirements and must be equipped with fire sprinklers, among other requirements as detailed in the City's Development Code relating to affordable housing. Adherence to the requirements of the City's Municipal Code in relation to development within Very High Fire Hazard Severity Zones together with California Building Code requirements applicable to development in fire hazard areas would minimize potential adverse impacts related to wildlife hazard to less than significant.

4.10 Hydrology and Water Quality

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:				
i. result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

EXPLANATIONS:

a and c (i-iv). Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. Therefore, its adoption would not, in itself, produce environmental impacts. However, implementation of the programs contained in the document would accommodate development required to meet the City's RHNA. Development on the City Hall site and new SRO and ADU units would be required to adhere to all applicable City regulations including the City's Storm Water Retention and Storm Water Pollution Prevention policies as stated in City of Bradbury

Municipal Code Section 9.94.070, 9.121.120, 15.04.120, and 15.04.130. which requires projects to incorporate construction and postconstruction Best Management Practices (BMPs) to ensure storm water runoff is controlled in a manner that would minimize water quality degradation. Likewise, the HEU and Zoning Actions would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces in a manner, which would result in substantial erosion, increase the rate or amount of surface runoff, exceed the capacity of existing or planned stormwater drainage systems, or impede or redirect flood flows. Future projects would be required to employ construction and operational BMPs to control potential erosion and siltation, and control flows and associated velocities to prevent erosion and impacts to the downstream drainage system. Project-specific stormwater management BMPs would be identified and implemented at the time future projects are proposed. Implementation of existing regulations would ensure impacts would be less than significant.

b and e. No Impact

The City of Bradbury is located within the Upper San Gabriel Valley Municipal Water District which provides potable water to the City through its water retailers. Implementation of the HEU and Zoning Actions would not deplete groundwater supplies as groundwater would not be used to support the water needs of future housing. As a result, implementation of the HEU would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

d. Less than Significant Impact

As described in the City's 2012-2030 General Plan Environmental Impact Report, the City is not located in a 100-year flood zone. Reservoirs upstream of the City include the San Gabriel and Morris. The project lies within a mapped dam inundation area for these reservoirs. Figure 8-2 of the 2012-2030 General Plan Safety Element delineates the areas potentially subject to inundation in the event of failure of each dam. The Los Angeles County Department of Public Works manages the San Gabriel and Morris dams as part of its flood control and water supply responsibilities and monitors this infrastructure for safety. Additionally, the City maintains a Hazard Mitigation Plan that includes measures to ensure dam safety. Both seiches and tsunamis are known to occur following earthquakes. However, the City is located inland from the Pacific Ocean and substantially distant from surface water bodies, and would not be impacted by a tsunami or seiche. Further, multi-family and emergency housing at the City Hall site would not involve storage of pollutants that would pose a potential for release if the site was inundated. Therefore, potential impacts related to seiche or tsunami inundation zones, and risk release of pollutants due to such project inundation would be less than significant.

4.11 Land Use and Planning

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

EXPLANATIONS:

a. No Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. Because development would occur within existing private residential lots and at the City Hall site, within established neighborhoods, project implementation would not have the potential to physically divide an established community. No impact would occur.

b. Less than Significant Impact

No conflicts have been identified with General Plan policies adopted for the purpose of mitigating an environmental effect. Adoption of the HEU and the Zoning Actions is required to comply with State Housing Law and to accommodate projected growth in the City. No conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect have been identified. Impacts would be less than significant.

4.12 Mineral Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

EXPLANATIONS:

a and b. No Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. Although implementation of the programs contained in the document would accommodate development required to meet the City's RHNA, future development would not be anticipated to significantly impact mineral resources. As discussed in the 2012-2030 General Plan Conservation Element, there are no known mineral resources in the City. According to the General Plan Conservation Element, there are no areas known to have significant mineral resources. Therefore, no loss of minerals would occur.

4.13 Noise

Would the project result in:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☒	☐

EXPLANATIONS:

a-b. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

The Health and Safety Element of the General Plan establishes guidelines for controlling noise in the City. The objective of the Noise Chapter is to maintain and preserve the existing quiet and relative noise free environment in the City. The Noise Chapter establishes residential land use compatibility

noise level standards of 65 community noise equivalent level (CNEL) for exterior noise and 45 CNEL for interior noise.

The City also adopted a Noise Ordinance to establish acceptable noise levels generated on private property in residential neighborhoods. It is designed to control unnecessary, excessive and annoying sounds generated from stationary sources that may impact an adjacent property. Chapter 9.127 of the Municipal Code establishes controls regarding unnecessary, excessive and annoying noise. Specially, no person shall create or allow the creation of noise on any residential property which causes the noise level to exceed the actual measured median ambient noise level, or the presumed ambient noise levels of 55 A-weighted decibels average sound level [dB(A) L_{eq}] between 7 a.m. and 10 p.m. and 50 dB(A) L_{eq} between 10 p.m. and 7 a.m., whichever is greater.

The City's Noise Ordinance provides a means to enforce the existing quiet, noise free environment in the City. Specifically, per the Noise Ordinance the City will continue to:

- Incorporate measures into future residential projects which attenuate exterior noise levels in outdoor activity areas to a maximum of 65 CNEL and interior noise levels to a maximum 45 CNEL.

- Establish through the design review process that schools are located and designed so that they comply with the acoustical criteria promulgated by the California Collaborative for High Performance Schools (CHPS).

- Enforce state vehicle noise regulations (Section 23130, 23130.5, 27150, 27151 and 38275 of the California Vehicle Code) to curtail the use of vehicles equipped with illegal or faulty exhaust systems and "hot rods" exhibiting tire squeal or excessive exhaust noise.

- Enforce the California Noise Insulation Standards (Title 24 California Building Code) for dwellings to ensure an acceptable maximum interior noise level of 45 CNEL in habitable rooms, and maintain adequate noise insulation.

- Strictly enforce acoustical privacy, consistent with the California Noise Insulation Standards and all existing and future requirements outlined in the State Housing Code, for residential construction.

- Prohibit roosters and peacocks in the City.

As stated in Municipal Code Chapter 9.127, creating, maintaining, causing or allowing to be created, caused or maintained, any noise or vibration in a manner prohibited by or not in conformity with the provisions of this Chapter is declared to be a public nuisance and shall be punishable as such. However, per Section 9.127.080 certain activities are exempt from these policies, including construction or demolition work conducted between the hours of 7 a.m. and 7 p.m. on weekdays and the hours of 9 a.m. and 7 p.m. on weekends, excluding holidays.

During construction activities associated with future residential development, the potential would exist for temporary or periodic increases in noise levels and/or ground-borne noise and vibration levels on and adjacent to project sites. The degree of such increases would depend on the type and

intensity of construction activity, equipment type used, duration of equipment used, and distance between the noise source and noise receiver. Construction affected by the HEU and Zoning Actions would be limited to SROs, ADUs, one potential 18-unit development at the City Hall site and an emergency shelter for six individuals. Construction equipment with a diesel engine typically generates maximum noise levels from 70 to 95 dB(A) L_{eq} at a distance of 50 feet (Federal Highway Administration [FHWA] 2006). During construction activities, equipment moves to different locations and goes through varying load cycles, and there are breaks for the operators and for non-equipment tasks, such as measurement. Due to the small size of the City Hall site and the size of the lots where SROs and ADUs could be constructed, only a minimal amount of heavy construction equipment would be used. The loudest piece of construction equipment would be a backhoe. A backhoe generates a noise level of 80 dB(A) L_{eq} with a duty cycle of 40 percent. This results in an average hourly noise level of 76 dB(A) L_{eq} at 50 feet. Although the adjacent uses would be exposed to construction noise levels that could be heard above ambient conditions, the exposure would be temporary. Construction activities would be subject to the time restrictions specified in Section 9.127.080 of the Municipal Code. With enforcement of the Municipal Code, construction noise impacts are anticipated to be less than significant.

Construction equipment also produces varying levels of groundborne vibration. Based on several federal studies, the threshold of perception is 0.035 in/sec PPV, with 0.24 in/sec PPV being a distinctly perceptible (Caltrans 2013). As discussed, due to the limited size of the potential HEU sites, only a minimal amount of heavy construction equipment would be used. The equipment with the greatest potential to generate groundborne vibration is a jack hammer, which generates a vibration level of 0.035 in/sec PPV at 25 feet. Potential construction activities would not generate excessive ground borne vibration or ground borne noise levels, and impacts would be less than significant. Once operational, residential uses would not be a source of ground borne vibration or ground borne noise.

The noise sources on the HEU sites after completion of construction are anticipated to be those that would be typical of any residential neighborhood, such as vehicles arriving and leaving, children at play, and landscape maintenance machinery. None of these noise sources associated with residential uses are anticipated to violate the City's Municipal Code or result in a substantial permanent increase in existing noise levels. On-site noise levels would be similar in nature to the surrounding development. Further, all future residential uses would be subject to the requirements of Chapter 9.127 of the Municipal Code. With enforcement of the Municipal Code, operational noise impacts are anticipated to be less than significant.

Residential development has the potential to result in incremental increases in long-term noise levels generated by increased vehicular traffic. Because of the primarily low density residential nature of the City, future development is not anticipated to result in the exposure of residential uses to noise levels in excess of the exterior noise level standard of 65 CNEL and the interior noise level standard of 45 CNEL. Additionally, given the relatively small number of units under the RHNA, the HEU and Zoning Actions are not anticipated to generate a significant increase in vehicle traffic noise levels. The City's 2012-2030 General Plan Update explains that traffic is the greatest source of noise in the City, but that roadway sources of traffic that generate significant sources of noise are all outside of City limits (e.g., Hunting Drive, Interstate 201, and Interstate 605). An audible change in noise levels requires a 3 dB increase in noise. A 3 dB increase in transportation noise levels requires a doubling of traffic volumes. Based on an ITE Trip Generation Manual, 11th Edition, vehicle trip generation for

an affordable housing project with income limits would generate an average 4.81 trips per dwelling unit. Based on this rate, implementation of a 18-unit affordable housing development at the City Hall site plus an emergency shelter for six individuals would conservatively result in an increase of approximately 106 trips, excluding associated trip rate reductions associated with affordable units near transit. This small amount of traffic would not result in a perceptible permanent increase in ambient noise levels on surrounding roadways. For context, a project would have to add 1,000 trips to a low volume roadway (e.g., 1,000 average daily traffic) in order to result in a 3 dB increase in noise. Roadways with higher volumes would require more trips to result in a similar 3 dB increase in noise. Thus, vehicle traffic noise impacts would be less than significant.

c. Less than Significant

The City is not located within an airport land use plan or within two miles of a public airport or public use airport; therefore, would not expose people residing or working in the project area to aircraft noise. The San Gabriel Valley Airports Airport Influence Area (AIA) is located five miles away from the project site. Impacts due to aircraft noise would be less than significant.

4.14 Population and Housing

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

EXPLANATIONS:

a. and b. No Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City

Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

The HEU utilizes the 2021-2029 RHNA to plan for and accommodate population growth. Additionally, the City's General Plan planned for a projected population of 1,540 by the year 2029. According to Chapter 2 of the HEU the City's population is at 833 as of 2019. Based on planned growth, the project would not induce population growth. Implementation of the programs contained in the document would accommodate development required to meet the City's RHNA. Future development would occur on existing residential sites and/or the City Hall site and is not anticipated to replace any housing. Therefore, the update would not necessitate the construction of replacement housing elsewhere (outside of the City) or result in environmental impacts related to growth. Based on the above, the HEU and Zoning Actions would result in a less than significant impact associated with population and housing.

4.15 Public Services

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

EXPLANATIONS:

a (i-v). Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for up to six individuals.

Future development of SROs and ADUs in the City would be within private residential lots. Thus, increased demand for public services from development of the housing affected by the HEU and Zoning Actions is not expected to be significant. Development of up to 18 multi-family residential units on the City Hall site would result in a demand on public services, but would not require construction of new fire, police, schools, parks or other facilities that could result in environmental impacts. The HEU and Zoning Actions, therefore, would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services listed above. Based on the above, the HEU and Zoning Actions would result in less than significant impacts to public services.

4.16 Recreation

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

EXPLANATIONS:

a and b. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU and Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

Additional residential development of the housing promoted by the HEU and Zoning Actions may result in the increased use of existing recreational facilities but would not directly result in the need for construction or expansion of recreational facilities to meet the needs of new residents. The availability, maintenance, and management of park and recreation facilities are covered under the General Plan. As future park needs are identified, such impacts by development projects would be assessed at the time the projects are proposed. Implementation of the HEU would result in a less than significant impact related to recreation.

4.17 Transportation

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with the applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b. Conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

EXPLANATIONS:

a. Less than Significant Impact

Adoption of the HEU would not conflict with adopted transportation policies, plans, and programs including those supporting transit, bicycle, and pedestrian facilities. Development of the housing promoted by the HEU and Zoning Actions would occur on existing residential lots and would not conflict with transportation infrastructure on neighboring streets. Similarly, development on the City Hall site would not conflict with any plans related to the surrounding circulation system or any circulation-transportation policies from the General Plan or Climate Action Plan, which establishes a plan for a multi-modal transportation system. Impacts related to conflicts with applicable plans would be less than significant.

b. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs (that are already allowed by right) and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

On August 18, 2020, the City adopted Vehicle Miles Traveled (VMT)_thresholds of significance for purposes of analyzing transportation impacts under CEQA. The thresholds include project screening criteria consistent with Office of Planning and Research guidelines which screens out projects from further VMT analysis if they fall into the following categories:

- Projects generating less than 110 daily trips.
- Residential projects located in low VMT areas. Low VMT is defined as 15 percent below the subarea VMT metrics for that area.
- Projects within a Transit Priority Area (TPA). A TPA is defined as locations within 0.5 mile of a high-quality transit corridor with 15-minute or less headways during peak commute hours.
- Affordable housing developments.
- Transportation projects that promote non-auto travel, improve safety, or improve traffic operations at current bottlenecks, such as transit, bicycle and pedestrian facilities, intersection traffic control (e.g., traffic signals or roundabouts), or widening at intersections to provide new turn lanes.

Development at the City Hall site would be screened out from further review because it would be an affordable housing development and emergency shelter. Therefore, implementation of the HEU would result in a less than significant impact related to VMT and would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

c. Less than Significant Impact

Development of housing as set forth in the HEU and Zoning Actions is not anticipated to increase any transportation hazards as construction would occur within existing lots and no transportation improvements are anticipated that could result in sharp curves, dangerous intersections, or incompatible uses. Impacts would be less than significant.

d. Less than Significant Impact

Development under the HEU and Zoning Actions would not conflict with emergency access within or in the surrounding area. All development would be subject to applicable setbacks to ensure adequate circulation and access. Impacts would be less than significant.

4.18 Tribal Cultural Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☐	☒	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

EXPLANATIONS:

a (i and ii). Less than Significant Impact

The City of Bradbury, as lead agency, formally notified California Native American tribes of the opportunity to consult via letter in accordance with Senate Bill (SB) 18 and AB 52 on March 29, 2022. No tribes requested formal consultation; however, the Gabrieleno Band of Mission Indians – Kizh Nation requested consultation for any activities with ground disturbance that may be proposed in the future. In order to mitigate significant impacts to potentially significant tribal cultural resources that could be encountered from future ground disturbing activities, implementation of a construction monitoring program as identified in mitigation measure CUL-1 would be implemented, reducing impacts to a less than significant level.

4.19 Utilities and Service Systems

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provided which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulation related to solid waste?	☐	☐	☒	☐

EXPLANATIONS:

a-e. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

New residential development affected by the HEU and Zoning Actions would be expected to increase the burden on existing utilities and service systems involving water, wastewater treatment storm water drainage, and solid waste disposal. Proposed development of SRO and ADU units not connected to public services must meet specific requirements for a potable water supply and disposal of wastewater through an OWTS. Approvals for potable water supply are obtained from the Environmental Health Drinking Water Program. The Los Angeles County Department of Public Health enforces OWTS regulations for the City and these requirements must be approved by the City's Building and Safety and Environmental Health Land Use Program. The City Hall site is already served by well-established utilities service systems; therefore, expansion of existing systems or the construction of new systems is not anticipated. Water is provided by Upper San Gabriel Valley Water District and sewer maintenance services are provided by Los Angeles County Sewer Maintenance District. Growth envisioned by the HEU is considered planned growth as it would be consistent with growth projections in the City's General Plan. Therefore, the HEU would not generate solid waste or create a demand on water or sewer facilities in excess of the capacity of local infrastructure. The HEU, therefore, would not result in substantial adverse physical impacts associated with the provision of utilities and service systems and impacts would be less than significant.

4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. 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?	☐	☐	☒	☐
c. 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?	☐	☐	☒	☐
d. 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?	☐	☐	☒	☐

EXPLANATIONS:

a. No Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. Implementation of HEU programs and housing associated with the City's RHNA would not conflict with or substantially impair an adopted emergency response plan or emergency evacuation plan as all development would occur within existing developed areas, using the existing circulation network. No impact would occur.

b. Less than Significant Impact

The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations

supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals.

Almost the entire City is located within the Very High Fire Hazard Severity Zone (CALFIRE 2021). Potential wildlife impacts associated with new housing in the City was considered in developing the Housing Element and determining where housing would be appropriate in relation to wildfire risk.

Therefore, the HEU accounts for the unique wildfire risks in the City in defining where the RHNA units would be supported. The location of the City at the foothills of San Gabriel Mountains, adjacent to wildfire hazard areas and subject to Santa Ana wind conditions put the entire City in a fire risk zone. In the event of a wildlife, residents could be subject to pollutant concentrations and wildfire risk. However, the anticipated 41 units associated with the City's RHNA would be located within existing developed lots. The requirements of the HEU is anticipated to accommodate SROs and ADUs within existing residential lots which would add additional hardened structures that would be resistant to wildfire based on the requirements for wildfire resistant construction in accordance with the latest codes. Specifically, all future development must comply with the fire hazard construction requirements specified in Chapters 7-A and 15 of the California Building Code and the 2019 International Fire Code (or subsequent amendments). Development would be reviewed for consistency with fire protection safety standards of California Building Code Chapter 7A in areas containing direct or indirect fire hazards. All construction in the City would be inspected by a building inspector for conformance with the approved plans as well as City and State Building and Safety Codes. Fire inspections are conducted by the LA County Fire Department.

Additionally, ADUs within Very High Fire Hazard Severity Zones are subject to additional side and rear setbacks and fuel modification requirements and must be equipped with fire sprinklers, among other requirements as detailed in the City's Development Code relating to affordable housing. Adherence to the requirements of the City's Municipal Code in relation to development within Very High Fire Hazard Severity Zones together with California Building Code requirements applicable to development in fire hazard areas would minimize potential adverse effects related to wildfire risk hazards.

c.-d. Less than Significant Impact

Implementation of the HEU would not require the installation or maintenance of 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. The HEU is a policy document and the limited housing anticipated and required to be accommodated in the City would comply with fire safety requirements and standards detailed in response b. above.

Additionally, while the project would add potential units within a wildfire hazard area, the project would not introduce development within previously undeveloped areas such that slope instability would be created, resulting in downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. All future housing development would comply with State and local stormwater management standards that requires slope stabilization. Additionally, potential impacts associated with landslides are discussed in Section 4.7. As discussed in that section, implementation of site-specific recommendations provided within a required geotechnical investigation would reduce impacts associated with landslides, slope instability, and mudflows to less than significant.

Additionally, risk associated with downstream flooding or landslides would be minimized through compliance with the existing regulatory framework related to flooding and geologic hazards as discussed in Section 4.7 and 4.10. Impacts would be less than significant.

4.21 Mandatory Findings of Significance

Does the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable futures projects)?	☐	☐	☒	☐
c. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

EXPLANATIONS:

a-c. Less than Significant Impact

The HEU is a policy document and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals. Although implementation of the programs contained in the document would accommodate development required to meet the City's RHNA, the HEU does not identify, describe, promote, entitle, or permit any particular residential development project. Housing accommodated by the HEU is not anticipated to have a cumulative impact related to habitat; plant or animal communities; rare, endangered, or threatened species; historic resources; or human beings.

5.0 Determination and Preparers

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FEE DETERMINATION

(Fish and Game Code Section 711.4, Statutes of 2006 – SB 1535)

[ ] It is hereby found that this project involves no potential for any adverse effect, either individual or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.

[x] It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore, fees in accordance with Section 711.4(d) of the Fish and Game Code shall be paid to the County Clerk.

Report Preparers

City of Bradbury
- Kevin Kearney, City Manager
- Lisa Kranitz, Assistant City Attorney

RECON Environmental, Inc., 3111 Camino del Rio North, Suite 600, San Diego, CA 92108
- Jennifer Campos, Report Reviewer, Principal
- Morgan Weintraub, Report Author, Environmental Analyst
- JR Sundberg, Biologist and ISA Certified Arborist
- Vanessa Tang, Report Author, Habitat Restoration Assistant
- Jessica Fleming, Senior Air Quality, Noise, and GHG Specialist
- Stacey Higgins, Senior Production Specialist
- Frank McDermott, GIS/UAV Manager

6.0 Sources Consulted

Bradbury, City of
2012 Zoning Map. https://cms7files.revize.com/bradburyca/Document_center/Services/Planning/bradbury_zoning_map.pdf.

2014 City of Bradbury General Plan 2012-2030, February.

2022 Municipal Code.

California Air Pollution Control Officers Association (CAPCOA)
2008 *CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.* January.

California Department of Conservation (DOC)
2016 Farmland Mapping and Monitoring Program. DLRP Important Farmland Finder (ca.gov).

2022 Earthquake Zones of Required Investigation, California Geologic Survey, Accessed 6/30/22 at Earthquake Zones of Required Investigation (ca.gov).

California Department of Forestry and Fire Protection (CAL FIRE)
2021 Fire Hazard Severity Zones. Maphttps://osfm.fire.ca.gov/media/5806/bradbury.pdf

California Department of Transportation (Caltrans)
2013 Technical Noise Supplement. November.

Department of Toxic Substances Control (DTSC)
2022 Envirostor Database.

Federal Highway Administration (FHWA)
2006 Roadway Construction Noise Model User's Guide. FHWA-HEP-05-054, SOT-VNTSC-FHWA-05-01. Final Report. January 2006.

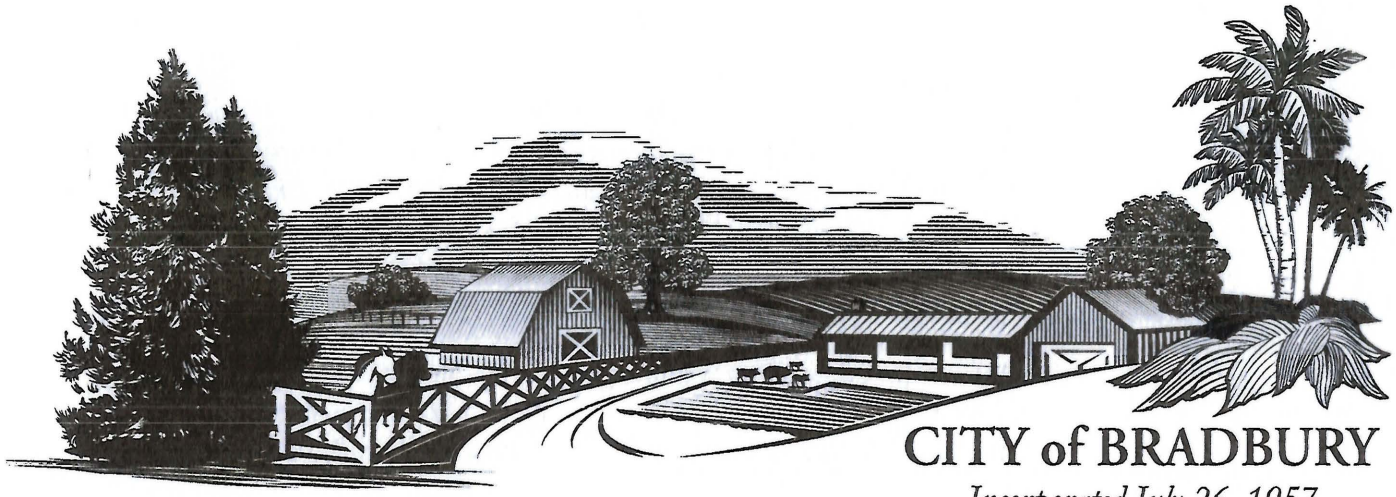
South Coast Air Quality Management District (SCAQMD)
2008 Draft Guidance Document – *Interim CEQA GHG Significance Thresholds for Stationary Sources, Rules, and Plans*. October.

2010 Greenhouse Gas CEQA Significance Thresholds Stakeholder Working Group 15. September 28, 2010.

U.S. Geological Survey
2022 U.S. Quarternary Faults. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.

EXHIBIT B

Response to Comments on the Mitigated Negative Declaration for the City of Bradbury 2021--2029 6th Cycle Housing Element Update and Zoning Amendments Project, SCH #2023020514



CITY of BRADBURY

Incorporated July 26, 1957

Elected Officials

Mayor
Bruce Lathrop, District 4

Mayor Pro-Tem
Richard G. Barakat, District 3

Councilmember
Richard T. Hale, Jr., District 1

Councilmember
D. Montgomery Lewis, District 2

Councilmember
Elizabeth Bruny, District 5

Staff

City Manager
Kevin Kearney

City Clerk
Claudia Saldana

Management Analyst
Sophia Musa

City Attorney
Cary Reisman

Building Inspector
Mark Handler

City Engineer
David Gilbertson

City Planner
Jim Kasama

Finance Director
Suresh Malkani

April 18, 2023

RE: Response to Comments on the Mitigated Negative Declaration for the City of Bradbury 2021-2029 6th Cycle Housing Element Update and Zoning Amendments Project, SCH #2023020514

The City of Bradbury (City) received comments from the California Department of Fish and Wildlife (CDFW) dated March 24, 2023 on the Mitigated Negative Declaration (MND) for the City of Bradbury 2021-2029 6th Cycle Housing Element Update and Zoning Amendments Project, SCH #2023020514. Responses are provided below. The CDFW comment letter including bracketing and numbering corresponding to the responses below is included as Attachment 1.

1. Introductory comments are noted. The comment does not raise a specific issue relating to the adequacy or accuracy of the Draft MND; no response is required.

2. The comment summarizes the City's Housing Element Update. The comment does not raise a specific issue relating to the adequacy or accuracy of the Draft MND; no response is required.

3. An introduction to comments related to biological resources are noted. Responses to individual comments follow.

4. This comment raises concern that the proposed activity will cause impacts to oak woodlands, specifically that it would involve "removal of two individual oak trees and encroach upon 10 other oak trees through branch and root pruning". However, this impact would not occur and is not stated as such in the MND. It is unclear how this impact assumption was made. Section 4.4, Biological Resources, response e. of the Initial

Study Checklist documents the presence of oak trees on the City Hall site, but explains that the site contains sufficient developed area to accommodate the multi-family residential development and emergency shelter. Any future development on the City Hall site would occur within the existing developed footprint. Furthermore, any future development on the site would be subject to the City's Oak Tree Preservation and Protection Ordinance. The Bradbury Code of Ordinances, Title IX, Part VI, Chapter 118 includes the Tree Preservation and Protection regulations for the City. The regulations define native trees and significant trees as follows:

- Native tree means any woody plant species indigenous to the desert, foothills, or canyons of southern California prior to the California Mission Period, provided that the plant has an expected mature trunk size of six inches diameter at breast height (DBH) and has an expected mature height of 15 feet or higher. Giant sequoias (*Sequoiadendron giganteum*), redwoods (*Sequoiadendron semperivirens*), dawn redwoods (*Metasequoia glyptostroboides*), evergreen native oaks (such as *Quercus agrifolia, Quercus engelmannii*), deciduous oaks (such as *Quercus lobata* and *Quercus kelloggii*) are to be regarded as important native trees even though they have been planted by man, introduced (or possibly reintroduced) into the southern California foothill and canyon environments.
- Prominent tree means a woody perennial plant with a trunk DBH of six inches or more, and having an expected mature height of 15 feet or higher.
- Significant tree means any non-native or exotic tree with a trunk DBH of six inches or more, and having an expected mature height of 15 feet or higher, and known to survive in the southern California environment.

The MND identifies an area of coast live oak woodland located along the northern property line of the City Hall site (see Figure 5). The location of individual coast live oaks with a trunk diameter greater than six inches at breast height is shown on Figure 6. These individual oak trees would be considered native trees, prominent trees and significant trees pursuant to the City's Tree Preservation and Protection Ordinance. As detailed in Section 9.118.060 of the ordinance, removal of native and/or prominent trees is prohibited unless it meets certain criteria as follows:

Removal of native trees and/or prominent trees. No prominent tree, native tree or any other tree defined in Section 9.118.030 and/or which is of a desirable genus and species shall be removed without first obtaining a permit to do so. The City Manager shall issue such permits only after the presentation of photographs and/or drawings showing that the prominent tree is a significant health or fire hazard or has become an extremely severe detriment to the view of the mountains or valley from house sites. A 14-day waiting period is created hereby,

during which time appeals to any decisions, restrictions or conditions made by the City Manager on the permit may be submitted in writing to the Planning Commission. Should an appeal be filed, the 14-day holding period is extended automatically until the next Planning Commission meeting for which the item can be placed on the agenda.

Since there are no view impacts resulting from the existing oak trees, the only reason they would be removed is if they were creating a significant health or fire hazard. In summary, impacts to oak trees as a result of the Housing Element Update are not anticipated as development is assumed to occur within the existing developed footprint of the City Hall site. Furthermore, as stated throughout the MND, the City's 6th Cycle Housing Element (2021-2029) is a policy document that establishes programs to further the goal of meeting projected housing needs pursuant to the regional housing needs allocation. The project is the adoption of the City's Housing Element and associated Zoning Amendment. The project does not include any development plans that could result in environmental impacts related to oak trees or oak woodland within the City Hall site. Future development would be required to submit building plans demonstrating consistency with the City's Tree Preservation and Protection Ordinance and other relevant regulations to ensure avoidance of indirect impacts including stormwater and grading regulations that require erosion control and water quality best management practices. Additionally, future development would be required to implement General Plan policies including the conservation of oak woodlands (Conservation Policy 8).

5. As detailed in response #4, the project would avoid impacts to oak trees; therefore, mitigation measures are not warranted. No impacts to the critical root zone are anticipated as any future development would occur within lands that are currently developed and paved in the existing condition. The oak tree canopy and root zone of the oak trees present on the City Hall site are already impacted by pavement and development would not expand existing developed areas. Existing oak trees on-site may already be compromised by development within the root protection zone. Nonetheless, the redevelopment at the City Hall site would not require removal of existing oak trees and the project would result in no net loss of oak trees or oak woodlands beyond the existing condition.

6. This comment documents the biological value and functions associated with oak woodlands. Consistent with the City's Tree Preservation and Protection Ordinance and City General Conservation Policy 8, the City agrees that oak woodland provides important biological values and functions. The comment notes that, "Due to the historic and on-going loss of this ecologically important vegetation community, oak trees and woodlands are protected by local and State ordinances." As detailed in these responses, the City would comply with their local ordinance, the Tree Preservation and Protection Ordinance to ensure protection to oak trees. The comment also refers to state ordinances protecting oak woodlands but does not provide any specific references to these protections. The City is aware of Public Resources Code (PRC) Section 21083.4 which requires counties to address conversion of oak woodlands and implementation of mitigation. However, this would not

apply to the City of Bradbury as an incorporated City. Furthermore, it is noted that PRC Section 21083.4(d)(2) includes an exemption for affordable housing projects, which would be applicable to development at the City Hall site. The City acknowledges that oak woodlands are considered a CDFW sensitive vegetation community and accordingly has identified the existing developed portions of the City Hall site as a potential development area for affordable housing and emergency shelter needs in the City. Impacts to oak woodlands are not anticipated.

7. As detailed in responses 4 through 6, significant impacts to oak trees are not anticipated; therefore, mitigation measures are not warranted. Furthermore, no development is currently proposed on the City Hall site. Any future development would be subject to the City of Bradbury applicable ordinances and development permit procedures of Title IX, Part IV, Section. 9.28.060 Environmental Assessment, which requires all projects as defined by the California Environmental Quality Act (CEQA) to be reviewed and processed in accordance with CEQA and any local environmental regulations.

8. This comment suggests that future development of identified housing sites could result in erosion and siltation that could impair streams. The comment refers to Housing Element Figure IV-3 which identifies sites in the Housing Element sites inventory. However, all of the sites identified on Figure IV-3 are existing vacant undeveloped parcels that have development potential in the existing condition. These are identified in the City's Housing Element sites inventory to comply with Regional Housing Needs Assessment (RHNA) requirements, but the adoption of the Housing Element and overlay zone does not change development potential at these sites. As the project would not change the potential for development at these sites, there is no physical impact that would result from the project.

   Future development at the sites identified on Figure IV-3 could be developed in the existing condition and development would be subject to the City's General Development Standards (Bradbury Municipal Code Chapter 94) or Hillside Development Standards (Bradbury Municipal Code Chapter 97) which require slope protection and stormwater retention to avoid erosion potential. Additionally, the City's Water Efficient Landscape Ordinance (Bradbury Municipal Code Chapter 121) includes requirements for planting disturbed areas and implementing stormwater management practices to minimize runoff and erosion. Future projects would also be required to adhere to the National Pollutant Discharge Elimination System (NPDES) standards which requires project-specific Best Management Practices (BMPs) to be implemented to control erosion and prevent topsoil from exiting the site. Additionally, future projects would implement General Plan policies including (but not limited to) the protection of water bodies, watershed, and courses from development impacts (Conservation Policy 1).

   As stated throughout the MND, "The HEU is a policy document, and its adoption would not produce environmental impacts. While no actual development is proposed as part of the HEU or Zoning Actions, implementation of the programs contained in the document would accommodate development through regulations supporting SROs, ADUs, and through

application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals." None of the proposed regulations or policies proposed as part of the Housing Element Update would increase development potential at the vacant undeveloped parcels shown on Figure IV-3 of the Housing Element Update compared to the existing condition. Therefore, the project would not result in physical impacts at these sites and no impacts to any rivers, streams, or other CDFW regulated resources would occur.

All future development would be required to adhere to the City's regulations relating to environmental resource protection and General Plan policies including the conservation of riparian vegetation (Conservation Policy 6). Future projects would be evaluated independently under CEQA as applicable, including a project-level evaluation of sensitive biological and botanical resources (Bradbury Municipal Code Section 9.94.030).

Furthermore, the City Hall site does not support riparian habitat as there are no streams on or near the property. The application of the housing overlay on the City Hall site for low-income housing is the only proposed action that would change development potential in the City. Therefore, the project would have no impact to streams or riparian habitats.

9. This comment summarizes the CDFW permit authority pursuant to the California Fish and Game Code Section 1602 Streambed Alteration. As discussed throughout the Draft MND, the project does not identify, describe, promote, entitle, or permit any particular residential development project. Rather, the project is the adoption of the City's Housing Element and associated Zoning Amendment and does not include any development plans or project-level proposals that could result in environmental impacts. Future development on vacant parcels would be evaluated independently under CEQA, including a project-level evaluation of sensitive biological and botanical resources (Bradbury Municipal Code Section 9.94.030). If required, future development would be subject to CDFW review and application for permits consistent with the resources potentially affected by the development plans. At that time appropriate mitigation measures would be determined. As the adoption of the Housing Element Update would not change the potential for development at vacant sites with potential jurisdictional resources, no impact to CDFW jurisdictional resources would result from project implementation.

   The proposed project only changes development potential on the City Hall site through application of the housing overlay. No CDFW jurisdictional resources are present on or near the City Hall site, therefore, the project would have no potential to affect jurisdictional resources and a 1602 permit would not be required for development of that site.

10. This comment recommends mitigation measures for impacts to jurisdictional waters and wetlands. However, as detailed in response #9, adoption of the Housing Element and Zoning Update would not change the potential for development at vacant sites with potential jurisdictional resources; therefore, no impact to CDFW jurisdictional resources would result from project implementation. However, the City agrees that future

development with the potential to impact jurisdictional resources would need to prepare a jurisdictional delineation, impacts assessment, and identify feasible mitigation. While it is feasible that the suggested measures could apply to future development, the project includes the adoption of the City's Housing Element and associated Zoning Amendment which would not change development potential on vacant undeveloped parcels. Should future development be proposed, CDFW would have an opportunity to review and make recommendations for mitigation.

The proposed project only changes development potential on the City Hall site through application of the housing overlay. No CDFW jurisdictional resources are present on or near the City Hall site, therefore, the project would have no potential to affect wetlands and a 1602 permit would not be required for development of that site.

11. This comment recommends the Draft MND require future projects to specifically analyze biological effects of potential changes in hydrology and hydraulics associated with project development. The Draft MND does state that future development would be required to adhere to all applicable City regulations including compliance with the grading and drainage standards adopted by the City (Bradbury Municipal Code Section 9.94.040), on-site retention of stormwater and ensure that grading does not increase, concentrate or divert drainage across lot lines (Bradbury Municipal Code Section 9.94.060). The inclusion of these requirements as regulatory compliance precludes the need to include these recommendations in the Draft MND. Therefore, upon application of a specific development project, site-specific studies, including hydrology and hydraulics would be required to ensure project implementation of City regulations and ensure storm water runoff is controlled in a manner that would minimize environmental effects, including downstream biology. Refer also to responses 9 and 10.

12. This comment focuses on the potential for impacts to nesting birds during construction activities. As detailed in response #4, the removal of trees is not anticipated to allow development at the City Hall site. Furthermore, the project is primarily adoption of a policy document, and no development is proposed. However, throughout the City, in the event any tree removal, trimming or tree disturbance is proposed to implement housing, those actions would be subject to compliance with Fish and Game Code, Sections 3503, 3503.5, 3505, and 3513, and California Code of Regulation, Title 14, Sections 251.1, 652 and 783-786.6 which protects raptors and nesting birds. Additionally, the Migratory Bird Treaty Act (MBTA) prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service. Furthermore, development throughout the City is subject to the City's Tree Preservation and Protection Ordinance which would limit, if not preclude, the removal of trees with nesting bird potential. Therefore, through regulatory compliance future projects would not result in the loss of occupied habitat or reductions in sensitive bird species.

13. This comment recommends mitigation measures for impacts to nesting birds. While it is feasible that the suggested measures could apply to future development, the project

includes the adoption of the City's Housing Element and associated Zoning Amendment which are policy documents. The project does not propose any development at this time, but considers potential future development at the City Hall site. As discussed herein and throughout the MND, development at the City Hall site would occur on existing developed lands, avoiding impacts to sensitive plants or wildlife. Additionally, as detailed in responses 11 and 12 and throughout these responses, there are state, federal, and City regulations which require protections for nesting birds.

14. This comment suggests the need for site-specific biological surveys. As detailed in responses 7, 8 and 9, the project does not propose any physical development at this time. Development at the City Hall site is considered more specifically because of the application of the Housing Overlay which would incentivize development there; this is the only site at which there is a proposed change in development potential. However, the development would be limited to existing disturbed/developed areas of the site and would avoid sensitive biological resources, negating the obligation to require a biological resources survey. Any work related to the on-site oak trees would be handled consistent with the City's Tree Preservation and Protection Ordinance. Furthermore, development of housing citywide would be subject to the City of Bradbury applicable ordinances and development permit procedures of Title IX, Part IV, Section 9.28.060 Environmental Assessment, which requires all projects as defined by CEQA to be reviewed and processed in accordance with CEQA and any local environmental regulations.

15. This comment recommends mitigation measures for general biological impacts. As detailed throughout the MND and these responses, the project is not associated with any significant impacts to biological resources; therefore, no mitigation is required.

16. As detailed in Section 5.0, the City has indicated that payment of Fish and Game fees would be provided upon filing the Notice of Determination. While all biological resource impacts are determined to be less than significant, the City understands the high bar for obtaining a No Effect Determination; therefore, the fee will be paid. This is not a comment on the adequacy of the environmental document.

17. Conclusion paragraph is noted. The City will notify CDFW of future hearings and responses to comments.

Attachment 1: CDFW Comment letter with Numbering

ATTACHMENT 1

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

March 24, 2023

Kevin Kearney
City of Bradbury
600 Winston Ave
Bradbury, CA 91008
kkearney@cityofbradbury.org

Subject: Comments on the Mitigated Negative Declaration for the City of Bradbury 2021-2029 6th Cycle Housing Element Update and Zoning Amendments Project, SCH # 2023020514, Los Angeles County

Dear Mr. Kearney:

The California Department of Fish and Wildlife (CDFW) has reviewed the Mitigated Negative Declaration (MND) for the City of Bradbury 2021-2029 6th Housing Element Update and Zoning Amendments Project (Project) from the City of Bradbury (City). Associated documentation includes the 2021-2029 Housing Element (HEU). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's Role

#1 CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

Project Description and Summary

Objective: The proposed Housing Element Update establishes programs, policies, and actions to further the goal of meeting the existing and projected housing needs of all family household levels of the community. It will also provide evidence of the City's ability to accommodate the Regional Housing Needs Assessment (RHNA) allocation through the year 2029, as established by the Southern California Association of Governments. To meet the City's RHNA for lower income households, the City has primarily identified affordable housing opportunities through Accessory Dwelling Units (ADUs) and Single-Room Occupancy (SRO) developments. The City
#2 has also identified opportunity for affordable housing development at the City Hall site located at 600 Winston Avenue. The Housing Element includes a program to modify the Affordable Housing Overlay Zone (Chapter 88 of the City's Development Code) to allow for multi-family affordable housing at a density range of 20-35 units per acre, through application of the Overlay Zone to the City Hall site. The Affordable Housing Overlay Zone would be applied to the City Hall site either prior to or concurrent with adoption of the Housing Element. The Affordable Housing Overlay Zone already allows an emergency shelter as an allowable land use. As a result, this Initial Study Checklist includes an evaluation of development of a 18-unit multi-family affordable development, based on development on up to 0.55 acre of the City Hall site at a density of 35 dwelling units per acre and an emergency shelter for up to six persons on the rear parking lot portion of the City Hall site.

Location: The Project would apply to the entire geographic area located within the boundaries of the City of Bradbury, which encompasses 1.9 square miles. The City is located at the base of the San Gabriel Mountains below Angeles National Forest in Los Angeles County. It is bordered on the west by the City of Monrovia, and on the south and east by the City of Duarte.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other
#3 recommendations are also included to improve the environmental document. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Specific Comments

Comment #1: Impacts to Oak Trees and Oak Woodland

Issue: The Project's proposed activity will cause impacts to oak woodlands.

#4

Specific impact: The MND indicates that the Project will accommodate the "application of an Affordable Housing Overlay Zone on the City Hall site that would allow development of up to 18 multi-family residential units and an emergency shelter for six individuals, remove two individual oak trees and encroach upon 10 other oak trees through branch and root pruning."

Why impacts would occur: There is no proposed mitigation for impacts to the oak woodland,

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

including the removal of two trees, the understory associated vegetation, as well as the impacts through the encroachment activity for 10 oak trees. Any impacts to the critical root zone may
#5 jeopardize the health and persistence of the trees on site. Without enforceable compensatory mitigation, the Project will impact and result in a net loss of existing oak trees and their future recruitment both temporarily and permanently. As a result, the Project may result in a net loss of oak trees and oak woodlands.

Evidence impacts would be significant: Oak trees provide nesting and perching habitat for approximately 170 species of birds (Griffin and Muick 1990). Oak woodlands serve several important ecological functions such as protecting soils from erosion and land sliding; regulating
#6 water flow in watersheds; and maintaining water quality in streams and rivers. Oak woodlands also have higher levels of biodiversity than any other terrestrial ecosystem in California (Block et al. 1990). Coast live oak and old-growth oak trees (native oak tree that is greater than 15 inches in diameter) are of importance due to increased biological values and increased temporal loss. Due to the historic and on-going loss of this ecologically important vegetation community, oak trees and woodlands are protected by local and State ordinances. CDFW considers oak woodlands a sensitive vegetation community.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: Prior to any Project ground-disturbing activities, the City should determine:

1) Acres of oak woodlands impacted and density, coverage, and abundance of understory vegetation species impacted by life form (i.e., grass, forb, shrub, subshrub, vine);
2) Mitigation ratios if the loss of any oaks are anticipated and total number and/or area of replacement trees and vegetation. The mitigation site should mimic the pre-Project percent basal, canopy, and vegetation cover of oak woodland impacted. Associated understory and early successional native species should be planted and monitored along with trees to achieve viable habitat and adequately compensate for biological functions lost;
#7 3) Location of restoration areas and a discussion of the adequacy of the location(s) to serve as mitigation (e.g., would support oak trees/oak woodlands; avoid habitat type conversion);
4) Location and assessment of appropriate reference site(s) to inform the appropriate planting rate to recreate the pre-Project function, density, percent basal, canopy, and vegetation cover of oak woodland impacted;
5) Scientific [Genus and species (subspecies/variety if applicable)] of all plants being used for restoration;
6) Location(s) of propagule source. Propagules should be collected or grown from on-site sources or adjacent areas within the same watershed and should not be purchased from a supplier. Seeds must originate from plants/trees of the same species (i.e., Genus, species, subspecies, and variety) as the species impacted; and
7) Species-specific planting methods (i.e., container).

Mitigation Measure #2: CDFW recommends the following measures be taken to protect any oak trees designated to have root systems pruned due to construction activities. These measures should be performed by a certified arborist or under the supervision of a certified arborist and/or qualified restoration professional. The exposed tap root, main roots, and any surface-feeding roots exceeding one inch in diameter should be wrapped in protective

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

moistened burlap during the excavation. Work should be done as quickly as possible to expose the roots for as little time as possible and the roots should be reburied with clean fill as soon as is feasible (no longer than a day or so, if possible). The burlap should be kept moist. Roots should be cut with sharpened, clean, disinfected tools (10% bleach solution) with every effort to avoid tearing the root and to avoid tearing the root surface. If a certified arborist or and/or qualified restoration professional determines work is being performed improperly, that individual(s) should stop work and determine the best course of action to avoid any tree damage or mortality before restarting work.

If any root disturbing activities are determined to have caused irreversible impacts that may eventually lead to decreased health or mortality of any oak tree, those activities and potential impacts should be documented immediately. All documentation should be summarized in a report provided to the City. Preserved oak trees that may succumb to impacts should be replaced with oak trees that are of the same species and variety.

Mitigation Measure #3: Placement of fill dirt, staging areas, chemicals, or debris should be away from any oak trees designated to be preserved.

Mitigation Measure #4: The City/Project proponent should work with a certified arborist and/or qualified restoration professional to select the most appropriate location for replacement oak trees. Oak trees should not be planted in areas that may be subject to future ground disturbance work that may impact replacement trees. Locations should have appropriate biological or physical factors required by oak trees to grow and persist where possible.

#7 cont.

The City should work with a certified arborist and/or qualified restoration professional to acquire appropriately sized, locally sourced oak trees from a local native plant nursery that implements *Phytophthora*/Clean Nursery Stock protocols. This may reduce the probability of introducing oak trees contaminated with pests, diseases, and pathogens that could spread and infect native oak trees or habitats. A certified arborist and/or qualified restoration professional should inspect and potentially quarantine nursery stock before bringing them into the Project site and supervise the installation/transplanting of the oak trees.

The City should protect and monitor the survivorship of planted oak trees until the trees begin to produce seeds. The City should consult with the certified arborist and/or qualified restoration professional on a long-term maintenance plan to provide protective caging, shading, and irrigation. Oak trees should be protected from trampling, damage, or climbing. The City should also consult with the certified arborist and/or qualified restoration professional if coast live oak trees show symptoms of stress and determine the appropriate response to prevent mortality.

Mitigation Measure #5: The oak woodland restoration site should be monitored and managed for a minimum of 10 years to ensure success of the restoration effort. In addition, trees that have had roots pruned should also be monitored and evaluated to determine any decline in health. If a severe decline in health or mortality is seen in any of these trees, they should be removed and mitigated for.

Comment #2: Impacts to Streams

#8

Issue: Development of potential sites facilitated by the Project could impact streams.

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

Specific impacts: According to Figure IV-3: Bradbury Sites Inventory in the HEU, several sites identified for housing needs are adjacent to identified streams. Development in these areas may result in erosion and earth movement that could impair streams. These impacts may occur in ephemeral, intermittent, or perennial streams. In addition, vegetation along streams may need to be removed or may be degraded through habitat modification (e.g., loss of water source, encroachment, and edge effects leading to introduction of non-native plants).

#8 cont.

Why impacts would occur: According to Figure IV-3 of the HEU, vacant undeveloped parcels have been identified to meet housing needs in the City. At least two of these sites are adjacent to a canal. Development of these sites could affect riparian habitat during project construction and operation. Development on these and potentially other sites may result in ground-disturbing activities and vegetation removal. Ground-disturbing activities and vegetation removal could result in erosion. Siltation or runoff downstream could impair streams and herbaceous vegetation. Herbaceous vegetation adjacent to streams protects the physical and ecological integrity of these water features and maintains natural sedimentation processes. Therefore, project sites that would impact vegetation adjacent to streams, but not the stream itself, may still impact the stream.

In addition, the MND does not recognize the potential need for Section 1602 Lake and Streambed Alteration Agreement, nor does it prescribe, require, or impose specific actions that would substantially mitigate for impacts on streams and associated natural communities. The MND does not require future development facilitated by the Project to undertake any measures to mitigate for impacts on streams and associated natural communities. As a result, the Project could result in unmitigated impacts.

Evidence impacts would be significant: CDFW exercises its regulatory authority as provided by Fish and Game Code section 1600 et seq. to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

#9

- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake; or,
- Deposit or dispose of material into any river, stream, or lake.

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when a project activity may substantially adversely affect fish and wildlife resources. The Project may result in significant impacts on streams and associated natural communities if development of sites identified by the Project or future projects would be in close proximity to these resources. Without appropriate mitigation, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on fish and wildlife resources, including rivers, streams, or lakes and associated natural communities identified by CDFW.

Recommended Potentially Feasible Mitigation Measure(s) Required for Future Projects Facilitated by the Housing Element:

#10

Mitigation Measure #6: Project specific analyses should prepare a jurisdictional delineation and impact assessment provided along with the project's biological resources technical studies.

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

#10 cont

Mitigation Measure #7: If any river, stream, or lake are present and may be impacted, the project should be required to avoid impacts by implementing appropriate vegetative buffers and/or setbacks adjoining the stream or wetland feature to reduce impacts of the project on these resources.

Mitigation Measure #8: If avoidance is not feasible, the project applicant should be required to notify CDFW pursuant to Fish and Game Code 1602 and obtain an LSA Agreement from CDFW prior to obtaining a grading permit. The project applicant should comply with the mitigation measures detailed in an LSA Agreement issued by CDFW. The project applicant should also provide compensatory mitigation at no less than 2:1 for any impacted stream and associated natural community, or at a ratio acceptable to CDFW. Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2023a).

#11

Recommendation #1: CDFW recommends the MND require any projects to include an analysis of potential impacts in subsequent CEQA documents on biological resources resulting from any proposed water diversion. At a minimum, the analysis should evaluate a study reach that includes the channel downstream from a project site. The study reach should extend a minimum of one mile downstream or an appropriate distance determined by both a qualified biologist and hydrologist, whichever is greater. The analysis of the study reach should discuss changes in hydrology and hydraulics, including the following:

1. Under pre-project (i.e., baseline) conditions, the volume of water flow from both the project area and study reach during a) the wet (November through March); b) the dry season (April through October); and c) above-average and below-average water year (i.e., wet season/above-average water year, wet season/below-average water year, dry season/above-average water year, and dry season/below-average water year). The analysis should clearly define above-average or below-average rainfall year.
2. Under proposed project conditions, the percent reduction in flow from both the project area and study reach for a wet season/above-average water year, wet season/below-average water year, dry season/above-average water year, and dry season/below-average water year.
3. A quantitative analysis comparing the flow from the project area and other tributaries into the study reach, and their relative contribution to the hydrograph of the study reach.
4. An analysis of potential project-related changes to river hydraulics in both concrete-lined and soft-bottom reaches. This includes water depth (percent change), wetted perimeter (acres gained/lost), and velocity (percent change).

Recommendation #2: CDFW's issuance of an LSA Agreement for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/project applicant for the project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, a project's CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures; avoidance of resources; protective measures for downstream resources; on- and/or off-site habitat creation; enhancement or restoration; and/or protection and management of mitigation lands in perpetuity.

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

Comment #3: Impacts to Nesting Birds

Issue: Aerial photography indicates ornamental trees around sites inventoried that may provide habitat for nesting birds.

Specific impacts: Construction during the breeding season of nesting birds could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment in trees adjacent to a project site.

Why impact would occur: The MND does not provide any avoidance or minimization measures for nesting birds. Without any protective measures, impacts to nesting birds could result from ground disturbing activities related to housing development. Impacts could result from noise disturbances, increased human activity, increased lighting, dust, vegetation clearing, ground disturbing activities (e.g., staging, access, excavation, grading), and vibrations caused by heavy equipment. Project disturbance activities could result in mortality or injury to nestlings, as well temporary or long-term loss of suitable foraging habitats. Construction during the breeding season of nesting birds could result in the incidental loss of breeding success or otherwise lead to nest abandonment. #12

Evidence impact would be significant: The loss of occupied habitat or reductions in the number of rare bird species, either directly or indirectly through nest abandonment or reproductive suppression, would constitute a significant impact absent appropriate mitigation. Furthermore, nests of all native bird species are protected under state laws and regulations, including Fish and Game Code sections 3503 and 3503.5.

Recommended Potentially Feasible Mitigation Measure(s) Required for Future Projects Facilitated by the Housing Element:

Mitigation Measure #9: To protect nesting birds that may occur on site or adjacent to the Project boundary, CDFW recommends that no construction occur from February 1 through September 15, as early as January 1 for some raptors.

Mitigation Measure #10: If avoidance during the nesting season is not feasible, a qualified biologist should complete a survey for nesting bird activity within a 500-foot radius of the construction site. The nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. CDFW recommends the Lead Agency require surveys be conducted by a qualified biologist no more than 7 days prior to the beginning of any Project-related activity likely to impact raptors and migratory songbirds, for the entire Project site. If Project activities are delayed or suspended for more than 7 days during the breeding season, repeat the surveys. If nesting raptors and migratory songbirds are identified, CDFW recommends the following minimum no-disturbance buffers be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests. #13

These buffers should be maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

#13 cont.

Mitigation Measure #11: It should be noted that the temporary halt of Project activities within nesting buffers during nesting season does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. Additional mitigation would be necessary to compensate for the permanent removal of nesting habitat within the Project site based on acreage of impact and vegetation composition. CDFW shall be consulted to determine proper mitigation for impacts to occupied habitat depending on the status of the bird species. Mitigation ratios would increase with the occurrence of a California Species of Special Concern and would further increase with the occurrence of a CESA-listed species.

Comment #4: Biological Review

Issue: The MND does not indicate biological surveys will take place for site development under the HEU.

Specific impacts: Without appropriate biological surveys prior to development of residential areas, there is potential to impact biological resources. This may result in injury or death to unidentified wildlife or plant species as well as permanent impacts to their habitat.

Why impact would occur: Impacts to plant and wildlife species not previously known or identified to be on the Project site or within its vicinity have the possibility to occur. In addition, special status species that may exist on project sites or within its vicinity would go unidentified. Therefore, Project implementation, including grading, vegetation clearing, road construction, and road maintenance, may result in direct mortality, population declines, or local extirpation of sensitive plant and wildlife species that were not previously known or identified. This may result in mortality, reduced reproductive capacity, population declines, or local extirpation of a sensitive or special status plant or wildlife species.

#14

Evidence impact would be significant: Impacts to special status plant or wildlife species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to special status plant or wildlife species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative 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 CDFW or USFWS.

Additionally, plants that have a CNPS California Rare Plant Rank (CRPR) of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of CESA and are eligible for State listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380).

Recommended Potentially Feasible Mitigation Measure(s) Required for Future Projects Facilitated by the Housing Element:

#15

Mitigation Measure #12: The City should retain a qualified biologist to prepare Biological Resources Assessments for review and approval by the City and other necessary agencies. The assessment should include biological field survey(s) of the project site to characterize the extent and quality of habitat that would be impacted by development. Surveys shall include

baseline surveys, protocol-level surveys, and tree inventories to confirm the presence of any special status species within or immediately adjacent to proposed impact areas. Surveys shall be conducted by qualified biologists and/or botanists in accordance with CDFW and/or United States Fish and Wildlife Services survey protocols for target species. Biological Resources Assessments should provide and include the following:

1. A complete, recent, assessment of rare, threatened, and endangered species, regionally and locally unique species, and sensitive habitats at the project site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of land around the project site should also be addressed. A nine-quadrangle search of CDFW's California Natural Diversity Database (CNDDB) should be conducted to obtain current information on any previously reported sensitive species and habitat (CDFW 2023b);
2. A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). Adjoining habitat areas should be included where project construction and activities could lead to direct or indirect impacts off site;
3. Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the area of potential effect. The Manual of California Vegetation (MCV), second edition, should be used to inform this mapping and assessment;
4. A rare plant assessment using online databases for rare, threatened, and endangered plants, including the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California (CNPS 2022) as well as the Calflora's Information on Wild California Plants database (Calflora 2022);
5. A discussion regarding project-related indirect impacts on biological resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands [e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)]; and
6. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the project site.

#15 cont

If biological resources are documented on the Project site, the Project proponent should comply with the applicable requirements of the regulatory agencies and should apply mitigation determined through the agency permitting process.

Additional Recommendations

Recommendation #3: Data - CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species detected by completing and submitting CNDDB Field Survey Forms (CDFW 2023c). This includes all documented occurrences of special status species. The City should ensure the data has been properly submitted, with all data fields applicable filled out, prior to Project ground-disturbing activities. The data entry should also list pending development as a threat and then update this

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

occurrence after impacts have occurred. The City should provide CDFW with confirmation of data submittal.

#15 cont.

Recommendation #4: Mitigation and Monitoring Reporting Plan - Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A). A final MMRP shall reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

Filing Fees

#16 The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the City of Lancaster and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Conclusion

#17 We appreciate the opportunity to comment on the Project to assist the City in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Felicia Silva, Environmental Scientist, at Felicia.Silva@wildlife.ca.gov or (562) 292-8105.

Sincerely,

DocuSigned by:
5991E19EF8094C3...
For Erinn Wilson-Olgin
Environmental Program Manager I

EC: CDFW
Victoria Tang – Seal Beach – Victoria.Tang@wildlife.ca.gov
Ruby Kwan-Davis – Seal Beach – Ruby.Kwan-Davis@wildlife.ca.gov
Felicia Silva – Seal Beach – Felicia.Silva@wildlife.ca.gov
Julisa Portugal – Seal Beach – Julisa.Portugal@wildlife.ca.gov
Andrew Aitken - Seal Beach - andrew.aitken@wildlife.ca.gov
Cindy Hailey – San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator – Sacramento – CEQACommentLetters@wildlife.ca.gov

State Clearinghouse - state.clearinghouse@opr.ca.gov

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

References:

Block, W.M., Morrison, M.M., Verner, J. 1990. Wildlife and oak-woodland interdependency. Fremontia 18(3):72-76.

[CDFWa] California Department of Fish and Wildlife. 2023. Lake and Streambed Alteration Program. Available from: https://wildlife.ca.gov/Conservation/LSA

[CDFWb] California Department of Fish and Wildlife. 2023. California Natural Diversity Database. Available from: https://wildlife.ca.gov/Data/CNDDB/Maps-andData#43018408-cnddb-in-bios

[CDFWc] California Department of Fish and Wildlife. 2023. Submitting Data to the CNDDB. Available from: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data

[CDFW] California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959

Calflora. 2022. Information on Wild California Plants. Available from: https://www.calflora.org/

[CNPS] California Native Plant Society, Rare Plant Program. 2022. Inventory of Rare and Endangered Plants of California (online edition, v9-01 1.0). Available from: https://www.rareplants.cnps.org

Griffin and Muick. 1990. California Native Oaks: Past and Present. Fremontia 18(3): 4-12.

[MCV]. A Manual of California Vegetation, 2nd ed. (2023) Available from: https://vegetation.cnps.org/

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project. A final MMRP shall reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		**Timing**	**Responsible Party**
MM-BIO-1- Oak Woodland	Prior to any Project ground-disturbing activities, the City shall determine: 1) Acres of oak woodlands impacted and density, coverage, and abundance of understory vegetation species impacted by life form (i.e., grass, forb, shrub, subshrub, vine); 2) Mitigation ratios if the loss of any oaks are anticipated and total number and/or area of replacement trees and vegetation. The mitigation site shall mimic the pre-Project percent basal, canopy, and vegetation cover of oak woodland impacted. Associated understory and early successional native species shall be planted and monitored along with trees to achieve viable habitat and adequately compensate for biological functions lost; 3) Location of restoration areas and a discussion of the adequacy of the location(s) to serve as mitigation (e.g., would support oak trees/oak woodlands; avoid habitat type conversion); 4) Location and assessment of appropriate reference site(s) to inform the appropriate planting rate to recreate the pre-Project function, density, percent basal, canopy, and vegetation cover of oak woodland impacted;	Prior to Project construction and activities	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

	5) Scientific [Genus and species (subspecies/variety if applicable)] of all plants being used for restoration; 6) Location(s) of propagule source. Propagules shall be collected or grown from on-site sources or adjacent areas within the same watershed and shall not be purchased from a supplier. Seeds must originate from plants/trees of the same species (i.e., Genus, species, subspecies, and variety) as the species impacted; and 7) Species-specific planting methods (i.e., container).		
MM-BIO-2- Oak Woodland	The following measures will be taken to protect any oak trees designated to have root systems pruned due to construction activities. These measures shall be performed by a certified arborist or under the supervision of a certified arborist and/or qualified restoration professional. The exposed tap root, main roots and any surface-feeding roots exceeding one inch in diameter shall be wrapped in protective moistened burlap during the excavation. Work shall be done as quickly as possible to expose the roots for as little time as possible and the roots shall be reburied with clean fill as soon as is feasible (no longer than a day or so, if possible). The burlap shall be kept moist. Roots shall be cut with sharpened, clean, disinfected tools (10% bleach solution) with every effort to avoid tearing the root and to avoid tearing the root surface. If a certified arborist or and/or qualified restoration professional determines work is being performed improperly, that individual(s) shall stop work and determine the best course of action to avoid any tree damage or mortality before restarting work. If any root disturbing activities are determined to have caused irreversible impacts that may eventually lead to decreased health or mortality of any oak tree, those activities and potential impacts shall be documented immediately. All documentation shall be summarized in a report provided to the City. Preserved oak trees that may succumb to impacts shall be replaced with oak trees	Prior to Project construction and activities	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

MM-BIO-3-Oak Woodland	Placement of fill dirt, staging areas, chemicals, or debris shall be away from any oak trees designated to be preserved.	Prior to Project construction and activities	City of Bradbury/Project Applicant
MM-BIO-4-Oak Woodland	The City/Project proponent shall work with a certified arborist and/or qualified restoration professional to select the most appropriate location for replacement oak trees. Oak trees shall not be planted in areas that may be subject to future ground disturbance work that may impact replacement trees. Locations shall have appropriate biological or physical factors required by oak trees to grow and persist where possible. The City shall work with a certified arborist and/or qualified restoration professional to acquire appropriately sized, locally sourced oak trees from a local native plant nursery that implements *Phytophthora*/Clean Nursery Stock protocols. This may reduce the probability of introducing oak trees contaminated with pests, diseases, and pathogens that could spread and infect native oak trees or habitats. A certified arborist and/or qualified restoration professional shall inspect and potentially quarantine nursery stock before bringing them into the Project site and supervise the installation/transplanting of the oak trees. The City shall protect and monitor the survivorship of planted oak trees until the trees begin to produce seeds. The City shall consult with the certified arborist and/or qualified restoration professional on a long-term maintenance plan to provide protective caging, shading, and irrigation. Oak trees shall be protected from trampling, damage, or climbing. The City shall also consult with the certified arborist and/or qualified restoration professional if coast live oak trees show symptoms of stress and determine the appropriate response to prevent mortality.	Prior to Project construction and activities	City of Bradbury/Project Applicant
MM-BIO-5-Oak Woodland	The oak woodland restoration site shall be monitored and managed for a minimum of 10 years to ensure success of the restoration effort. In addition, trees that have had roots pruned	Prior to Project	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

	shall also be monitored and evaluated to determine any decline in health. If a severe decline in health or mortality is seen in any of these trees, they shall be removed and mitigated for.	construction and activities	
MM-BIO-6-Impacts to Streams	Project specific analyses shall prepare a jurisdictional delineation and impact assessment provided along with the project's biological resources technical studies.	Prior to Project construction and activities	City of Bradbury/Project Applicant
MM-BIO-7-Impacts to Streams	If any river, stream, or lake are present and may be impacted, the project shall be required to avoid impacts by implementing appropriate vegetative buffers and/or setbacks adjoining the stream or wetland feature to reduce impacts of the project on these resources.	Prior to Project construction and activities	City of Bradbury/Project Applicant
MM-BIO-8-Impacts to Streams	If avoidance is not feasible, the project applicant shall be required to notify CDFW pursuant to Fish and Game Code 1602 and obtain an LSA Agreement from CDFW prior to obtaining a grading permit. The project applicant shall comply with the mitigation measures detailed in an LSA Agreement issued by CDFW. The project applicant shall also provide compensatory mitigation at no less than 2:1 for any impacted stream and associated natural community, or at a ratio acceptable to CDFW. Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2023a).	Prior to Project construction and activities	City of Bradbury/Project Applicant
REC-1-Impacts to Streams	CDFW recommends the MND require any projects to include an analysis of potential impacts in subsequent CEQA documents on biological resources resulting from any proposed water diversion. At a minimum, the analysis should evaluate a study reach that includes the channel downstream from a project site. The study reach should extend a minimum of one mile downstream, or an appropriate distance determined by both a qualified biologist and hydrologist, whichever is greater. The analysis of the study reach should discuss changes in hydrology and hydraulics, including the following: 1. Under pre-project (i.e., baseline) conditions, the volume of water flow from both the project area and study reach during a)	Prior to Project construction and activities	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

	the wet (November through March); b) the dry season (April through October); and c) above-average and below-average water year (i.e., wet season/above-average water year, wet season/below-average water year, dry season/above-average water year, and dry season/below-average water year). The analysis should clearly define above-average or below-average rainfall year. 2. Under proposed project conditions, the percent reduction in flow from both the project area and study reach for a wet season/above-average water year, wet season/below-average water year, dry season/above-average water year, and dry season/below-average water year. 3. A quantitative analysis comparing the flow from the project area and other tributaries into the study reach, and their relative contribution to the hydrograph of the study reach. 4. An analysis of potential project-related changes to river hydraulics in both concrete-lined and soft-bottom reaches. This includes water depth (percent change), wetted perimeter (acres gained/lost), and velocity (percent change).		
REC-2- Impacts to Streams	CDFW's issuance of an LSA Agreement for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/project applicant for the project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, a project's CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures; avoidance of resources; protective measures for downstream resources; on- and/or off-site habitat creation; enhancement or restoration; and/or protection and management of mitigation lands	Prior to Project construction and activities	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

	in perpetuity.		
MM-BIO-9-Nesting Birds	To protect nesting birds that may occur on site or adjacent to the Project boundary, CDFW recommends that no construction occur from February 1 through September 15, as early as January 1 for some raptors.	Prior to Project construction and activities	City of Bradbury/Project Applicant
MM-BIO-10-Nesting Birds	If avoidance during the nesting season is not feasible, a qualified biologist shall complete a survey for nesting bird activity within a 500-foot radius of the construction site. The nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. The Lead Agency shall require surveys be conducted by a qualified biologist no more than 7 days prior to the beginning of any Project-related activity likely to impact raptors and migratory songbirds, for the entire Project site. If Project activities are delayed or suspended for more than 7 days during the breeding season, repeat the surveys. If nesting raptors and migratory songbirds are identified, the following minimum no-disturbance buffers be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests. These buffers shall be maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.	Prior to Project construction and activities	City of Bradbury/Project Applicant
MM-BIO-11-Nesting Birds	It shall be noted that the temporary halt of Project activities within nesting buffers during nesting season does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. Additional mitigation would be necessary to compensate for the permanent removal of nesting habitat within the Project site based on acreage of impact and vegetation composition. CDFW shall be consulted to determine proper mitigation for impacts to occupied habitat depending on the status of the bird species. Mitigation ratios would increase with the	Prior to Project construction and activities	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

	occurrence a California Species of Special Concern and would further increase with the occurrence of a CESA-listed species.		
MM-BIO-12-Bio Review	The City shall retain a qualified biologist to prepare Biological Resources Assessments for review and approval by the City and other necessary agencies. The assessment shall include biological field survey(s) of the project site to characterize the extent and quality of habitat that would be impacted by development. Surveys shall include baseline surveys, protocol-level surveys, tree inventories to confirm the presence of any special status species within or immediately adjacent to proposed impact areas. Surveys shall be conducted by qualified biologists and/or botanists in accordance with California Department of Fish and Wildlife and/or United States Fish and Wildlife Services survey protocols for target species. Biological Resources Assessments shall provide and include the following: 1. A complete, recent, assessment of rare, threatened, and endangered species, regionally and locally unique species, and sensitive habitats at the project site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed shall include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of land around the project site shall also be addressed. A nine-quadrangle search of CDFW's California Natural Diversity Database (CNDDB) shall be conducted to obtain current information on any previously reported sensitive species and habitat (CDFW 2023b); 2. A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). Adjoining habitat areas shall	Prior to Project construction and activities	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

	be included where project construction and activities could lead to direct or indirect impacts off site; 3. Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the area of potential effect. The Manual of California Vegetation (MCV), second edition, shall be used to inform this mapping and assessment; 4. A rare plant assessment using online databases for rare, threatened, and endangered plants, including the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California (CNPS 2022) as well as the Calflora's Information on Wild California Plants database (Calflora 2022); 5. A discussion regarding project-related indirect impacts on biological resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands [e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)]; and 6. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the project site. If biological resources are documented on the Project site, the Project proponent shall comply with the applicable requirements of the regulatory agencies and shall apply mitigation determined through the agency permitting process."		
REC-4-Data	CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species detected by completing and submitting CNDDB Field Survey Forms (CDFW 2023c). This includes all documented occurrences of special status species. The City should ensure the data has	Prior to Project construction and activities	City of Bradbury/Project Applicant

DocuSign Envelope ID: EFDA3F50-4D95-44A9-9661-70D189570365

	been properly submitted, with all data fields applicable filled out, prior to Project ground-disturbing activities. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred. The City should provide CDFW with confirmation of data submittal.		

EXHIBIT C

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Prepared for
City of Bradbury
600 Winston Avenue
Bradbury, CA 91008

Prepared by
RECON Environmental, Inc.
3111 Camino del Rio North, Suite 600
San Diego, CA 92108
P 619.308.9333

RECON Number 10132

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a mitigation monitoring and reporting program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

MITIGATION MEASURES (MM)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
CULTURAL RESOURCES/TRIBAL CULTURAL RESOURCES					
MM CUL-1: In order to mitigate potentially significant impacts to buried archaeological features from ground disturbing activities, implementation of a construction monitoring program would be implemented as follows: • Prior to any ground disturbing activities, the Gabrieleno Band of Mission Indians – Kizh Nation shall be consulted. • An archaeological Principal Investigator and a local Native American monitor will attend a pre-construction meeting prior to ground-disturbing activities. The responsibilities and obligations of the monitors will be reviewed at this meeting. • The Principal Investigator and local Native American monitor will be present during ground-disturbing activities, such as grading and trenching into native soils. • If previously unidentified potentially significant cultural resources are discovered, construction activities should be diverted away from the discovery and the resources should be evaluated for significance. Isolates and non-significant deposits shall be minimally documented in the field. Significant archaeological discoveries include intact features, stratified deposits, previously unknown archaeological sites, and human	Prior to any Ground Disturbance	Notification to Construction Personnel	General Contractor		
	During Construction, If an Archaeological Resource is Discovered	Archaeological Resource Evaluation	Qualified Archaeologist Native American Monitor		

MITIGATION MEASURES (MM)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
remains. The Principal Investigator shall inform the City of the discovery and together with the Native American monitor determine its significance. To mitigate potential impacts to significant cultural resources, a Research Design and Data Recovery Program shall be prepared by the Principal Investigator, approved by the City, and implemented using professional archaeological methods. Construction activities would be allowed to resume after the completion of the recovery of an adequate sample and the recordation of features. • All cultural material collected during the monitoring and data recovery program shall be processed and curated at Los Angeles County facility that meets federal standards per 36 Code of Federal Regulations Part 79 unless the tribal monitors request the collection. • If human remains are discovered, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5) will be followed. The principal investigator shall contact the County Coroner. • After the completion of the monitoring, the archaeological Principal Investigator shall prepare a report. If no significant cultural resources are discovered, a brief letter shall be prepared. If					

MITIGATION MEASURES (MM)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
significant cultural resources are discovered, a report with the results of the monitoring and data recovery (including the interpretation of the data within the research context) shall be prepared.					